

SCHEDULES

SCHEDULE 10

Section 85

FURTHER AMENDMENTS RELATING TO TRAVEL TO SCHOOLS ETC

Public Passenger Vehicles Act 1981 (c. 14)

- 1 In section 46 of the Public Passenger Vehicles Act 1981 (fare-paying passengers on school buses), in subsection (3), in the definition of “free school transport”—
- (a) after “under” insert “section 508B(1), section 508C(1), section 508F(1),” and
 - (b) after “1996,” insert—
 - “(aa) in pursuance of arrangements made by the authority in pursuance of a scheme made by them under Schedule 35C to that Act (school travel schemes),”.

Transport Act 1985 (c. 67)

- 2 (1) Section 6 of the Transport Act 1985 (registration of local services) is amended as follows.
- (2) In subsection (1) after “London local service” insert “nor a service which falls within subsection (1A) below”.
- (3) After subsection (1) insert—
- “(1A) A service falls within this subsection if conditions A and B are satisfied in relation to it.
- (1B) Condition A is satisfied if the service is provided in pursuance of—
- (a) the obligation placed on a local education authority by section 508B(1), section 508F(1), section 509(1) or (1A), or section 509AA(7)(b) or (9)(a) of the Education Act 1996 (provision of transport etc);
 - (b) the exercise of the power of a local education authority under section 508C(1) of that Act; or
 - (c) arrangements made by a local education authority in pursuance of a scheme made by them under Schedule 35C to that Act (school travel schemes).
- (1C) Condition B is satisfied if the service is for the carriage of any of the following persons (and no other)—
- (a) a person receiving education or training at premises to or from which transport is provided in pursuance of the obligation, the exercise of the power or the arrangements, as the case may be, mentioned in paragraph (a), (b) or (c) of subsection (1B);

Status: This is the original version (as it was originally enacted).

- (b) a person supervising or escorting any such person while he is using such transport;
- (c) a person involved with the provision of education or training at any such premises.”

Education Act 1996 (c. 56)

- 3 In section 455(1) of EA 1996 (permitted charges), in paragraph (c), for “509(2)” substitute “508B(1), 508F(3) or 509(2), or section 508E(2)(d) and paragraph 5(2) of Schedule 35C.”
- 4 (1) Section 509 of EA 1996 (provision of transport etc) is amended as follows.
- (2) In subsection (1)—
- (a) after “local education authority” insert “in Wales”, and
 - (b) for “Secretary of State” substitute “National Assembly for Wales”.
- (3) In subsection (1A)—
- (a) after “authority” insert “in Wales”, and
 - (b) for “Secretary of State” substitute “National Assembly for Wales”.
- (4) In subsection (1B)—
- (a) omit “the Learning and Skills Council for England or”, and
 - (b) in paragraph (b), omit “13 or”.
- (5) In subsection (3), after “authority” insert “in Wales”.
- (6) In subsection (5), in paragraph (c), for “section 13” substitute “section 41”.
- (7) In the heading, for “Provision” substitute “LEAs in Wales: provision”.
- 5 In section 509AB of EA 1996 (further provision about transport policy statements)—
- (a) after subsection (3) insert—
 - “(3A) In considering whether or not it is necessary to make arrangements for those purposes in relation to a particular person, a local education authority in England shall have regard (amongst other things) to the nature of the route, or alternative routes, which he could reasonably be expected to take.”, and
 - (b) in subsection (4)—
 - (i) for “those purposes” substitute “the purposes mentioned in subsections (2) and (3) of section 509AA”, and
 - (ii) after “authority” insert “in Wales”.