

**CYNULLIAD CENEDLAETHOL
CYMRU**

OFFERYNNAU STATUDOL

**NATIONAL ASSEMBLY FOR
WALES**

STATUTORY INSTRUMENTS

2001 Rhif (Cy.)

2001 No. (W.)

TRAFNIDIAETH, CYMRU

TRANSPORT, WALES

**Gorchymyn Consesiynau
Teithio (Estyn yr Hawl i'w
Cael) (Cymru) 2001**

**The Travel Concessions
(Extension of Entitlement)
(Wales) Order 2001**

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

EXPLANATORY NOTE

(This note is not part of the Order)

Mae adran 93 o Ddeddf Trafnidiaeth 1985 ("Deddf 1985") yn gwneud darpariaeth ar gyfer cynlluniau consesiynau teithio mewn perthynas â gwasanaethau cymwys (gwasanaethau bysiau lleol). Mae adran 93 (7), sydd wedi'i diwygio gan baragraff 15 o Atodlen 11 i Ddeddf Trafnidiaeth 2000 ("Deddf 2000") yn diffinio y categorïau o berson sydd â hawl i gonsesiynau o dan gynlluniau o'r fath. Mae adran 93(7)(f) yn rhoi i Gynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") y pŵer i estyn y categorïau hynny.

Section 93 of the Transport Act 1985 ("the 1985 Act") makes provision for travel concession schemes in relation to eligible services (local bus services). Section 93(7), now amended by paragraph 15 of Schedule 11 to the Transport Act 2000 ("the 2000 Act") defines the categories of persons entitled to concessions under such schemes. Section 93 (7)(f) gives the National Assembly for Wales ("the National Assembly") the power to extend those categories.

Mae adrannau 145 a 146 o Ddeddf 2000 yn gwneud darpariaeth ar gyfer consesiynau teithio gorfodol i'w darparu ar wasanaethau cymwys. Mae'r Ddeddf yn darparu bod y consesiynau:

i) i fod ar gael mewn perthynas â siwrneiau y tu fewn i ardal awdurdodau consesiynau teithio unigol (cynghorau sir a bwdesistrefi sirol) yn unig;

ii) i fod ar gael ar amserau penodol o'r dydd yn unig;

iii) i fod ar gael yn unig ar gyfer rhai dros oedran pensiwn a'r anabl, fel y'u diffinnir yn adran 146;

iv) i fod yn ostyngiad o hanner gwerth y tocyn.

Mae Adran 147 o Ddeddf 2000 yn rhoi i'r Cynulliad Cenedlaethol y pŵer i estyn yr hawl i gael y consesiynau a'u natur.

Effaith erthyglau 4, 5, 6, 7 ac 8 o'r Gorchymyn hwn yw diwygio darpariaethau Deddf 2000 er mwyn:

i) estyn yr hawl i gonsesiynau i gynnwys siwrneiau sy'n dechrau neu yn gorffen (neu yn dechrau ac yn gorffen) y tu allan i ardal awdurdod consesiynau teithio Cymreig, ond yn ei chyffiniau;

Sections 145 and 146 of the 2000 Act makes provision for mandatory travel concessions to be provided on eligible services. The Act provides that the concessions:

i) are to be available only in respect of journeys within the area of individual travel concession authorities (county and county borough councils);

ii) are to be available only at certain times of day;

iii) are to be available only to those over pensionable age and the disabled, as defined in section 146;

iv) are to be a reduction of one-half in the fare.

Section 147 of the 2000 Act gives the National Assembly the power to extend the availability and nature of the concessions.

Articles 4, 5, 6, 7 and 8 of this Order have the effect of modifying the provisions of the 2000 Act so as to:

i) extend entitlement to concessions to journeys beginning or ending (or both beginning and ending) outside, but in the vicinity of, the area of a Welsh travel concession authority;

ii) dileu y cyfyngiad ar yr amserau pryd y darprir consesiynau;

iii) estyn yr hawl i ddynion rhwng 60 ac oedran pensiwn, gydag effaith o 1 Ebrill 2003;

iv) estyn yr hawl i gymdeithion personau anabl y mae arnynt angen cymorth cydymaith er mwyn gallu teithio ar wasanaethau trafnidiaeth gyhoeddus i deithwyr;

v) estyn yr hawl i'r rhai sy'n dal trwyddedau a roddwyd gan awdurdodau Cymreig heblaw yr un y mae'r siwrnai yn digwydd o fewn ei ardal, ar yr amod bod y drwydded mewn ffurf a gymeradwywyd at y pwrpas hwn;

vi) cynyddu maint y consesiwn er mwyn darparu teithio am ddim.

Mae Erthygl 2 yn gwneud diwygiadau i'r categorïau o berson sydd â'r hawl i gonsesiynau teithio o dan gynlluniau o dan adran 93 o Ddeddf 1985 fel y byddant, ynghyd â'r rhai a wnaed yn barod gan baragraff 15 o Atodlen 11 i Ddeddf 2000, yn sicrhau cysondeb â'r rhai sy'n perthyn i gonsesiynau teithio gorfodol o dan adrannau 145 a 146 o Ddeddf 2000.

ii) remove the restriction on the times when concessions are provided;

iii) extend entitlement to men between 60 and pensionable age, with effect from 1 April 2003;

iv) extend entitlement to companions of disabled persons who require the assistance of a companion in order to travel on public passenger transport services;

v) extend entitlement to holders of permits issued by Welsh authorities other than the one in whose area the journey is taking place, provide the permit is in an approved form for this purpose;

vi) increase the amount of the concession to provide for free travel.

Article 2 makes amendments to the categories of person entitled to travel concessions under schemes under section 93 of the 1985 Act so that, taken together with those already made by paragraph 15 of Schedule 11 to the 2000 Act, there will be consistency with those relating to mandatory travel concessions under sections 145 and 146 of the 2000 Act.

OFFERYNNAU STATUDOL

2001 Rhif (Cy.)

TRAFNIDIAETH, CYMRU

Gorchymyn Consesiynau
Teithio (Estyn yr Hawl i'w
Cael) (Cymru) 2001

Wedi'i wneud

Yn dod i rym 1 Ebrill 2002

STATUTORY INSTRUMENTS

2001 No. (W.)

TRANSPORT, WALES

The Travel Concessions
(Extension of Entitlement)
(Wales) Order 2001

Made

Coming into force 1 April 2002

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer y pwerau a roddir gan adran 93(7)(f) o Ddeddf Trafnidiaeth 1985^(a), adran 147 o Ddeddf Trafnidiaeth 2000^(b), a phob pŵer galluogi arall, drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, cychwyn a chymhwyso

1. - (1) Enw'r Gorchymyn hwn yw Gorchymyn Consesiynau Teithio (Estyn yr Hawl i'w Cael) (Cymru) 2001 a daw i rym ar 1 Ebrill 2002.

(2) Yn y Gorchymyn hwn, ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Trafnidiaeth 2000 ac ystyr "Gorchymyn 1986" ("*the 1986 Order*") yw Gorchymyn Deddf Trafnidiaeth 1985 (Estyn yr Hawl i Gael Consesiynau Teithio) 1986^(c).

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru.

Diwygio Gorchymyn 1986

2. - (1) Mae Gorchymyn 1986 yn cael ei ddiwygio, mewn perthynas â Chymru, yn unol â'r Erthygl hon.

(2) Ar ôl Erthygl 3 o Orchymyn 1986, mewnosodir y canlynol:

"Extension of eligible classes in Wales

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred by section 93(7)(f) of the Transport Act 1985^(a), section 147 of the Transport Act 2000^(b), and of all other enabling powers hereby makes the following Order:

Citation, commencement and application

1. - (1) This Order may be cited as the Travel Concessions (Extension of Entitlement) (Wales) Order 2001 and shall come into force on 1 April 2002.

(2) In this Order "the 2000 Act" ("*Deddf 2000*") means the Transport Act 2000 and the "1986 Order" ("*Gorchymyn 1986*") means the Transport Act 1985 (Extension of Eligibility for Travel Concessions) Order 1986^(c).

(3) This Order applies to Wales.

Amendment to the 1986 Order

2. - (1) The 1986 Order is amended, in relation to Wales, in accordance with this Article.

(2) There is to be inserted after Article 3 of the 1986 Order:

"Extension of eligible classes in Wales

3A. In Wales, the following classes of persons are hereby specified as eligible persons, namely –

(a) persons to whom current statutory travel concession permits have been issued in accordance with section 145(2) of the Transport Act 2000 by any travel concession authority in Wales provided the permits are in such form as may be approved from time to time by the National Assembly for Wales for the purposes of section 145(1) of that Act.

(b) where a journey takes place on or after 1 April 2003, persons over the age of sixty years other than those who already fall within section 93(7)(a) of the 1985 Act."

Diwygiadau i adrannau 145 a 146 o Ddeddf 2000

3. Mae Deddf 2000, o'i chymhwyso at Gymru, yn cael ei diwygio yn unol ag Erthyglau 4, 5, 6, 7 and 8.

4. Yn lle is-adran (1) o Adran 145 o Ddeddf 2000 rhoddir y canlynol:

3A. In Wales, the following classes of persons are hereby specified as eligible persons, namely –

(a) persons to whom current statutory travel concession permits have been issued in accordance with section 145(2) of the Transport Act 2000 by any travel concession authority in Wales provided the permits are in such form as may be approved from time to time by the National Assembly for Wales for the purposes of section 145(1) of that Act.

(b) where a journey takes place on or after 1 April 2003, persons over the age of sixty years other than those who already fall within section 93(7)(a) of the 1985 Act."

Amendments to sections 145 and 146 of the 2000 Act

3. The 2000 Act, in its application to Wales, is amended in accordance with Articles 4, 5, 6,7 and 8.

4. For sub-section (1) of section 145 of the 2000 Act there is to be substituted:

"(1) Any person to whom a current statutory travel concession permit has been issued by a travel concession authority in Wales (provided the permit, if issued by a travel concession authority other than the authority in whose area the journey or part of the journey is taking place, is in such form as may be approved from time to time by the National Assembly for Wales for the purposes of this sub-section), and any person to whom sub-section (1A) applies, who travels on an eligible service on a journey-

(a) between places in the authority's area, or

(b) between a place in the authority's area and a place outside but in the vicinity of that area, or

(c) between places outside but in the vicinity of that area

is entitled, on production of the permit, to be provided with a full-price travel concession by the operator of the service."

5. Yn adran 145 o Ddeddf 2000, ar ôl is-adran (1), mewnosdir y canlynol:

"(1A). This sub-section applies to any person, but only to one person at any one time, travelling as a companion of a person who –

(i) is a disabled person; and

"(1) Any person to whom a current statutory travel concession permit has been issued by a travel concession authority in Wales (provided the permit, if issued by a travel concession authority other than the authority in whose area the journey or part of the journey is taking place, is in such form as may be approved from time to time by the National Assembly for Wales for the purposes of this sub-section), and any person to whom sub-section (1A) applies, who travels on an eligible service on a journey-

(a) between places in the authority's area, or

(b) between a place in the authority's area and a place outside but in the vicinity of that area, or

(c) between places outside but in the vicinity of that area

is entitled, on production of the permit, to be provided with a full-price travel concession by the operator of the service."

5. There is to be inserted in section 145 of the 2000 Act, after sub-section (1):

"(1A). This sub-section applies to any person, but only to one person at any one time, travelling as a companion of a person who –

(i) is a disabled person; and

(ii) requires the assistance of a companion in order to travel on journeys on public passenger transport services;

(iii) produces a permit issued in accordance with sub-section (2A)"

6. Yn Adran 145(2) o Ddeddf 2000, ar ôl y geiriau "*elderly or disabled person*", mewnosodir y canlynol:

"or, where the application is made for a permit which is to take effect on or after 1 April 2003, a person over the age of sixty years but who is not an elderly person as defined in section 146,".

7. Yn Adran 145 o Ddeddf 2000, ar ôl is-adran (2), mewnosodir y canlynol:

"(2A) A permit issued pursuant to subsection (2) to a person who appears to a travel concession authority to be a disabled person must, if it appears to the authority that the disabled person requires the assistance of a companion in order to travel on journeys on public passenger transport services, record that fact and shall be in such form as shall readily enable any person to whom the permit is produced to ascertain that fact."

8. Yn Adran 145 o Ddeddf 2000, ar ôl is-adran (8), mewnosodir y canlynol:

(ii) requires the assistance of a companion in order to travel on journeys on public passenger transport services;

(iii) produces a permit issued in accordance with sub-section (2A)"

6. There is to be inserted in section 145(2) of the 2000 Act, after the words "*elderly or disabled person*",:

"or, where the application is made for a permit which is to take effect on or after 1 April 2003, a person over the age of sixty years but who is not an elderly person as defined in section 146,".

7. There is to be inserted in section 145 of the 2000 Act, after sub-section (2):

"(2A) A permit issued pursuant to subsection (2) to a person who appears to a travel concession authority to be a disabled person must, if it appears to the authority that the disabled person requires the assistance of a companion in order to travel on journeys on public passenger transport services, record that fact and shall be in such form as shall readily enable any person to whom the permit is produced to ascertain that fact."

8. There is to be inserted in section 145 of the 2000 Act, after sub-section (8):

"(9) For the purposes of this section a full-price travel concession, in relation to a journey, means the waiver of the fare for that journey.

(10) This section has effect in relation to Wales."

"(9) For the purposes of this section a full-price travel concession, in relation to a journey, means the waiver of the fare for that journey.

(10) This section has effect in relation to Wales."

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998.

Dyddiedig

Llywydd y Cynulliad Cenedlaethol

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998.

Dated

Presiding Officer of the National Assembly

