

---

STATUTORY INSTRUMENTS

---

**2009 No. 445**

**The Quality Partnership Schemes (England) Regulations 2009**

**PART 1**

**GENERAL**

**Services to be excluded from the application of section 114(6B) of the Act**

4.—(1) This regulation applies where a local service is provided in accordance with a service subsidy agreement, or series of such agreements taken together, and that agreement or series of agreements has the effect described in paragraph (2).

(2) The effect is that by virtue of a requirement of the agreement or series of agreements, an operator provides services which would meet one or more relevant requirements.

(3) Where this regulation applies the restriction contained in section 114(6B) of the Act does not apply in respect of any relevant requirements.

(4) For the purposes of this regulation—

- (a) a “service subsidy agreement” means an agreement made under section 9A(4) of the Transport Act 1968(1) or section 63(5) of the 1985 Act(2); and
- (b) a “relevant requirement” means a requirement specified in a scheme, or proposed scheme, as to the standard of services to be provided in relation to the frequency or timing of services, or as to the maximum fares that may be charged for particular journeys, or for journeys of particular descriptions.

---

(1) 1968 c. 73. Section 9A(4) of the Transport Act 1968 was inserted by the Transport Act 1985, section 57(2), and has been amended by section 67 of the Local Transport Act 2008. There are other amendments which are not relevant to these Regulations.

(2) Section 63(5) of the Transport Act 1985 has been amended by section 68 of the Local Transport Act 2008. There are other amendments which are not relevant to these Regulations.