



Bus Services Act 2017

2017 CHAPTER 21

Registration of bus services

19 Variation or cancellation of registration: service information

(1) After section 6B of the Transport Act 1985 insert—

“6C Variation or cancellation of registration: service information

- (1) Regulations may require the operator of a local service registered under section 6 to provide prescribed information to any local transport authority in England in whose area the service has a stopping place if—
 - (a) the operator—
 - (i) has made an application under section 6 to vary or cancel the registration of the service, or
 - (ii) has notified the local transport authority in accordance with regulations under that section that it proposes to make such an application, and
 - (b) the authority requests the operator to provide the information.
- (2) The information that may be prescribed is information relating to—
 - (a) the number of passengers using the service, the journeys made by those passengers and the fares paid by them, and
 - (b) the revenue obtained by operating the service.
- (3) Regulations under this section may, in particular—
 - (a) make provision about the periods of time in respect of which information may be required,
 - (b) make provision about the time when, and the manner and form in which, information is to be provided,
 - (c) provide for a traffic commissioner or a body carrying out a traffic commissioner’s functions in accordance with section 6G not to accept an application to vary or cancel the service if the operator has failed to comply with the regulations,

Status: This is the original version (as it was originally enacted).

- (d) make provision about the use and disclosure of information provided under the regulations (including provision about its further disclosure),
 - (e) make provision as to cases in which section 67 of the 1981 Act does not apply in relation to contraventions of, or failures to comply with, the regulations,
 - (f) make provision subject to conditions, and
 - (g) make supplementary, incidental, consequential or transitional provision.
- (4) In this section “local transport authority” has the meaning given in section 108(4) of the Transport Act 2000.”
- (2) In section 155(1) of the Transport Act 2000 (sanctions), after paragraph (aa) insert—
- “(ab) failed to comply with a requirement to provide information imposed by virtue of section 6C of that Act.”.

20 Rail replacement bus services

- (1) In section 6 of the Transport Act 1985 (registration of local services), in subsection (1), after “(1A)” insert “or (1D)”.
- (2) After subsection (1C) of that section insert—
- “(1D) A service falls within this subsection if—
 - (a) it has one or more stopping places in England, and
 - (b) it is provided under an agreement entered into, where a railway service has been temporarily interrupted, with the person who usually provides the railway service.
- (1E) Where a service is provided both inside and outside England, any part of the service which is provided outside England is to be treated as a separate service for the purposes of subsection (1D) if there is any stopping place for that part of the service outside England.”
- (3) In section 179 of the Greater London Authority Act 1999 (London local services), for subsection (3) substitute—
- “(3) The following are not London local services for the purposes of this Act—
 - (a) a service provided in pursuance of an agreement with the Secretary of State entered into under section 40 of the Railways Act 2005 (substitution services provided for interrupted or discontinued railway services);
 - (b) a service provided under an agreement entered into, where a railway service has been temporarily interrupted, with the person who usually provides the railway service.”

21 Registration of English local services: fees where functions contracted out

After section 6I of the Transport Act 1985 (inserted by section 14) insert—

“6J Contracting out of registration functions: fees

- (1) Regulations may make provision about the charging of fees where an authorised person exercises a function of a traffic commissioner in relation to an application specified in subsection (2).
- (2) Those applications are—
 - (a) an application under section 6 of this Act for the registration of a relevant service,
 - (b) an application under section 6 of this Act for the variation of the registration of a service that, as varied, would be or continue to be a relevant service, and
 - (c) an application under section 6 of this Act for the cancellation of the registration of a relevant service.
- (3) Regulations under this section may allow or require the authorised person to charge fees in respect of the application to which the function relates.
- (4) The regulations may—
 - (a) specify the fees chargeable, or
 - (b) make provision about the setting of fees by the authorised person, including provision about determining the amounts of such fees.
- (5) The regulations may include provision about—
 - (a) who must pay the fees and at what times, and
 - (b) whether the fees are payable in one sum or in instalments.
- (6) The regulations may provide that, if a fee or instalment of a fee due under the regulations has not been paid, the authorised person may decline to proceed with an application referred to in subsection (2) to which the fee or instalment relates until the fee or instalment is paid.
- (7) The regulations may make provision about how amounts received in respect of fees charged under the regulations are to be applied.
- (8) Provision made by virtue of subsection (7) may include—
 - (a) provision for such amounts not to be payable to the traffic commissioner, and
 - (b) provision that such amounts are to be paid, or not to be paid, into the Consolidated Fund.
- (9) The regulations may provide that fees are not to be charged under section 52 of the 1981 Act (as applied by section 126 of this Act) in respect of the applications referred to in subsection (2).
- (10) In this section—

“authorised person”, in relation to a function of a traffic commissioner, means a person authorised to exercise that function by virtue of an authorisation given in accordance with an order under section 69 of the Deregulation and Contracting Out Act 1994;

“relevant service” means a service which has stopping places only in England;

“service” has the meaning given in section 6(1).”