

2002 No. 1016

THE PUBLIC PASSENGER TRANSPORT, ENGLAND

Travel Concessions (Eligible Services) Order 2002

Made - - - - - 9th April 2002

Laid before Parliament 10th April 2002

Coming into force - - 1st May 2002

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by section 94(4) of the Transport Act 1985^(a) and section 146 of the Transport Act 2000^(b) hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Travel Concessions (Eligible Services) Order 2002 and shall come into force on 1st May 2002.

(2) This Order extends to England only.

Interpretation

2. In this Order, the expressions “elderly person” and “disabled person” have the same meaning as in section 146 of the Transport Act 2000.

Eligible services

3.—(1) A service is an eligible service under section 94 of the Transport Act 1985 and under section 146 of the Transport Act 2000 if it is of one of the following classes—

- (a) a local service provided or secured—
 - (i) by a local education authority pursuant to arrangements made under section 509 of the Education Act 1996^(c), or
 - (ii) for elderly persons or disabled persons, and in respect of which the conditions set out in paragraph (2) are satisfied;
- (b) a local service, other than a service described in paragraph (1)(a) which is provided by means of a vehicle adapted to carry more than eight passengers (or by a smaller vehicle, but only if the services are operated in accordance with a time table), and in respect of which the conditions set out in paragraph (3) are satisfied.

(2) The conditions referred to in paragraph (1) (a) are that—

- (a) seats on the vehicle 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;
- (b) 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;

^(a) 1985 c. 67; section 94(4) was amended by the Transport Act 2000 (c. 38) Schedule 11, paragraph 16.
^(b) 2000 c. 38. See definition of “eligible service”.
^(c) 1996 c. 56.

- (c) 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;
 - (d) 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
 - (e) 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.
- (3) The conditions referred to in paragraph (1)(b) are that—
- (a) at least half of the accommodation on the vehicle 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;
 - (b) the stopping places are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
 - (c) 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;
 - (d) 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;
 - (e) there is not displayed on the vehicle 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
 - (f) 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.

Signed by authority of the Secretary of State for Transport, Local Government and the Regions.

Sally Keeble
Parliamentary Under-Secretary of State,
Department for Transport, Local Government and the Regions

9th April 2002

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes bus services which are eligible for the purposes of:

- (i) the mandatory half fare travel concessions under the Transport Act 2000; and
- (ii) the provisions of Part IV of the Transport Act 1985 (local passenger services) relating to participation in travel concession schemes, and reimbursement arrangements.

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