

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

# TRANSPORT (SCOTLAND) ACT 2001

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## EXPLANATORY NOTES

### THE ACT

#### Part 2

#### Bus Services

#### Quality contract schemes

#### *Section 19 Exceptions from section 18 (1)*

39. *Section 19(1)* enables the Scottish Ministers, by regulations, to provide for cases where normal tender procedures will not apply. Section 18(1) will not apply where it appears to the authority that action is urgently needed to maintain an existing service, to secure the replacement of a service that has ceased to operate or to meet unexpected public transport requirements. If an authority do enter into such an agreement they must invite tenders as soon as possible for the longer-term delivery of the contract. The duration of these "emergency" agreements is limited to 3 months after the end of the period allowed for the submission of tenders so as to ensure that the tender provisions are not improperly circumvented.
40. The section also makes provision for agreements to be entered into in circumstances where no tender, or no acceptable tender, is received. The Scottish Ministers may by regulations require authorities that enter into such agreements to publish a statement that no tender was submitted to them, or a statement of their reasons for considering that no acceptable tender was received.