



House of Commons  
Welsh Affairs Committee

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**The Proposed  
Legislative  
Competence Order  
relating to Transport:  
Government Response  
to the Committee's  
Eighth Report**

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**Ninth Special Report of Session 2009-  
10**

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## The Welsh Affairs Committee

The Welsh Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Office of the Secretary of State for Wales (including relations with the National Assembly for Wales).

### Current membership

Dr Hywel Francis MP (*Labour, Aberavon*) (Chairman)  
Mr David T.C. Davies MP (*Conservative, Monmouth*)  
Ms Nia Griffith MP (*Labour, Llanelli*)  
Mrs Siân C. James MP (*Labour, Swansea East*)  
Mr David Jones MP (*Conservative, Clwyd West*)  
Mr Martyn Jones MP (*Labour, Clwyd South*)  
Rt Hon Alun Michael MP (*Labour and Co-operative, Cardiff South and Penarth*)  
Mr Albert Owen MP (*Labour, Ynys Môn*)  
Mr Mark Pritchard MP (*Conservative, The Wrekin*)  
Mr Mark Williams MP (*Liberal Democrat, Ceredigion*)  
Mr Hywel Williams MP (*Plaid Cymru, Caernarfon*)

### Powers

The committee is one of the Departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at [www.parliament.uk/parliamentary\\_committees/welsh\\_affairs\\_committee.cfm](http://www.parliament.uk/parliamentary_committees/welsh_affairs_committee.cfm).

### Committee staff

The current staff of the Committee is Dr Sue Griffiths (Clerk), Alison Groves (Second Clerk), Anwen Rees (Inquiry Manager), Neil Caulfield (Inquiry Manager), Christine Randall (Senior Committee Assistant), Annabel Goddard (Committee Assistant), Tes Stranger (Committee Support Assistant) and Rebecca Jones (Media Officer).

### Contacts

All correspondence should be addressed to the Clerk of the Welsh Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 6189 and the Committee's email address is [welshcom@parliament.uk](mailto:welshcom@parliament.uk).

## Ninth Special Report

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The Committee published its Eighth Report of Session 2009-10, *The Proposed Legislative Competence Order relating to Transport*, on 15 February 2010. The response from the Secretary of State for Wales was received on 4 March 2010 and is published as an Appendix to this Special Report. The Order was published in draft form as *The National Assembly for Wales (Legislative Competence) (Transport) Order 2010* and laid before Parliament by the Secretary of State on 4 March 2010. The draft Order, together with an Explanatory Memorandum, are also published as Appendices to this Special Report.

## Government response

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### Letter from the Secretary of State for Wales to the Chairman of the Committee

I have laid the draft National Assembly for Wales (Legislative Competence) (Transport) Order 2010 for approval by both Houses. The draft LCO was approved by the National Assembly for Wales on 2 March.

I am grateful to the Welsh Affairs Committee for its effective scrutiny of proposed Order and the timely publication of its report. I am pleased that the Committee concluded that the purpose of the proposed Order is clear and that it is consistent with the existing powers and responsibilities of the National Assembly for Wales.

The Committee recommended that the Explanatory Memorandum be amended to specify how the use of the term “bus services” in the LCO relates to its use in other transport legislation. Paragraph 7.10 of the Memorandum has been amended to make clear that the term is compatible with that used in the Transport Act 2000. It potentially encompasses all bus services in Wales and is widely drafted to enable the Assembly to differentiate between services, or to specify particular services, such as community transport or long distance coach services, within a Measure or any subordinate legislation.

Your comments on the different structure of the law in relation to learner safety on dedicated learner transport and other public transport have been noted by myself and by the Secretary of State for Transport, Lord Adonis.

I enclose a copy of the draft Order and accompanying Explanatory Memorandum.

This is the final LCO from the Welsh Assembly Government’s 2009-10 Legislative Programme to be presented to Parliament. I would like to thank the Welsh Affairs Committee for the excellent standard of scrutiny carried out on all LCOs and the helpful recommendations made in your various scrutiny reports. The Committee has played an

invaluable role in the process of devolving legislative competence to the National Assembly.

I shall be writing separately in response to the Committee's review of the LCO process.

I am copying this letter to Lord Goodlad, Chairman of the Lords Constitution Committee.

Rt Hon Peter Hain MP  
Secretary of State for Wales

*3 March 2010*













































































































