

*These notes relate to the Transport (Scotland) Act 2001
(asp 2) which received Royal Assent on 25 January 2001*

TRANSPORT (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Part 2

Bus Services

Quality contract schemes

Section 16 Approval of proposed quality contract scheme

33. This section deals with the process of seeking and obtaining the approval of the Scottish Ministers to the making of a QC scheme. The application to the Scottish Ministers shall include the authority's reasons for wishing to make the scheme and other information that the Scottish Ministers may require in order to assess whether the test in section 13(1) has been met. Any person consulted during the consultation process may make written representations to the Scottish Ministers (which could either be in support of, or opposition to, the scheme) after the proposed scheme has been passed to them for a decision.
34. The Scottish Ministers may approve the scheme (or approve it with modifications) if they are satisfied that it is in the interests of the public to make the scheme. In considering whether it is in the interests of the public the Scottish Ministers must have regard to the conditions in section 13(1), i.e. that the scheme must be necessary in order to implement the authority's relevant general policies in the area affected; and that the proposed scheme will implement those policies in an economic, efficient and effective way.
35. If modifications to a scheme are proposed by the Scottish Ministers, any such modifications must be brought to the attention of the authority making the scheme, and they must in turn consult any of the previously consulted parties likely to be affected; the authority then must notify the Scottish Ministers of the outcome. The Scottish Ministers may approve the scheme once these procedures have been followed.