

European Scrutiny Committee

House of Commons London SW1A 0AA

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From: Sir William Cash MP

23 April 2020

George Freeman MP
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12906/19: Report from the European Commission to the European Parliament and the Council Implementation of Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (Text with EEA relevance)

The Committee have asked me to thank you for your Explanatory Memorandum on the above listed report of 24 October 2019. We are pleased to hear that the UK is achieving its ‘National Action Plan’ requirements under Directive 2010/40/EU (the Intelligent Transport Systems (ITS) Directive).

The Committee notes the Government’s plans to revoke four of the five Delegated Acts adopted under the ITS Directive after the UK has left the EU. You explain that this revocation is to be made by The Intelligent Transport Systems (EU Exit) Regulations which are “programmed” to be laid on 8 May 2020 in draft. You further specify that this revocation is to be made pursuant to section 8 of the European Union (Withdrawal) Act 2018 (EUWA).

The Committee requests further information on why the Government considers revocation is necessary. Mention is made in your Explanatory Memorandum of the Government’s desire to *continue* to give effect to the ITS Directive via administrative means; however, we are not sure why the four Delegated Acts prevent this and therefore have to be revoked. Second, we seek clarity on the precise power that will be used under section 8 of the EUWA to revoke the aforementioned Delegated Acts.

I am copying this letter to Lord Kinnoull and Christopher Johnson in the Lords; to Les Saunders at the Department for Exiting the European Union; and to Margaret Browne, Departmental Scrutiny Co-ordinator.

CHAIR