



Concessionary Bus Travel Act 2007

2007 CHAPTER 13

Power to alter national concession etc

8 Variation of scope of the national concession

- (1) The Secretary of State may by order amend Part 2 of the 2000 Act and Chapter 8 of Part 4 of the 1999 Act for or in connection with securing that the national concession—
 - (a) applies to any person for the time being eligible to receive travel concessions under a scheme under section 93 of the Transport Act 1985 (c. 67) or to any such person of a specified description (as well as to any elderly person and any disabled person),
 - (b) applies to travel on any public passenger transport service or to travel on any such service of a specified description (as well as to travel on an eligible service and the London bus network),
 - (c) in relation to any person to whom the national concession applies by virtue of paragraph (a), provides for a concession not amounting to a waiver of the fare,
 - (d) in relation to any person to whom the national concession applies by virtue of paragraph (a), applies, or does not apply, to a journey beginning at a specified time, or
 - (e) in relation to any elderly person or any disabled person, applies to a journey beginning at a specified time (as well as to a journey beginning at a relevant time).
- (2) In this section “the national concession” means the travel concession to which certain persons whose sole or principal residence is in England are entitled—
 - (a) under section 145A(1) of the 2000 Act, and
 - (b) by virtue of section 242(8) of, or paragraph A1 of Schedule 16 to, the 1999 Act.
- (3) In this section “London bus network” has the meaning given by section 181 of the 1999 Act.
- (4) Expressions used in this section and in Part 2 of the 2000 Act have the same meaning in this section as in that Part (see sections 146 and 162 of that Act).

Changes to legislation: There are currently no known outstanding effects for the Concessionary Bus Travel Act 2007, Cross Heading: Power to alter national concession etc. (See end of Document for details)

Commencement Information

- I1** S. 8 in force at 17.10.2007 for specified purposes by S.I. 2007/2799, art. 2 (with art. 4)
I2 S. 8 in force at 1.4.2008 in so far as not already in force by S.I. 2007/2799, art. 3 (with art. 4)

9 Variation of reimbursement and other administrative arrangements

- (1) The Secretary of State may by order amend Part 2 of the 2000 Act for or in connection with securing that—
- (a) the obligation of travel concession authorities in England to reimburse operators for providing concessions under section 145A(1) of that Act is instead imposed on the Secretary of State;
 - (b) the functions of travel concession authorities in England under sections 145A and 148 of that Act are instead imposed on the Secretary of State.
- (2) The Secretary of State may by order amend Part 2 of the 2000 Act for or in connection with securing that—
- (a) the obligation to reimburse operators for providing concessions under section 145A(1) of that Act, so far as imposed on a non-unitary district council, is instead imposed on the county council for the area in which the district is situated;
 - (b) the functions of a non-unitary district council under sections 145A and 148 of that Act are instead imposed on the county council for the area in which the district is situated.
- (3) The provision that may be made by an order under subsection (1)(a) includes in particular provision—
- (a) enabling the Secretary of State to determine (rather than agree) the amounts of reimbursement to be paid to individual operators, or to any class of operators;
 - (b) altering the provisions about appeals by operators in connection with reimbursement (for example, by altering who is to hear the appeals, the functions of the person or body hearing the appeals or the circumstances in which appeals may be brought);
 - (c) for establishing a body to hear the appeals;
 - (d) imposing requirements as to consultation;
 - (e) repealing section 145A(9) to (11) of the 2000 Act;
 - (f) conferring on the Secretary of State power to make regulations—
 - (i) for any purpose corresponding or similar to any purpose for which regulations may be made by the Secretary of State under sections 149(3) and 150(6) and (7) of the 2000 Act (as those provisions have effect immediately before the coming into force of this section);
 - (ii) about any matter ancillary to the reimbursement of, and appeals by, operators (for example, how to claim reimbursement).
- (4) Any power to make regulations conferred by virtue of subsection (3)(f) must be exercisable by statutory instrument which must be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The provision that may be made by an order under subsection (1)(b) includes in particular provision repealing any of subsections (6) to (8) of section 145A of the 2000 Act.

Changes to legislation: There are currently no known outstanding effects for the Concessionary Bus Travel Act 2007, Cross Heading: Power to alter national concession etc. (See end of Document for details)

- (6) If the Secretary of State makes an order under subsection (1)(a) or (2)(a), he may also by order amend the Transport Act 1985 (c. 67) for or in connection with securing that—
- (a) non-unitary district councils or metropolitan district councils in England cease to be local authorities for the purposes of section 93 of that Act; or
 - (b) a non-unitary district council or a metropolitan district council in England may not establish a travel concession scheme under that section unless they do so jointly with the county council [^{F1}, Integrated Transport Authority [^{F2}, combined authority or combined county authority]] for the area in which the district is situated (whether or not the scheme is also established jointly with other local authorities).
- (7) An order under subsection (6)(b) may include provision for or in connection with securing that—
- (a) any specified function that a non-unitary district council establishing such a scheme would, but for this paragraph, have had as an authority responsible for administration of the scheme is instead to be exercised by the county council concerned;
 - (b) any specified function that a metropolitan district council establishing such a scheme would, but for this paragraph, have had as an authority responsible for administration of the scheme is instead to be exercised by the Passenger Transport Executive for the area of the [^{F3}Integrated Transport Authority] concerned.
- (8) In this section “non-unitary district council” means a council of a non-metropolitan district in England comprised in an area for which there is a county council.

Textual Amendments

- F1** Words in s. 9(6)(b) substituted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(6), [Sch. 6 para. 120](#); S.I. 2009/3318, art. 2(c)
- F2** Words in s. 9(6)(b) substituted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 171](#) (with s. 247)
- F3** Words in s. 9(7)(b) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 67\(2\)](#); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Commencement Information

- I3** S. 9 in force at 17.10.2007 for specified purposes by [S.I. 2007/2799](#), [art. 2](#) (with [art. 4](#))
- I4** S. 9 in force at 1.4.2008 in so far as not already in force by [S.I. 2007/2799](#), [art. 3](#) (with [art. 4](#))

10 Reciprocal arrangements for providing travel concessions

- (1) The Secretary of State may by order amend Part 2 of the 2000 Act and Chapter 8 of Part 4 of the 1999 Act for or in connection with securing that English travel concessions are also provided, or are to a specified extent also provided, to—
- (a) Welsh permit holders,
 - (b) Scottish permit holders,
 - (c) Northern Irish permit holders, or
 - (d) any specified class of such persons.

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- (2) The Welsh Ministers may by order amend Part 2 of the 2000 Act for or in connection with securing that Welsh travel concessions are also provided, or are to a specified extent also provided, to—
- (a) English permit holders,
 - (b) Scottish permit holders,
 - (c) Northern Irish permit holders, or
 - (d) any specified class of such persons.
- (3) An order under subsection (1) or (2) may limit the extent to which English travel concessions or Welsh travel concessions are to be provided to persons by virtue of the order by reference, in particular, to—
- (a) the service on which the concession is to be provided;
 - (b) the time at which a journey on which the concession is to be provided begins;
 - (c) the value of the concession which is to be provided.
- (4) An order under subsection (1) or (2) may also, in particular, make provision for or in connection with securing that a person is not to be entitled to a concession on a journey by virtue of the order if he would, apart from the order, have been entitled to a concession on that journey.
- (5) An order under subsection (2) may, in particular, make provision for or in connection with securing that an operator providing concessions on a journey by virtue of the order is reimbursed by the travel concession authority in whose area the journey begins.
- (6) The power of the Secretary of State under—
- (a) section 145A(5) of the 2000 Act,
 - (b) section 243(7) of the 1999 Act, or
 - (c) paragraph 4(1A) of Schedule 16 to that Act,
- to specify the form of a permit includes power to specify its form for the purposes of any concession to which an English permit holder may become entitled, whether by virtue of an order under subsection (2) or otherwise.
- (7) The power of the Welsh Ministers to approve the form of a permit for the purpose of section 145B(2) of the 2000 Act includes power to approve its form for the purposes of any concession to which a Welsh permit holder may become entitled, whether by virtue of an order under subsection (1) or otherwise.
- (8) In this section—
- “English travel concessions” means the travel concessions to which certain persons whose sole or principal residence is in England are entitled—
- (a) under section 145A(1) of the 2000 Act, and
 - (b) by virtue of section 242(8) of, or paragraph A1 of Schedule 16 to, the 1999 Act;
- “Welsh travel concessions” means the travel concessions to which certain persons who are resident in Wales are entitled under section 145B(1) and (2) of the 2000 Act.
- (9) In this section—
- “English permit holder” means—
- (a) a person to whom a current travel concession permit has been issued under section 145A(4) of the 2000 Act by a travel concession authority in England (other than a London authority),

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(b) a person to whom a current travel concession permit relating to the travel concession specified in section 242(8) and (8A) of the 1999 Act has been issued by a London authority, or

(c) a person to whom a current travel concession permit has been issued by a London authority pursuant to paragraph 4(2) of Schedule 16 to that Act;

“Northern Irish permit holder” means a person to whom a current travel concession permit has been issued on behalf of the Department for Regional Development for the purposes of any agreement made under Article 5(1) of the Transport (Northern Ireland) Order 1977 (S.I. 1977/599 (N.I. 10));

“Scottish permit holder” means a person to whom a current travel concession permit has been issued under a national travel concession scheme made under section 40 of the Transport (Scotland) Act 2005 (asp 12);

“Welsh permit holder” means a person to whom a current travel concession permit (in a form approved by the Welsh Ministers) has been issued under section 145B(3) of the 2000 Act by a travel concession authority in Wales.

(10) In this section “London authority” and “travel concession authority” have the meaning given by section 146 of the 2000 Act.

Commencement Information

15 S. 10 in force at 17.10.2007 for specified purposes by S.I. 2007/2799, art. 2 (with art. 4)

16 S. 10 in force at 1.4.2008 in so far as not already in force by S.I. 2007/2799, art. 3 (with art. 4)

Changes to legislation:

There are currently no known outstanding effects for the Concessionary Bus Travel Act 2007,
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