



HOUSE OF LORDS

Select Committee on the Constitution

House of Lords
London
SW1A 0PW

Tel: 020 7219 1228
constitution@parliament.uk
www.parliament.uk/lords

Lord Hendy of Richmond Hill
Minister of State (Minister for Rail)
Department for Transport
Great Minster House
33 Horseferry Road
London, SW1P 4DR

5 November 2025

Dear Peter,
Sustainable Aviation Fuel Bill

I write on behalf of the Constitution Committee about the Sustainable Aviation Fuel Bill.

Clause 6 of the Bill creates a delegated power to make levy regulations. We are concerned that, in part because consultation on the design of the levy is ongoing, details about the proposed levy are lacking on the face of the Bill. While we recognise that the affirmative process will apply to the relevant regulations, and that a degree of flexibility is required in the development of the levy, we regard the lack of specificity in the Bill as a potential inhibitor of detailed legislative scrutiny. Please could you provide information as to why it was felt necessary to proceed with legislation without having completed the policy development process (especially in light of the consultation being in progress), and further detail about the proposed levy to aid scrutiny of the Bill and its likely effects.

We note that a Section 19(1)(a) Human Rights Act 1998 statement has been made, setting out the Government's view that the Bill's provisions are compliant with the Convention rights. However, a human rights memorandum setting out the reasons for adopting this position has not been published. We would welcome further detail of the assessment that has taken place for the Government to reach the conclusion that the Bill is compliant with the Convention rights, and as to why a human rights memorandum was not produced in this instance.

Yours ever,
Tom

The Rt Hon. Lord Strathclyde CH
Chair of the Constitution Committee