



HOUSE OF LORDS

Delegated Powers and Regulatory Reform
Committee

9th Report of Session 2023–24

Automated Vehicles Bill [HL]: Government Response

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The Delegated Powers and Regulatory Reform Committee

The Committee is appointed by the House of Lords each session, most recently on 8 November 2023, and has the following terms of reference:

- (i) To report whether the provisions of any bill inappropriately delegate legislative power, or whether they subject the exercise of legislative power to an inappropriate degree of parliamentary scrutiny;
- (ii) To report on documents and draft orders laid before Parliament under or by virtue of:
 - (a) sections 14 and 18 of the Legislative and Regulatory Reform Act 2006,
 - (b) section 7(2) or section 19 of the Localism Act 2011, or
 - (c) section 5E(2) of the Fire and Rescue Services Act 2004;

and to perform, in respect of such draft orders, and in respect of subordinate provisions orders made or proposed to be made under the Regulatory Reform Act 2001, the functions performed in respect of other instruments and draft instruments by the Joint Committee on Statutory Instruments; and

- (iii) To report on documents and draft orders laid before Parliament under or by virtue of:
 - (a) section 85 of the Northern Ireland Act 1998,
 - (b) section 17 of the Local Government Act 1999,
 - (c) section 9 of the Local Government Act 2000,
 - (d) section 98 of the Local Government Act 2003, or
 - (e) section 102 of the Local Transport Act 2008.

Members

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Registered Interests

Committee Members' registered interests may be examined in the online Register of Lords' Interests at <https://www.parliament.uk/hlregister>. The Register may also be inspected in the Parliamentary Archives.

Publications

The Committee's reports are published by Order of the House in hard copy and on the internet at www.parliament.uk/hldprcpublications.

Committee Staff

The staff of the Committee are Jen Mills (Clerk) and Kiran Kaur (Committee Operations Officer).

General Information

General information about the House of Lords and its Committees, including guidance to witnesses, details of current inquiries and forthcoming meetings is on the internet at <http://www.parliament.uk/business/lords/>.

Contacts for the Delegated Powers and Regulatory Reform Committee

Any query about the Committee or its work should be directed to the Clerk to the Delegated Powers and Regulatory Reform Committee, Legislation Office, House of Lords, London, SW1A 0PW. The telephone number is 020 7219 3103. The Committee's email address is hldelegatedpowers@parliament.uk.

Ninth Report

AUTOMATED VEHICLES BILL [HL]: GOVERNMENT RESPONSE

1. We considered this Bill in our 3rd Report of this Session.¹ The Government have responded by way of a letter from Lord Davies of Gower, Minister for Maritime, International and Security for the Department for Transport. The response is printed at Appendix 1.

1 Delegated Powers and Regulatory Reform Committee, *3rd Report*, (Session 2023–24, HL Paper 26)

APPENDIX 1: AUTOMATED VEHICLES BILL [HL]: GOVERNMENT RESPONSE

Letter from Lord Davies of Gower, Minister for Maritime, International and Security for the Department for Transport, to the Rt Hon. the Lord McLoughlin CH, Chair of the Delegated Powers and Regulatory Reform Committee

Automated Vehicles Bill: Amendments at Report Stage

I would like to reiterate my thanks to you and the Delegated Powers and Regulatory Reform Committee for publishing your report on the Automated Vehicles Bill and its recommendations.

I am following up on my letter of the 8 January 2024 to provide a response to the Committee's recommendation on Clause 36.

We have carefully considered the Committee's recommendations in this area and appreciate the concerns that were set out in the Committee's report. The Government agrees with the Committee's specific concern that it is inappropriate to leave the setting of maximum amounts payable by way of civil penalties in Clause 36 and Schedule 6 entirely to negative procedure regulations.

The Government has tabled an amendment to apply the affirmative procedure to these clauses ahead of report stage on 6 February. We hope this provides reassurance to the Committee that this issue will receive the appropriate level of parliamentary scrutiny.

31 January 2024

APPENDIX 2: MEMBERS' INTERESTS

Committee Members' registered interests may be examined in the online Register of Lords' Interests at <https://www.parliament.uk/hregister>. The Register may also be inspected in the Parliamentary Archives.