

TRANSPORT (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Part 2

Bus Services

Quality contract schemes

Section 13 Quality contract schemes

27. This section empowers local transport authorities, either alone or jointly, to set up quality contract (“QC”) schemes if this is necessary for the purpose of implementing their relevant general policies (as defined in section 48(1)), and the scheme proposed would implement those policies in a way which is economic, efficient and effective.
28. In summary, a QC scheme is one under which a local transport authority can determine what local services should be provided in an area, and to what standards, and can enter into contracts with bus operators giving them exclusive rights to provide services to the authority’s specification. A QC scheme cannot be made unless the authority have complied with the notice and consultation requirements set out in section 15 of the Act, and obtained the approval of the Scottish Ministers.
29. A QC scheme allows the local transport authority to determine the necessary level and standard of bus provision for their area, and to secure that provision through a competitive tendering procedure. A QC scheme will grant exclusive rights to a bus operator (or operators) to provide the specified services in the specified area. QC schemes may contain provisions as to payment by the authority to the operator, a payment of a premium by the operator to the authority, or a zero payment or premium bid. Provision is also made for other services or facilities to be included in a QC. The provisions of section 88(1) of the Transport Act 1985 (which relate to tendering for subsidised services under the present arrangements) are disapplied for the purposes of QC schemes.