

2010 No. 459

PUBLIC PASSENGER TRANSPORT, ENGLAND

The Travel Concessions (Eligibility)(England) Order 2010

Made - - - - *24th February 2010*

Laid before Parliament *1st March 2010*

Coming into force - - *6th April 2010*

The Secretary of State makes the following Order in exercise of the powers conferred by section 1(4) of the Travel Concessions (Eligibility) Act 2002(a).

Citation, commencement and application

1.—(1) This Order may be cited as the Travel Concessions (Eligibility)(England) Order 2010 and comes into force on 6th April 2010.

(2) This Order applies in relation to England only.

Eligibility for travel concessions: age

2.—(1) Section 93(7)(a) of the Transport Act 1985(b), section 240(5)(a)(i) of the Greater London Authority Act 1999(c) and the definition of “elderly person” in section 146 of the Transport Act 2000(d) shall have effect as if for the reference to the age of 60 years there were substituted a reference to—

(a) in the case of a woman, her pensionable age,

(b) in the case of a man, the pensionable age of a woman born on the same day.

(2) For the purposes of paragraph (1) “pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995(e).

Signed by authority of the Secretary of State

24th February 2010

Sadiq Khan
Minister of State
Department for Transport

(a) 2002 c.4.

(b) 1985 c.67; section 93(7)(a) was amended by section 1(1) of the Travel Concessions (Eligibility) Act 2002.

(c) 1999 c.29; section 240(5) was amended by section 151(4) of the Transport Act 2000 (2000 c.38), section 1(2) of the Travel Concessions (Eligibility) Act 2002 and section 4(2) of the Concessionary Bus Travel Act 2007 (2007 c.13).

(d) Section 146 was amended by section 1(3) of the Travel Concessions (Eligibility) Act 2002.

(e) 1995 c.26; amended by paragraph 4 of Schedule 3 to the Pensions Act 2007 (2007 c.22).

EXPLANATORY NOTE

(This note is not part of the Order)

The Greater London Authority Act 1999 and the Transport Acts of 1985 and 2000 make provision for travel concessions. In particular, older people resident in England are entitled to free off-peak travel on local bus services on showing a permit, which must be issued free of charge by the local authority. Older London residents are entitled to additional travel concessions on the London Local Transport Network. In addition to these mandatory concessions, local authorities have the discretion to establish schemes which offer older people further travel concessions.

The Travel Concessions (Eligibility) Act 2002 altered the age at which older people are eligible for the travel concessions for older people. Initially this was fixed at sixty years of age for both men and women. This Order will change the position in relation to England so that eligibility for the concessions for older people is linked to pensionable age. Under the Pensions Acts of 1995 and 2007 the pensionable age is being gradually increased from the current ages of sixty years for women and sixty-five years for men. The process of equalisation of the pensionable ages of men and women will be completed in April 2020. In order that men are not disadvantaged relative to women, entitlement of men to the travel concessions will be determined by considering whether a woman born on the same day would be of pensionable age.

The Department for Transport has produced an Explanatory Memorandum and an Impact Assessment, showing the effect this instrument will have on the costs of business and public sectors. These documents are available from the Concessionary Travel Division, Department for Transport, Zone 3/11, Great Minster House, 76 Marsham Street, London SW1P 4DR or may be accessed via the Office of Public Sector Information website at www.opsi.gov.uk. A copy has been placed in the library of each House of Parliament.

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