



Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

11 December 2009

Dear Sir / Madam,

Consultation – Legislation Committee 3 – *The National Assembly for Wales (Legislative Competence) (Transport) Order 2010* relating to learner transport and concessionary travel

On the 7 December 2009, the Deputy First Minister and Minister for Economy and Transport, laid before the Assembly the proposed National Assembly for Wales (Legislative Competence)(Transport) Order 2010 (‘the proposed Order’) and Explanatory Memorandum, in accordance with Standing Order 22.13 and 22.14.

The proposed Order was subsequently referred to Legislation Committee 3 for detailed consideration. At its meeting held on 10 December 2009 the Committee agreed the following terms of reference-

To consider:

- the general principles of the proposed Order and whether legislative competence in the area identified in ‘*Matter 10.2*’ should be conferred on the Assembly; and
- the terms of the proposed Order, and in particular whether they are too broadly or too narrowly defined.

The Committee’s primary purpose is to consider whether the Assembly should have the power, in principle, to legislate by Measure in the areas identified in the proposed Order, i.e. learner transport and concessionary travel.

However, it is not within the remit of the Committee to consider the specific way in which that power, if conferred, should be exercised. As such, the Committee will avoid engaging in detailed discussions on

proposed future Measures, reviewing existing policies in this area or replicating work already undertaken by former subject committees.

A copy of the proposed Order and its accompanying Explanatory Memorandum are enclosed at **Annex 1**. An electronic version of these documents can be found at:

<http://www.assemblywales.org/bus-home/bus-legislation/bus-leg-legislative-competence-orders/bus-legislation-lco-2009-tr-2.htm>

Furthermore, guidance relating to Orders and the legislative process can be found at the following link:

<http://www.assemblywales.org/bus-home/bus-legislation/bus-legislation-guidance.htm>

Hard copies of the guidance are available on request from the Legislation Office.

You are invited to submit evidence to the Committee to help inform its work. In preparing your submission it would be helpful if you could address the following:

1. What are your views on the general principle that legislative competence in the areas identified in Matter 10.2 be conferred on the National Assembly?
2. What are your views on the terms of the proposed Order? For example, are they too narrowly or too broadly drawn?
3. Do you have any additional comments relating to the proposed Order?
4. Do you consider that the amendments to general exceptions to Matters, referred to on page 2 of the proposed Order and relating to field 10, would have implications for the effectiveness of any future proposed Measures brought forward under Matter 10.2? If so, please explain why.

Please note that the proposed Order relates to two distinct areas of transport policy. Namely, improving safety for learners on the journey to and from school or the place where they receive education or training and secondly, concessionary travel. Therefore you may wish to only comment on the areas of the Order that are relevant to you.

Should you wish to submit evidence please send an electronic copy of your submission to legislationoffice@wales.gsi.gov.uk and entitle the e-mail

Ffon / Tel: 029 2089 8041
Ffacs / Fax: 029 2089 8021
Minicom: 029 2082 3280

E-bost / E-mail: legislationoffice@wales.gsi.gov.uk

Consultation Transport LCO. Alternatively please send submissions in hard copy, to Ruth Hatton, Deputy Committee Clerk, Legislation Office, National Assembly for Wales, Cardiff Bay CF99 1NA.

The closing date for submissions is Friday 13 January 2010. It will not be possible to take into account responses received after this date. However, I would ask that submissions be forwarded as earlier in advance of this deadline as conveniently possible, in order to enable the Committee to progress its scrutiny of the proposed Order.

When preparing your submission please keep the following in mind:

- Your response should be as succinct as possible. Please reference your response using the title applied above.
- The National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed at Committee meetings. **If you do not want your response or name published it is important that you specify this at the end of your submission.**
- Please indicate whether you are responding on behalf of an organisation, or as an individual.
- Please indicate whether or not you would be prepared to give oral evidence to the Committee.

If you have any queries regarding the proposed Order or the legislative process please contact the Clerk, Fay Bowen (tel: 029 2089 8041) or Ruth Hatton, the Deputy Clerk (tel 029 2089 8019).



Dr. Dai Lloyd AM
Committee Chair

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