
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 117

**The National Bus Travel Concession Scheme for
Older and Disabled Persons (Eligible Persons
and Eligible Services) (Scotland) Order 2006**

Eligible persons

3. A person is an eligible person for the purposes of the Scheme if that person is resident in Scotland and falls within one of the following classes of person—

- (a) persons aged 60 years or over;
- (b) persons of fare paying age who are in receipt of one or more of the following benefits or awards—
 - (i) the higher rate of the mobility component of the disability living allowance in accordance with section 73 of the 1992 Act⁽¹⁾;
 - (ii) the higher or middle rate of the care component of the disability living allowance in accordance with section 72 of the 1992 Act⁽²⁾;
 - (iii) attendance allowance in accordance with section 64 of the 1992 Act⁽³⁾;
 - (iv) a mobility supplement under article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983⁽⁴⁾ including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983⁽⁵⁾; or
 - (v) a disabled person's badge issued in accordance with the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000⁽⁶⁾;
- (c) persons of fare paying age who—
 - (i) have been certified as blind or partially sighted and in consequence are registered as blind or partially sighted in a register maintained by or on behalf of a council constituted under the Local Government etc. (Scotland) Act 1994⁽⁷⁾; or
 - (ii) would be refused a driving licence as they would fail to meet the eyesight standard as defined in section 96(1) of the Road Traffic Act 1988⁽⁸⁾;
- (d) persons of fare paying age who are profoundly deaf (95+ dBHLs) or severely deaf (70 dBHLs);

⁽¹⁾ amended by section 67(3) of the Welfare Reform and Pensions Act 1999 (c. 30).

⁽²⁾ amended by S.I.2005/2078.

⁽³⁾ amended by section 66(1) of the Welfare Reform and Pensions Act 1999 (c. 30).

⁽⁴⁾ S.I. 1983/883; amended by S.I. 1983/1116 and 1521, 1984/1154 and 1687, 1985/1201, 1986/592, 1988/248 and 2248, 1989/156, 1990/250 and 1308, 1991/766, 1992/710 and 3208, 1993/598, 1994/772 and 1906, 1995/766, 1996/732, 1638 and 2282, 1997/286.

⁽⁵⁾ S.I. 1983/686; amended by S.I. 1983/1164, and 1540, 1984/1289 and 1675, 1985/1313, 1986/628, 1987/191, 1988/367 and 2260, 1989/415, 1990/535 and 1300, 1991/708, 1992/702 and 3226, 1993/480, 1994/715 and 2021, 1996/445, 1996/502, 1997/812, 1998/278.

⁽⁶⁾ S.S.I. 2000/59, amended by S.S.I. 2000/170.

⁽⁷⁾ 1994 (c. 39).

⁽⁸⁾ 1988 (c. 52).

- (e) persons of fare paying age who are living in a residential home or hospital and who are eligible for the higher or middle rate of the care component of the disability living allowance or attendance allowance;
- (f) persons of fare paying age who on medical grounds, other than on the grounds of persistent misuse of drugs or alcohol, have been refused a driving licence or have had their driving licence revoked;
- (g) persons of fare paying age who if they applied for a licence to drive a motor vehicle under Part 3 of the Road Traffic Act 1988 would have their licence application refused pursuant to section 92 of that Act (physical fitness) otherwise than on the grounds of persistent misuse of drugs or alcohol⁽⁹⁾;
- (h) persons of fare paying age whose ability to travel is impaired by a mental disorder within the meaning of section 328 of the Mental Health (Care and Treatment) (Scotland) Act 2003⁽¹⁰⁾ which has persisted for more than a year and who are required to travel to keep health or social care appointments or participate in activities as part of a treatment, care or rehabilitation programme;
- (i) persons of fare paying age who are diagnosed as terminally ill or with a progressive degenerative condition in so far as that illness or condition severely impedes their mobility and ability to carry out day to day activities;
- (j) persons of fare paying age who have lost—
 - (i) one or both lower limbs;
 - (ii) one lower limb and one upper limb; or
 - (iii) both upper limbs;
- (k) persons who are travel companions assisting eligible persons who—
 - (i) are in receipt of the higher or middle rate of the care component of the disability living allowance in accordance with section 72 of the 1992 Act;
 - (ii) are in receipt of attendance allowance in accordance with section 64 of the 1992 Act;
 - (iii) are living in a residential home or hospital and who are eligible for the higher or middle rate of the care component of the disability living allowance or attendance allowance; or
 - (iv) have been certified as blind and in consequence are registered as blind in a register maintained by or on behalf of a council constituted under the Local Government etc. (Scotland) Act 1994
 but only where they commence and terminate their journey at the same locations as the eligible person they are assisting.

⁽⁹⁾ i.e. those who cannot meet the prescribed conditions of the Motor Vehicle (Driving Licence) Regulations 1999 S.I. 1999/2864.
⁽¹⁰⁾ 2003 asp 13.