



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**2002 Rhif 2022 (Cy.206)**

**2002 No. 2022 (W.206)**

**TRAFNIDIAETH  
GYHOEDDUS I DEITHWYR,  
CYMRU**

**PUBLIC PASSENGER  
TRANSPORT,  
WALES**

Rheoliadau Grant Gweithredwyr  
Gwasanaethau Bysiau (Cymru)  
2002

The Bus Service Operators Grant  
(Wales) Regulations  
2002

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn diffinio "eligible bus services" ("gwasanaethau bysiau cymwys") at ddibenion adran 154 o Ddeddf Trafnidiaeth 2000 ("Deddf 2000"). O dan yr adran honno gellir rhoi grantiau i weithredwyr gwasanaethau bysiau cymwys tuag at eu costau wrth weithredu'r gwasanaeth. Mae'r Rheoliadau hyn yn ail-ddeddfu'r rheolau cymhwyster ar gyfer ad-daliadau treth danwydd o dan adran 92 o Ddeddf Cyllid 1992, sy'n cael ei disodli gan adran 154 o Ddeddf 2000, ond hefyd (rheoliad 3(1)(c) a (4)) yn estyn y nifer o wasanaethau cymwys i gynnwys y rhai sy'n cael eu darparu gan ystod o gyrff trafndiaeth cymunedol, nad ydynt yn gwneud elw, nad yw eu gwasanaethau yn dilyn llwybr neu amserlen sefydlog ac sydd i'w defnyddio'n bennaf gan gategoriâu penodol o deithwyr, yn hytrach na chan y cyhoedd yn gyffredinol.

These Regulations define "eligible bus services" for the purposes of section 154 of the Transport Act 2000 ("the 2000 Act"). Under that section grants may be made to operators of eligible bus services towards their costs in operating the service. These Regulations re-enact the eligibility rules for fuel duty rebates under section 92 of the Finance Act 1965, which is superseded by section 154 of the 2000 Act but also (regulation 3(1)(c) and (4)) extend eligibility to services provided by a range of non-profit making community transport bodies whose services do not follow a fixed route or timetable and are primarily for use by particular categories of passengers, rather than the general public.

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*Wedi'u gwneud* 31 Gorffennaf 2002  
*Yn dod i rym* 14 Awst 2002

*Made* 31st July 2002  
*Coming into force* 14th August 2002

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 154(5) o Ddeddf Trafnidiaeth 2002(a) drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon it by section 154(5) of the Transport Act 2000(a) hereby makes the following Regulations:

**Enwi, cychwyn a chymhwys**

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Grant Gweithredwyr Gwasanaethau Bysiau (Cymru) 2002 ac maent yn dod i rym ar 14 Awst 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

**Citation, commencement and application**

1. -(1) These Regulations may be cited as the Bus Service Operators Grant (Wales) Regulations 2002 and shall come into force on 14 August 2002.

(2) These Regulations apply to Wales.

**Dehongli**

2. Yn y Rheoliadau hyn-

mae gan "gwasanaeth lleol" yr un ystyr ag sydd gan "*local service*" yn adran 2 o Ddeddf Trafnidiaeth 1985(b);

ystyr "gwasanaethau trafndiaeth gyhoeddus i deithwyr" ("*public passenger transport services*") yw'r holl wasanaethau hynny y mae aelodau o'r cyhoedd yn dibynnu arnynt er mwyn symud o le i le, pan nad ydynt yn dibynnu ar eu cyfleusterau preifat eu hunain;

mae gan "man aros" yr un ystyr â "*stopping place*" yn adran 137(1) o Ddeddf Trafnidiaeth 1985;

mae gan "person anabl" yr un ystyr â "*disabled person*" yn adran 1 o Ddeddf Gwahaniaethu ar sail Anabledd 1995(c).

**Interpretation**

2. In these Regulations-

"disabled person" ("*person anabl*") has the same meaning as in section 1 of the Disability Discrimination Act 1995(b);

"local service" ("*gwasanaeth lleol*") has the same meaning as in section 2 of the Transport Act 1985(c);

"public passenger transport services" ("*gwasanaethau trafndiaeth gyhoeddus i deithwyr*") means all those services on which members of the public rely for getting from place to place, when not relying on private facilities of their own;

"stopping place" ("*man aros*") has the same meaning as in section 137(1) of the Transport Act 1985.

(a) 2000 p. 38.

(b) 1985 p. 67.

(c) 1995 p. 50.

(a) 2000 c. 38.

(b) 1995 c. 50.

(c) 1985 c. 67.

### Cymhwyster i gael grant

3. -(1) Mae gwasanaeth bysiau yn wasanaeth bysiau cymwys at ddibenion adran 152 Deddf Trafnidiaeth 2000 (grantiau i weithredwyr gwasanaethau bysiau) os yw'n perthyn i un o'r dosbarthau canlynol-

- (a) gwasanaeth lleol sy'n cael ei ddarparu neu'i sicrhau-
  - (i) gan awdurdod addysg lleol yn unol â threfniadau a wnaed o dan adran 509 o Ddeddf Addysg 1996(a), neu
  - (ii) ar gyfer personau sydd wedi cyrraedd trigain oed neu bersonau anabl,

ac y mae'r amodau a restrir ym mharagraff (2) wedi'u bodloni mewn perthynas â hwy;

- (b) gwasanaeth lleol, nad yw'n wasanaeth a ddisgrifir ym mharagraff (1)(a), ac sy'n defnyddio cerbyd a addaswyd i gario mwy nag wyth o deithwyr (neu gerbyd llai, ond dim ond os yw'r gwasanaethau yn cael eu gweithredu yn unol ag amserlen) ac y mae'r amodau a restrir ym mharagraff (3) wedi'u bodloni mewn perthynas ag ef;
- (c) gwasanaeth bysiau sy'n cael ei ddarparu gan weithredwr y mae trwydded o dan adran 19 o Ddeddf Trafnidiaeth 1985 wedi ei rhoi iddo ac sy'n dal mewn grym, a hwnnw'n wasanaeth y mae'r amodau a restrir ym mharagraff (4) wedi'u bodloni mewn perthynas ag ef.

(2) Yr amodau y mae paragraff (1)(a) yn cyfeirio atynt yw-

- (a) bod seddau ar y cerbyd sy'n cael ei ddefnyddio i ddarparu'r gwasanaeth ar gael, fel arfer, i aelodau o'r cyhoedd yn gyffredinol a bod yr aelodau hynny yn defnyddio'r gwasanaeth yn rheolaidd;
- (b) bod y manau aros (ac eithrio'r manau y mae'r gwasanaeth yn cael ei ddarparu'n bennaf iddynt neu ohonynt) wedi'u lleoli mewn manau lle byddant yn debygol o gael eu defnyddio yn rhesymol aml gan aelodau o'r cyhoedd yn gyffredinol;
- (c) bod yr aelodau hynny o'r cyhoedd yn gallu gwneud taith unigol rhwng unrhyw ddau fan aros trwy dalu pris tocyn nad yw'n fwriadol yn eu rhwystro rhag defnyddio'r gwasanaeth;
- (ch) bod yr aelodau hynny yn gallu medru talu'r pris tocyn mewn man ac mewn ffordd nad yw'n fwriadol yn eu rhwystro rhag defnyddio'r gwasanaeth; a
- (d) bod trefniadau wedi'u gwneud sy'n rhoi cyfle rhesymol i aelodau o'r cyhoedd yn gyffredinol gael gwybod am fodolaeth y gwasanaeth, yr amserau y mae ar waith, a'r manau y mae'n eu gwasanaethu.

(3) Yr amodau y mae paragraff (1)(b) yn cyfeirio

### Eligibility for grant

3. -(1) A bus service is an eligible bus service for the purposes of section 154 of the Transport Act 2000 (grants to bus service operators) if it is of one of the following classes-

- (a) a local service provided or secured-
  - (i) by a local education authority pursuant to arrangements made under section 509 of the Education Act 1996(a), or
  - (ii) for persons who have attained the age of sixty years or disabled persons,

and in respect of which the conditions set out in paragraph (2) are satisfied;

- (b) a local service, other than a service described in paragraph (1)(a), which is provided by means of a vehicle adapted to carry more than eight passengers (or by a smaller vehicle, but only if the services are operated in accordance with a time table) and in respect of which the conditions set out in paragraph (3) are satisfied;
- (c) a bus service being provided by an operator to whom a permit under section 19 of the Transport Act 1985 has been issued and remains in force, and in respect of which the conditions set out in paragraph (4) are satisfied.

(2) The conditions referred to in paragraph (1)(a) are that-

- (a) seats on the vehicle by means of which the service is provided are normally available to members of the general public and the service is regularly used by such members;
- (b) the stopping places (other than those to or from which the service is mainly provided) are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
- (c) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
- (d) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service; and
- (e) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, the times of its operation, and the places which it serves.

(3) The conditions referred to in paragraph (1)(b) are

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(a) 1996 p.56.

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(a) 1996 c. 56.

atynt yw-

- (a) bod o leiaf hanner y lle ar y cerbyd sy'n cael ei ddefnyddio i ddarparu'r gwasanaeth ar gael, fel arfer, i aelodau o'r cyhoedd yn gyffredinol a bod y gwasanaeth yn cael ei ddefnyddio'n rheolaidd gan yr aelodau hynny;
- (b) bod y manau aros wedi'u lleoli mewn manau lle byddant yn debygol o gael eu defnyddio yn rhesymol aml gan aelodau o'r cyhoedd yn gyffredinol;
- (c) bod yr aelodau hynny yn gallu gwneud taith unigol rhwng unrhyw ddau fan aros trwy dalu pris tocyn nad yw'n fwriadol yn eu rhwystro rhag defnyddio'r gwasanaeth;
- (ch) bod aelodau felly o'r cyhoedd yn medru talu'r tâl tocyn mewn man ac mewn ffordd sydd ddim yn eu rhwystro'n fwriadol rhag defnyddio'r gwasanaeth;
- (d) nad oes ar y cerbyd sy'n cael ei ddefnyddio i ddarparu'r gwasanaeth unrhyw arwydd na disgrifiad sydd wedi'i fwriadu neu sy'n debygol o roi'r argraff bod y gwasanaeth ond ar gael ar gyfer categori penodol o berson; ac
- (dd) bod trefniadau wedi'u gwneud sy'n rhoi cyfle rhesymol i aelodau o'r cyhoedd yn gyffredinol gael gwybod am fodolaeth y gwasanaeth, yr amserau y mae ar waith a'r manau y mae'n eu gwasanaethu.

(4) Yr amodau y mae paragraff (1)(c) yn cyfeirio atynt yw bod y gwasanaeth yn cael ei ddefnyddio yn gyfangwbl neu yn bennaf gan-

- (a) personau sydd wedi cyrraedd 60 mlwydd oed;
- (b) personau anabl;
- (c) personau sy'n cael cymhorthdal incwm o dan adran 124 o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992(a);
- (ch) personau sy'n cael lwfans ceisio gwaith o dan Ddeddf Ceiswyr Gwaith 1995(b);
- (d) pobl sydd yn dioddef rhywfaint o allgáu cymdeithasol oherwydd diweithdra, tlodi neu ffactorau economaidd eraill, digartrefedd, pellenigrwydd daearyddol, afiechyd, neu arferion crefyddol neu ddiwylliannol;
- (dd) personau sy'n credu na fyddai'n ddiogel iddynt ddefnyddio unrhyw wasanaethau trafniadaeth gyhoeddus i deithwyr; neu
- (e) gofalwyr neu pobl o dan 16 mlwydd oed sy'n teithio gydag unrhyw rai o'r blaenorol.

that-

- (a) at least half of the accommodation on the vehicle by means of which the service is provided is normally available to members of the general public and the service is regularly used by such members;
- (b) the stopping places are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
- (c) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
- (d) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service;
- (e) there is not displayed on the vehicle by means of which the service is provided any sign or description intended or likely to convey the impression that the service is only available to a particular category of person; and
- (f) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, times of its operation and the places which it serves.

(4) The conditions referred to in paragraph (1)(c) are that the service is used wholly or mainly by-

- (a) persons who have attained the age of 60 years;
- (b) disabled persons;
- (c) persons in receipt of income support under section 124 of the Social Security Contributions and Benefits Act 1992(a);
- (d) persons in receipt of jobseeker's allowance under the Jobseekers Act 1995(b);
- (e) persons suffering a degree of social exclusion by virtue of unemployment, poverty or other economic factors, homelessness, geographical remoteness, ill health, or religious or cultural mores;
- (f) persons who believe that it would be unsafe for them to use any public passenger transport services; or
- (g) carers or persons under 16 years of age accompanying any of the foregoing.

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(a) 1992 p. 4.

(b) 1995 p. 18.

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(a) 1992 c. 4.

(b) 1995 c. 18.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o  
dan adran 66(1) o Ddeddf Llywodraeth Cymru  
1998(a)

Signed on behalf of the National Assembly for Wales  
under section 66(1) of the Government of Wales Act  
1998(a)

31 Gorffennaf 2002

31st July 2002

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the Assembly





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