EXECUTIVE NOTE

DRAFT: THE BUS USER COMPLAINTS TRIBUNAL REGULATIONS REVOCATION REGULATIONS 2006

1. The above instrument will be made in exercise of the powers conferred on the Scottish Ministers by sections 41(1), (2) and (3) of the Transport (Scotland) Act 2001. This instrument is subject to the affirmative resolution procedure.

Policy Objectives

2. Section 41 of The Transport (Scotland) Act 2005, which received its Royal Assent on 05 August, places a duty on Scottish Ministers to establish a Public Transport Users' Committee for Scotland. The Public Transport Users' Committee for Scotland will be an advisory NDPB and will be set up by the Public Transport Users' Committee for Scotland Order 2006 which has been laid separately.

3. The then Transport Minister, gave a commitment during the passage of the Bill in Parliament to establish a multi-modal Public Transport Users' Committee (PTUC). The PTUC will be an influential body to represent effectively the interests of public transport users and be a body that commands respect across the transport world and gives expert and informed advice to Ministers.

4. The PTUC will incorporate the functions of the Bus User Complaints Tribunal. The Public Transport Users' Committee for Scotland Order 2006 specifies that the functions will be carried out by a sub-committee and that the sub-committee should be established as soon as practicable after the PTUC comes into being. This order revokes the BUCT regulations at the same time as the sub-committee is established.

5. The PTUC will come into being on 01 January 2007, with the sub-committee being establish as soon as practicable thereafter.

Consultation

6. During the passage of the Transport (Scotland) Act 2005 a commitment was given to consult widely before establishing the new body. On 28 December 2005 the Scottish Executive issued the consultation document "Consultation on: Proposals for a Public Transport Users' Committee for Scotland". The consultation document was widely distributed and invited views on the structure, remit and membership of the new body. The consultation suggested, as part of the option to have an integrated high-level committee, that the functions of the Bus User Complaints Tribunal should be incorporated into the PTUC.

7. The consultation ran until 22 March 2006 and we received a total of 74 responses from users, providers and representative bodies. These responses can be viewed on the Scottish Executive website. A report on the consultation will be drawn up shortly and will also be placed on the website.

8. The majority of the consultation responses were in favour of an integrated high-level committee incorporating the functions of BUCT. The convener of BUCT has been consulted on the draft order and is content. The Executive will work with BUCT to ensure that the transition process runs smoothly.

Financial Effects

9. As the BUCT budget of £100k will transfer to the PTUC the instrument has no financial effects on the Scottish Executive, local government or on business.

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