

# Net Zero, Energy and Transport Committee

10<sup>th</sup> Meeting, 2024 (Session 6)

Tuesday, 12 March 2024

## Cover note: National Smart Ticketing Advisory Board (Public Services Reform) (Scotland) Order 2024 [draft]

**Title of Instrument:** [The National Smart Ticketing Advisory Board \(Public Services Reform\) \(Scotland\) Order 2024](#)  
[draft]

**Type of Instrument:** Affirmative

**Laid Date:** 8 February 2024

**Circulated to Members:** 9 February 2024

**Meeting Date:** 12 March 2024

**Minister to attend meeting:** Yes

**Motion to approve:** [S6M-12121](#)

**Drawn to the Parliament's attention by the Delegated Powers and Law Reform Committee?** No

**Reporting deadline:** 27 March 2024

### Background

1. An electronic copy of the Order is available at:  
<https://www.legislation.gov.uk/sdsi/2024/9780111059234/contents>
2. Copies of the Scottish Government explanatory and policy notes are included in the **Annexe**.

### Purpose

3. This instrument inserts the National Smart Ticketing Advisory Board ("the Board") into the list of bodies in schedule 5 of the 2010 Act. This allows the Scottish Ministers, by order, to make any provision which they consider would improve the exercise of the Board's functions, having regard to efficiency, effectiveness and economy.

## **Delegated Powers and Law Reform (DPLR) Committee consideration**

1. At its meeting on 27 February 2024, the DPLR Committee considered the instrument and determined that it did not need to draw the attention of the Parliament to the instrument on any grounds within its remit.

- [Read the Official Report – DPLR Committee, 27 February 2024 \(parliament.scot\)](#)
- [Read the Report – 14th Report, 2024 \(Session 6\) \(parliament.scot\)](#)

## **Procedure for Affirmative instruments**

4. The draft Order was laid on 8 February 2024 and referred to the Net Zero, Energy and Transport Committee. The Order is subject to affirmative procedure (Rule 10.6). It is for the Net Zero, Energy and Transport Committee to recommend to the Parliament whether the Order should be approved. The Cabinet Secretary for Transport has, by motion S6M-12121 (set out in the agenda), proposed that the Committee recommends the approval of the Order. The Committee will take evidence on the Order from the Cabinet Secretary and officials before the motion is debated.

## **Recommendation**

5. The Committee must decide whether or not to agree to the motion, and then report to Parliament accordingly, by 27 March 2024.

Clerks  
Net Zero, Energy and Transport Committee

## **Annexe – Accompanying documents**

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order modifies schedule 5 of the Public Services Reform (Scotland) Act 2010 (“the 2010 Act”).

Schedule 5 of the 2010 Act is introduced by section 15 (public functions: further provision) of that Act and lists the persons, bodies and office-holders in respect of which the Scottish Ministers may, by order under section 14 of that Act, make any provision which they consider would improve the exercise of public functions having regard to efficiency, effectiveness and economy.

This Order inserts the National Smart Ticketing Advisory Board into the list of bodies in schedule 5 of the 2010 Act.

### **POLICY NOTE**

#### **THE NATIONAL SMART TICKETING ADVISORY BOARD (PUBLIC SERVICES REFORM) (SCOTLAND) ORDER 2024**

#### **SSI 2024/XXX**

The above instrument was made in exercise of the powers conferred by section 15(2)(a) of the Public Services Reform (Scotland) Act 2010 (“the 2010 Act”). The instrument is subject to affirmative procedure.

#### **Summary Box**

This instrument inserts the National Smart Ticketing Advisory Board (“the Board”) into the list of bodies in schedule 5 of the 2010 Act. This allows the Scottish Ministers, by order, to make any provision which they consider would improve the exercise of the Board’s functions, having regard to efficiency, effectiveness and economy.

#### **Policy Objectives**

The Board was established by the National Smart Ticketing Advisory Board (Scotland) Regulations 2023, in fulfilment of a requirement imposed on the Scottish Ministers by section 43 of the Transport (Scotland) Act 2019 to establish an advisory committee to be known as the National Smart Ticketing Advisory Board. The function of the Board is to advise the Scottish Ministers in relation to their functions insofar as they relate to smart ticketing arrangements, and the national technological standard for smart ticketing. The Board also has the function of issuing advice and recommendations to the Scottish Ministers in relation to the strategic development of smart ticketing in Scotland. All members will be appointed for a period by the Scottish Ministers.

Under the 2010 Act, the Scottish Ministers may make any provision which they consider would improve the exercise of public functions by the bodies listed in schedule 5 of the Act, having regard to efficiency, effectiveness and economy. Due to the nature of the Board and its functions, the Scottish Ministers consider it appropriate to add the Board to the list in schedule 5 of the 2010 Act.

### **EU Alignment Consideration**

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

### **Consultation**

In accordance with section 25(4) of the 2010 Act, the Board has been consulted in relation to the proposal to make this Order. The consultation took place at the first meeting of the Board on 28th November 2023, in person, with all members and the chairperson of the Board in attendance.

As a result of that consultation, the Board confirmed it was content with the proposal, and no other representations were received. No changes to the proposal were therefore necessary.

This is recorded within the minutes published for the meeting of the Board, held on 28<sup>th</sup> November 2023, and available via the following link:

<https://www.transport.gov.scot/public-transport/smart-and-integrated-ticketing/national-smart-ticketing-advisory-board/>

### **Impact Assessments**

No impact assessments have been completed for this Order. This Order confers powers on the Scottish Ministers to make certain provision in relation to the exercise of the Board's functions, and it does not have any impacts with regards to finance, equality, child rights, island communities, inequalities, or the environment.

### **Financial Effects**

The Minister for Transport confirms that no Business and Regulatory Impact Assessment is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Bus, Accessibility and Active Travel Directorate

February 2024