



Transport Act 1985

1985 CHAPTER 67

PART V

FINANCIAL PROVISIONS

Travel concession schemes

100 Provisions supplementary to sections 96 to 99

- (1) Regulations under this section may make provision as to—
 - (a) the maximum or (as the case may be) minimum period that may for the purposes of any provision of section 97 or 98 of this Act be specified in a participation notice;
 - (b) the form and contents of participation notices and other notices required for any purposes of sections 96 to 99 of this Act; and
 - (c) the manner in which any such notice is to be served.
- (2) Where the Secretary of State cancels or varies a participation notice under section 98 of this Act after the obligation imposed by that notice has come into effect he may award compensation to the applicant under subsection (4) below if it appears to him that the applicant has suffered—
 - (a) in a case where the notice is cancelled, any loss attributable to his participation in the scheme in question; or
 - (b) in a case where the notice is varied by excluding from it any service operated by the applicant, any loss attributable to his participation in that scheme in respect of that service.
- (3) Where on determining an application under section 99 of this Act the Secretary of State finds that the authority or authorities responsible for administration of the scheme in question have failed to comply with their obligation under section 93(6) of this Act, he may award compensation to the applicant under subsection (4) below if it appears to him that the applicant has suffered any loss attributable to that failure.

Status: This is the original version (as it was originally enacted).

- (4) In any case to which subsection (2) or (3) above applies the Secretary of State may by notice in writing require the authority responsible for administration of the scheme in question or (as the case may be) the authorities so responsible in such proportions as may be specified in the notice to pay to the applicant such an amount by way of compensation in respect of the loss there mentioned as may be so specified.
- (5) The Secretary of State may if he thinks fit appoint a person to determine an application under section 98 or 99 of this Act on his behalf; and references in those sections and in subsections (2) to (4) above to the Secretary of State shall be read as including references to a person so appointed.
- (6) Regulations under this section may prescribe the procedure to be followed in connection with applications under sections 98 and 99 of this Act and may in particular (but without prejudice to the generality of that) include provision—
- (a) as to the conduct of any proceedings held in connection with any such application; and
 - (b) enabling the Secretary of State to require either the applicant or the authority or authorities responsible for administration of the scheme in question, or both or all of them, to pay such sum as the Secretary of State may determine towards any expenses incurred by him in connection with the determination of the application.
- (7) Where a requirement under subsection (4) above is imposed on more than one authority, the liability of the authorities concerned to the applicant—
- (a) shall extend to the whole of the amount specified in the notice imposing the requirement; and
 - (b) shall be both joint and several;
- but if any such authority make any payment* in or towards the discharge of that liability, of an amount exceeding the amount representing any proportion specified in the notice as that authority's share, that authority shall be entitled to recover an appropriate contribution (determined by reference to the proportions specified in that notice) from the other authority or authorities concerned,
- (8) Any sums paid to the Secretary of State by virtue of subsection (6)(b) above shall be paid into the Consolidated Fund.