



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 1

#### REGIONAL TRANSPORT

#### CHAPTER 1

#### REGIONAL TRANSPORT PARTNERSHIPS

##### *Administration*

### **3 Regional Transport Partnerships: funding and borrowing**

- (1) The net expenses of a Transport Partnership for each financial year shall be paid by—
  - (a) its constituent councils; or
  - (b) where there is only one, that council.
- (2) The share of the expenses to be paid by a constituent council under subsection (1)(a) above shall be—
  - (a) such as the Transport Partnership, having regard to its transport strategy, thinks fit; or
  - (b) where the Partnership is unable to decide, such as is determined by the Scottish Ministers by order.
- (3) The Scottish Ministers may, by order, provide as to the arrangements for the payment of amounts payable under this section.
- (4) For the purposes of this section, the net expenses of a Transport Partnership for a financial year are those of its [<sup>F1</sup>estimated] expenses for that year[<sup>F2</sup>, and of any outstanding expenses from the financial year previous to that year,] which are not met—
  - (a) by a grant made by any person which is not repayable;
  - (b) by a grant so made which is subject to a condition requiring repayment and which remains unsatisfied; <sup>F3</sup>...
  - (c) by any other income for that year.

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*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Transport (Scotland) Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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[<sup>F4</sup>(d) by funds held by the Transport Partnership that it allocates to meet expenses for that year.]

[<sup>F5</sup>(4A) A Transport Partnership must, having regard to its transport strategy, prepare a forecast of its net expenses for each financial year and provide a copy of the forecast to—

- (a) its constituent councils, or
- (b) where there is only one, that council.]

- (5) A Transport Partnership may give grants or loans to any person for any purposes that, in its opinion, contribute to the implementation of the Partnership's transport strategy.
- (6) Such grants or loans may be given subject to such conditions (including conditions requiring repayment in specified circumstances) as the Transport Partnership decides.
- (7) A Transport Partnership may borrow money for the purpose of its capital expenditure.
- (8) In this section, “financial year” means the period of 12 months ending with 31st March.

#### Textual Amendments

- F1** Word in s. 3(4) inserted (19.3.2020) by Transport (Scotland) Act 2019 (asp 17), **ss. 122(1)(a)(i)**, 130(2) (with s. 126); S.S.I. 2020/68, reg. 2(a)
- F2** Words in s. 3(4) inserted (19.3.2020) by Transport (Scotland) Act 2019 (asp 17), **ss. 122(1)(a)(ii)**, 130(2) (with s. 126); S.S.I. 2020/68, reg. 2(a)
- F3** Word in s. 3(4) repealed (19.3.2020) by Transport (Scotland) Act 2019 (asp 17), **ss. 122(1)(a)(iii)**, 130(2) (with s. 126); S.S.I. 2020/68, reg. 2(a)
- F4** S. 3(4)(d) inserted (19.3.2020) by Transport (Scotland) Act 2019 (asp 17), **ss. 122(1)(a)(iv)**, 130(2) (with s. 126); S.S.I. 2020/68, reg. 2(a)
- F5** S. 3(4A) inserted (1.4.2020) by Transport (Scotland) Act 2019 (asp 17), **ss. 122(1)(b)**, 130(2) (with s. 126); S.S.I. 2020/68, reg. 2(b)

#### Commencement Information

- I1** S. 3 in force at 10.10.2005 by S.S.I. 2005/454, art. 2, **Sch. 2**

## 4 Further provision about regional Transport Partnerships

Schedule 1 provides further as to Transport Partnerships and their members.

#### Commencement Information

- I2** S. 4 in force at 10.10.2005 by S.S.I. 2005/454, art. 2, **Sch. 2**

**Changes to legislation:**

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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):

- s. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

**Commencement Orders yet to be applied to the Transport (Scotland) Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing SSI 2008/15 art. 3