

Daylight Saving Bill

[AS AMENDED IN PUBLIC BILL COMMITTEE]

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B I L L

[AS AMENDED IN PUBLIC BILL COMMITTEE]

TO

Require the Secretary of State to prepare and publish a report on advancing the time for general purposes by one hour; to confer power on the Secretary of State to advance the time for general purposes by one hour for a trial period and then permanently; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Report to be prepared on advancing time

- (1) The Secretary of State must prepare a report on the potential costs and benefits of advancing the time for general purposes in the United Kingdom by one hour.
- (2) In preparing the report the Secretary of State must have regard to the different interests of persons in England, Wales, Scotland and Northern Ireland. 5
- (3) In this Act “the report” means the report required to be prepared under this section.

2 Independent Oversight Group

- (1) The Secretary of State must appoint a group (to be known as the Independent Oversight Group) to advise the Secretary of State on the preparation of the report. 10
- (2) A member of the group holds and vacates office in accordance with the terms of his or her appointment (which may include provision about resignation or removal from office). 15
- (3) The Secretary of State may—
 - (a) defray expenses of members of the group;
 - (b) make facilities available to members of the group.

- (4) The group must act within any terms of reference given to it in writing by the Secretary of State.
- (5) Such terms of reference may, in particular, include terms about –
 - (a) particular matters on which the group should establish the facts or give advice, or
 - (b) the timing of advice to be given by the group.

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3 Publication of the report

- (1) The Secretary of State must publish the report before the end of the period of 12 months beginning with the day on which this Act is passed.
- (2) But if, before the end of that period, the Independent Oversight Group recommends to the Secretary of State that a longer time be allowed for publication –
 - (a) subsection (1) does not apply, and
 - (b) instead, the report must be published before the end of the period of 18 months beginning with the day on which this Act is passed.
- (3) The Secretary of State must send a copy of the report as published to each appropriate national authority.

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4 Power to advance time by one hour for trial period

- (1) The Secretary of State may by order make provision for advancing the time for general purposes in the United Kingdom by one hour.
- (2) An order under subsection (1) is referred to in this Act as a “daylight saving order”.
- (3) A daylight saving order may not be made unless a draft of the statutory instrument containing it –
 - (a) has been laid before Parliament during the period of 12 months beginning with the day on which the report is published, and
 - (b) has been approved by a resolution of each House of Parliament.
- (4) Before making a daylight saving order the Secretary of State –
 - (a) must obtain the agreement of the Office of the First Minister and deputy First Minister in Northern Ireland, and
 - (b) must consult the Scottish Ministers and the Welsh Ministers.
- (5) The power to make a daylight saving order does not include power to make provision for advancing time –
 - (a) for only part of the year, or
 - (b) for only part of the United Kingdom.
- (6) A daylight saving order expires at the end of the trial period (see section 5).
- (7) Subsection (6) is subject to any order under –
 - (a) section 10 (order abandoning trial), or
 - (b) section 11 (order advancing time by one hour permanently).
- (8) A daylight saving order –
 - (a) may amend a relevant enactment, and
 - (b) may make consequential, transitional, transitory or saving provision.

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5 The trial period

- (1) In this Act “the trial period” means the period –
 - (a) beginning at the specified relevant time in the specified year, and
 - (b) ending at the same relevant time three years later.
- (2) For the purposes of this Act the following are relevant times – 5
 - (a) one o’clock, Greenwich mean time, in the morning of the last Sunday in March;
 - (b) one o’clock, Greenwich mean time, in the morning of the last Sunday in October.
- (3) In this section “specified” means specified in the daylight saving order. 10

6 Duty to monitor effect of order

- (1) The Secretary of State must monitor the effect of a daylight saving order throughout the period –
 - (a) beginning with the time at which the order is made, and
 - (b) ending with the time at which the Secretary of State complies with section 9(1) (end of trial). 15
- (2) The Secretary of State must notify each of the appropriate national authorities of any conclusions reached by the Secretary of State pursuant to subsection (1).
- (3) The reference in subsection (1) to the effect of a daylight saving order includes any effect of the order having been made. 20

7 Power to revoke order

- (1) The Secretary of State may by order revoke a daylight saving order.
- (2) No order under this section may be made after the day on which the trial period begins.
- (3) Before making an order under this section the Secretary of State must consult each of the appropriate national authorities. 25
- (4) An order under this section is subject to affirmative resolution procedure.

8 Power to increase length of trial period

- (1) The Secretary of State may by order amend section 5(1)(b) (end of trial period) so as to substitute a later relevant time for that for the time being specified in that provision. 30
- (2) No order under this section may be made –
 - (a) before the day on which the report is published, or
 - (b) once a daylight saving order has been made, after the day six months before that on which the trial period would otherwise end. 35
- (3) Before making an order under this section the Secretary of State must consult each of the appropriate national authorities.
- (4) An order under this section is subject to affirmative resolution procedure.

9 The end of the trial

- (1) The Secretary of State must, during the trial period, do one of the following –
 - (a) make an order under section 10 (order abandoning trial);
 - (b) make an order under section 11 (order advancing time by one hour permanently); 5
 - (c) publish a notice that no order of the kind mentioned in paragraph (a) or (b) is to be made.
- (2) Where the Secretary of State publishes a notice under subsection (1)(c), the Secretary of State may by order make consequential, transitional, transitory or saving provision (including provision amending a relevant enactment) in relation to the expiry of the daylight saving order. 10
- (3) An order under subsection (2) is subject to negative resolution procedure.

10 Power to abandon trial

- (1) The Secretary of State may, after the trial period has begun, by order make provision for the order to expire at a relevant time that falls on a day before that on which the trial period ends. 15
- (2) Before making an order under this section the Secretary of State must consult each of the appropriate national authorities.
- (3) An order under this section may make consequential, transitional, transitory or saving provision (including provision amending a relevant enactment) in relation to the expiry of the daylight saving order. 20
- (4) An order under this section is subject to affirmative resolution procedure.

11 Power to advance time by one hour permanently

- (1) The Secretary of State may, at any time during the trial period, by order make provision for the daylight saving order to have effect permanently. 25
- (2) Before making an order under this section the Secretary of State –
 - (a) must obtain the agreement of the Office of the First Minister and deputy First Minister in Northern Ireland, and
 - (b) must consult the Scottish Ministers and the Welsh Ministers.
- (3) An order under this section – 30
 - (a) may amend a relevant enactment, and
 - (b) may make consequential, transitional, transitory or saving provision.
- (4) An order under this section is subject to affirmative resolution procedure.

12 Interpretation etc

- (1) References in this Act to advancing the time for general purposes in the United Kingdom by one hour are to making the time for general purposes in the United Kingdom –
 - (a) during the period of summer time (within the meaning of the Summer Time Act 1972), two hours in advance of Greenwich mean time, and
 - (b) at any other time, one hour in advance of Greenwich mean time. 40

- (2) In this Act “appropriate national authority” means –
- (a) the Scottish Ministers,
 - (b) the Welsh Ministers, or
 - (c) the Office of the First Minister and deputy First Minister in Northern Ireland. 5
- (3) In this Act “relevant enactment” means –
- (a) the Summer Time Act 1972,
 - (b) the Interpretation Act 1978,
 - (c) the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 12),
 - (d) the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc of Acts of the Scottish Parliament) Order 1999 (S.I. 1999/1379) (as it continues to have effect by virtue of section 55(2) of the Interpretation and Legislative Reform (Scotland) Act 2010), 10
 - (e) the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)), or 15
 - (f) any other enactment about –
 - (i) the time for general purposes in the United Kingdom or any part of the United Kingdom, or
 - (ii) the interpretation of references to the time.
- (4) For the purposes of this section “enactment” includes – 20
- (a) an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978),
 - (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament,
 - (c) an enactment contained in, or in an instrument made under, Northern Ireland legislation, and 25
 - (d) an enactment contained in, or in an instrument made under, a Measure or Act of the National Assembly for Wales.
- (5) Orders under this Act are to be made by statutory instrument.
- (6) Where an order under this Act is subject to “affirmative resolution procedure” the order may not be made unless a draft of the statutory instrument containing it has been laid before and approved by a resolution of each House of Parliament. 30
- (7) Where an order under this Act is subject to “negative resolution procedure” the statutory instrument containing it is subject to annulment in pursuance of a resolution of either House of Parliament. 35
- (8) A duty under this Act to publish a document may be complied with by publishing it on an internet site.

13 Financial provisions

- There shall be paid out of money provided by Parliament – 40
- (a) any expenditure incurred under or by virtue of this Act by a Minister of the Crown or by a government department, and
 - (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

14 Short title, commencement and extent

- (1) This Act may be cited as the Daylight Saving Act 2011.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act extends to England and Wales, Scotland and Northern Ireland.

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[AS AMENDED IN PUBLIC BILL COMMITTEE]

To require the Secretary of State to prepare and publish a report on advancing the time for general purposes by one hour; to confer power on the Secretary of State to advance the time for general purposes by one hour for a trial period and then permanently; and for connected purposes.

*Presented by Rebecca Harris,
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*Ordered, by The House of Commons,
to be Printed, 7 December 2011.*

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PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx