



# Bus Services Act 2017

## 2017 CHAPTER 21

### *Enhanced partnership plans and schemes*

#### **12 Cancellation of registration etc**

- (1) The Transport Act 1985 is amended as follows.
- (2) In section 6, after subsection (7A) insert—

“(7B) Where an enhanced partnership scheme under section 138A of the Transport Act 2000 is in operation, the registration of a service may also be cancelled under section 6E.”

- (3) After section 6D (inserted by section 11) insert—

#### **“6E Cancellation and control of registration where enhanced partnership scheme is in operation**

- (1) This section applies in a case where—
  - (a) an enhanced partnership scheme under section 138A of the Transport Act 2000 is in operation, and
  - (b) one or more requirements imposed under section 138A(5)(b) of the Transport Act 2000 by the scheme have effect.
- (2) If a traffic commissioner considers that—
  - (a) an operation requirement imposed by the scheme applies to a service registered under section 6, and
  - (b) the service is not being provided in accordance with that requirement, the traffic commissioner may cancel the registration of that service.
- (3) If a traffic commissioner considers that—
  - (a) a route requirement imposed by the scheme applies to a service registered under section 6, and
  - (b) that service cannot be provided in accordance with that requirement, the traffic commissioner must cancel the registration of that service.

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*Changes to legislation: There are currently no known outstanding effects for the Bus Services Act 2017, Section 12. (See end of Document for details)*

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- (4) If a traffic commissioner considers that—
- (a) a route requirement imposed by the scheme applies to two or more services registered under section 6, and
  - (b) those services cannot all be provided in accordance with that requirement,
- the traffic commissioner must cancel the registration of those services.
- (5) Subject to regulations under this section, a cancellation of the registration of a service under subsection (2), (3) or (4) becomes effective on the expiry of the period beginning with the date on which a traffic commissioner gives notice to the operator of the service of the cancellation of the registration and ending with the date determined in accordance with regulations under this section.
- (6) Regulations under this section may make provision controlling the registration, or the variation of registration, under section 6 of local services which would, or would as varied, be subject to a route requirement by reference to which a registration or registrations was or were cancelled under subsection (3) or (4).
- (7) Regulations under subsection (6) may, in particular—
- (a) provide for the determination of the services that may be registered and the persons who may register such services;
  - (b) provide for those matters to be determined by the local transport authority or authorities operating the enhanced partnership scheme;
  - (c) provide for the authority or authorities to award contracts authorising persons to provide local services or local services of particular descriptions;
  - (d) provide for services not to be registered under section 6, and for variations of registration under section 6 not to be made, in prescribed cases;
  - (e) make provision as to the period during which the registration, or variation of registration, of local services under section 6 is subject to provision under subsection (6).
- (8) Regulations may be made for the purpose of carrying this section into effect and any such regulations may, in particular—
- (a) make provision as to the procedure for cancellation under this section, including provision for giving notice of an intention to cancel unless an operator of a local service satisfies prescribed conditions;
  - (b) make provision for cancellation under subsection (3) or (4) to be revoked if prescribed conditions are satisfied, including conditions relating to the variation or cancellation under section 6 of the registration of one or more of the services affected;
  - (c) make provision for the time at which cancellation under subsection (3) or (4) becomes effective to be postponed in prescribed circumstances.
- (9) In this section—
- “local transport authority” has the meaning given in section 108(4) of the Transport Act 2000;
- “operation requirement” and “route requirement” have the same meaning as in section 6D.”

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**Changes to legislation:** *There are currently no known outstanding effects for the Bus Services Act 2017, Section 12. (See end of Document for details)*

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**Commencement Information**

**II** [S. 12](#) 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 12.