

CONCESSIONARY TRAVEL SCHEMES BILL 2015

EXPLANATORY NOTES

These notes have been produced for the assistance of Members with the approval of the Member in charge of the Bill the Hon P. A. Gawne MHK

INTRODUCTION

1. These explanatory notes relate to the Concessionary Travel Schemes Bill 2015. They have been prepared by the Department of Infrastructure ("the Department") in order to assist readers of the Bill. They do not form part of the Bill and have not been endorsed by the House of Keys.
2. The notes need to be read in conjunction with the Bill. They are not, and are not meant to be, a comprehensive description of the Bill. So where a clause or part of a clause does not seem to require any explanation or comment, none is given.

SUMMARY

3. This short Bill is promoted by the Department and its main purpose is to regularise the current position by conferring a statutory power on the Department to make concessionary travel schemes for passengers travelling by public road or rail transport.
4. The details of the "eligible persons" who will be entitled to concessionary travel and the "eligible services" to which the concessions will apply will be included in the Scheme.

THE BILL

COMMENTARY ON CLAUSES

5. The Bill is in 3 Clauses.

Clause 1: Title

6. This Clause gives the Act resulting from the Bill its short title

Note – the Bill does not have any commencement provisions so all its provisions will come into force upon the passing of the Bill.

Clause 2: Isle of Man Passenger Transport Act 1982 is amended

7. This Clause inserts a new section 23A (Concessionary travel schemes) into the Isle of Man Passenger Transport Act 1982 ("the 1982 Act").
8. The new subsections 23A(1) and (2) will enable the Department to make concessionary travel schemes for eligible persons travelling on eligible services. The Department is defined as the Department of Infrastructure in section 30 of the 1982

Act and the meaning of "eligible person" and "eligible service" is defined in the new subsection 23A(7).

9. The new subsection 23A(3) requires any Scheme made by the Department to include specific provision determining the rate or rates of any travel concessions and specifying the days and times when any concessions may apply. This will allow the Department to ensure that any travel concessions do not apply at times when, for example, the buses are carrying lots of commuters.

10. The new subsection 23A(4) allows a person to publish background information relating to the Scheme and for the electronic transmission of any information or documents that may be referred to in the Scheme. The new subsection (4) also allows a person to exercise discretion in dealing with any matter in the Scheme and to make provision for other matters that the Department may consider appropriate – for example, requesting certain documentation (proof of identity, address etc) in order to verify the validity of the information on the application form. Provision is also included to allow the Department to levy a fee under the Scheme, for example to cover the administration costs involved in the processing of any applications for concessionary travel.

11. The new subsection 23A(5) provides for the modification or revocation of any concessionary travel scheme which is currently being used by the Department at the time this new section comes into operation. The current Scheme provides for concessionary travel for persons over a certain age limit and persons who are substantially and permanently handicapped and in need of assistance towards travel costs.

12. Subsection 23A(6) provides that the Department must consult with the Treasury before making any Scheme. (Whilst it is not a statutory requirement, the Department intends to consult publically with all interested parties on the details of any new Scheme.)

13. Subsection 23A(7) provides the meaning of certain terms that may be referred to in any Scheme. As well as defining "eligible person" and "eligible service" the Department will also be able to define what level of "travel concession" will apply to a journey. At the moment the current Scheme allows for eligible persons to either pay half the standard adult fare, or no fare at all.

Clause 3 – Expiry

14. Sub-clause (1) provides for the Act to cease to have effect on the day after its promulgation and sub-clause (2) also provides for a transitional provision so that sub-clause (1) does not affect the ongoing validity of the amendments made by Clause 2.