



# Bus Services Act 2017

## 2017 CHAPTER 21

### *Enhanced partnership plans and schemes*

#### **11 Registration of local services**

(1) The Transport Act 1985 is amended as follows.

(2) In section 6 (registration of local services), after subsection (2B) insert—

“(2C) Where—

- (a) a requirement imposed under section 138A(5)(b) of the Transport Act 2000 (requirements specified in an enhanced partnership scheme) has effect, and
- (b) an application to register a service, or to vary the registration of a service, is made in respect of a service to which that requirement would apply if the application were granted,

section 6D has effect with respect to the application.”

(3) In section 6, after subsection (2C) (inserted by subsection (2)) insert—

“(2D) Where—

- (a) an enhanced partnership scheme under section 138A of the Transport Act 2000 is in operation,
- (b) a service is registered, or a registration of a service is varied, under this section, and
- (c) a requirement imposed under section 138A(5)(b) of the Transport Act 2000 applies to the service or the service as varied,

the requirement is to be recorded with the particulars of the service required to be registered under this section.”

(4) In section 6, in subsection (9) (regulations for carrying section 6 into effect), after paragraph (h) insert—

- “(ha) as to the variation or cancellation of the record of a requirement imposed under section 138A(5)(b) of the Transport Act 2000;”.

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*Changes to legislation: There are currently no known outstanding effects for the Bus Services Act 2017, Section 11. (See end of Document for details)*

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(5) After section 6C (inserted by section 19) insert—

**“6D Applications for registration where an enhanced partnership scheme is in operation**

- (1) This section applies in any case where—
- (a) an enhanced partnership scheme under section 138A of the Transport Act 2000 is in operation;
  - (b) a requirement imposed under section 138A(5)(b) of the Transport Act 2000 has effect;
  - (c) an application for registration, or for variation of registration, is made under section 6 of this Act in respect of a local service to which that requirement would apply if the application were granted; and
  - (d) the application is one which would fall to be accepted, apart from this section.
- (2) A traffic commissioner must refuse the application if—
- (a) the requirement is an operation requirement, and
  - (b) the traffic commissioner considers that the person who would be the operator of—
    - (i) the service proposed to be provided, or,
    - (ii) the service as proposed to be varied,is unlikely to be able to comply with that requirement as regards that service.
- (3) If, where the requirement is a route requirement, the registration, or variation of registration, of the service under section 6 is prevented by regulations under section 6E(6), a traffic commissioner must refuse the application.
- (4) In this section—
- “operation requirement” means a requirement imposed under section 138A(5)(b) of the Transport Act 2000, other than a route requirement;
- “route requirement” means a requirement imposed under section 138A(5)(b) of the Transport Act 2000 that falls within section 138C(1) of that Act.”

**Commencement Information**

**II** S. 11 in force at Royal Assent for certain purposes, otherwise in force at 27.6.2017, see s. 26(3)

**Changes to legislation:**

There are currently no known outstanding effects for the Bus Services Act 2017, Section 11.