



Transport Act 1985

1985 CHAPTER 67

PART IV

LOCAL PASSENGER TRANSPORT SERVICES

Miscellaneous and supplementary

82 Bus stations: restrictions on discriminatory practices, etc.

- (1) Neither a Passenger Transport Executive nor a local authority shall, in the exercise of any of their powers—
- (a) in relation to the provision or operation of bus stations or any associated facilities; or
 - (b) without prejudice to paragraph (a) above) in relation in particular to the charges to be made for the use of any accommodation at a bus station or of any associated facilities;
- act in such a way as to discriminate (whether directly or indirectly) against any holder, or class of holder, of a PSV operator's licence.
- (2) In relation to a local authority, the powers in question under subsection (1) above include in particular (without prejudice to the generality of that subsection) their powers under section 38 of the ^{M1}Road Traffic Regulation Act 1984 (appointment of parking places provided under section 32 of that Act as stations for public service vehicles and provision of accommodation in connection with places so appointed).
- (3) Where under any agreement (other than an agency agreement) entered into by a Passenger Transport Executive under section 10(1)(xv) of the 1968 Act (contracting-out powers) a person is operating a bus station or any associated facilities provided by that Executive or provided by that or any other person under any such agreement, that person shall not—
- (a) in relation to the operation of that bus station or (as the case may be) of those facilities; or

Changes to legislation: Transport Act 1985, Section 82 is up to date with all changes known to be in force on or before 22 June 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) (without prejudice to paragraph (a) above) in relation in particular to the charges to be made for the use of any accommodation at that station or (as the case may be) for the use of those facilities;
- act in such a way as to discriminate (whether directly or indirectly) against any holder, or class of holder, of a PSV operator's licence.
- (4) The reservation of the whole or any part of the accommodation for public service vehicles at any bus station for such vehicles used in providing local services or (as the case may be) for such vehicles used in providing services other than local services shall not be taken to be discrimination prohibited by subsection (1) or (3) above.
- [^{F1}(4A) Nothing done pursuant to [^{F2}an advanced quality partnership scheme or] a quality partnership scheme under Part II of the Transport Act 2000 by—
- (a) a Passenger Transport Executive,
 - (b) a local authority, or
 - (c) a person to whom subsection (3) above applies,
- shall be taken to be discrimination prohibited by subsection (1) or (3) above.]
- [^{F3}(4A) Nothing done pursuant to a quality partnership scheme under Part 2 of the Transport (Scotland) Act 2001 (asp 2) by—
- (a) the Strathclyde Passenger Transport Executive;
 - (b) a local authority; or
 - (c) a person to whom subsection (3) above applies,
- shall be taken to be discrimination prohibited by subsection (1) or (3) above.]
- (5) Notwithstanding anything in section 8 of the ^{M2}Transport Act 1983 (obligation to accept tenders for carrying on activities of Executives in certain circumstances) a Passenger Transport Executive may not in exercise of their powers under section 10(1) (xv) of the 1968 Act enter into an agreement (other than an agency agreement) for—
- (a) the provision of any bus station or associated facilities the Executive have power under section 81 of this Act to provide; or
 - (b) the operation of any bus station or associated facilities provided by the Executive under that section or under their former powers or provided by any other person under any agreement entered into by the Executive under section 10(1)(xv);
- by a person who is the operator of any public passenger transport services or a person connected with any such operator.
- (6) In this section “agency agreement” means, in relation to any agreement under section 10(1)(xv), an agreement with any person for the carrying on of activities by that person as agent for the Executive concerned.
- (7) Any such agreement as is mentioned in subsection (5)(b) above entered into after this subsection comes into force shall include provision for ensuring that it will come to an end if the person who under the agreement is to operate the bus station or associated facilities to which it applies becomes the operator of any public passenger transport services or a person connected with any such operator.
- (8) On and after the date on which this section comes into force, subsection (5) above shall apply in relation to any such agreement as is there mentioned entered into by the Passenger Transport Executive for any passenger transport area before that date as if this section had come into force on 11 July 1985.

Changes to legislation: Transport Act 1985, Section 82 is up to date with all changes known to be in force on or before 22 June 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

Textual Amendments

- F1** S. 82(4A) inserted (E.W.) (1.8.2001 for W. and 26.10.2001 for E.) by [2000 c. 38, s. 161, Sch. 11 para. 14](#); [S.I. 2001/2788, art. 2, Sch. 1 para. 11](#); [S.I. 2001/3342, art. 2, Sch.](#)
- F2** Words in [s. 82\(4A\)](#) inserted (E.W.) (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by [Bus Services Act 2017 \(c. 21\), s. 26\(3\), Sch. 1 para. 5](#)
- F3** S. 82(4A) inserted (S.) (1.7.2001) by [2001 asp 2, s. 83, Sch. 2 para. 4\(4\)](#)(with s. 66); [S.S.I. 2001/132, art. 2\(3\), Sch. Pt. II](#)

Modifications etc. (not altering text)

- C1** Pt. 4: functions made exercisable (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\), regs. 1\(2\), 14\(1\)](#)
- C2** Ss. 80-87: functions transferred (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\), regs. 1\(2\), 14\(2\)](#) (with reg. 14(3))

Marginal Citations

- M1** 1984 c. 27.
- M2** 1983 c. 10.

Changes to legislation:

Transport Act 1985, Section 82 is up to date with all changes known to be in force on or before 22 June 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 82(4A) by [2001 asp 2 Sch. 2 para. 4\(4\)](#)
- s. 82(4A) by [2000 c. 38 s. 161 Sch. 11 para. 14](#)

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):

- s. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)