

Minister for Transport and Veterans  
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In 2014 Scotland Welcomes the  
World

David Stewart MSP  
Convener, Public Petitions Committee  
Room T3.40  
Scottish Parliament  
EH99 1SP



14 May 2014

Dear Dave,

Thank you for your letter of 28 April on behalf of the Public Petitions Committee regarding Petitions PE1098 and PE1223.

As the Committee is aware, I have announced Scottish Ministers' intention to legislate – in the next Scottish Parliament – for seatbelts to be provided on all dedicated school transport after securing agreement from the UK Government for the devolution of the necessary powers via an Order under section 30(2) of the Scotland Act 1998.

This action is principally concerned with PE1098 and I believe Transport Scotland officials are also writing to the Committee to outline progress on other considerations regarding PE1223.

The Committee asked about the timescale for the devolution of competence. I can confirm that a policy statement has been agreed between officials at Transport Scotland, the Department for Transport, the Scotland Office and the Office of the Attorney General. An initial draft of the section 30(2) Order is now being formulated on a collaborative basis, and the UK Parliament's Home Affairs Committee has already provided clearance for matters to proceed, a requirement in this process.

Associated legal and administrative processes for the drafting and agreement of the Order – including the draft instrument itself, and the associated explanatory note and memorandum – will now take place over the coming months. The next key stage is to provide Scotland Office lawyers with a draft Order that has been agreed with affected Whitehall departments. This is scheduled for early June.

Subsequently, the agreed Order must be scrutinised by the UK Parliament's Joint Committee on Statutory Instruments before final Ministerial agreement is sought, which we envisage happening in August. The Order will then be put forward for Parliamentary scrutiny at both Holyrood and Westminster.



Following approval from both Parliaments, the Order will be put before the Her Majesty's Privy Council, after which it will come into force. The Committee will appreciate that Parliamentary time at Westminster is limited in a general election year, but my aim is for the Order to be made as early as it can be in 2015. The Scottish Parliament will then have the necessary powers to legislate on the measures I have announced, outlined above.

I hope the Committee finds this information useful in assisting the discharge of its Parliamentary duties.

Kind regards

**KEITH BROWN**