



Transport (Scotland) Act 2001

2001 asp 2

PART 2

BUS SERVICES

[^{F1}CHAPTER 2]

[^{F1}LOCAL SERVICES FRANCHISES]

[^{F1}Process for making franchising frameworks]

[^{F1}13J] Approval of proposed franchising frameworks

- (1) This section applies where the traffic commissioner has received a request to convene a panel under section 13I(2)(a).
- (2) The traffic commissioner must—
 - (a) give notice of the local transport authority seeking approval for the proposed franchising framework in such manner as the commissioner considers appropriate for bringing the notice to the attention of persons in the area of the authority,
 - (b) appoint three persons to form a panel to decide whether or not to approve the making of the proposed framework,
 - (c) provide the panel with the documents listed in section 13I(3), and
 - (d) provide the panel with any representations made to the commissioner in connection with the approval of making the proposed framework.
- (3) A notice given under subsection (2)(a) must state—
 - (a) that representations may be made to the traffic commissioner in relation to the application for approval of the making of the proposed franchising framework, and
 - (b) the period within which such representations may be made.
- (4) The panel may decide—
 - (a) to approve the making of the proposed franchising framework,

Changes to legislation: Transport (Scotland) Act 2001, Section 13J is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) to approve the making of the proposed framework subject to the local transport authority making such modifications to the proposed framework as the panel may specify, or
 - (c) not to approve the making of the proposed framework.
- (5) In making its decision under subsection (4), the panel must consider whether the local transport authority have—
- (a) complied with the process set out in section 13C(1),
 - (b) had regard to the guidance issued by Scottish Ministers under section 13E(5),
 - (c) given appropriate weight to any matter prescribed for the purposes of this section, and
 - (d) otherwise, reached a reasonable conclusion in deciding to make the proposed franchising framework.]

Textual Amendments

- F1** Pt. 2 Ch. 2 substituted for ss. 13-27 and cross-heading (4.12.2023) by [Transport \(Scotland\) Act 2019](#) (asp 17), [ss. 38\(2\), 130\(2\)](#) (with s. 126); S.S.I. 2023/250, sch.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)