

Status: This is the original version (as it was originally enacted).

SCHEDULE 7

(introduced by section 33)

CATEGORIES OF PERSON THAT MAY BE ADDED TO SCHEDULE 8

Column 1 Entry	Column 2 Description of person	Column 3 Available service(s)
(1)	Qualifying persons who provide the public with gas, water or electricity services (including supply or distribution).	(a) Gas, water or electricity services (including supply or distribution). (b) Other services which relate to services within paragraph (a).
(2)	Qualifying persons who provide the public with sewerage services (including disposal of sewage).	(a) Sewerage services (including disposal of sewage). (b) Other services which relate to services within paragraph (a).
(3)	Qualifying persons who provide the public with postal services or post offices.	(a) Postal services or post office services. (b) Other services which relate to services within paragraph (a).
(4)	Qualifying persons who provide the public with telecommunication services.	(a) Telecommunication services. (b) Other services which relate to services within paragraph (a).
(5)	Qualifying persons who provide the public with education, training (where the provider receives public money for its provision), or career guidance.	(a) Education, training (where the provider receives public money for its provision), or career guidance. (b) Other services which relate to services within paragraph (a).
(6)	Qualifying persons who provide the public with services to encourage, enable or assist participation in education, training or career guidance.	(a) Services to encourage, enable or assist participation in education, training or career guidance. (b) Other services which relate to services within paragraph (a).
(7)	Qualifying persons who provide the public with bus or railway services.	(a) Bus or railway services. (b) Other services which relate to services within paragraph (a).

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Entry</i>	<i>Description of person</i>	<i>Available service(s)</i>
(8)	Qualifying persons who provide the public with services to develop or award educational or vocational qualifications.	(a) Services to develop or award educational or vocational qualifications. (b) Other services which relate to services within paragraph (a).
(9)	Qualifying persons who provide the public with services which relate to any primary service.	Services which relate to any primary service.
(10)	Qualifying persons who provide services to the public under an agreement, or in accordance with arrangements, made with a public authority.	Services to the public provided under the agreement, or in accordance with the arrangements, made with the public authority.

Services provided in shops: exclusions

- 1 (1) The references in the table to “related services” do not include services provided in shops, unless those services are—
- (a) post office counter services, or
 - (b) the sale of tickets or the provision of timetables for bus and railway services.
- (2) For that purpose, the references in the table to related services are—
- (a) in column (3) of each of rows (1) to (8) of the table, the references in each paragraph (b) to other services, and
 - (b) in columns (2) and (3) of row (9) of the table, the references to services which relate to any primary service.

Interpretation

- 2 In this Schedule—
- “bus services” (“*gwasanaethau bysiau*”) means a scheduled service, by public service vehicle (within the meaning of section 1 of the Public Passenger Vehicles Act 1981), for the carriage of passengers at separate fares, other than a service—
- (a) for which the whole capacity of the vehicle has been purchased by a charterer for the charterer’s own use or for resale;
 - (b) which is a journey or trip organised privately by any person acting independently of the vehicle operator; or
 - (c) on which the passengers travel together on a journey, with or without breaks and whether or not on the same day, from one or more places to one or more places and back;
- “postal services” (“*gwasanaethau post*”) means the service of conveying letters, parcels, packets or other articles from one place to another by post

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and the incidental services of receiving, collecting, sorting and delivering such articles;

“primary service” (“*gwasanaeth sylfaenol*”) means a service within paragraph (a) in column (3) of any of rows (1) to (8) in the table;

“public authority” (“*awdurdod cyhoeddus*”) means each public authority within the meaning of section 6 of the Human Rights Act 1998;

“public money” (“*arian cyhoeddus*”) means—

- (a) moneys made available directly or indirectly by—
 - (i) the National Assembly for Wales;
 - (ii) the Welsh Ministers;
 - (iii) Parliament;
 - (iv) Ministers of the Crown; or
 - (v) an institution of the European Union;
- (b) moneys provided by virtue of any enactment;

“qualifying person” (“*person neilltuedig*”) means a person who is not within Schedule 6;

“shop” (“*siop*”) means any premises where the sale of goods is the principal trade or business carried on;

“telecommunications service” (“*gwasanaethau telathrebu*”) means any service that consists of providing access to, or facilities for making use of, any system which exists (whether wholly or partly in the United Kingdom or elsewhere) for the purpose of facilitating the transmission of communications by any means involving the use of electrical, magnetic or electro-magnetic energy (including the apparatus comprised in the system), but does not include broadcasting, radio, or television.