

# **TRANSPORT (SCOTLAND) ACT 2001**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 2**

#### **Bus Services**

#### **Ticketing arrangements and ticketing schemes**

##### ***Section 28 Ticketing arrangements***

51. This section imposes a duty on authorities to determine what ticketing arrangements (as defined in subsection (5)) should be made available on local bus services in their area. This enables authorities to determine whether the provision of ticketing arrangements is necessary, and if so, to determine whether those arrangements are being made available. Before making such a determination, the authority must consult organisations representative of local bus users.
52. If it is considered that appropriate ticketing arrangements are not being made available the authority must seek to make arrangements with operators for the provision of such arrangements on a voluntary basis. If such voluntary arrangements cannot be made an authority may impose a ticketing scheme under section 29 of the Act. However it is for the operator to determine the way in which the ticketing transactions are carried out.

##### ***Section 29 Ticketing schemes***

53. If satisfactory arrangements cannot be made under section 28, this section enables local transport authorities, alone or jointly, to set up ticketing schemes, whereby operators of local bus services are required to make and implement ticketing arrangements (as defined in section 28(5)). In doing so the local transport authority must be satisfied that this is in the public interest and would to any extent implement their relevant general policies (as defined in section 48(1)). A ticketing scheme may not be made unless the authority have complied with the notice and consultation requirements in section 30.

##### ***Section 30 Consultation as to proposed ticketing schemes***

54. Authorities must give notice of proposed ticketing schemes in at least one local newspaper circulating in the area, and specify the proposed date on which the proposed scheme is to come into effect. After giving notice of the proposed scheme the authority must consult operators of local services, representatives of bus users, the traffic commissioner and other such persons the authority thinks fit.

##### ***Section 31 Making of a ticketing scheme***

55. This section enables authorities to make a ticketing scheme if they have complied with the consultation requirements in section 30. The scheme may be made as proposed or with modifications, and shall specify the date it comes into force (not less than 3 months after it is made). There are additional requirements as to publicity and the giving

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

of notice (not later than 14 days after a scheme is made) when a decision is taken to make a scheme. Authorities must give notice of the proposed schemes in at least one local newspaper circulating in the area, and specify the date on which the scheme will come into effect and identify the classes of local services affected by it. The traffic commissioner and bus operators must also be notified separately. The Scottish Ministers may prescribe by regulations what other manner of notice should be given, or any other persons to be notified.

***Section 32 Effect of ticketing scheme***

56. This section imposes a duty on operators to implement the scheme from the date it comes into force. Failure to do so may result in enforcement action by the traffic commissioner under section 6 of the 1985 Act (by virtue of subsection (2)) and under section 111 of the 1985 Act (by virtue of amendments in section 40 of the Act).