WELSH STATUTORY INSTRUMENTS

2002 No. 2022 (W.206)

PUBLIC PASSENGER TRANSPORT, WALES

The Bus Service Operators Grant (Wales) Regulations 2002

Made - - - -	*31st July 2002*
Coming into force - -	*14th August 2002*

The National Assembly for Wales, in exercise of the powers conferred upon it by section 154(5) of the Transport Act 2000(**1**) hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Bus Service Operators Grant (Wales) Regulations 2002 and shall come into force on 14 August 2002.

(2) These Regulations apply to Wales.

Interpretation

2. In these Regulations—

"disabled person" ("*person anabl*") has the same meaning as in section 1 of the Disability Discrimination Act 1995(**2**);

"local service" ("*gwasanaeth lleol*") has the same meaning as in section 2 of the Transport Act 1985(**3**);

"public passenger transport services" ("*gwasanaethau trafnidiaeth gyhoeddus i deithwyr*") means all those services on which members of the public rely for getting from place to place, when not relying on private facilities of their own;

"stopping place" ("*man aros*") has the same meaning as in section 137(1) of the Transport Act 1985.

Eligibility for grant

3.—(1) A bus service is an eligible bus service for the purposes of section 154 of the Transport Act 2000 (grants to bus service operators) if it is of one of the following classes—

(a) a local service provided or secured—

(**1**) 2000 c. 38.
(**2**) 1995 c. 50.
(**3**) 1985 c. 67.

(i) by a local education authority pursuant to arrangements made under section 509 of the Education Act 1996(**4**), or

(ii) for persons who have attained the age of sixty years or disabled persons,

and in respect of which the conditions set out in paragraph (2) are satisfied;

(b) a local service, other than a service described in paragraph (1)(a), which is provided by means of a vehicle adapted to carry more than eight passengers (or by a smaller vehicle, but only if the services are operated in accordance with a time table) and in respect of which the conditions set out in paragraph (3) are satisfied;

(c) a bus service being provided by an operator to whom a permit under section 19 of the Transport Act 1985 has been issued and remains in force, and in respect of which the conditions set out in paragraph (4) are satisfied.

(2) The conditions referred to in paragraph (1)(a) are that—

(a) seats on the vehicle by means of which the service is provided are normally available to members of the general public and the service is regularly used by such members;

(b) the stopping places (other than those to or from which the service is mainly provided) are situated at locations where they are likely to be used with reasonable frequency by members of the general public;

(c) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;

(d) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service; and

(e) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, the times of its operation, and the places which it serves.

(3) The conditions referred to in paragraph (1)(b) are that—

(a) at least half of the accommodation on the vehicle by means of which the service is provided is normally available to members of the general public and the service is regularly used by such members;

(b) the stopping places are situated at locations where they are likely to be used with reasonable frequency by members of the general public;

(c) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;

(d) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service;

(e) there is not displayed on the vehicle by means of which the service is provided any sign or description intended or likely to convey the impression that the service is only available to a particular category of person; and

(f) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, times of its operation and the places which it serves.

(4) The conditions referred to in paragraph (1)(c) are that the service is used wholly or mainly by—

(a) persons who have attained the age of 60 years;

(b) disabled persons;

(**4**) 1996 c. 56.