

POLICY NOTE

THE PUBLIC TRANSPORT USERS' COMMITTEE FOR SCOTLAND (REMOVAL OF FUNCTIONS) ORDER 2013

SSI 2013/79

The above instrument was made in exercise of the powers conferred on the Scottish Ministers by section 42(3)(b) of the Transport (Scotland) Act 2005. This instrument is subject to negative resolution procedure and will come into force on 1 April 2013.

Legal Background

The Public Transport Users' Committee for Scotland (the "PTUC") is an advisory NDPB established under Section 41 of the Transport (Scotland) Act 2005.

Section 42(1) of the Transport (Scotland) Act 2005 states that the Committee may consider and make recommendations to the Scottish Ministers about any matter relating to public transport services in, from or to Scotland.

Section 42(2) of the Transport (Scotland) Act 2005 states that the Committee shall consider and make recommendations about any other matter if asked to do so by the Scottish Ministers.

Article 4 of the Public Transport Users' Committee for Scotland Order 2006 confers on the Committee the functions of determining any written complaint made by or on behalf of any individual: about the manner in which a relevant complaint has been dealt with; or appealing against a decision made on a relevant complaint.

Section 42(3)(b) of the Transport (Scotland) Act 2005 states that Scottish Ministers may, by order remove functions from the Public Transport Users' Committee for Scotland.

Policy Objective

The policy objective of this Order is to remove all existing functions from the PTUC. The Scottish Government intends to contract out research into passengers' views, bus compliance work and the adjudication of unresolved bus complaints. The Scottish Government also intends to bring before the Parliament in the near future a draft order under the Public Services Reform (Scotland) Act 2010 dealing with dissolution of the PTUC (which is a body listed in Schedule 5 to that Act).

Consultation

An independent review of the Public Transport Users' Committee for Scotland was carried out in 2012. The PVS Review paper outlined strongly that the PTUC was not operating effectively in the areas which it was set up to look into and that an alternative would be more cost effective and be more effective at providing Ministers with useful and practical information in order for them to carry out their functions. It also highlighted that bus passenger representation was poor and that an alternative method of obtaining bus passengers' views should be established.

Financial Effects

The instrument has no financial effects on local government or on business. A Business and Regulatory Impact Assessment has not been prepared as these changes have no impact on the cost of business.

Bill Brash
Transport Scotland
28 February 2013