

No.

## COMPETITION

### The Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) (Amendment) Order [2025]

*Made* - - - -

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*Laid before Parliament*

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*Coming into force*

On 20 January 2025, in accordance with section 8(1) and (4) of the Competition Act 1998<sup>(a)</sup> (“the Act”), the Competition and Markets Authority (“the CMA”) published details of its proposed recommendation to the Secretary of State that the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001<sup>(b)</sup> be amended.

The CMA considered the representations which were made to it and, in accordance with section 8(3) of the Act<sup>(c)</sup>, has recommended that the Secretary of State vary that Order<sup>(d)</sup>.

The Secretary of State has decided to give effect to the recommendation without modification and makes this Order in exercise of the powers conferred by sections 6(2)(a) and 71(3) of the Act.

#### **Citation, commencement and extent**

1.—(1) This Order may be cited as the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) (Amendment) Order [2025] and comes into force on [insert date [2025]].

(2) This Order extends to England and Wales, Scotland and Northern Ireland.

#### **Amendment of the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001**

2.—(1) The Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001 is amended as follows.

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- (a) 1998 c. 41. Section 8(1) was amended by paragraph 38 of Schedule 25 to the Enterprise Act 2002 (c. 40) and paragraph 3 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013 (c. 24).
- (b) S.I. 2001/319, amended by S.I. 2005/3347, S.I. 2011/227, S.I. 2014/549 and S.I. 2016/126.
- (c) Section 8(3) was amended by paragraph 38(7)(c) of Schedule 25 to the Enterprise Act 2002 and paragraph 3 of Schedule 5 to the Enterprise and Regulatory Reform Act 2013.
- (d) The Competition and Markets Authority’s proposed recommendation and responses to its consultation can be found online at <https://www.gov.uk/cma-cases/public-transport-ticketing-schemes-block-exemption> or obtained by writing to Competition and Markets Authority, The Cabot, 25 Cabot Square, London E14 4QZ.

- (2) In Article 2, omit the words from “and shall cease to have effect” to the end.
- (3) In Article 3, in the definition of “connecting service”, omit “a bus service,”.
- (4) In Article 22—
- (a) in paragraph (1), substitute “shall before 28th February 2021” with “must from time to time”
  - (b) after paragraph (2), insert—
    - “(3) The first report under this article must be published before the end of [insert date 5 years after the coming into force of this SI].
    - (4) Reports under this article are afterwards to be published at intervals not exceeding five years.”

Date

*Name*  
*Job Title*  
Department for Business and Trade

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001 (S.I. 2001/319) (“the 2001 Order”). The 2001 Order is a block exemption order under section 6 of the Competition Act 1998 (c.41) (“the Act”), which gives effect to the recommendation originally made by the Director General of Fair Trading that public transport ticketing schemes (as defined in the 2001 Order) for local transport services constitute a category of agreements which are likely to be agreements to which section 9(1) of the Act applies. Agreements which fall within the category specified in the 2001 Order are exempt from the prohibition in Chapter 1 of the Act.

The 2001 Order was amended by the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) (Amendment) Order 2005 (S.I. 2005/3347), the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) (Amendment) Order 2011 (S.I. 2011/227) and the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) (Amendment) Order 2016 (S.I. 2016/126) to extend its’ duration so that it would cease to have effect at the end of the period of twenty-five years from 1st March 2001. On the recommendation of the Competition and Markets Authority this Order varies the 2001 Order so that it will continue without a fixed duration.

Article 2 also amends the definition of “connecting service” to make clear that the definition includes the long distance parts of trunk bus services (which are in effect, long distance services which have some parts operating as local public transport services). This would mean that where passengers are using a trunk bus service to travel longer distances, so distances of 15 miles or more from their starting point, the travel operator could offer passengers a long distance add-on. Where passengers use a trunk bus service to make a local journey of less than 15 miles from their starting point, this would fall outside the definition of a long distance service and therefore a connecting service, and instead be treated as a local public transport service for the purposes of a short distance add-on.

Article 2 also amends the review requirements in the Order to ensure that the Secretary of State is required to review the Order by [xxxx insert date] and afterwards at five-year intervals.

A full Impact Assessment has not been prepared for this instrument as no adverse impact on business, charities, voluntary bodies or the public sector is foreseen.