

The Public Transport Ticketing Schemes Block Exemption

CMA53con

**Consultation on Draft Guidance on the
Public Transport Ticketing Schemes
Block Exemption**

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1. Introduction

- 1.1 The Competition and Markets Authority (CMA) is consulting on draft guidance on the application of the Public Transport Ticketing Schemes Block Exemption Order 2001 (SI 2001 No 319) (the block exemption). The draft guidance is intended to reflect amendments proposed by the Department for Business and Trade (DBT) in the draft [Public Transport Ticketing Schemes Block Exemption \(Amendment\) Order \[2025\]](#) (the amending Order), following the review that the CMA conducted and the recommendation that the CMA made earlier this year to DBT to vary the Block Exemption.¹ Under the block exemption, multi-operator public transport tickets, which meet certain criteria and conditions, are exempted from Chapter I of the Competition Act 1998 (CA98) (Chapter I Prohibition).
- 1.2 The draft guidance will replace the guidance [The public transport ticketing schemes block exemption: CMA guidance](#) (CMA53) which was published in 2016 and reflects proposed changes to the block exemption so that it will continue without a fixed duration and covers trunk bus services. It also recognises legislative changes that have taken place since the previous guidance was published and developments in technology and business models in relation to ticketing schemes.
- 1.3 The draft guidance is aimed at helping operators, local authorities and scheme administrators make their own assessment of public transport ticketing schemes and decide whether their schemes fall within the scope of the block exemption.
- 1.4 The CMA is inviting comments on the draft guidance by **5:00pm on 30 September 2025**.
- 1.5 The draft guidance can be found on the [consultation page](#).

¹ The Order amending the existing block exemption (SI 2001 No 319) is the SI 2016/126.

2. Background

- 2.1 The Chapter I Prohibition prohibits agreements which have as their object or effect the prevention, restriction or distortion of competition within the United Kingdom (UK) and which may affect trade within the UK, unless they are excluded, or meet the conditions for exemption in section 9(1) of the CA98 (the section 9 exemption). The CA98 also provides for the adoption of block exemptions, exempting a category of agreements from the Chapter I Prohibition.
- 2.2 Public transport ticketing schemes containing clauses that have only a neutral or benign impact on competition do not fall within the Chapter I Prohibition. For example, where an agreement is between a local bus company and a train operating company that are not actual or potential competitors in any market, or where operators merely standardise the format of their tickets, it is unlikely that an agreement between them will fall within the Chapter I Prohibition because there will be no appreciable restriction of competition.
- 2.3 By contrast, some ticketing schemes may prevent, restrict or distort competition to an appreciable extent and hence infringe the Chapter I Prohibition. This includes schemes that impose restrictions which reduce incentives to compete on price or quality. However, such agreements can also result in benefits that outweigh their negative impact on competition. For this reason, a block exemption was adopted in 2001 for agreements where the conditions for the section 9 exemption were clearly met.²
- 2.4 The aim of the block exemption is to provide comfort that agreements between transport operators, which may also include local authorities, offering multi-operator tickets are exempt from the Chapter I Prohibition provided they meet certain conditions for the section 9 exemption.
- 2.5 The block exemption adopted in 2001 was recently reviewed by the CMA.³
- 2.6 The CMA conducted this review between February and August 2024 and published its consultation on its proposed recommendation to the Secretary of State on 20 September 2024.⁴

² The block exemption is set out in the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001, as amended by: The Public Transport Ticketing Schemes Block Exemption (Amendment) Order 2005; The Public Transport Ticketing Schemes Block Exemption (Amendment) Order 2011; The Enterprise and Regulatory Reform Act 2013 (No. 2) Order 2014; and, The Public Transport Ticketing Schemes Block Exemption (Amendment) Order 2016.

³ See [Public Transport Ticketing Schemes Block Exemption case page](#).

⁴ [Consultation on the CMA's proposed recommendation to the Secretary of State](#).

- 2.7 On 20 January 2025, the CMA published its final recommendation that the Secretary of State vary the existing block exemption so that it will continue without a fixed duration and that the definition of ‘connecting service’ in Article 3 of the block exemption be amended to include ‘trunk’ bus services.⁵ The CMA also announced that it will update its published guidance in accordance with the Secretary of State’s final decision.
- 2.8 On 14 July 2025, the Secretary of State accepted the CMA’s recommendation and the DBT launched a consultation on its amending Order,⁶ which is expected to come into force on before the current block exemption order expires in February 2026.
- 2.9 The draft guidance reflects the proposed amendments of the amending Order and requests from stakeholders to update specific parts of the guidance. In particular, the draft guidance includes the following updates:
- Explains that the block exemption will now apply without a fixed duration.
 - Acknowledges that the reference to ‘bus service’ in the definition of ‘connecting service’ has been removed, thereby enabling operators to add a long distance add-on ticket onto a trunk bus service that is being used by passengers to cover longer distances (15 miles or more).
 - Clarifies that the definition of ‘ticket’ covers both consumers that only have their bank statement as proof of their contractual and multi-operator tickets purchased through a Mobility-as-a-Service (MaaS) platform (where they apply to relevant modes of transport).
 - Addresses the value and role of third-party retailers (TPRs) in relation to ticketing schemes.
- 2.10 In addition to the changes listed above, the draft guidance recognises legislative changes that have taken place since the previous guidance was published and developments in technology and business models in relation to ticketing schemes. It also includes drafting changes that are intended to simplify and/or clarify the guidance but not alter its substance.

⁵ [The CMA’s final recommendation to the Secretary of State.](#)

⁶ [Draft amendment to the Competition Act 1998 \(Public Transport Ticketing Schemes Block Exemption\) Order 2001 - GOV.UK.](#)

3. Scope of this consultation

- 3.1 This consultation seeks the views of interested parties on the draft guidance on the block exemption. The draft guidance also provides wider context on the legal basis for, and objectives of, public transport ticketing schemes and on how to assess whether a public transport ticketing scheme falls within the scope of the block exemption.
- 3.2 The geographical scope of this consultation is the UK.
- 3.3 This consultation is aimed at those who have an interest in the public transport industry, including consumers, businesses and their legal and other advisers.
- 3.4 Section 5 of this document sets out the specific questions on which we are seeking respondents' views.

4. Consultation process

How to respond

- 4.1 We are publishing this consultation on the CMA webpages and drawing it to the attention of a range of stakeholders to invite comments. We would welcome your comments on the content of the draft guidance. Our aim is to ensure that the advice is clear, comprehensive and helpful for its intended users, including bus operators, local authorities and key representative organisations connected to the transport industry.
- 4.2 Please provide supporting evidence for your views where appropriate. We encourage you to respond to the consultation in writing (by email) using the contact details provided below.
- 4.3 When responding to this consultation, please state whether you are responding as an individual or are representing the views of a group or organisation. If the latter, please make clear who you are representing and their role or interest in the block exemption.
- 4.4 In accordance with our policy of openness and transparency, we will publish non-confidential versions of responses on our webpages. **If your response contains any information that you regard as sensitive and that you would not wish to be published, please provide at the same time a non-confidential version for publication on our webpages which omits that material and an explanation of why you regard the omitted material as sensitive.**
- 4.5 For more information about how the CMA processes personal data, your rights in relation to that personal data, how to contact the CMA, details of the CMA's Data Protection Officer, and how long the CMA retains personal data, see the CMA's [Privacy Notice](#).

Duration

- 4.6 The consultation will run for 6 weeks, from 19 August 2025. **Responses should be submitted by email by 5:00pm on 30 September 2025** and should be sent to: pttsbereview@cma.gov.uk.

Next steps

- 4.7 Following this consultation, the CMA will decide whether any changes are necessary to the draft guidance. We will then publish the final version of the guidance on our webpages at www.gov.uk/cma. We will also publish the

responses received during the consultation (with any confidential information redacted). These documents will be available on our webpages and respondents will be notified when they are available.

5. Consultation questions

5.1 The CMA invites views on the overall structure and content of the draft guidance, including with reference to the questions set out below:

Question 1

Paragraph 3.5 has been amended to clarify that non-physical indications of an entitlement to travel and, where they apply to relevant modes of transport, tickets purchased via MaaS platforms fall within the current definition of a ticket in the block exemption.

- Do you think that the wording adopted is sufficiently clear?
- What changes, if any, do you suggest?

Question 2

Paragraphs 3.38 and 3.39 have been amended to reflect the fact that the block exemption no longer has a fixed duration and will be reviewed every five years.

- Do you think the wording adopted is providing you with appropriate level of detail?
- What changes, if any, do you suggest?

Question 3

At paragraphs 4.44 and 4.45, new wording has been added to explain that the definition of 'connecting service' no longer excludes bus services from its scope.

- Do you think the wording adopted is providing you with an appropriate level of detail?
- What changes, if any, do you suggest?

Question 4

Paragraphs 4.55 to 4.57 contain a new subsection on TPRs to explain the value that they can provide consumers and the benefits of allowing TPRs to retail tickets for ticketing schemes.

- Do you consider that the section on the TPRs is helpful?
- What changes, if any, do you suggest?

Question 5

What aspects of the draft guidance, if any, do you consider need further clarification or explanation? In responding, please specify which part of the draft guidance your comment relates to.