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Bruce Crawford MSP
Convener
Devolution (Further Powers) Committee
c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

2 March 2016

Dear Bruce,

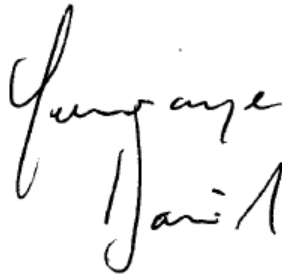
I was grateful for the opportunity to appear before the Committee on 23 February, following the conclusion of the fiscal framework. I look forward to giving further evidence on 3 March. During my recent appearance I agreed to write to you to set out the commencement provisions set out in the Scotland Bill

Commencement will be achieved by one of three means. Firstly, a small number provisions are due to be commenced on Royal Assent. Clause 1 on the permanence of the Scottish Parliament and Scottish Government is an example of this. Other provisions are due to be commenced two months after Royal Assent. Examples of this include the clauses relating to equal opportunities, roads and consumer advocacy and advice. Finally, commencement for a number of aspects of the Bill, including welfare and employment support, will be made by regulations by the Secretary of State. Once provisions that set out powers of the Scottish Parliament or Scottish Ministers are commenced, they will become the responsibility of the Scottish Parliament and/or Scottish Ministers. Other provisions in the Bill, including income tax and Crown Estate, also enable secondary legislation to be taken forward to transfer powers to the Scottish Parliament.

The Committee also asked about the timing of the transfer of powers. As set out in the fiscal framework agreement, the UK and Scottish Governments have agreed that:

- the full devolution of income tax rates and thresholds for non-savings and non-dividend income will commence in April 2017;
- Air Passenger Duty will be devolved in April 2018; and
- the implementation dates for welfare will be agreed by the Joint Ministerial Working Group on Welfare.

It will be important for both Governments to work constructively to ensure the effective transfer of these considerable powers in a sensible and managed way. I look forward to working with the Scottish Government to achieve this. I will continue to discuss the implementation of Scotland Bill with the Scottish Government as it becomes clearer exactly how the Scottish Government intends to use these new powers.

A handwritten signature in black ink, appearing to read 'David Mundell', written in a cursive style.

**Rt Hon DAVID MUNDELL MP
SECRETARY OF STATE FOR SCOTLAND**

Clause No.	Clause Title	Commencement provision in the Scotland Bill
Part 1 : Constitutional Arrangements		
1	Permanence	On the day the Act is passed
2	Sewel	2 months after Royal Assent
3 - 12	Elections, Supermajority, Scope to Modify the Scotland Act	By statutory instrument
Part 2: Tax		
13 - 19	Income Tax, VAT, Air Passenger Duty, Aggregates levy	2 months after Royal Assent
20, 21	Borrowing and Provision of information to the Office for Budget Responsibility	By statutory instrument
Part 3: Welfare		
22 - 35	Disability and carer's benefits, Regulated Social Fund payments, discretionary benefits, top-ups, powers to create benefits, Universal Credit flexibilities, Employment Support and Information Sharing	By statutory instrument
Part 4: Other Legislative Competence		
36	Crown Estate	34 (1), (5), (6) and (9) to (12) on the day the Act passed; the remainder on transfer date for Crown Estate Scheme
37	Equal opportunities	2 months after Royal Assent
38	Public sector duty regarding socio-economic inequalities	2 months after Royal Assent
39	Tribunals	2 months after Royal Assent
40	Roads	2 months after Royal Assent
41	Traffic signs	2 months after Royal Assent
42	Speed limits	2 months after Royal Assent
43	Roads: consequential provisions	2 months after Royal Assent
44	Policing of railways and railway property	2 months after Royal Assent
45	British Transport Police	2 months after Royal Assent
46	Onshore oil and gas	By statutory instrument
47	Onshore petroleum: consequential provisions	By statutory instrument
48	Onshore oil and gas: existing licences	By statutory instrument
49	Consumer Advocacy and Advice	2 months after Royal Assent
50	Functions exercisable within devolved competence	2 months after Royal Assent
51	Gaming machines on licenced betting premises	2 months after Royal Assent
52	Abortion	2 months after Royal Assent

Part 5: Other Executive Competence		
53 -56	Gaelic Media Service; Commissioners of Northern Lighthouses; Maritime and Coastguard Agency; Rail: franchising of passenger services	2 months after Royal Assent
57	Fuel poverty: support schemes	By statutory instrument
58	Energy company obligations	By statutory instrument
59	Apportionment of targets	By statutory instrument
60	Renewable electricity incentive schemes: consultation	2 months after Royal Assent
61	Offshore renewable energy installations	By statutory instrument
62	References to Competition and Markets Authority	2 months after Royal Assent
Part 6: Miscellaneous		
63	Gas and Electricity Markets Authority	2 months after Royal Assent
64	Office of Communications	By statutory instrument
65	Bodies that may be required to attend before the Parliament	2 months after Royal Assent
66	Destination of fines, forfeitures and fixed penalties.	By statutory instrument
PART 7: GENERAL		
65 - 70	Subordinate legislation, transfers of property, transitional provision, power to make consequential, transitional and saving provision, Commencement and Short Title.	On the day the Act is passed