

TRAVEL CONCESSIONS (ELIGIBILITY) ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Eligibility for travel concessions: age

6. **Section 1** is the substantive section of the Act. By virtue of:
 - a) section 93(7) of the 1985 Act,
 - b) section 240(5) of the 1999 Act, and
 - c) section 146 of the 2000 Act,men become entitled at age 65, on the one hand, to the mandatory half-fare travel concession on bus services and, on the other, to further discretionary concessions while women become so entitled at age 60. (Section 93(7) and section 240(5) were amended, respectively, by paragraph 15 of Schedule 11 to the 2000 Act and by section 151 of that Act.)
7. *Subsection (1)* amends the 1985 Act so that both men and women become eligible at age 60 for discretionary travel concessions applying on journeys outside Greater London. *Subsection (2)* makes a similar amendment to the 1999 Act in respect of all types of travel concessions on journeys in and around Greater London. *Subsection (3)* makes an amendment to the 2000 Act having the same effect in respect of entitlement to the mandatory half-fare travel concession on bus services outside Greater London.
8. *Subsection (4)* enables the Secretary of State for Transport, Local Government and the Regions (in England) and the National Assembly (in Wales) to make an order to replace references to age 60 in the amendments made by subsections (1) to (3) with a formula which gradually raises the age of entitlement of men and women to 65. In this way, eligibility for concessionary travel could be equalised at 65 by 2020 in line with the provisions of paragraph 1 of Schedule 4 to the Pensions Act 1995.

Section 2: Commencement and transitional provision

9. The substantive provisions of the Act will come into force in accordance with orders made under section 2 by the Secretary of State for Transport, Local Government and the Regions, or the National Assembly for Wales
10. The changes for Greater London – section 2(2) – may only be commenced with effect from the beginning of a financial year (1 April) and the relevant commencement order must be made before the preceding 1st January. This is to take account of the provisions contained in sections 240(1) and 241(1) the 1999 Act (as amended by section 151 of the 2000 Act). These provisions together provide that the uniform travel concessions must be available to all London residents (regardless of the borough in which they live) and require Transport for London (“TfL”) to be satisfied by 31 December in each year

*These notes refer to the Travel Concessions (Eligibility) Act
2002 (c.4) which received Royal Assent on 26 February 2002*

that the arrangements made by local authorities in Greater London for the next financial year comply with the provisions of that Act.

11. By treating the amendment to the 1999 Act as if it were in force upon the making of the commencement order bringing it into force, the transitional provision at section 2(3) enables those local authorities to make the necessary advance arrangements with TfL in respect of the first financial year for which the amendment will be relevant.

Section 3: Short title, interpretation and extent

12. [Section 3](#) gives the Act its short title, interprets the meaning of “appropriate Minister” and provides that the Act extends to England and Wales only.