

Parliamentary Bureau – Supplementary Legislative Consent Memorandum

Civil Aviation (Consumer Protection and Regulatory Reform) Bill (UK legislation)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

Civil Aviation (Consumer Protection and Regulatory Reform) Bill

2. This Bill was introduced by the UK Government in the House of Lords on 14 May 2026.
3. An LCM was lodged by Stephen Flynn MSP, Cabinet Secretary for Economy, Tourism and Transport on 3 September 2026. A supplementary LCM was lodged by the Cabinet Secretary on 17 September 2026 under Rule 9B.3.1(c) of Standing Orders.
4. The Bill makes provision for the protection of purchasers and users of air transport and airport services; makes provision about airspace change, air traffic and air navigation services and airport slots and schedules; confers power on the Civil Aviation Authority (CAA) to make rules; and makes provision about aviation offences; and for connected purposes. The Bill as introduced did not contain any relevant provision that would require the legislative consent of the Scottish Parliament.
5. A non-government amendment inserting a new clause to require the Secretary of State to undertake a review of airport drop-off charges was accepted at Report Stage in the House of Lords. The new clause would apply to Scotland and, as it relates to the operation and cost of private parking or vehicle access facilities, is considered to fall within the legislative competence of the Scottish Parliament. As indicated in the previous LCM, the UK and Scottish Governments are in agreement that this provision triggers the legislative consent process.
6. The previous LCM noted that engagement between the Scottish and UK Governments was taking place on the scope and undertaking of the review, with the Scottish Government unable at that stage to make a recommendation on consent.

7. This supplementary LCM sets out the Scottish Government's view on consent and provides further information on discussions between the Scottish and UK Governments on ensuring that any review appropriately reflects the circumstances at Scottish airports.
8. The supplementary LCM indicates that the Scottish Government intends to lodge a motion on consent to the relevant provision in this Bill.

Parliamentary consideration

9. The relevant provision in the Bill falls within the remit of the Transport Committee. The committee's remit is to consider and report on matters relating to transport within the responsibility of the Cabinet Secretary for Economy, Tourism and Transport. The Cabinet Secretary's responsibilities in relation to transport include (amongst other things) national transport strategy, roads, transport data and information systems, and aviation and air services.
10. The Transport Committee is the lead committee for the previous LCM on this Bill (lodged on 3 September).

Recommendation

11. The Bureau is invited to refer, under Rule 9B.3.5, the supplementary LCM to the Transport Committee as lead committee.

Parliamentary Business Team
September 2026