



# Transport (Scotland) Act 2019

## 2019 asp 17

### PART 4

#### TICKETING ARRANGEMENTS AND SCHEMES

#### 44 Ticketing schemes

(1) The Transport (Scotland) Act 2001 is amended as follows.

(2) In section 29 (ticketing schemes)—

(a) after subsection (3) insert—

“(3A) A ticketing scheme must require the ticketing arrangements—

- (a) to be smart ticketing arrangements, and
- (b) to comply with the national technological standard for smart ticketing (to the extent it is relevant to the arrangements).

(3B) A ticketing scheme may require the ticketing arrangements to include provision—

- (a) enabling payment in particular ways,
- (b) about the persons to whom payment may be made,
- (c) about enabling entitlement to travel to be evidenced in particular ways,
- (d) about providing information about the arrangements to the public,
- (e) about publicising local services, fares or ticketing arrangements provided or made available by any operator of a local service of a class specified in the scheme, and
- (f) as to the appearance of tickets.

(3C) A ticketing scheme may make provision for ticketing arrangements giving rise to different kinds of entitlement to travel including, in particular—

- (a) an entitlement that is valid for a specified period, and
- (b) an entitlement that is valid only in a specified area.”,

(b) in subsection (5), for “28(5)” substitute “27A(1)”,

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*Status: This is the original version (as it was originally enacted).*

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(c) after subsection (6) insert—

“(7) In carrying out their functions under this section and sections 30 and 31 in relation to ticketing schemes, local transport authorities must co-operate with one another.

(8) In carrying out their functions under this section and sections 30 and 31 in relation to ticketing schemes, local transport authorities must have regard to the desirability, in appropriate cases, of having a ticketing scheme that—

- (a) facilitates journeys between the area to which the ticketing scheme applies and adjoining areas of Scotland, or
- (b) facilitates the adoption of ticketing arrangements similar to those specified in the ticketing scheme in adjoining areas of Scotland.”.

(3) In section 30 (consultation as to proposed ticketing scheme)—

(a) in subsection (1), for “at least one local newspaper circulating” substitute “such manner as they consider appropriate for bringing it to the attention of persons”,

(b) in subsection (3), after paragraph (c) insert—

“(ca) any—

- (i) local authority,
- (ii) National Park authority (as established by virtue of the National Parks (Scotland) Act 2000), and
- (iii) Transport Partnership,

any part of whose area or region would, in the opinion of the authority, be affected by the proposed scheme,

(cb) where the proposed scheme specifies arrangements of a kind mentioned in section 27A(1)(d)—

- (i) the Scottish Ministers,
- (ii) all operators of connecting rail or ferry services who are, in the opinion of the authority, likely to be affected by it,
- (iii) such organisations appearing to the authority to be representative of users of connecting rail or ferry services as they think fit,

(cc) the Competition and Markets Authority.”.

(4) In section 31 (making of ticketing scheme)—

(a) after subsection (1) insert—

“(1A) If the scheme specifies arrangements of a kind mentioned in section 27A(1)(d), it may only be made with the agreement of the operator of the connecting rail or ferry service concerned.”,

(b) in subsection (3)—

- (i) in paragraph (a), for “at least one local newspaper circulating” substitute “such manner as they consider appropriate for bringing it to the attention of persons”,
- (ii) in paragraph (b), after “services” insert “or connecting rail or ferry services”,

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*Status: This is the original version (as it was originally enacted).*

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- (iii) after paragraph (c) insert—
  - “(ca) to every other person consulted in relation to the scheme under section 30(3).”.
- (c) in subsection (4)(b), after “service” insert “and the connecting rail or ferry services (if any)”,
- (d) after subsection (4) insert—
  - “(5) The authority may vary or revoke the scheme.
  - (6) If the proposed variation would result in the scheme relating to all or part of the area of another local transport authority, the reference in subsection (5) to the authority includes that other authority.
  - (7) The variation or revocation is subject to the same procedure as the making of the scheme and in the application of that procedure—
    - (a) a reference in sections 29 and 30 and subsections (1) to (4) to making a scheme is to be treated as a reference to varying or revoking the scheme,
    - (b) a reference in those provisions to the proposed scheme is to be treated as a reference to the scheme as proposed to be varied or the proposed revocation of the scheme,
    - (c) a reference in those provisions to the date on which the scheme comes into operation is to be treated as a reference to the date on which the scheme as varied comes into operation or the date on which the scheme comes to an end.”.
- (5) In section 47—
  - (a) in subsection (1), the words “or ticketing scheme” are repealed,
  - (b) in subsection (3)(a), the words “and ticketing schemes” are repealed.
- (6) Before section 29 insert—

*“Ticketing schemes”.*