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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**The Transport (Scotland) Act 2019 (Consequential Provisions and Modifications) Order 2023**

**PART 5**

**Amendment of the Transport Act 1985**

**Conditions attached to PSV operator's licence**

**36.**—(1) Section 26(1) of the 1985 Act<sup>(1)</sup> (conditions attached to PSV operator's licence) is amended as follows.

(2) In paragraph (b) for “section 8(4) or section 22(1)(b)” substitute “section 3F(1) or section 13B(1)(b) or (3)”<sup>(2)</sup>.

(3) After paragraph (bb) insert—

“(bba) the operator has failed to comply with a requirement to provide information (including a requirement to provide it within a specified time or in a specified form) under section 3K(2) or 13R(2) of the Transport (Scotland) Act 2001<sup>(3)</sup>,

(bbb) the operator has failed to comply with a requirement under section 6ZA<sup>(4)</sup> of this Act,

(bbc) the operator has failed to comply with a requirement under article 28 of the Transport (Scotland) Act 2019 (Consequential Provisions and Modifications) Order 2023”.

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(1) Section 26(1) was relevantly amended by the Bus Services Act 2017 (c. 21), section 17(4), and by S.I. 2001/2748 and S.I. 2013/1644.

(2) Section 3F was inserted by the Transport (Scotland) Act 2019 (asp 17), section 35 and section 13B was inserted by the Transport (Scotland) Act 2019, section 38.

(3) Section 3K was inserted by the Transport (Scotland) Act 2019, section 35 and section 13R was inserted by the Transport (Scotland) Act 2019, section 38.

(4) Section 6ZA was inserted by the Transport (Scotland) Act 2019, section 39.