



Local Transport Act 2008

2008 CHAPTER 26

PART 3

BUS SERVICES

Extension of the competition test

46 Competition scrutiny of functions and agreements relating to buses

- (1) For section 153 of the TA 2000 (competition test for exercise of bus functions (see Schedule 10 to that Act)) substitute—

“153 Competition test: functions and agreements relating to buses

- (1) Schedule 10 contains provision applying competition tests in relation to—
- (a) the exercise of functions relating to quality partnership schemes, ticketing schemes and subsidised local services,
 - (b) voluntary partnership agreements and certain other agreements, decisions and practices relating to bus services.
- (2) A voluntary partnership agreement is any voluntary agreement under which—
- (a) a local transport authority, or two or more local transport authorities, undertake to provide particular facilities, or to do anything else for the purpose of bringing benefits to persons using local services, within the whole or part of their area, or combined area, and
 - (b) one or more operators of local services undertake to provide services of a particular standard.
- (3) In subsection (2)—
- “facilities” means—
- (a) facilities provided at specific locations along routes served, or proposed to be served, by local services within the area to which the agreement relates, or

Changes to legislation: Local Transport Act 2008, Section 46 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) facilities which are ancillary to such facilities;
“standard”, in the case of any services, includes—
 - (a) any requirements which the vehicles being used to provide the services must meet,
 - (b) any requirements as to frequency or timing of the services,
 - (c) any requirements as to the maximum fares that may be charged for particular journeys, or for journeys of particular descriptions, on services to which the agreement applies;
- “voluntary agreement” means an agreement made otherwise than under sections 114 to 123 (quality partnership schemes).”.

(2) In section 162 of that Act (interpretation of Part 2) after subsection (4) insert—

- “(4A) Where a reference to an authority in any of the following provisions is to an Integrated Transport Authority, it is to be construed as including a reference to the Passenger Transport Executive for the integrated transport area concerned—
- section 153(2)(a),
 - in Schedule 10, paragraph 17(5)(b) and (8).”.

(3) Schedule 10 to the TA 2000 (competition test for exercise of bus functions) is amended in accordance with Schedule 2.

Commencement Information

- I1** S. 46 partly in force; s. 46(3) in force at Royal Assent for specified purposes, see s. 134(1)(c)
- I2** S. 46 in force at 9.2.2009 for E. by [S.I. 2009/107](#), art. 2(2), [Sch. 2 Pt. 1](#)
- I3** S. 46 in force at 1.4.2009 for W. by [S.I. 2009/579](#), art. 2(d)

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Commencement Orders yet to be applied to the Local Transport Act 2008

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)