



Transport (Scotland) Act 2001

2001 asp 2

PART 2

BUS SERVICES

[^{F1}CHAPTER 1]

[^{F1}BUS SERVICES IMPROVEMENT PARTNERSHIPS]

[^{F1}Partnership plans and schemes]

[^{F1}3H Variation of a partnership plan or scheme

- (1) A local transport authority may vary—
 - (a) a partnership plan and any related scheme, or
 - (b) a partnership scheme.
- (2) In particular, a partnership plan or scheme may be varied by changing the area to which the plan or scheme relates so that it—
 - (a) includes the whole of the area of another local transport authority (a “prospective authority”), or
 - (b) ceases to include any part of the area of the local transport authority which made the plan or scheme.
- (3) A partnership scheme may be varied only if the local transport authority (and, if applicable, the prospective authority) are satisfied that—
 - (a) the scheme, as varied, will contribute to the implementation of—
 - (i) the policies set out in the partnership plan (or those policies in the plan as proposed to be varied) to which it relates, and
 - (ii) the local transport authority's (and, if applicable, the prospective authority's) relevant general policies, and
 - (b) the scheme, as varied, will—

Changes to legislation: *Transport (Scotland) Act 2001, Section 3H is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (i) bring benefits to persons using local services in the whole or any part of the area of the scheme (as varied) by improving the quality or effectiveness of those services, or
 - (ii) reduce or limit traffic congestion, noise or air pollution.
- (4) A local transport authority may, if they consider it appropriate, decide to postpone the coming into operation of the variation of a partnership scheme or any part of it by such period as they think fit.
- (5) But the coming into operation of the variation of a partnership scheme, or any part of it, must not be postponed by a period or periods which in total exceed 12 months.
- (6) To—
- (a) vary a partnership plan or a partnership scheme (otherwise than in accordance with the scheme itself, under section 3D, or when making a franchising framework), a local transport authority (and any prospective authority) must comply with Part 2 of schedule A1, and
 - (b) postpone the coming into operation of such a variation, a local transport authority (and any prospective authority) must comply with paragraphs 19 and 20 of that Part.
- (7) The Scottish Ministers may by regulations amend subsection (5) to specify a different total period of postponement than the one for the time being specified there.]

Textual Amendments

- F1** Pt. 2 Ch. 1 substituted for ss. 3-12 and cross-heading (4.12.2023) by [Transport \(Scotland\) Act 2019](#) (asp 17), **ss. 35(2), 130(2)** (with s. 126) (as amended (27.11.2023) by [S.S.I. 2023/347](#), regs. 1(1), 2(2)); [S.S.I. 2023/250](#), sch.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)