



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}3K Provision of information: bus services improvement partnerships]

- (1) This section applies if a local transport authority are exercising any of the following functions—
 - (a) preparing and making a partnership plan or scheme,
 - (b) reviewing the effectiveness of a partnership plan or scheme, or
 - (c) determining whether and how to vary, or revoke, a partnership plan or scheme.
- (2) The local transport authority may require an operator of a local service in the relevant area to provide them with such relevant information relating to the function being exercised as they may specify.
- (3) The local transport authority must specify the function it is exercising when requiring the provision of relevant information.
- (4) The operator may be required to provide the information—
 - (a) in any form which, having regard to the manner in which the information is kept, it is reasonable to expect the operator to provide, and
 - (b) before the end of such period as may be specified by the local transport authority.
- (5) A local transport authority that have obtained relevant information under this section may only—
 - (a) use the information for the purpose of exercising the function for which it was obtained, and

Changes to legislation: Transport (Scotland) Act 2001, Section 3K is up to date with all changes known to be in force on or before 17 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

- (b) supply the information to a person listed in subsection (6) for use in connection with that function.
- (6) The persons are—
 - (a) a local transport authority,
 - (b) persons providing services to the local transport authority in connection with the function being exercised,
 - (c) where section 3E applies, the Scottish Ministers.
 - (7) A person who receives relevant information under subsection (5)(b) must not disclose it to any other person or use it in connection with a purpose other than the specified function.
 - (8) A person who, without reasonable excuse, discloses information in contravention of this section commits an offence.
 - (9) A person who commits an offence under subsection (8) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
 - (10) Where an offence under subsection (8) committed by a local transport authority is proved to have been committed with the consent or connivance of, or to be attributable to the neglect on the part of, a person employed by the authority, the person as well as the authority is guilty of the offence and liable to be proceeded against and punished accordingly.
 - (11) In this section, “relevant information” means information of a description specified in regulations made by the Scottish Ministers.
 - (12) Regulations under subsection (11) may specify circumstances in which relevant information (or types of relevant information) may not be required by a local transport authority.]

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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\(2\)\(b\)](#)