



Department  
for Transport

From the Parliamentary  
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**15 MAR 2017**

Albert Owen MP  
David Nuttall MP  
Chairs  
Bus Services Public Bill Committee  
House of Commons  
London  
SW1A 0AA

*Dear Albert and David,*

**BUS SERVICES BILL: Updated analysis of Committee Stage Government amendments for the purposes of English Votes for English Laws.**

I attach here the memorandum which sets out the impact of the Committee stage Government amendments and new clauses on the territorial extent and application of the Bill, as per Standing Order No. 83L (relating to English votes for English laws). This analysis includes the impact of Government amendments which have been tabled for the final session of Committee.

I am copying this letter to members of the Public Bill Committee and placing a copy in the House Library.

*Yours,*

*Andrew*

**ANDREW JONES**



**Memorandum for the Public Bill Committee on the application of Standing Order No.83L of the Standing Orders of the House of Commons relating to Public Business to the Bus Services Bill as amended**

***Commons Stage Committee amendments***

- 1 The following is the Department's assessment of the amendments to the Bill made at Commons Committee stage.

Summary

- 2 The analysis below sets out the impact of the Committee stage Government amendments and new clauses on the territorial extent and application of the Bill. This analysis includes the impact of Government amendments which have been tabled for the final session of Committee.

**Territorial extent and application in the United Kingdom**

- 3 The following is the Department's assessment of the amendments to the Bill tabled by the Government for consideration at Commons Committee stage.
- 4 With the exception of amendment 17 referred to below which inserts a new clause, none of the amendments alter the territorial application of the clauses or Schedules or, therefore, the analysis of territorial extent at Annex A to the Explanatory Notes.
- 5 Amendment 16 omits text from a clause which applies to England and to Wales and Scotland in part.
- 6 Amendment 17 inserts a clause entitled "Bus companies: limitation of powers of authorities in England". The clause extends to England and Wales, and applies to England only.
- 7 All the remaining amendments apply to England only or omit text from provisions that apply to England only.
- 8 All the clauses and Schedules that are amended, other than clause 26 which applies to England and to Wales and Scotland in part, apply to England only.

**Subject matter and legislative competence of devolved legislatures**

- 9 As far as corresponding provision and competence is concerned, other than in relation to amendment 16 where corresponding legislative competence is not relevant (see paragraph 5) the position is set out below.
- 10 The Department considers that the amendments, other than amendment 1 which removes a provision that enables the functions of enforcing road traffic offences to be conferred upon a local transport authority or authorities making an advanced quality partnership scheme, are within the legislative competence of the National Assembly for Wales because they relate to one of the subjects listed under the headings in Part 1 of Schedule 7 to the Government of Wales Act 2006, namely "transport facilities

and services” which is listed under the “Highways and transport” heading (paragraph 10 of Schedule 7 to that Act) and does not fall within any of the exceptions specified in that part of the Schedule.

- 11 The Department considers that all the amendments are within the legislative competence of the Scottish Parliament because they relate to local bus services, which is not a reserved matter under Schedule 5 to the Scotland Act 1998 (and, in particular, is not reserved by Head E – Transport
- 12 The Department considers that all the amendments are within the legislative competence of the Northern Ireland Assembly because they relate to local bus services which is a transferred matter under the Northern Ireland Act 1998 (it not being either an excepted matter under Schedule 2 to that Act or a reserved matter under Schedule 3 to that Act).
- 13 The above assessment is presented in tabular form overleaf with separate entries for the amendments. None of the amendments affect the analysis of legislative competence of the clauses and Schedules at Annex A to the Explanatory Notes.

Provision	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Extends and applies to Scotland?	Extends and applies to Northern Ireland?	Would corresponding provision be within the competence of the National Assembly for Wales?	Would corresponding provision be within the competence of the Scottish Parliament?	Would corresponding provision be within the competence of the Northern Ireland Assembly?	Legislative Consent Motion needed?
Clause 1, including amendments 1 - 4	Yes	No	No	No	No	Yes	Yes	No
Clause 2	Yes	No	No	No	No	No	No	No
Clause 3	Yes	No	No	No	No	Yes	Yes	No
Clause 4 Including amendments 5-10	Yes	No	No	No	No	No	Yes	No
Clause 5	Yes	No	No	No	Yes	Yes	Yes	No
Clause 6 and Schedule 2, including amendment 18	Yes	No	No	No	No	No	Yes	No
Clause 7	Yes	No	No	No	Yes	Yes	Yes	No
Clause 8	Yes	No	No	No	No	No	No	No
Clause 9 Including amendment 11	Yes	No	No	No	No	No	Yes	No
Clause 10	Yes	No	No	No	Yes	Yes	Yes	No
Clause 11	Yes	No	No	No	No	Yes	Yes	No
Clause 12	Yes	No	No	No	No	Yes	Yes	No
Clause 13	Yes	No	No	No	No	Yes	Yes	No
Clause 14	Yes	No	No	No	No	Yes	Yes	No
Clause 15 and Schedule 4, including amendment 19	Yes	No	No	No	No	No	No	No
Clause 16	Yes	No	No	No	Yes	Yes	Yes	No
Clause 17	Yes	Yes	Yes	No	N/A	N/A	N/A	No
Clause 18 Including amendments 12 - 14	Yes	No	No	No	No	Yes	Yes	No

Clause 19 Including amendment 15	Yes	No	No	No	No	Yes	Yes	No
Clause 20	Yes	No	No	No	No	Yes	Yes	No
Clause 21	Yes	No	No	No	No	Yes	Yes	No
Clauses 22 – 26 Including amendment 16	Yes	In part	In part	No	N/A	N/A	N/A	No
New clause	Yes	No	No	No	Yes	Yes	Yes	No