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STATUTORY INSTRUMENTS

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**2007 No. 2799 (C. 109)**

**PUBLIC PASSENGER TRANSPORT**

**The Concessionary Bus Travel Act 2007  
(Commencement and Transitional Provisions) Order 2007**

<i>Made</i>	- - - -	<i>23rd September</i> <i>2007</i>
<i>Coming into force</i>		
<i>for purposes mentioned in</i> <i>article 2</i>		<i>17th October 2007</i>
<i>for all other purposes</i>		<i>1st April 2008</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 15(1) and (2) of the Concessionary Bus Travel Act 2007<sup>(1)</sup>:

**Title, commencement and interpretation**

1.—(1) This Order may be cited as the Concessionary Bus Travel Act 2007 (Commencement and Transitional Provisions) Order 2007 and it shall come into force on 17th October 2007.

(2) In this Order “the 2007 Act” means the Concessionary Bus Travel Act 2007.

**Commencement of the 2007 Act for certain purposes**

2. The 2007 Act shall come into force on 17th October 2007 for the purposes of—

- (a) permitting the Secretary of State to issue guidance pursuant to section 145A(6) and (8) of the Transport Act 2000<sup>(2)</sup> and section 240(5C) of the Greater London Authority Act 1999<sup>(3)</sup>;
- (b) permitting the Secretary of State to make regulations under—
  - (i) section 145A(5) of the Transport Act 2000, and
  - (ii) section 243(7) of the Greater London Authority Act 1999<sup>(4)</sup>;
- (c) permitting a travel concession authority in England, any London authority and the Council of the Isles of Scilly to issue statutory travel concession permits in accordance with the

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(1) 2007 c. 13.

(2) 2000 c. 38. Section 145A is inserted by section 1 of the 2007 Act.

(3) 1999 c. 29. Section 240(5C) is inserted by section 4(4) of the 2007 Act.

(4) Section 243(7) is inserted by section 7(5) of the 2007 Act.

provisions made by the 2007 Act on or before 1st April 2008 to those persons who will be entitled to make use of such permits from that date;

- (d) pursuant to sections 149 and 150 of the Transport Act 2000<sup>(5)</sup>, permitting—
- (i) a travel concession authority in England, any London authority and the Council of the Isles of Scilly to determine the arrangements or variations to apply with respect to the re-imbusement of operators in relation to concessions exercised on or after 1st April 2008 as a consequence of the issue and use of statutory travel concession permits;
  - (ii) an operator affected by such arrangements or variations to apply for the modification of them;
  - (iii) the Secretary of State to take such steps as are necessary to determine any such application; and
  - (iv) for any direction to be given in relation to the application pursuant to section 150(8) of the Transport Act 2000; and
- (e) pursuant to the Greater London Authority Act 1999—
- (i) requiring Transport for London to take into account, when forming its view pursuant to section 241(1) of the Greater London Authority Act 1999<sup>(6)</sup>, the requirement that from 1st April 2008 travel concessions be provided for all eligible England residents and that additional travel concessions be provided for all eligible London residents;
  - (ii) permitting any London authority and Transport for London to make all arrangements necessary to enable the travel concession specified in section 242(8) and the additional travel concession mentioned in section 242(8A) of the Greater London Authority Act 1999<sup>(7)</sup> to be provided to those entitled to those concessions from 1st April 2008;
  - (iii) permitting London authorities to make arrangements pursuant to section 244 of Greater London Authority Act 1999<sup>(8)</sup> for the joint discharge of their functions under sections 148 to 150 of the Transport Act 2000<sup>(9)</sup>; and
  - (iv) requiring Transport for London, when notifying each London authority of the charge to be paid by the authority pursuant to paragraph 5 of Schedule 16 to the Greater London Authority Act 1999<sup>(10)</sup>, to take into account any service outside Greater London which, but for section 179(2) of that Act, would be part of the London bus network.

### **Commencement of the 2007 Act for all purposes**

3. The 2007 Act shall come into force for all other purposes on 1st April 2008.

### **Transitional**

4.—(1) Notwithstanding articles 2 and 3, any statutory travel concession permit issued by a travel concession authority in England pursuant to section 145 of the Transport Act 2000 shall continue to have effect on and before whichever is the earlier of—

- (a) 30th September 2008; or

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<sup>(5)</sup> Sections 149 and 150 are amended by section 3 of the 2007 Act.

<sup>(6)</sup> Section 241 is amended by section 5 of the 2007 Act.

<sup>(7)</sup> Section 242 is amended by section 6 of the 2007 Act.

<sup>(8)</sup> Section 244 is amended by Schedule 2 to the 2007 Act.

<sup>(9)</sup> Section 148 is amended by Schedule 2 to the 2007 Act. Sections 149 and 150 are amended by section 3 of the 2007 Act.

<sup>(10)</sup> Paragraph 5 is amended by Schedule 1 to the 2007 Act.

(b) the expiry date shown on the face of the permit (if any).

(2) The provisions of the Transport Act 2000 (including those relating to reimbursement of operators) shall apply in relation to any permit which continues to have effect pursuant to this article, as they applied immediately before the coming into force of this Order.

Signed by authority of the Secretary of State

23rd September 2007

*Rosie Winterton*  
Minister of State  
Department for Transport

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

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

This Order commences the provisions of the Concessionary Bus Travel Act 2007 (“the 2007 Act”) on 1st April 2008 (*article 3*).

However, *article 2* commences the 2007 Act on 17th October 2007, in order, in advance of the commencement of the new arrangements for concessionary bus travel—

- to permit the Secretary of State to issue guidance in relation to the new bus concession arrangements;
- to permit the making of Regulations as to the form of statutory travel concession permits (the new concessionary bus passes);
- to permit the issue of new permits by travel concession authorities in England, any London authority and the Council of the Isles of Scilly before the new concession becomes available to those entitled to it, so that permits can be used by those entitled as soon as the Act comes fully into force;
- to permit travel concession authorities in England to determine the arrangements in relation to re-imburement of bus operators under the new system;
- to permit the Secretary of State to take any such steps as are required to determine applications by bus operators in respect of such arrangements and to direct the travel concession authorities with regard to the outcome of those applications;
- to permit London authorities and Transport for London to make any arrangements necessary in relation to the new concessions and any arrangements for the joint exercise by London authorities of their functions; and
- to require Transport for London to take account of the new concessionary arrangements when forming their view as to whether or not the statutory free travel scheme shall have effect and when notifying authorities of the charges they are to pay where it does apply.

*Article 4* makes transitional provision in relation to the continued effect of “old” statutory travel concession permits issued by English authorities pursuant to section 145 of the Transport Act 2000 prior to the commencement of the 2007 Act. Such passes will continue to have effect until 30th September 2008 or the expiry date marked on them, whichever is the earlier. In relation to such permits, the relevant statutory provisions (including those relating to re-imburement of operators) will continue to apply in their unamended form.