TRANSPORT STRIKES (MINIMUM SERVICE LEVELS) BILL

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Transport Strikes (Minimum Service Levels) Bill as introduced in the House of Commons on 20 October 2022 (Bill 168).

- These Explanatory Notes have been prepared by the Department for Transport in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Bill will mean in practice; provide background information on the development of policy; and provide additional information on how the Bill will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Bill. They are not, and are not intended to be, a comprehensive description of the Bill.

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These Explanatory Notes relate to the Transport Strikes (Minimum Service Levels) Bill as introduced in the House of Commons on 20 October 2022 (Bill 168)

Overview of the Bill

1 The Bill enables the implementation of minimum service levels (MSLs) in specified transport services during periods of strike action. The Bill amends the Trade Union and Labour Relations (Consolidation) Act 1992 ("the 1992 Act") to:

- impose conditions on the protection of trade unions from legal action in respect of strikes relating to certain transport services where provision has been made for minimum levels of service (MSLs). The transport services will be prescribed by regulations, following consultation;
- impose obligations on employers and trade unions to comply with a process for the setting of MSLs and enabling employers to issue work notices to require the levels set out in the minimum service specifications to be delivered for individual strikes in specified transport services;
- provide for enforcement of the obligations on employers and trade unions.

Policy background

2 The Bill is intended to give effect to a commitment made in the Conservative Party's manifesto for the 2019 general election and the Growth Plan published in September 2022 to require that a minimum service operates during transport strikes. Currently, during strikes within transport services, the employer does not have any statutory means of ensuring that a level of service can operate in a way which takes into account the individual rights of passengers and other transport users. This Bill and subsequent regulations are designed to enable employers to require enough employees to work so as to ensure minimum service levels are delivered in specified transport services.

3 The intention is for MSLs to be negotiated by relevant employers and unions of transport services specified in regulations. The Bill sets out the process for these negotiations, and, if agreement is reached between the parties, this will result in a minimum service agreement. The intention is also for MSLs to be determined in minimum service determinations by the Central Arbitration Committee (CAC) in the event that employers and unions do not enter into a minimum service agreement within the relevant time period. MSLs may also be set in regulations made by the Secretary of State and these would apply in the absence of a minimum service agreement or minimum service determination. MSLs set within a minimum service agreement, by the CAC or set out in regulations are referred collectively as Minimum Service Specifications.

4 The Bill is also intended to enable employers to issue work notices to require the levels set out in the minimum service specifications to be delivered for individual strikes in specified transport services.

Legal background

5 The current legislation relating to industrial action is set out in the 1992 Act, Part 5 in particular.

6 By organising industrial action, trade unions may become liable in tort (a civil wrong that occurs when someone causes a person to suffer loss or harm, for which the courts can provide a remedy in law, such as damages or an injunction to compel or prevent certain conduct). For

example, where a trade union induces workers to take industrial action which amounts to a breach of their employment contract, the union may commit the tort of inducing breach of contract. Part 5 of the 1992 Act provides immunity for unions from such tortious liability provided the union follows the rules regarding the calling and conduct of strikes. It also protects individuals participating in the strike for a certain period from being dismissed for breach of their contract of employment by reason of that participation. Both these protections can be lost if a strike is not undertaken in accordance with the rules.

7 Other subordinate legislation and Codes of Practice which are relevant to the calling and conduct of transport strikes include:

- The Important Public Services (Transport) Regulations 2017 (SI 2017/135)
- Code of Practice on Industrial Action Ballots and Notice to Employers (2017)
- Code of Practice on Picketing (2017)

8 The 1992 Act will continue to be the main Act dealing with rules regarding the calling and conduct of strikes, and this Act inserts new provisions into the 1992 Act.

Territorial extent and application

9 The Bill forms part of the law of England and Wales and Scotland, as set out in Clause 3. The provisions of the Bill extend and apply to Great Britain. There is a convention that Westminster will not normally legislate with regard to matters that are within the legislative competence of the Scottish Parliament or Senedd Cymru without the consent of the legislature concerned.

10 The matters to which the provisions of the Bill relate are not within the legislative competence of the Scottish Parliament or Senedd Cymru, and no legislative consent motion is being sought in relation to any provision of the Bill. If there are amendments relating to matters within the legislative competence of the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly, the consent of the relevant devolved legislature(s) will be sought for the amendments.

11 See the table in Annex A for a summary of the position regarding territorial extent and application in the United Kingdom.

Commentary on provisions of Bill

Clause 1 and the Schedule: minimum service levels for transport strikes

12 Clause 1 introduces the Schedule, which amends Part 5 and other provisions of the 1992 Act. Part 5 of the 1992 Act deals with the conditions that must be met in order for strike action to be protected from tort proceedings.

Bill Schedule Part 1: Amendments to Part 5 of the 1992 Act: Minimum Service Specifications

Paragraphs 1 to 3

13 These paragraphs add minimum service specifications to the list of requirements necessary for strike action to be protected from liability in tort. They insert new sections 234B, 234C, 234D, 234E, 234F and 234G to the 1992 Act. The meaning of minimum service specifications is explained in paragraph 24 below.

New section 234B: Power of Secretary of State to specify transport services

14 This new section sets out that specified transport services are to be set out in regulations approved by a resolution of both Houses of Parliament in accordance with the affirmative procedure ("affirmative regulations").

New section 234C: Work notices relating to minimum service levels

15 This new section establishes how work notices are to operate. Work notices are the mechanism that puts minimum service specifications into practice for individual strikes in specified transport services. The work notice will identify the people required to work to secure that the levels of service set out in the minimum service specification are provided on a strike day. Subsection (1) gives the employer the right to give a work notice to a union in relation to any strike which relates to the specified transport service and that the union has notified to that employer in accordance with the rules on giving notice of a strike.

16 Subsection (2) requires the notice to be given to the union that has served the strike notice, after receipt of that strike notice and at least 7 days before the first day of the strike (or later if this is agreed by the union).

17 Subsections (3) and (4) prescribe what the contents of a work notice should be. It must identify the people who are required to work during the strike, and the work they must do. It must not list more people than are reasonably necessary to provide the levels of service set out in the minimum service specification.

18 Subsection (5) makes clear that the employer must have no regard to whether someone is a union member or not in identifying the people in the work notice.

19 Subsection (6) requires the employer to consult the union and have regard to their views before issuing the work notice. Subsection (7) allows the employer to vary a work notice before the end of the 4th day before the strike (or later if this is agreed by the union). Subsection (8) requires the employer to consult the union again before making such a variation.

20 Subsections (9) and (10) provide further detail on when a strike 'begins' for the purposes of determining when work notices must be given or can be varied.

21 Subsection (11) introduces Schedule A2A which contains further provisions in respect of minimum service specifications.

New section 234D: Work notices: disclosure of information

22 This new section provides that, where it is necessary to name individuals in work notices, this will not be a breach of confidence owed by the employer or of any other restrictions on disclosing information. The employer must adhere to data protection legislation but the obligations regarding the giving of work notices in this section are to be taken into account when assessing the obligations under that legislation.

New section 234E: No protection if union fails to take reasonable steps

23 This new section provides that the protection from tort proceedings is removed if: a minimum service specification is in place in relation to a relevant transport service; an employer to whom that specification applies issues a work notice in accordance with the procedures in the Bill; and the union fails to take reasonable steps to ensure that the people identified in the work notice do not take part in the strike action. The government anticipates that guidance will be used to suggest what such reasonable steps could look like, but they might include, for example, ensuring any literature pertaining to the strike makes clear that a minimum service specification applies.

New section 234F: Regulations: consultation and supplementary

24 Subsection (1) requires that consultation takes place prior to regulations being made under s. 234B or Schedule A2A Subsection (2) explains the types of provisions those regulations may contain. Subsections (3) and (4) provide that these regulations are subject to the affirmative procedure and require the approval of both Houses of Parliament before they are made. Subsection (6) make it clear that consultation required by subsection (1) may take place prior to, as well as after, the passing of the Act.

New section 234G: Interpretation of terms relating to minimum service levels

25 This section sets out the meaning of various defined terms used in the Act including that:

a. references to a person being "bound" by a minimum service specification should be understood as set out in Part 5 of Schedule A2A. This is explained in paragraph 51 below.

b. minimum service specifications can be delivered in one of three ways: either through a minimum service agreement (negotiated by relevant employers and unions); a minimum service determination (handed down by the Central Arbitration Committee (CAC)); or minimum service regulations (passed by Parliament as affirmative regulations).

c. Specified transport services are defined in s234B; and

d. The meaning of a 'work notice'.

New Schedule A2A Part 1: Minimum service agreements

26 This Part of the Schedule sets out the process by which employers and unions ('the parties') may come to minimum service agreements negotiated between themselves, where the employer is responsible for delivering a specified transport service, and the union is one which is capable of affecting that service.

Paragraph 1: Duty to take steps to enter into agreement

27 Subparagraph (1) requires that, once negotiations have been formally begun by the process laid out in subsequent subparagraphs, the parties must take reasonable steps to come to an

agreement within three months with all the other parties (i.e. the employer and all the unions that are capable of effecting the employer's provision of that service).

28 Subparagraphs (2) to (5) set out how formal negotiations are to be started. Either the employer or a union may give a notice of intent to start negotiations. If the employer gives a notice of intent, it must give the notice to all unions that appear to it to be capable of affecting its provision of that service. If a union gives a notice of intent, the employer must likewise send it on to all those other unions capable of affecting its provision of that service.

29 Subparagraph (6) provides that the obligation on the employer to give the notice of intent to all unions applies regardless of whether or not that union existed when negotiations began, or whether it was capable of affecting the service provision at that point. This does not restart the three-month period the parties have to reach an agreement.

30 Subparagraph (7) explains that a union is capable of affecting an employer's provision of a specified transport service if any of the union's members is employed by that employer in connection with providing the service.

31 Subparagraph (8) defines a number of terms within paragraph 1, including that the three-month period of negotiations begins 7 days after a notice of intent is first given by one of the parties to the other, or others.

Paragraph 2: Notifying Central Arbitration Committee that duty under paragraph 1 has arisen

32 This paragraph requires the employer to notify the CAC when formal negotiations for a minimum service agreement have begun, as well as confirm to the trade unions that the CAC has been notified. This will help the CAC to be aware of when referrals to it could be made in accordance with the provisions set out in this Bill.

Paragraph 3: Consultation and matters to be taken into account

33 This paragraph sets out the matters which the parties must consider when negotiating a minimum service agreement. The paragraph requires employers to consult regulatory bodies who appear to the employer to have an interest in the minimum service agreement. The employer may also consult representative bodies (which are defined as bodies representing either service users or other employers who provide the same service) who appear to the employer to have an interest in the minimum service agreement. The employer must also consult any person specified in affirmative regulations made by the Secretary of State. Both the employer and the union are required to share the results of any consultation they carry out with each other. Subparagraph (4) requires the parties to have regard to the results of these consultations when negotiating the minimum service agreements as well as any other publicly available minimum service specifications that relate to the relevant service and a list of matters contained in the following paragraph. These obligations also apply to any proposed variation to a minimum service agreement or minimum service determination.

Paragraph 4: Relevant matters

34 This paragraph lists a number of matters which the parties must consider when negotiating a minimum service agreement. The Secretary of State may change this list via affirmative regulations.

Paragraph 5: Regulations about minimum service agreements

35 This paragraph gives a power to the Secretary of State to make affirmative regulations that set requirements for the parties about the content or structure of their minimum service agreements. This can include, in particular, requirements about the levels of service which

must be in the agreements, and what the agreements must include about changes to or the continuation of the agreements.

Paragraph 6: Publication

36 This paragraph requires the parties to publish details of their minimum service agreements once they are agreed, or whenever a variation is agreed. They must do this within 14 days of the agreement taking effect, or by the date of any strike if that occurs sooner than 14 days. Subparagraph (4) requires the employer and union to publish a summary of the minimum service agreement if the employer notifies the union that the agreement contains sensitive information. What qualifies as 'sensitive information' is to be defined in affirmative regulations.

New Schedule A2A Part 2: Minimum service determinations

37 This part of the Schedule set out the process by which the Central Arbitration Committee (CAC) must make minimum service determinations.

Paragraph 7: Joint application to Central Arbitration Committee

38 This paragraph allows the parties to make a joint application to the CAC for determination after two months of the three-month negotiating period has passed and they have not yet reached an agreement. Subparagraph (3) requires the parties to give the CAC the results of any consultations they carried out during their negotiations.

Paragraph 8: Notification to Central Arbitration Committee of expiry of relevant 3-month period

39 This paragraph requires the employer to notify the CAC if no minimum service agreement has been reached after three months. The union may also do likewise, but they are not required to do so. The party who notifies the CAC is required to give the CAC the results of any consultations carried out by the parties during their negotiations (noting that, as described in paragraph 33 above, a party undertaking a consultation must share the views obtained as a result of the consultation with the other party(ies) when negotiating the minimum service agreement).

Paragraph 9: Minimum service determination

40 This paragraph requires the CAC to make a minimum service determination once there is either an early application to it by the parties, or a notification at the end of the negotiating period that no agreement has been reached. Subparagraph (4) requires the CAC to notify the parties of its decision, and to publish information about the determination. Subparagraph (5) confirms that once the minimum service determination is made, it binds the parties rather than any minimum service agreement which they had previously agreed. Subparagraph (6) also provides that, if the parties reach an agreement between themselves before the CAC process is complete, and the CAC is satisfied that the parties have followed the procedure in paragraph 3 (consultation) and any regulations made under paragraph (5) regarding the structure and content of the agreement, then the CAC must not make a determination and the agreed minimum service agreement will apply instead.

Paragraph 10: Minimum service determination: procedure

41 This paragraph requires the CAC to give the parties an opportunity to make representations before it makes any decision and to have regard to the matters referred to in paragraphs 33 and 34 above. Beyond that, the CAC may adopt any procedure it sees fit. Subparagraph (5) permits the Secretary of State to intervene in Committee hearings in relation to minimum service determinations. Subparagraph (6) requires the CAC, if it has failed to make a

determination after four months, to explain to the parties which will be bound by the determination why it has not yet done so. Other than that, there is no time limit for the CAC to come to a determination.

Paragraph 11: When minimum service determination takes effect

42 This paragraph is self-explanatory.

Paragraph 12: Publication

43 This paragraph requires the parties to publish a minimum service determination, in the same way as if it has been agreed themselves under the process delineated in Part 2.

New Schedule A2A Part 3: Variation of minimum service agreements and determinations

44 This part of the Schedule sets out how the parties may vary minimum service agreements and determinations.

Paragraph 13: Variation of agreements and determinations

45 This paragraph permits those who are bound by a minimum service agreement or a minimum service determination to agree variations between themselves, and applies to both minimum service agreements and determinations made by the CAC.

Paragraph 14: Variation of agreement or determination on application

46 If it is not possible for a variation to be agreed between the parties, this paragraph allows an application to the CAC to vary it in certain circumstances. The CAC can reject an application it believes to be frivolous or vexatious.

47 Subparagraph (2) makes clear that a party who is bound by the agreement or determination may apply for a variation on the basis of circumstances which are to be specified by the Secretary of State in affirmative regulations, provided the person has taken reasonable steps to try and agree a variation with the other parties first.

48 Subparagraph (3) allows a trade union that is capable of affecting the employer's service provision (if their members were employed by the employer in connection with the service at the time when the minimum service agreement or determination was made) to apply for a variation if the employer failed to notify them that negotiations were taking place, or if they were not given an opportunity to make representations to the CAC. This is again on the condition that the applicant has taken reasonable steps to try and agree a variation with the other parties to the agreement or determination before applying to the CAC.

49 Subparagraphs (4) to (7) lay out some procedural elements of a variation determination. The CAC must notify everyone who is bound by a minimum service agreement or determination that it has received an application for variation, and must follow the same procedure as that for determinations under paragraph 10. The CAC must notify the parties of its decision and arrange for the decision to be published.

New Schedule A2A Part 4: Minimum service regulations

Paragraph 15

50 This paragraph allows the Secretary of State to make affirmative regulations to set minimum service levels to be provided in the event of a strike in a specified transport service. Minimum service levels set in this way only apply if the parties have not been able to negotiate a minimum service agreement between themselves and if the CAC has yet to make a minimum service determination. Subparagraph (2) prevents minimum service levels set under

regulations from coming into force until at least three months after the regulations are made.

New schedule A2A part 5: Persons who are bound by minimum service specifications

51 Paragraphs 16 to 18 specify that minimum service agreements, minimum service determinations and minimum service regulations apply to employers who deliver specified transport services, and unions which are capable of affecting the employers' delivery of those services. This means that unions that have members operating in a workplace are bound by a minimum service specification, regardless of whether their union is recognised by the employer. Paragraphs 16 and 17 provide that existing minimum service agreements and minimum service determinations apply to unions that are capable of affecting the service provision regardless of: whether they existed at the time the agreement or determination was made; whether they were capable of affecting the delivery of the service at the time the agreement or determination was made; whether they received a notice from the employer regarding negotiation of the agreement; or whether they had an opportunity to participate in the CAC proceedings.

New Schedule A2A Part 6: Enforcement

52 Part 6 sets out the enforcement procedure against a party that does not comply with the requirements of new Schedule A2A, or the regulations made under paragraph 5 (setting requirements for the content or structure of agreements). These enforcement procedures only apply to the requirements contained in the Schedule or in such regulations. The question of whether a union has retained the protection from tort proceedings in relation to a specific strike – including whether a minimum service specification applies and whether a work notice has been issued correctly – remains with the courts.

Paragraph 19: Declarations by Central Arbitration Committee on application

53 This paragraph allows 'interested parties' (the employer or any trade union that is capable of affecting the employer's service provision) to complain to the CAC if the employer or any trade union has not adhered to a requirement imposed by new Schedule A2A or regulations made under paragraph 5. A complaint must be made within three months of the day of the alleged contravention, or if the contravention has taken place over a period of time, within three months of the last day of that period.

Paragraph 20: Declarations by Central Arbitration Committee on its own initiative

54 This paragraph allows the CAC to make declarations about contraventions by the employer or any trade union of requirements imposed by the Schedule, or regulations under paragraph 5, without a complaint from an interested party, i.e. on its own initiative.

Paragraph 21: Further provision about declarations

55 This paragraph delineates the process for CAC declarations to be made. In considering whether to make a declaration, the Committee may make such enquiries as it considers appropriate. Any declaration must state the reasons for the Committee's findings and must be in writing, and any question of law arising from a declaration may be addressed by appeal to the Employment Appeal Tribunal.

Paragraph 22: Issue of penalty notices by Employment Appeal Tribunal

56 If the CAC makes a declaration that a party has indeed contravened a requirement under new Schedule A2A or regulations under paragraph 5, this paragraph permits an interested party to apply to the Employment Appeal Tribunal for a penalty to be issued. Such claims must be brought within 3 months from when the declaration is made by the CAC and any penalties

awarded must be in accordance with affirmative regulations made by the Secretary of State. Subparagraphs (3) to (4) provide further detail relating to what the regulations made by the Secretary of State regarding penalties can address, including the amounts which can be awarded, circumstances in which a penalty must not be issued and the timescales for payment of a penalty.

Paragraph 23: Persons who can apply for declarations and penalties

57 This paragraph defines an "interested party" as an employer providing a specified transport service and any trade union capable of affecting the employer's provision of that service for the purpose of paragraphs 19 to 22.

Paragraph 24: Intervention by Secretary of State

58 This paragraph allows the Secretary of State to ask the CAC to decide whether a minimum service agreement has properly taken account of the matters listed in paragraph 3 or has complied with regulations made under paragraph 5. If the CAC decides that the agreement has not, it must make a minimum service determination that takes the place of the negotiated minimum service agreement. Subparagraph (3) ensures that the relevant minimum service agreement continues to have effect until the CAC makes a decision and determination.

Paragraph 25: Damages in proceedings in tort against a trade union

59 If an employer seeks damages against a union in relation to a where the union has failed to take reasonable steps to comply with a valid work notice, this paragraph requires that any such damages awarded by the courts may only cover losses incurred as a result of the union failing to comply with the obligation in section 234E(b) to take reasonable steps to ensure that the workers listed in the work notice do not take part in the strike. In other words, damages may not extend to losses that would have been suffered anyway.

New schedule A2A part 7: Interpretation

Paragraph 26

60 This paragraph makes clear where the meaning of a trade union who is "capable of affecting" an employer's provision of a specified transport service, and the "relevant 3-month period" can be found in the Act.

Bill schedule part 2: Related amendments to the 1992 Act

61 This part of the Bill's schedule makes a number of technical amendments to the 1992 Act to ensure the new requirements regarding minimum service specifications and work notices are applied to the law around industrial action more broadly, in particular whether certain strikes are protected or not. This includes removal of the automatic protection from unfair dismissal for an employee who is identified in a valid work notice but participates in the strike.

62 Paragraph 12 of the Schedule provides that the Certification Officer (the regulator of trade unions) is able to enforce the requirement placed on unions to publish relevant minimum service specifications.

Other clauses in the Bill

Clause 2: Power to make consequential provision

63 This clause allows the Secretary of State to make consequential amendments by affirmative regulations as regards amendments to primary legislation (i.e. an Act) and to make consequential amendments to any other legislation by regulations subject to annulment by a resolution of either House of Parliament in accordance with the negative procedure.

Clause 3: Extent

64 This clause is self-explanatory.

Clause 4: Commencement and transitional provision

65 See paragraphs 67-68 below.

Clause 5: Short title

66 This clause is self-explanatory.

Commencement

67 Clause 2 (power to make consequential provision), clause 3 (extent), clause 4 (commencement and transitional provision), clause 5 (short title) and any regulation making powers created by the Bill will come into force on Royal Assent.

68 Clause 1 and the Schedule (Minimum Service Levels for Transport Strikes) come into force two months after Royal Assent.

Financial implications of the Bill

69 The additional responsibilities imposed on the Central Arbitration Committee by the Bill imply additional resourcing will be needed. This will largely be transitional, as the level of work required by the Central Arbitration Committee will likely tail off as minimum service specifications are put into place (either through negotiation or determination). Full details of the financial implications of the Bill are set out in the Impact Assessment.

Parliamentary approval for financial costs or for charges imposed

70 A money resolution is required for the Bill to cover expenditure of the Secretary of State in making regulations and in funding the Central Arbitration Committee's additional work and any expenditure incurred by public sector employers.

Compatibility with the European Convention on Human Rights

71 Section 19 of the Human Rights Act requires a Minister in charge of a Bill in either House of Parliament to make a statement about the compatibility of the Bill with the Convention Rights (as defined by section 1 of that Act). The Secretary of State, Anne-Marie Trevelyan, has made the following statement: "In my view, the provisions of the Transport Strikes (Minimum Service Levels) Bill are compatible with the Convention rights."

72 The Government has published a separate memorandum on ECHR issues with an assessment of compatibility of the Bill's provisions with the Convention rights. This memorandum is available on the Government website.

Environment Act 2021: Section 20

73 As per paragraph 3(4) and 10(2) of new Schedule A2A of the 1992 Act, when a minimum service agreement is created, (either through negotiation by employers and unions or through determination by the CAC), the responsible parties will be required to have regard to the list of factors set out in paragraph 4(1) of the Schedule. One of these factors (paragraph 4(1)(g)) is "the importance of avoiding damage to the environment".

74 The Government considers that this provision is "environmental law" within the meaning of s.46 of the Environment Act 2021, as it is mainly concerned with "environmental protection", which is defined in s.45 as including "the protection of the natural environment from the effects of human activity". The Secretary of State is satisfied that this provision would not

have the effect of reducing the level of environmental protection afforded by existing environmental law, and has made a statement under s.20(2)(a) and (3) of the Environment Act 2021 to that effect.

Annex A - Territorial extent and application in the United Kingdom

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 Senedd Cymru?	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 process engaged?
Clause 1	Yes	Yes	Yes	No	No	No	Yes	No
Schedule	Yes	Yes	Yes	No	No	No	Yes	No
Clause 2	Yes	Yes	Yes	No	No	No	Yes	No
Clause 3	Yes	Yes	Yes	No	No	No	Yes	No
Clause 4	Yes	Yes	Yes	No	No	No	Yes	No
Clause 5	Yes	Yes	Yes	No	No	No	Yes	No

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Ordered by the House of Commons to be printed, 20 October 2022

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS