

MEMORANDUM

CIVIL AVIATION (CONSUMER PROTECTION AND REGULATORY REFORM) BILL

Background

1. The draft motion, which will be tabled by the Minister for Infrastructure under Standing Order 42A (4)(b).
2. I am laying this memorandum to explain that, whilst legislative consent is not being sought at this time, I am advising members that a legislative consent motion may be needed in relation to Civil Aviation (Consumer Protection and Regulatory Reform) Bill. The latest version of the Bill can be found at:

[Civil Aviation \(Consumer Protection and Regulatory Reform\) Bill \[HL\]](#)

Summary of the Bill and its policy objectives

3. The Civil Aviation Bill (Consumer Protection and Regulatory Reform) Bill was introduced to Parliament on 14th May 2026. An Airport Slot is the permission to use the full range of airport infrastructure necessary to operate an air service at an airport on a specific date and time, for the purpose of landing or take-off.
4. Airport slot allocations have been governed under EU law, following the UK's exit from the EU, Section 2 of the European Communities Act 1972 have been repealed. The Bill provides the UK Government with powers to amend Airport Slot Regulation.
5. The Department for Transport analysis states, "*Civil aviation is generally reserved under section 6 and paragraph 4 of Schedule 3 of the Northern Ireland Act 1998. However, aerodromes and consumer protection in relation to services are transferred matters.*"

Provisions which deal with a Devolution Matter

6. The devolved area for which I am considering seeking legislative consent for Westminster to legislate on (subject to Executive approval) are set out below.

- Clause 7 (Allocation of slots and co-ordination and facilitation of schedules).

This Clause is a reserved matter for all other devolved nations.

Reasons for making the Provisions

7. Whilst consent is not being requested at this time, formal consent maybe sought for the provisions which fall within the remit of the Department for Infrastructure following Executive agreement once the Committee for Infrastructure has been briefed.
8. The Assembly will appreciate that the content and timing of any Westminster Bill are outside the control of local departments. I received correspondence on measures potentially engaging the LCM process on the day the Bill was introduced to the British Parliament.
9. Since then, my officials have been in discussions with both the Department for Transport and legal advisors to gain sufficient information in order to agree whether an LCM is required.

Reasons for utilizing the Bill rather than an Act of the Assembly

10. Any legislation brought into Law through an Act of the Assembly would mirror legislation that is already in place in by the UK Government, therefore it is prudent to implement this legislation using a LCM.

Conclusion

11. It is my view and in the interests of good government, that in relation to Clause 7 of the Civil Aviation (Consumer Protection and Regulatory Reform) Bill, consent should not be sought at this time. It is my intention to await legal advice in order to consider this Bill.

Department of Infrastructure
29 May 2026