

SCHEDULES

SCHEDULE 2

Section 13(1)

MINOR AND CONSEQUENTIAL AMENDMENTS

Transport Act 1985 (c. 67)

- 1 Amend the Transport Act 1985 as follows.
- 2 In section 98 (travel concession schemes: further provisions with respect to participation notices), after subsection (4) insert—
 - “(4A) But if the participation notice was served on the person by one or more authorities in England only—
 - (a) subsection (3) above shall have effect as if for “twenty-eight days beginning with the date of the participation notice” there were substituted “fifty-six days beginning with the date provided for in relation to the participation notice by virtue of section 97(5)(a) above”; and
 - (b) subsection (4) above shall have effect as if for paragraph (a) there were substituted—
 - “(a) if the person is required by the participation notice to give a prescribed number of days' notice (or, if no number of days is prescribed, seven days' notice), at least that number of days before the date of the notice given to the Secretary of State under subsection (3) above; or”.”
- 3 In section 103 (no subsidies for concessions available under a scheme), in subsection (3), for “section 145(1)” substitute “section 145A(1) or 145B(1)”.
- 4 In section 104 (travel concessions on services provided by Passenger Transport Executives), in each of subsections (1) and (2)(aa), for “section 145(1)” substitute “section 145A(1)”.
- 5 In section 105 (travel concessions on services provided by local authorities), in subsection (1), for “section 145(1)” substitute “section 145A(1) or 145B(1)”.
- 6 In section 137 (general interpretation), in subsection (7), for “he proves” substitute “it is proved”.

Greater London Authority Act 1999 (c. 29)

- 7 Amend the 1999 Act as follows.
- 8 In section 244 (exercise of functions by a joint committee), in subsection (1), at the end of paragraph (b) insert “or

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- (c) sections 148 to 150 of the Transport Act 2000 (enforcement and reimbursement of mandatory concession for journeys not beginning on the London bus network),”.
- 9 In section 420 (regulations and orders), in subsection (7), insert each of the following at the appropriate place—
- (a) “section 243(7);”, and
- (b) “paragraph 4(1A) of Schedule 16;”.

Transport Act 2000 (c. 38)

- 10 Amend the 2000 Act as follows.
- 11 After section 145A (England: mandatory concessions for journeys not beginning on the London bus network) insert—

“145B Wales: mandatory concessions

- (1) Any person to whom a current statutory travel concession permit has been issued by a travel concession authority in Wales and who travels on an eligible service on a journey (beginning at any time)—
- (a) between places in the authority’s area,
- (b) between a place in the authority’s area and a place outside but in the vicinity of that area, or
- (c) between places outside but in the vicinity of that area,
- is entitled, on production of the permit, to a concession consisting of a waiver of the fare for the journey by the operator of the service.
- (2) And if the permit is in a form approved by the Welsh Ministers for the purpose of this subsection, subsection (1) has effect as if each reference in it to the authority’s area were to Wales.
- (3) A travel concession authority in Wales must, on an application made to it by any person who appears to the authority to be an elderly or disabled person residing in its area, issue to the person free of charge a permit, in such form and for such period as the authority considers appropriate, indicating that he is entitled to the concession specified in subsection (1).
- (4) If it appears to a travel concession authority in Wales issuing a statutory travel concession permit to a disabled person that the person requires the assistance of a companion to travel on journeys on public passenger transport services, the authority must mark that clearly on the permit.
- (5) Where a person whose current statutory travel concession permit is marked in accordance with subsection (4) is entitled under this section to waiver of the fare for a journey, one companion travelling on the journey with the person (and nominated by the person as the person’s companion for that journey) is also entitled to waiver of the fare for the journey.
- (6) The Welsh Ministers may issue guidance to travel concession authorities in Wales to which they must have regard in determining for the purposes of subsection (3) whether a person is a disabled person.
- (7) Before issuing guidance under subsection (6) the Welsh Ministers shall consult—

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- (a) the Disabled Persons Transport Advisory Committee,
 - (b) associations representative of travel concession authorities, and
 - (c) such other persons as they think fit.
 - (8) A person entitled to be issued with a statutory travel concession permit by a travel concession authority in Wales may agree with the authority that he is not to be entitled to the concession specified in subsection (1) for a period in return for being entitled during that period to receive travel concessions under a scheme under section 93 of the Transport Act 1985 (if the scheme provides that a person may not receive travel concessions under the scheme unless he so agrees).
 - (9) The Welsh Ministers may by regulations make provision about agreements within subsection (8).
 - (10) The regulations may in particular make provision—
 - (a) requiring the serving of notices before an agreement is made,
 - (b) about the form of agreements, and
 - (c) as to the period for which a person may agree not to be entitled to the concession specified in subsection (1).
 - (11) In this section “statutory travel concession permit” means a permit issued pursuant to subsection (3).”
- 12 In section 146 (mandatory concessions: supplementary), the definition of “a half-price travel concession” applies in relation to England as in relation to Wales.
- 13 (1) Amend section 147 (variation of mandatory concessions) as follows.
- (2) For the words from “The Secretary of State” to “section 145(1)” substitute “The Welsh Ministers may by order amend either or both of sections 145B and 146 for or in connection with securing that section 145B(1)”.
 - (3) For the heading substitute “Wales: variation of mandatory concessions”.
- 14 In section 148 (enforcement), in subsection (1), for “145(1)” substitute “145A(1) or 145B(1)”.
- 15 In section 162(1) (interpretation of Part 2)—
- (a) the definition of “half-price travel concession” applies in relation to England as in relation to Wales;
 - (b) insert at the appropriate place—

““London authority” has the meaning given in section 146.”