
Changes to legislation: There are currently no known outstanding effects for the Transport (Scotland) Act 2019, Cross Heading: Transport (Scotland) Act 2001. (See end of Document for details)

SCHEDULE
MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 1

BUS SERVICES

Transport (Scotland) Act 2001

- 3 (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) After section 32B (as inserted by section 46 of this Act), insert— “ CHAPTER 4
Other matters ”.
- (3) In section 37 (competition test)—
- (a) in subsection (1)(a), for “quality partnership schemes” substitute “ partnership schemes ”,
 - (b) in subsection (2)(a)—
 - (i) for “quality partnership scheme” substitute “ partnership scheme ”,
 - (ii) for “section 5(1)” substitute “ paragraph 6(2) or, as the case may be, 14(1) of schedule A1 ”.
- (4) In section 39 (penalties)—
- (a) in subsection (1)(b), for “8(4) or 22(1)(b) or (2)” substitute “ 3F(1) or 13B(1)(b) or (3) ”
 - (b) after subsection (1)(b) insert—
 - [^{F1}“(bb)] failed to comply with a requirement to provide information (including a requirement to provide it within a specified time or in a specified form) under section [^{F2}3K(2) or 13R(2)],”.
- (5) In section 47 (co-operation)—
- (a) in subsection (1)—
 - (i) for “quality partnership scheme,” substitute “ partnership scheme ”,
 - (ii) for “quality contract scheme” substitute “ or franchising framework ”,
 - (iii) for “scheme” where it fourth occurs substitute “ scheme or framework ”,
 - (b) in subsection (3)(a)—
 - (i) for “quality partnership schemes,” substitute “ partnership schemes ”,
 - (ii) for “quality contract schemes” substitute “ and franchising frameworks ”.
- (6) In section 48 (interpretation of Part 2)—
- (a) in subsection (1)—
 - (i) at the beginning insert “ Subject to subsection (1A) ”
 - (ii) the definition of “operational date” is repealed
 - (iii) at the appropriate place insert—

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- ““operational service standard” is to be construed in accordance with section 3C(1)(b),”
- (iv) the definition of “quality contract” is repealed
- (v) in the definition of “relevant general policies”, in paragraph (a)(ii)—
- (A) after “relate to” insert “ providing services of the kind mentioned in section 2A(1) of this Act or ”,
- (B) for “a quality partnership scheme or a quality contract scheme” substitute “ a partnership scheme or a franchising framework ”,
- (vi) at the appropriate place insert—
- ““route service standard” is to be construed in accordance with section 3C(1)(a),”
- (vii) the definitions of “specified facilities” and “specified standard” are repealed,
- (viii) at the appropriate place insert—
- ““Transport Partnership” means a Transport Partnership created by order under section 1 the Transport (Scotland) Act 2005.”.
- (b) after subsection (1) insert—
- “(1A) The definition of “traffic regulation order” in subsection (1) does not apply for the purposes of chapter 1 of this Part.”.
- (7) In section 79 (guidance)—
- (a) in subsection (1)(c)—
- (i) for “quality partnership schemes” substitute “ partnership schemes ”,
- (ii) for “quality contract schemes” substitute “ franchising frameworks ”,
- (b) in subsection (2), after “section” where it first occurs insert “ or any other section ”.
- (8) In section 81 (regulations and orders)—
- (a) in subsection (4)(a), the words “14(6), 18(2)(b)” are repealed,
- (b) in subsection (4)(b), for “41(1) of this Act” substitute “ 3G(4), 3H(7), 13M(5), 13Q(4) [F327A(5), 35A(1)] or 41(1) or paragraph 26 of schedule A1 ”,
- (c) after subsection (4)(b) insert—
- “(c) regulations under section [F43M(2)(c)] which make provision about what may constitute a facility or measure,”.
- (9) In section 82 (interpretation of Act)—
- (a) in subsection (1)—
- (i) at the appropriate place insert—
- ““franchising framework” is to be construed in accordance with section 13A of this Act,”
- (ii) the definition of “quality contract scheme” is repealed,
- (iii) for the definition of “quality partnership scheme” substitute—

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““partnership scheme” is to be construed in accordance with section 3B of this Act,”

(iv) at the appropriate place insert—

““stopping place” has the same meaning as in the 1985 Act”,

(b) in subsection (2), the following words are repealed—

“section 3(3)(a);

section 6(2)(a) and (4)(a);

section 8(1) and (2);

section 10;

section 13(6) and (7);

section 18;

section 19;

section 24;”.

Textual Amendments

- F1** Word in sch. para. 3(4)(b) substituted (27.11.2023) by [The Transport \(Scotland\) Act 2019 Amendment Regulations 2023 \(S.S.I. 2023/347\)](#), regs. 1(1), **2(7)(a)(i)**
- F2** Words in sch. para. 3(4)(b) substituted (27.11.2023) by [The Transport \(Scotland\) Act 2019 Amendment Regulations 2023 \(S.S.I. 2023/347\)](#), regs. 1(1), **2(7)(a)(ii)**
- F3** Words in sch. para. 3(8)(b) inserted (27.11.2023) by [The Transport \(Scotland\) Act 2019 Amendment Regulations 2023 \(S.S.I. 2023/347\)](#), regs. 1(1), **2(7)(b)**
- F4** Word in sch. para. 3(8)(c) substituted (27.11.2023) by [The Transport \(Scotland\) Act 2019 Amendment Regulations 2023 \(S.S.I. 2023/347\)](#), regs. 1(1), **2(7)(c)**

Commencement Information

- I1** Sch. para. 3(6)(a)(v)(A) in force at 24.6.2022 by [S.S.I. 2022/204](#), **reg. 2(b)**
- I2** [Sch. para. 3\(3\)\(4\)\(5\)\(7\)\(8\)\(9\)](#) in force at 4.12.2023 by [S.S.I. 2023/250](#), **sch.**
- I3** [Sch. para. 3\(6\)](#) in force at 4.12.2023 in so far as not already in force by [S.S.I. 2023/250](#), **sch.**

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