
STATUTORY INSTRUMENTS

1985 No. 1886**TRANSPORT****The Fuel Duty Grant (Eligible Bus Services) Regulations 1985***Made - - - 5th December 1985**Laid before Parliament 9th December 1985**Coming into Operation 6th January 1986*

The Secretary of State, in exercise of the power conferred by section 92(1) of the Finance Act 1965(a), and of all other enabling powers, hereby makes the following Regulations:—

1. These Regulations may be cited as the Fuel Duty Grant (Eligible Bus Services) Regulations 1985 and shall come into operation on 6th January 1986.

2. The descriptions of bus services set out in the Schedule to these Regulations are hereby specified for the purposes of section 92 of the Finance Act 1965 (grants towards duty charged on bus fuel).

Nicholas Ridley,
Secretary of State for Transport.

5th December 1985.

THE SCHEDULE**BUS SERVICES SPECIFIED FOR THE PURPOSES OF SECTION 92 OF THE FINANCE ACT 1965**

1. Bus services provided or secured —

- (a) by a local education authority in England or Wales pursuant to arrangements made under section 55 of the Education Act 1944(b);
- (b) by an education authority in Scotland pursuant to arrangements made under section 51 of the Education (Scotland) Act 1980(c);
- (c) for persons who are elderly or disabled,

(a) 1965 c.25; section 92 was amended by the Transport Act 1968 (c.73), section 33; the London Regional Transport Act 1984 (c.32), Schedule 6, paragraph 3; and the Transport Act 1985 (c.67), section 110.

(b) 1944 c.31.

(c) 1980 c.44.

and in respect of which the following conditions are satisfied —

- (i) seats on the vehicles by means of which the service is provided are normally available to members of the general public and the service is regularly used by such members;
- (ii) the stopping places (other than those to or from which the service is mainly provided) are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
- (iii) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
- (iv) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service; and
- (v) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, the times of its operation, and the places which it serves.

2. Bus services of any description other than that set out in paragraph 1 of this Schedule which are provided by means of vehicles adapted to carry more than eight passengers (or by smaller vehicles, but only if the services are operated in accordance with a time table) and in respect of which the following conditions are satisfied —

- (i) at least half of the accommodation on the vehicles by means of which the service is provided is normally available to members of the general public and the service is regularly used by such members;
- (ii) the stopping places are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
- (iii) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
- (iv) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service;
- (v) there is not displayed on the vehicles by means of which the service is provided any sign or description intended or likely to convey the impression that the service is only available to a particular category of person; and
- (vi) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, times of its operation, and the places which it serves.

In this Schedule “stopping places” has the same meaning as in section 137(1) of the Transport Act 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations specify the descriptions of bus services, as defined in section 92(8) of the Finance Act 1965, as amended, which are eligible to receive grants towards the duty charged on bus fuel under section 92 of the said Act of 1965, as amended by the Transport Act 1985.

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