SCOTTISH STATUTORY INSTRUMENTS

2010 No. 140

TRANSPORT

The National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Amendment Order 2010

Made - - - - 31st March 2010

Coming into force in accordance with article 1

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 40(1), (3), (4) and 52(4) of the Transport (Scotland) Act 2005(**a**) and all other powers enabling them to do so:

In accordance with section 52(3) of that Act, a draft of this Order has been laid before, and approved by resolution of, the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Amendment Order 2010 and comes into force on whichever is the later of—

(a) the day after the day on which it is made; or

(b) 1st April 2010.

Amendment of the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Order 2006

2.—(1) The National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Order 2006(**b**) is amended as follows.

(2) In article 2(1) (interpretation) in the definition of "reimbursement arrangements" omit "and (2)".

(3) For article 11(3) (information to be provided by operators) substitute—

"(3) An operator shall provide the Scottish Ministers with information as to—

(a) the number of eligible persons carried; and

(b) the boarding and alighting stage by shadow fare for each eligible person carried.".

(**a**) 2005 asp 12.
(**b**) S.S.I. 2006/107.

(4) For article 12(2) (reimbursement of operators) substitute—

"(2) Reimbursement of operators shall be calculated on the basis of the adult single fare for each eligible journey on an eligible service made by an eligible person.

(2A) The Scottish Ministers shall make reimbursement payments to operators at the reimbursement rate, within the capped level of funding specified for each financial year.

(2B) The capped level of funding is—

(a) from the day on which this Order comes into force until 31st March 2011 a sum determined by the formula—

$$\frac{£174,200,000}{365} \quad x \quad (365 - X)$$

Where—

X is the number of days from 1st April 2010 to the day on which this Order comes into force (inclusive of the day on which this Order comes into force);

(b) for the financial year beginning on 1st April 2011 £180,000,000; and

(c) for the financial year beginning on 1st April 2012 £187,000,000.

(2C) The reimbursement rate is 67% from the day on which this Order comes into force to the end of the financial year beginning on 1st April 2012.".

(5) After article 12(7) insert—

"(8) In this article—

"the capped level of funding" means the total amount available for reimbursement payments under article 13 in a financial year; and

"reimbursement rate" means the percentage payable by the Scottish Ministers, of the adult single fare for each eligible journey on an eligible service made by an eligible person.".

STEWART STEVENSON
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
31st March 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Order 2006 ("the 2006 Order").

This Order amends article 11 of the 2006 Order in relation to the information that bus operators must provide to the Scottish Ministers in order to receive reimbursement in terms of the Scheme in the 2006 Order (article 2(3)).

The Order also amends article 12 of the 2006 Order to provide that the Scottish Ministers cannot make payments in any financial year above a capped level of funding; and a reimbursement rate at which payments are to be made. This Order sets the capped level of funding and the reimbursement rate for the financial years 2010/11, 2011/12 and 2012/13 (article 2(4)).

The Order adds definitions for the terms "the capped level of funding" and "reimbursement rate" (article 2(5)).

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