

| RESERVATION PROPOSED IN SCHEDULE 7A | RESERVED IN SCOTLAND? (head of reservation) | RESERVED/ EXCEPTED IN NORTHERN IRELAND? | POLICY ISSUES | SCOPE AND DRAFTING OF RESERVATION | RATIONALE FOR RESERVATION |
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| <i>Head A - Financial and Economic Matters</i> | | | SA98 includes provision under this head for Money laundering, not mentioned here | | |
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| A1 Fiscal, economic and monetary policy | | | | | |
| 12 Fiscal, economic and monetary policy, including the issue and circulation of money, taxes and excise duties, government borrowing and lending, control over United Kingdom public expenditure, the exchange rate, the Bank of England, the Office for Budget Responsibility, the National Audit Office and the Comptroller and Auditor General. | Yes – Head A1 | Yes – excepted | | | Reserved across UK |
| Exceptions Devolved taxes, including their collection and management. | | | | | |

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| Local taxes to fund local authority expenditure (for example, council tax and non-domestic rates). | | | | | |
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| A2 The currency | | | | | |
| 13 Coinage, legal tender and bank notes. | Yes – Head A2 | Yes – excepted | | | Reserved across UK |
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| A3 Financial services | | | | | |
| 14 Financial services, including investment business, banking and deposit-taking, collective investment schemes and insurance. | Yes – Head A3 | Yes – reserved | | | Reserved across UK |
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| A4 Financial markets | | | | | |
| 15 Financial markets, including listing and public offers of securities and investments, transfer of securities and insider dealing. | Yes – Head A4 | Yes – reserved | | SA98 expressly excludes bank holidays | Mostly, reserved across UK |
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| A5 Dormant accounts | | | | | |
| 16 Distribution of money from dormant bank and building society accounts. | No | Arguably covered by reservation of financial services | | | |
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| Head B - Home Affairs | | | | | |
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| B1 Elections | | | | | |
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| <p>17 Elections for membership of the House of Commons and the European Parliament, including the subject-matter of—</p> <p>(a) the Representation of the People Act 1983,</p> <p>(b) the Representation of the People Act 1985,</p> <p>(c) the Parliamentary Constituencies Act 1986,</p> <p>(d) the Representation of the People Act 2000,</p> <p>(e) the European Parliamentary Elections Act 2002,</p> <p>(f) the Electoral Administration Act 2006, and</p> <p>(g) the Electoral Registration and Administration Act 2013, so far as those enactments apply, or may be applied, in respect of such membership.</p> | Yes – Head B3 | Yes – excepted | | | Reserved across UK |
| 18 Elections of police and crime commissioners. | No | No | PCCs do not exist in Scotland or Northern Ireland as policing is | | Relates to reservation of policing |

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| | | | devolved | | |
| 19 The Boundary Commission for Wales. | | | Determination of boundaries for UK Parliamentary elections remains a non-devolved matter | | Relates to reservation of Parliamentary and European Parliamentary elections |
| 20 The subject-matter of sections 3(1A) and (1B) and 13A of this Act. | | | [provisions relate to timing of elections and combination of Assembly elections with UK or European Parliament ones] Provision relates to devolution of elections – also proposed for Scotland in Scotland bill | | Relates to reservation of Parliamentary and European Parliamentary elections |
| 21 The combination of— (a) polls at elections or referendums that are outside the legislative competence of the Assembly with polls at— (i) elections of Assembly members, (ii) local government elections in Wales, or (iii) referendums held under | | | Provision relates to devolution of elections – also proposed for Scotland in Scotland bill | | Relates to reservation of Parliamentary and European Parliamentary elections |

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| Part 2 of the Local Government Act 2000 (arrangements in respect of executives etc), and (b) polls at ordinary general elections of Assembly members with polls at ordinary local government elections in Wales. | | | | | |
| 22 The timing of ordinary local government elections in Wales where the poll at such an election would otherwise be held on the same day as the poll at an ordinary general election of Assembly members. | | | Provision relates to devolution of elections – also proposed for Scotland in Scotland bill | | Relates to reservation of Parliamentary and European Parliamentary elections |
| 23 Any digital service provided by a Minister of the Crown for the registration of electors. | Yes – new heading B3. B | | Provision proposed for Scotland in Scotland bill | | Relates to reservation of Parliamentary and European Parliamentary elections, though extends that reservation to electoral registration more generally |
| 24 The subject-matter of— (a) Parts 5 and 6 of the Political Parties, Elections and Referendums Act 2000 (expenditure in connection | | Yes – excepted | Provision relates to devolution of elections – also proposed for Scotland in | | Relates to reservation of Parliamentary and European Parliamentary |

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| <p>with elections) in relation to an election within the legislative competence of the Assembly, where the poll at the election is combined with the poll at an election for membership of the House of Commons or the European Parliament, and</p> <p>(b) sections 145 to 148 and 150 to 154 of that Act (enforcement) as they apply for the purposes of Part 5 or 6, so far as the subject matter of that Part is reserved by paragraph (a).</p> | | | Scotland bill | | elections |
| <p>25 The subject-matter of—</p> <p>(a) sections 155 and 156 of the Political Parties, Elections and Referendums Act 2000 except in relation to Parts 5 and 6 of that Act so far as those Parts relate to elections of Assembly members and local government elections in Wales, and</p> <p>(b) sections 145 to 148 and 150 to 154 of that Act as they apply for the purposes of section 155 or 156, so far</p> | <p>Political parties are generally reserved under Part 1, para 6 of Schedule 5 SA98</p> | <p>Yes – excepted</p> | | | |

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| as the subject matter of that section is reserved by paragraph (a). | | | | | |
| <p>26 The subject-matter of the following sections of the Political Parties, Elections and Referendums Act 2000 in relation to elections of Assembly members and local government elections in Wales—</p> <p>(a) section 1 (except in relation to any requirement for the Electoral Commission to prepare, lay and publish reports about the performance of its functions),</p> <p>(b) sections 2 to 4, 6(1)(e) and (f) (and (g) to the extent that it relates to the law mentioned in those paragraphs),</p> <p>(c) sections 12, 21 to 37, 39 to 57, 58 to 67, 69, 71, 71F to 71Y and 140A,</p> <p>(d) section 149 (except in relation to the register kept under section 89),</p> <p>(e) sections 157 to 163, and sections 145 to 148 and 150 to 154 as they apply for the</p> | | Yes – excepted | | | Maintains common standards for conduct of devolved elections as UK and European Parliamentary ones |

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| purpose of a provision mentioned in paragraphs (a) to (e), so far as the subject-matter of that provision is reserved by paragraphs (a) to (e). <i>Interpretation</i> “Local government elections in Wales” includes mayoral elections in Wales. | | | | | |
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| B2 Nationality and immigration | | | | | |
| 27 Nationality. | Yes: head B6 | Yes – excepted | | Reservations 27-30 treated as one single head in SA 98. | Reserved across UK |
| 28 Immigration, including asylum and the status and capacity of persons in the United Kingdom who are not British citizens. | Yes: head B6 | Yes – excepted | | | |
| 29 Free movement of persons within the European Economic Area. | Yes: head B6 | Yes – excepted | | | |
| 30 Travel documents. | Yes: head B6 | Yes – excepted | | | |
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| B3 National security and official secrets | | | | | |
| 31 National security. | Yes: head B8 | Yes – excepted | | Reservations 31-33 all part of same head in SA98. | Reserved across UK |
| 32 Special powers, and other special provisions, for dealing with terrorism. | Yes: head B8 | Yes – excepted | | | |
| 33 The subject-matter of the Official Secrets Acts 1911 | Yes: head B8 | Yes – excepted | | | |

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| to 1989. | | | | | |
| B4 Interception of communications, communications data and surveillance | | | | | |
| 34 Interception of communications. | Yes: head B8 | Arguably covered by reservation of Telecommunications etc | | | Reserved across UK |
| 35 Communications data. | No | Arguably covered by reservation of Telecommunications etc | | | Arguably relates to reservations of policing and criminal justice and maintenance of shared legal system of England and Wales |
| 36 Covert surveillance by persons exercising public functions. | Apparently excluded from reservation of interception of communications under Head B8 | No | | | Arguably relates to reservations of policing and criminal justice and maintenance of shared legal system of England and Wales |
| 37 Use of surveillance systems. | No | No | | | Arguably relates to reservations of policing and criminal justice and maintenance of |

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| | | | | | shared legal system of England and Wales |
| <i>Interpretation</i> “Covert surveillance” includes the use of covert human intelligence sources. | | | | | |
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| B5 Crime, public order and policing | | | | | |
| 38 The prevention, detection and investigation of crime. | No | No | | | Political decision made through St David’s Day process not to devolve policing functions |
| 39 The maintenance of public order. | No | Partially reserved | | | |
| 40 Policing. | No | Partially excepted | | | |
| 41 Police and crime commissioners. | No | No | | | |
| <i>Exception</i> Powers of entry, search and seizure relating to the detection or investigation of an offence of a kind provision for the creation of which is within the Assembly’s legislative competence. | | | | | |
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| B6 Anti-social behaviour | | | | | |
| 42 The subject-matter of Parts 1 to 6 of the Anti-social Behaviour, Crime | No | No | Relates to local government functions as well | | Arguably relates to reservations of policing and |

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| and Policing Act 2014. | | | as policing | | criminal justice |
| 43 Dangerous dogs and dogs out of control. | No | No | Appears currently to be devolved | | Arguably relates to reservations of policing and criminal justice, but rationale unclear |
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| B7 Modern Slavery | | | | | |
| 44 The subject-matter of the Modern Slavery Act 2015. | No | No | | | Arguably relates to reservations of policing and criminal justice, but rationale unclear |
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| B8 Emergency powers | | | | | |
| 45 Emergency powers. | Yes; Head B10 | No | | | Reserved within Great Britain |
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| B9 Extradition | | | | | |
| 46 Extradition. | Yes; Head B11 | Yes – excepted | | | Reserved across UK |
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| B10 Criminal records | | | | | |
| 47 Criminal records, including disclosure and barring. | No | No | | | Arguably relates to reservations of policing and criminal justice |
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| B11 Dangerous items | | | | | |
| 48 The subject-matter of the Firearms Acts 1968 to 1997. | Yes; Head B4 | Yes – reserved | | | Reserved across UK |
| 49 The subject-matter of the | Yes; Head J4 | No | | | Arguably relates to |

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| Poisons Act 1972. | | | | | reservations of policing and criminal justice |
| 50 Knives. <i>Interpretation</i> “Knives” includes— (a) knife blades and razor blades, (b) axes, (c) swords. | No | No | | | Arguably relates to reservations of policing and criminal justice, but rationale unclear |
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| B12 Misuse or dealing in drugs or psychoactive substances | | | | | |
| 51 Misuse or dealing in drugs or psychoactive substances. <i>Interpretation</i> “Psychoactive substances” has the meaning given in section 2 of the Psychoactive Substances Act 2015. | Yes in relation to drugs; head B1 | No | Psychoactive Substances bill extends to Scotland and Northern Ireland | | Reserved across UK |
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| B13 Private security | | | | | |
| 52 Private security. | No | No | | | Arguably relates to reservations of policing and criminal justice, but rationale unclear |
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| B14 Entertainment and | | | | | |

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| late night refreshment. | | | | | |
| 53 Classification of films and video recordings (including video games). | Yes; Head B5 | No | | | Reserved across Great Britain, but rationale unclear |
| 54 Licensing of— (a) the provision of entertainment, and (b) late night refreshment. | No | No | Currently excepted from devolved powers regarding Local government (subject 12) | | Rationale unclear |
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| B15 Alcohol | | | | | |
| 55 The sale and supply of alcohol. | No | No | Currently excepted from devolved powers regarding Local government (subject 12) | | Rationale unclear |
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| B16 Betting, gaming and lotteries | | | | | |
| 56 Betting, gaming and lotteries. | Yes; Head B9 | Only in relation to the National Lottery (reserved) | | | Largely reserved across UK. Relates to economic union. |
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| B17 Hunting | | | | | |
| 57 Hunting with dogs. | No | No | Currently excepted from devolved powers regarding Agriculture, fisheries, forestry | | Rationale unclear |

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| | | | and rural development (subject 1). | | |
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| B18 Scientific and educational procedures on live animals | | | | | |
| 58 Procedures on live animals for scientific or educational purposes. | Yes in relation to 'subject-matter of the Animals (Scientific Procedures) Act 1986'; head B7 | No | Currently excepted from devolved powers regarding Agriculture, fisheries, forestry and rural development (subject 1). | | Reserved across Great Britain |
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| B19 Local government | | | | | |
| 59 Provision of advice and assistance overseas by local authorities in connection with carrying on there of local government activities. | No | No | Currently excepted from devolved powers regarding Local government (subject 12) | | Rationale unclear. |
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| B20 Lieutenancies | | | | | |
| 60 Lieutenancies. | Yes; Head B12. | Yes | Relates to position of the Crown | | Reserved across UK |
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| B21 Charities and fund-raising | | | | | |

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| 61 Charities. | No | No | Expressly excluded from reservation of business associations under Head C1. | | Related to reservation of private law and maintaining shared legal system of England and Wales |
| 62 Raising funds for charitable, benevolent or philanthropic purposes. <i>Interpretation</i> “Funds” includes property other than money. | No | No | | | Related to reservation of private law and maintaining shared legal system of England and Wales |
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| <i>Head C - Trade and Industry</i> | | | | | |
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| C1 Business associations and business names | | | | | |
| 63 The creation, operation, regulation and dissolution of types of business association. | Yes; head C1 | No – expressly excepted from reservation of financial services | | | Reserved across Great Britain |
| 64 The regulation of the name under which an individual or business association carries on business. | No | No | | | Related to reservation of private law |

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| <p><i>Exception</i> The creation, operation, regulation and dissolution of particular public bodies, or public bodies of a particular type, established by or under any enactment.</p> | | | <p>Exception corresponds to one in SA98, head C1.</p> | | |
| <p><i>Interpretation</i> “Business association” means any entity, whether or not a legal person, that is not an individual (including a body corporate, partnership or other unincorporated association) which is established for the purpose of carrying on any kind of business, whether or not for profit. “Business” includes the provision of benefits to the members of an association.</p> | | | | | |
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| <p>C2 Insolvency and winding up</p> | | | | | |
| <p>65 Insolvency.</p> | <p>Partially – in relation to business associations (only), by Head C2.</p> | <p>No</p> | <p>Insolvency is a complicated area in Scotland, being reserved in relation to business associations and</p> | | <p>Related to reservation of private law and maintaining shared legal system of England and Wales , as well as economic</p> |

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| | | | devolved in relation to individuals. | | union |
| 66 Winding up solvent business associations. | Yes; head C2. | No | | | Related to reservation of private law and maintaining shared legal system of England and Wales , as well as economic union |
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| C3 Competition | | | | | |
| 67 Regulation of anti-competitive practices and agreements; abuse of dominant position; monopolies and mergers. | Yes; head C3 | Yes – reserved | | | Reserved across UK |
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| C4 Intellectual property | | | | | |
| 68 Intellectual property. | Yes; head C4 | Yes – reserved | | | Reserved across UK |
| <i>Exception</i> Plant varieties and seeds. | | | Exception corresponds to one in SA98. | | |
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| C5 Imports, exports and movement of plants etc | | | | | |
| 69 Prohibition and regulation of— (a) imports and exports, and (b) the movement of food, plants, animals and other | Head C5 has broadly similar provisions. | Yes (reserved) except in relation to agricultural or food products, including livestock. | | Head C5 SA98 reserves imports & exports of endangered species only. | Reserved across UK |

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| things within the United Kingdom. | | | | | |
| <p><i>Exceptions</i> Prohibition and regulation which relates to food, plants, animals and related things, and which is for the purposes of—</p> <p>(a) protecting human, animal or plant health, animal welfare or the environment, or</p> <p>(b) observing or implementing obligations under the Common Agricultural Policy.</p> Prohibition and regulation which relates to animal feeding stuffs, fertilisers or pesticides ... for the purposes of protecting human, animal or plant health or the environment. But prohibition and regulation for the purposes of protecting endangered species of plants and animals is not excepted. | | | | <p>Exceptions correspond to ones under SA98.</p> | |

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| <p><i>Interpretation</i> “Food” has the same meaning as in Regulation (EC) No 178/2002 ... “Animals” includes animal parts and derivatives and goods appearing to contain animal parts or derivatives “Plants” includes plant parts and derivatives and goods appearing to contain plant parts or derivatives ...</p> | | | | | |
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| <p>C6 Consumer protection</p> | | | | | |
| <p>70 Regulation of— (a) the sale and supply of goods and services to consumers, (b) guarantees in relation to such goods and services, (c) hire purchase, including the subject-matter of Part 3 of the Hire-Purchase Act 1964, (d) trade descriptions, (e) misleading and comparative advertising, except regulation specifically in relation to tobacco and tobacco products,</p> | <p>Yes; Head C7</p> | <p>Only as regards consumer safety or technical standards (reserved), or as financial services</p> | <p>Head C7 SA98 also includes trading stamps</p> | | <p>Reserved across Great Britain; relates to economic union</p> |

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| (f) price indications, (g) auctions and mock auctions of goods and services, and (h) hallmarking and gun barrel proofing. | | | | | |
| 71 Safety of, and liability for, services supplied to consumers. | Yes; Head C7 | Yes – reserved | | | Reserved across UK |
| 72 The regulation of— (a) estate agents, (b) timeshares, and (c) package travel and package holidays. | Yes, similar to reservations in Head C7 | No | | | Related to reservation of private law and maintaining shared legal system of England and Wales. |
| 73 The regulation of— (a) unsolicited goods and services, and (b) trading schemes. | Yes, similar to reservations in Head C7 | No | | | Related to reservation of private law and maintaining shared legal system of England and Wales. |
| 74 The subject-matter of Part 8 of the Enterprise Act 2002. | No | No | Part 8 Enterprise Act 2002 concerns enforcement of consumer protection legislation and extends to Scotland, England and Wales and N | | Related to reservation of private law and maintaining shared legal system of England and Wales. |

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| <i>Exceptions</i> Food, food products and food contact materials. | | | | | |
| <i>Interpretation</i> “Food” has the same meaning as it has in Regulation (EC) No. 178/2002 “Food contact materials” means materials and articles to which Regulation (EC) No. 1935/2004 ... applies. “Food products” means residues, contaminants and anything used in the process of producing food which does not remain in the food. | | | | | |
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| C7 Product standards, safety and liability | | | | | |
| 75 Technical standards and requirements in relation to products in pursuance of an obligation under EU law. | Yes; head C8 | Yes – reserved | | | Reserved across UK. Related to compliance with EU obligations |
| 76 The national accreditation body and the accreditation of bodies which certify or assess conformity to technical standards in relation to products or environmental | Yes; head C8 | Only so far as covered by other reservations or exceptions | | | Related to compliance with EU obligations |

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| management systems. | | | | | |
| 77 Product safety and liability. | Yes; head C8 | No | | | Related to reservation of private law, compliance with EU obligations and maintaining shared legal system of England and Wales. |
| 78 Product labelling. | Yes; head C8 | No | | | Related to reservation of private law, compliance with EU obligations and maintaining shared legal system of England and Wales. |
| <i>Exceptions</i> Food, food products and food contact materials. Agricultural and horticultural produce, fish and fish products, seeds, animal feeding stuffs, fertilisers and pesticides (including anything treated as if it were a pesticide by virtue of an enactment). | | | Exception corresponds to one in SA98. | | |

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| <p><i>Interpretation</i></p> <p>“Food” has the same meaning as it has in Regulation (EC) No. 178/2002 ...</p> <p>“Food contact materials” means materials and articles to which Regulation (EC) No. 1935/2004 ... applies.</p> <p>“Food products” means residues, contaminants and anything used in the process of producing food which does not remain in the food.</p> <p>“National accreditation body” means the body appointed for the purposes of Article 4(1) of Regulation (EC) No. 765/2008 ...</p> | | | | | |
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| C8 Weights and measures | | | | | |
| 79 Units and standards of weight and measurement. | Yes; head C9 | Yes – reserved | | | Reserved across United Kingdom |
| 80 Regulation of trade so far as involving weighing, measuring and quantities. | Yes; head C9 | No | | | Reserved across Great Britain. Related to, compliance with EU obligations. |
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| C9 Telecommunications and wireless telegraphy | | | | | |

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| 81 Telecommunications and wireless telegraphy (including electromagnetic disturbance). | Yes; head C10 | Yes – reserved | | | Reserved across United Kingdom. |
| 82 Internet services. | Yes; head C10 | Yes – reserved | | | Reserved across United Kingdom. |
| 83 Electronic encryption. | Yes; head C10 | Yes – reserved | | | Reserved across United Kingdom. |
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| C10 Post | | | | | |
| 84 Postal services, post offices, the original holding company and any Post Office company. | Yes; head C11 | Yes – reserved | | SA98 reservation relates to ‘subject-matter of Postal Services Act 2000’ | Reserved across United Kingdom. |
| <i>Exceptions</i> Financial assistance for the provision of services (other than postal services and services relating to money or postal orders) to be provided from public post offices. | | | | | |
| <i>Interpretation</i> “The original holding company” and “Post Office company” have the same meanings as in Part 1 of the Postal Services Act 2011. | | | | | |
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| C11 Research Councils | | | | | |
| 85 Research Councils within the meaning of the | Yes; head C12 | Yes – reserved | | | Reserved across United Kingdom. |

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| Science and Technology Act 1965. | | | | | |
| 86 The subject-matter of section 5 of that Act (funding of scientific research) so far as relating to Research Councils. | Yes; head C12 | Yes – reserved | | | Reserved across United Kingdom. |
| 87 The Arts and Humanities Research Council within the meaning of Part 1 of the Higher Education Act 2004. | Yes; head C12 | Yes – reserved | | | Reserved across United Kingdom. |
| 88 The subject-matter of section 10 of that Act (research in arts and humanities) so far as relating to that Council. | Yes; head C12 | Yes – reserved | | | Reserved across United Kingdom. |
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| C12 Assisted areas and limits on financial assistance to industry | | | | | |
| 89 The subject-matter of sections 1 and 8(5) and (7) of the Industrial Development Act 1982. | Yes; head C13 | Yes – reserved | | SA98 exception relates only to s.1 Industrial Development Act 1982, not s.8(5) and (7) which set limits to amount of assistance. | Largely reserved across United Kingdom. |
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| C13 Industrial Development Advisory Board | | | | | |
| 90 The Industrial Development Advisory | Yes; head C14 | No | Currently excepted from | | Reserved across Great Britain. |

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| Board. | | | devolved powers regarding Economic development (subject 4). | | Arguably relates to economic union. |
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| C14 Protection of trading and economic interests | | | | | |
| 91 The subject-matter of— (a) Part 2 of the Industry Act 1975 (powers in relation to transfer of control of important manufacturing undertakings), and (b) the Protection of Trading Interests Act 1980. | Yes; head C15 | Yes in relation to Protection of Trading Interests Act 1980 – reserved | | Reservation under SA98 also includes s. 2 Emergency Laws (Re-enactments and Repeals) Act 1964 | Largely reserved across United Kingdom. |
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| C15 Assistance in connection with exports of goods and services etc | | | | | |
| 92 The subject-matter of the Export and Investment Guarantees Act 1991. | No | No | For Scotland, reserved by general reservations relating to the Crown etc | | Reserved across Great Britain. Relates to economic union. |
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| C16 Water | | | | | |
| 93 Appointment and regulation of a water undertaker whose area is | No | No | Currently excepted from devolved powers | | Relates to physical proximity of England and Wales, |

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| not wholly or mainly in Wales. | | | I relation to Water and flood defence (subject 19). | | but rationale unclear. |
| 94 Licensing and regulation of a water supply licensee. | No | No | Currently excepted from devolved powers in relation to Water and flood defence (subject 19). | | Rationale unclear given recommendations of Silk Commission and St David's Day process. |
| 95 Appointment and regulation of a sewerage undertaker whose area is not wholly or mainly in Wales. | No | No | Currently excepted from devolved powers in relation to Water and flood defence (subject 19). | | |
| 96 Licensing and regulation of a sewerage licensee. | No | No | Sewerage currently devolved matter within Water and flood defence (subject 19). . | | Rationale unclear. |
| 97 The Water Services Regulation Authority. | No | No | | | Rationale unclear. |

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| <p>Exceptions Regulation of a water supply licensee in relation to licensed activities that use the supply system of a water undertaker whose area is wholly or mainly in Wales. Regulation of a sewerage licensee in relation to licensed activities that use the sewerage system of a sewerage undertaker whose area is wholly or mainly in Wales.</p> | | | | <p>Exceptions reflect scope of current devolved powers regarding Water and flood defence (subject 19).</p> | |
| <p><i>Interpretation</i> “Sewerage licensee” and “water supply licensee” have the same meanings as in the Water Industry Act 1991. “Supply system of a water undertaker” has the meaning given in section 17B of that Act. “Sewerage system of a sewerage undertaker” has the meaning given in section 17BA of that Act.</p> | | | | | |
| <p>C17 Non-energy minerals</p> | | | | | |
| <p>98 The exploration for and</p> | <p>No</p> | <p>No</p> | <p>‘Mineral</p> | | <p>Rationale unclear</p> |

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| exploitation of minerals which are not capable of producing energy. | | | workings' currently devolved matter within Subject 18, GWA06 Schedule 7. | | |
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| C18 Pubs Code Adjudicator and the Pubs Code | | | | | |
| 99 The subject-matter of Part 4 of the Small Business, Enterprise and Employment Act 2015. | No | Pub | | | Rationale unclear |
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| C19 Sunday trading | | | | | |
| 100 Sunday trading. | No | No | Currently excepted from devolved powers regarding Local government I relation (subject 12). | | Rationale unclear |
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| C20 Pedlars and street trading | | | | | |
| 101 Pedlars and street trading. <i>Interpretation</i> "Pedlars" has the same meaning as in the Pedlars Act 1871. | No | No | A typical local government function. Not currently excepted from devolved powers. | | Rationale unclear |

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| “Street trading” has the same meaning as in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. | | | | | |
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| Head D—Energy | | | | | |
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| D1 Electricity | | | | | |
| 102 Generation, transmission, distribution and supply of electricity. | Yes – Head D1 | No | | Scottish reservation includes the subject-matter of Part II of the Electricity Act 1989, and excepts subject-matter of Part I of the Environmental Protection Act 1990 (which creates the waste management regime) | Reserved within Great Britain. Relates to economic union. |
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| D2 Oil and gas | | | | | |
| 103 Oil and gas, including— (a) the ownership of, exploration for and exploitation of deposits of oil and natural gas, (b) offshore installations and pipelines, (c) the subject-matter of the Pipe-lines Act 1962 | Yes – Head D2 | No | | Scottish reservation includes funding for exploration, application of Scots law to offshore activities and provisions of Food and Environment Protection Act 1985 relating to deposits in the sea | Reserved within Great Britain. Relates to economic union. |

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| <p>(including section 5 (deemed planning permission)) so far as relating to pipelines within the meaning of section 65 of that Act,</p> <p>(d) pollution relating to oil and gas exploration and exploitation, but only so far as the exploration or exploitation is seaward of relevant territorial waters,</p> <p>(e) licensing of marine activities so far as relating to oil and gas exploration and exploitation, but only in relation to activities carried out seaward of relevant territorial waters,</p> <p>(f) restrictions on navigation, fishing and other activities to ensure safe operation of offshore activities,</p> <p>(g) liquefaction and regasification of natural gas, and</p> <p>(h) the conveyance, shipping and supply of gas.</p> | | | | | |
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| <p><i>Exceptions</i> The granting and regulation of licences to search and bore for and get petroleum that, at the time of the grant of the licence, is within the Welsh onshore area, except for any consideration payable for such licences. Access to land for the purpose of searching or boring for or getting petroleum under such a licence.</p> | | | | <p>Scottish exceptions include air pollution (Part 1 Environmental Protection Act 1990, funding for oil-related developments, manufacture of gas and conveyance, shipping and supply of gas other than through pipes.</p> | |
| <p><i>Interpretation</i> “Petroleum” means petroleum within the meaning given by section 1 of the Petroleum Act 1998 in its natural state in strata. “Relevant territorial waters” means the waters which extend seaward for 3 miles from the baselines established by any Order in Council under section 1(1)(b) of the Territorial Sea Act 1987 ... The “Welsh onshore area” is the area of Wales that is within the baselines established by any Order in</p> | | | | | |

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| Council under section 1(1)(b) of the Territorial Sea Act 1987 (extension of territorial sea). | | | | | |
| D3 Coal | | | | | |
| 104 Coal, including— (a) the ownership and exploitation of coal, (b) deep and opencast coal mining, (c) subsidence relating to coal mining, and (d) water discharge from coal mines. | Mostly yes – Head D3 | No | | Scottish reservation does not include water discharge from coal mines. | Largely reserved within Great Britain. Relates to economic union. |
| <i>Exception</i> Land restoration. | | | | | |
| D4 Nuclear energy | | | | | |
| 105 Nuclear energy and nuclear installations, including— (a) nuclear safety, security and safeguards, and (b) liability for nuclear occurrences. | Yes – Head D4 | Yes – excepted | | | Reserved across United Kingdom. |
| 106 The Office for Nuclear Regulation. | Not expressly | Not expressly | | Office only established in 2014. | In practice reserved across United Kingdom. |

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| <i>Exception</i> Disposal of very low level radioactive waste moved from a site requiring a nuclear site licence. | | | | Scottish exception is broadly similar but more specific | |
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| D5 Energy conservation | | | | | |
| 107 Energy conservation. | Broadly; head D5 | No | | Scottish exception limited to subject-matter of the Energy Act 1976, other than section 9. | Largely reserved within Great Britain. |
| <i>Exception</i> The encouragement of energy efficiency otherwise than by prohibition or regulation. | | | | | |
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| Head E - Transport | | | | | |
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| E1 Road transport | | | | | |
| 108 Road freight transport services in the United Kingdom (including goods vehicles operator licensing). | Largely reserved for Scotland, though some changes proposed in Scotland bill. | Not reserved or excepted | | Scottish reservations are more specific and require fewer exceptions to be made. | Largely reserved within Great Britain. |
| 109 Regulation of the construction and equipment of motor vehicles and trailers, and regulation of the use of motor vehicles and trailers on roads. | | | | | |
| 110 Road traffic offences. | | | | | |

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| 111 Driver licensing (including training, testing and certification). | | | | | |
| 112 Driving instruction. | | | | | |
| 113 Insurance of motor vehicles. | | | | | |
| 114 Drivers' hours. | | | | | |
| 115 Traffic regulation, other than speed limits, on special roads. | | | | | |
| 116 Pedestrian crossings. | | | | | |
| 117 Traffic signs. | | | | | |
| 118 Exemptions from speed limits. | | | | | |
| 119 International road transport services for passengers or goods. | | | | | |
| 120 Public service vehicle operator licensing. | | No | | | |
| 121 Documents relating to vehicles and drivers for the purposes of travel abroad and vehicles brought temporarily into Wales by persons resident outside the United Kingdom. | | | | | |
| 122 Vehicle excise duty and vehicle registration. | No | Taxation an excepted matter | | | |

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| <p><i>Exceptions</i></p> <p>Regulation relating to trunk road charging schemes.</p> <p>Regulation relating to the descriptions of motor vehicles and trailers which may be used under arrangements for persons to travel to and from the places where they receive education or training, unless the regulation is the setting of technical standards for construction or equipment of motor vehicles or trailers which differ from the standards that would or might otherwise apply to them.</p> <p>Regulation of the carriage of animals in motor vehicles or trailers for the purposes of protecting human, animal or plant health, animal welfare or the environment.</p> <p>Taxi and private hire vehicle licensing.</p> <p>Private hire vehicle operator licensing.</p> <p>The placing and maintenance of traffic signs</p> | | | | | |
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| relating to trunk road charging schemes. | | | | | |
| <i>Interpretation</i> “Trunk road charging schemes” means schemes for imposing charges in respect of the use or keeping of vehicles on trunk roads in Wales. | | | | | |
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| E2 Rail transport | | | | | |
| 123 Railway services. | Largely – head E2 | No | | Scottish reservation is of ‘provision and regulation’ of railway services’. Scottish reservations also include ‘rail transport security’ | Largely reserved within Great Britain. |
| 124 Railway heritage. | Yes – head E2 | No | | Scottish reservation relates only to subject-matters of Railway Heritage Act 1996 | Largely reserved within Great Britain. |
| 125 The subject-matter of the Channel Tunnel Act 1987. | Yes – head E2 | No | | | Reserved within Great Britain. |

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| <p><i>Exception</i> Financial assistance so far as relating to railway services, but this exception does not apply in relation to— (a) financial assistance relating to the carriage of goods, (b) financial assistance made in connection with a railway administration order, or (c) financial assistance made in connection with Regulation (EC) No. 1370/2007 of the European Parliament and of the Council on public passenger transport services by rail and by road.</p> | <p>Broadly, yes – head E2`</p> | | | <p>Framing of Scottish exceptions in relation to grants regarding railway services are differently framed.</p> <p>Scottish exceptions include imposing requirements about strategies relating to the provision of rail services on Scottish public authorities, transfer of functions of passenger transport executives or passenger transport authorities, and promotion and construction of railways which start, end and remain in Scotland.</p> | |
| <p><i>Interpretation</i> “Railway services” has the meaning given by section 82 of the Railways Act 1993 (excluding the wider meaning of “railway” given by section 81(2) of that Act).</p> | | | | | |
| <p>E3 Marine and waterway transport</p> | | | | | |

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| 126 Navigational rights and freedoms. | Yes – Head E3 | Yes – reserved | | | Reserved across United Kingdom. |
| 127 Shipping and other marine and waterway transport, including the subject-matter of— (a) section 2 of the Protection of Wrecks Act 1973, (b) the Dangerous Vessels Act 1985, (c) section 23 of the Pilotage Act 1987, and (d) the Merchant Shipping Act 1995. | Broadly yes – Head E3 | Mostly yes – reserved | | Scottish reservation does not include Pilotage Act 1987 | Largely reserved across United Kingdom. |
| 128 Search and rescue and coastguard services. | Broadly yes – Head E3 | No | | Scottish reservation relates to Coastguard Act 1925 | Largely reserved within Great Britain. |
| 129 Reserved trust ports. | No | No | | | Relates to maintenance of single legal system of England and Wales. |
| 130 Safety standards in harbours. | No | Yes so far as relates to navigation | | ‘Regulation of works which may obstruct or endanger shipping’ expressly excepted from Scottish reservations | Appears to relate to maintenance of single legal system of England and Wales. |
| 131 Hovercraft. | Broadly yes – Head E3 | No | | Scottish reservation relates to Hovercraft Act 1968 | Reserved within Great Britain. |

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| 132 Insurance against war risks. | No | Yes so far as relates to financial services | | For Scotland – covered by reservation of financial services in Head A3? | Unclear why express reservation necessary given reservation of financial services under head A3 |
| <p><i>Exceptions</i> Financial assistance for shipping services to, from or within Wales. Regulation of the carriage of animals on vessels for the purposes of protecting human, animal or plant health, animal welfare or the environment. The reference to navigational rights and freedoms does not reserve the regulation of works which may obstruct or endanger navigation apart from works in relation to, or for constructing, reserved trust ports.</p> <p><i>Interpretation</i> “Reserved trust port” has the meaning given by section 14 of the Wales Act 2016.</p> | | | | | |
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| E4 Air transport | | | | | |
| 133 Aviation, air transport, airports and aerodromes. | Broadly, yes – head | Aviation (reserved) but not aerodromes | | | Relates to maintenance of |

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| | E4 | | | | single legal system of England and Wales. |
| 134 Insurance against war risks. | No | Yes so far as relates to financial services | | For Scotland – covered by reservation of financial services in Head A3? | Unclear why express reservation necessary given reservation of financial services under head A3 |
| <i>Exceptions</i> Financial assistance to providers or proposed providers of air transport services or airport facilities or services. Strategies by the Welsh Ministers or local or other public authorities about provision of air services. Regulation of the carriage of animals on aircraft for the purposes of protecting human, animal or plant health, animal welfare or the environment. | | | | Exceptions from comparable reservation for Scotland are wider and include power to provide aerodromes by Scottish ministers or local authorities as well to provide financial assistance, and power to make airport byelaws. | No apparent rationale for narrower framing of Welsh exceptions |
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| E5 Transport security | | | | | |
| 135 Transport security. | Yes | No save so far as covered by other reservations and exceptions | | Rail transport security, maritime security and aviation security are reserved for Scotland under heads E2, E3 and E4 respectively | Reserved within Great Britain. |

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| <i>Exception</i> Regulation of transport security relating to the carriage of adults who supervise persons travelling to and from the places where they receive education or training. | | | | | |
| E6 Other matters | | | | | |
| 136 Technical specifications for public passenger transport for disabled persons, including the subject-matter of— (a) section 125(7) and (8) of the Transport Act 1985 (Secretary of State’s guidance and consultation with the Disabled Persons Transport Advisory Committee), and (b) Part 12 of the Equality Act 2010 (disabled persons: transport). | Yes – head E5 | No | | | Reserved within Great Britain. |
| 137 Technical specifications for fuel or other energy sources or processes for use in road, rail, marine, waterway or air transport. | No | No | | | Unclear why reservation necessary given scope of other reservations. |
| 138 Carriage of dangerous goods (including transport of radioactive material). | Yes – head E5 | No | | Different definition of ‘radioactive material’ from that used for Scotland | Reserved within Great Britain. |

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| <p><i>Interpretation</i> “Radioactive material” means any material having a specific activity in excess of— (a) 0.1 kilobecquerels per kilogram, or (b) such other specific activity (not exceeding 70 kilobecquerels per kilogram) as may be specified in regulations made by the Secretary of State.</p> | | | | | |
| <p><i>Head F—Social Security, Child Support, Pensions and Compensation</i></p> | | | | | |
| <p>F1 Social security schemes</p> | | | | | |
| <p>139 Social security schemes supported from public funds.</p> | <p>Yes – head F1</p> | <p>No, subject to requirements for ‘parity’ with Great Britain, and not in relation to National Insurance, tax credits, child benefit or child trust funds (excepted matters)</p> | <p>Powers in relation to certain welfare benefits are to be devolved under Scotland bill.</p> | <p>Different drafting compared to Scotland.</p> | <p>Reserved within Great Britain. Relates to social union.</p> |

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| <p>140 Requiring persons to— (a) establish and administer social security schemes, (b) keep records and supply information in connection with social security schemes, (c) make payments to or in respect of social security schemes, or (d) keep records and supply information in connection with payments made to or in respect of social security schemes.</p> | <p>Yes – head F1.</p> | <p>No, subject to parity requirements and exceptions noted above</p> | | <p>Different drafting of record-keeping requirements</p> | <p>Reserved within Great Britain. Relates to social union.</p> |
| <p><i>Exceptions</i> The provision by a local authority of financial assistance to or in respect of an individual in respect of costs of meeting his or her needs for care or support that the authority would otherwise meet in some other way (for example, by providing accommodation, facilities or services).</p> | | | | | |

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| <p><i>Interpretation</i> “Social security schemes” means schemes providing financial assistance for social security purposes to or in respect of individuals, including, in particular, providing such assistance to or in respect of individuals— (a) who qualify by reason of old age, survivorship, disability, sickness, incapacity, injury, unemployment, maternity or the care of children or others needing care, (b) who qualify by reason of low income, or (c) in relation to their housing costs or liabilities for local taxes. “Payments to or in respect of social security schemes” includes national insurance contributions.</p> | | | | | |
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| F2 Child Support | | | | | |
| 141 Child support maintenance. | No | No | | Scottish reservation F2 expressly excludes ‘aliment’ | Relates to maintenance of single legal system of England and Wales, particularly as regards family law. |

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| 142 Collection and enforcement of— (a) periodical payments, other than child support maintenance, which are payable for the benefit of a child (“other maintenance”), and (b) periodical payments, other than child support maintenance or other maintenance, which are— (i) payable to or for the benefit of any person, and (ii) collected or enforced where child support maintenance or other maintenance is also collected. | Broadly, yes – head F2 | No | | Scottish reservation relates to ‘subject matter of Child Support Acts 1991 and 1995’. | Reserved within Great Britain. Relates to social union. |
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| F3 Occupational and personal pensions | | | | | |
| 143 Occupational and personal pensions. | Yes – head F3 | Yes – mostly excepted | | Different drafting compared to Scotland. | Reserved across United Kingdom. |

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| <p><i>Exception</i> Occupational and personal pension schemes for or in respect of— (a) Assembly members, the First Minister, Welsh Ministers appointed under section 48, the Counsel General and Deputy Welsh Ministers, and (b) members of local authorities, but pensions regulation in relation to such schemes is not excepted.</p> | | | | <p>Comparable to exceptions for Scotland, though Scottish exception extends to Scottish public authorities generally not jut local authorities</p> | <p>Unclear why Welsh exceptions should be narrower than Scottish ones.</p> |
| <p><i>Interpretation</i> “Occupational and personal pensions” includes pension protection. “Pension” includes gratuities and allowances. “Pensions regulation” means the regulation of occupational and personal pensions, including in respect of members, employers, trustees or managers.</p> | | | | | |
| <p>F4 Public sector compensation</p> | | | | | |
| <p>144 Schemes for the payment of compensation for or in respect of public sector workers in respect of— (a) incapacity or death as a result of injury or illness, (b) loss of office or employment, or</p> | <p>No</p> | <p>No</p> | <p>Not currently excepted from devolved powers in relation to Local government, Health and health services or Public</p> | | <p>Relates to clause 35 Enterprise bill. Involves removing powers the National Assembly presently has.</p> |

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| (c) loss or diminution of emoluments. | | | administration | | |
| 145 Regulation of amounts payable, or paid, to or in respect of public sector workers in consequence of leaving office or employment. | No | No | Not currently excepted from devolved powers in relation to Local government, Health and health services or Public administration | | Relates to clause 35 Enterprise bill. Involves removing powers the National Assembly presently has. |
| <i>Interpretation</i> “Compensation” includes pensions, grants, allowances, supplements and gratuities. “Public sector worker” means a person holding office or employed in the public sector. | | | | | |
| F5 Armed forces compensation | | | | | |
| 146 Schemes for the payment of compensation for or in respect of persons who have been injured, fallen ill or died in consequence of service as members of the naval, military or air forces of the Crown, including reserve forces. | Yes – head F4 | Yes – excepted | | Reservation drafted differently to Scottish reservation | Reserved across United Kingdom. |

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| 147 The subject-matter of any scheme under the Personal Injuries (Emergency Provisions) Act 1939, sections 3 to 5 and 7 of the Pensions (Navy Army, Air Force and Mercantile Marine) Act 1939 or section 1 of the Polish Resettlement Act 1947. | Yes – head F4 | No | | | Reserved across Great Britain. |
| <i>Interpretation</i> “Compensation” includes pensions, grants, allowances, supplements and gratuities. | | | | | |
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| <i>Head G - The Professions</i> | | | | | |
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| G1 Architects | | | | | |
| 148 Regulation of the profession of architect. | Yes – head G1 | No | | | Reserved across Great Britain. |
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| G2 Health Professions | | | | | |

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| 149 Regulation of— (a) the professions regulated by the following— the Medical Act 1983 the Dentists Act 1984 the Opticians Act 1989 the Osteopaths Act 1993 the Chiropractors Act 1994 the Nursing and Midwifery Order 2001 the Health and Social Work Professions Order 2001 the Pharmacy Order 2010, (b) any other profession concerned with the physical or mental health of individuals. | Broadly, yes – Head G2 | No | | Scottish reservation limited to specified statutes. Does not include ‘any other profession concerned with the physical or mental health of individuals’. | Unclear why Welsh reservation should be narrower than Scottish one. |
| <i>Exception</i> Regulation of the social work profession. | | | | | |
| G3 Auditors | | | | | |
| 150 Regulation of the profession of auditor. | Yes – head G3 | No | Currently subject of an exception (Public administration, subject 14). | | Reserved across Great Britain. |
| G4 Veterinary Surgeons | | | | | |
| 151 Regulation of the profession of veterinary surgeon. | Yes – head G1 | No | | Scottish reservation limited to Veterinary Surgeons Act 1966 | Reserved across Great Britain. |
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| G5 Recognition of professional qualifications and professional experience | | | | | |
| 152 Recognition of professional qualifications and professional experience of professionals obtained— (a) in a relevant European State, or (b) in a country which is not a relevant European State in the case of professionals who have professional experience in a relevant European State. | No | No | | | Relates to EU obligations. Unclear why reservation necessary given other reserved powers in relation to EU law. |
| 153 Professions regulated by bodies incorporated by Royal Charter but only in relation to enabling the recognition of the professional qualifications and professional experience of the members of those bodies in a relevant European State other than the United Kingdom. | No | No | | | Relates to EU obligations. Unclear why reservation necessary given other reserved powers in relation to EU law. |
| <i>Interpretation</i> “Relevant European State” means— (a) an EEA State, or (b) Switzerland. | | | | | |
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| Head H - Employment | | | | | |
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| H1 Employment and industrial | | | | | |

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| relations | | | | | |
| <p>154 Employment rights and duties and industrial relations, including the subject-matter of—</p> <p>(a) the Employers' Liability (Compulsory Insurance) Act 1969,</p> <p>(b) the Employment Agencies Act 1973,</p> <p>(c) the Pneumoconiosis etc (Workers' Compensation) Act 1979,</p> <p>(d) the Trade Union and Labour Relations (Consolidation) Act 1992,</p> <p>(e) the Employment Tribunals Act 1996,</p> <p>(f) the Employment Rights Act 1996,</p> <p>(g) the National Minimum Wage Act 1998,</p> <p>(h) the Working Time Regulations 1998 (S. I. 1998/1833),</p> <p>(i) the Employment Relations Act 1999,</p> <p>(j) the Transnational Information and Consultation of Employees Regulations 1999 (S. I. 1999/3323),</p> <p>(k) the Employment Act 2002,</p> <p>(l) the Gangmasters (Licensing) Act 2004,</p> <p>(m) the Employment Relations Act</p> | Broadly, yes – head H1 | No | | Welsh reservation includes a number of pieces of legislation enacted since 1999 | Largely reserved across UK. Relates to social union. |

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| <p>2004, (n) the Work and Families Act 2006, (o) the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S. I. 2006/246), (p) the Agency Workers Regulations 2010 (S. I. 2010/93), and (q) Part 2 of the Enterprise and Regulatory Reform Act 2013.</p> | | | | | |
| <p><i>Exception</i> The subject-matter of the Agricultural Sector (Wales) Act 2014.</p> | | | | <p>Comparable Scottish reservation relates to ‘Subject-matter of the Agricultural Wages (Scotland) Act 1949. Welsh legislation regulates a wider range of matters than the Scottish Act.</p> | |
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| H2 Industrial training boards | | | | | |
| 155 Industrial training boards. <i>Interpretation</i> “Industrial training board” has the meaning given by section 1(2) of the Industrial Training Act 1982. | No | No | Not covered by current reservations. Education and training a devolved subject. | | Rationale unclear. Involves removing powers the National Assembly presently has. |
| H3 Job search and support | | | | | |
| 156 Arrangements for assisting persons to select, train for, obtain and retain employment, and to obtain suitable employees. | No | No | So far as this reservation relates to operation of the Work Programme, to be devolved to Scotland through Scotland bill. | Comparable Scottish reservation relates only to Disabled Person (Employment) Act 1944 and some provisions of the Employment and Training Act 1973. | Rationale unclear. |
| <i>Exceptions</i> Education. Vocational, social and physical training. Careers services. | | | | | |

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| <i>Interpretation</i> “Disabled person” has the same meaning as it has in the Equality Act 2010 as at the day on which this Schedule comes into force. “Employment” includes— (a) work on a person’s own account, and (b) employment of a disabled person (including work on the disabled person’s own account) under special conditions. “Employees” includes partners and other business associates. | | | | | |
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| <i>Head J—Health, Safety and Medicines</i> | | | | | |
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| J1 Abortion | | | | | |
| 157 Abortion. | Yes - head J1 | No | To be devolved to Scotland through Scotland bill. | | |
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| J2 Xenotransplantation | | | | | |
| 158 Xenotransplantation. | Yes – head J2 | Yes – reserved | | | Reserved across United Kingdom. |
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| J3 Embryology, surrogacy and genetics | | | | | |
| 159 Human genetics, human fertilisation, human embryology, | Yes – head J3 | Yes – reserved | | Scottish reservations regarding fertilisation | Reserved across United Kingdom. |

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| surrogacy arrangements. | | | | and surrogacy relate to subject-matter of Human Fertilisation and Embryology Act 1990 and Surrogacy Arrangements Act 1985. | |
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| J4 Medicines, medical supplies, biological substances etc | | | | | |
| 160 Medicinal products, including manufacture, authorisations for use and regulation of prices. | Yes – head J4 | No | | Scottish reservation operates by reference to Medicines Act 1968 and other pre-1999 legislation. | Reserved across Great Britain. |
| 161 Regulation of prices of other medical supplies. | Yes – head J4 | No | | | Reserved across Great Britain. |
| 162 Standards for, and testing of, biological substances (that is, substances the purity or potency of which cannot be adequately tested by chemical means). | Yes – head J4 | | | | Reserved across Great Britain. |
| 163 Veterinary medicinal products, including manufacture, authorisations for use and regulation of prices. | Yes – Head J4 | No | | | Reserved across Great Britain. |
| 164 Specified feed additives. | No | No | Subject of specific exemptions in relation to Scotland and Northern Ireland | | Rationale unclear. |

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| <p>165 Animal feeding stuffs, in relation to— (a) the incorporation in them of veterinary medicinal products or specified feed additives; (b) matters arising in consequence of such incorporation.</p> | No | No | Subject of specific exemptions in relation to Scotland, except insofar as veterinary medicinal products, and Northern Ireland | | Rationale unclear. |
| <p>166 Vaccine damage payments.</p> | Yes – head F1 | Yes – reserved | | | Reserved across United Kingdom. |
| <p><i>Interpretation</i> “Medical supplies” has the same meaning as in section 260 of the National Health Service Act 2006. “Medicinal products” has the same meaning as in the Human Medicines Regulations 2012 (S.I. 2012/1916). “Specified feed additives” has the same meaning as in Schedule 5 to the Veterinary Medicines Regulations 2013 (S.I. 2013/2033). “Veterinary medicinal products” has the same meaning as in those Regulations.</p> | | | | | |

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| J5 Welfare foods | | | | | |
| 167 Schemes established by regulations under section 13 of the Social Security Act 1988 (benefits under schemes for improving nutrition: pregnant women, mothers and children). | Yes – head J5 | No | | | Reserved across Great Britain. |
| J6 Health and safety | | | | | |
| 168 The Health and Safety Executive. | Yes – head H2 | No | | | Reserved across Great Britain. |
| 169 The rest of the subject-matter of Part 1 of the Health and Safety at Work etc. Act 1974. | Yes – head H2 | No | | | Reserved across Great Britain. |
| 170 The employment medical advisory service. | Yes – head H2 | No | | | Reserved across Great Britain. |
| 171 Fire safety. | To limited extent through head H2 (Health and Safety). | No | For Scotland: limited to process fire precautions, fire precautions in relation to petroleum and petroleum spirit, ships and hovercraft, in mines and on offshore installations. Fire and rescue services a devolved subject | | Unclear why Welsh reservation is wider in scope than Scottish one. |

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| | | | under GWA06 | | |
| 172 Protection of the public from radiation. | Yes, through head D4 (nuclear safety) | Yes so far as relates to nuclear safety (excepted) | | | Reserved across United Kingdom. |
| <i>Exceptions</i> Provision of automatic fire suppression systems in newly constructed and newly converted residential premises. Promotion of fire safety otherwise than by prohibition or regulation. | | | | Automatic fire suppression systems in newly constructed or converted residential premises subject of an Assembly Measure | |
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| <i>Head K - Media, Culture and Sport</i> | | | | | |
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| K1 Media | | | | | |
| 173 Broadcasting and other media. | Broadly yes – head K1 | Only in relation to ‘programme services’ under Broadcasting Act 1990 | Scottish reservation limited to subject matter of Broadcasting Act 1990 and Broadcasting Act 1996 | | Reserved across Great Britain. |
| 174 The British Broadcasting Corporation. | Yes – head K1 | No | | | Reserved across Great Britain. |
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| K2 Public lending right | | | | | |

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| 175 Public lending right. | Yes – head K2 | No | | | Reserved across Great Britain. |
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| K3 Government Indemnity Scheme | | | | | |
| 176 Government indemnities for objects on loan. | Yes – head K3 | No | Scottish reservation limited to subject matter of sections 16 and 16A of National Heritage Act 1980 | | Reserved across Great Britain. |
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| K4 Property accepted in satisfaction of tax | | | | | |
| 177 Payments to Her Majesty’s Revenue and Customs in respect of property accepted in satisfaction of tax and the disposal of such property. | Yes – head K4 | No | Scottish reservation limited to subject matter of sections 8 and 9 of National Heritage Act 1980 | | Reserved across Great Britain. |
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| K5 Sports grounds | | | | | |
| 178 Safety of sports grounds. | No | No | | | No apparent rationale |
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| <i>Head L – Justice</i> | | | | | |
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| L1 The legal profession, legal services and claims management | | | | | |

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| services | | | | | |
| 179 The legal profession and legal services. | No | No (solicitors' profession specifically excepted from reservation of courts and legal system) | | | Relates to maintaining single legal system of England and Wales |
| 180 Claims management services. | No | No | | | Relates to maintaining single legal system of England and Wales |
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| L2 Legal aid | | | | | |
| 181 Legal aid. | No | In relation only to appeals to Supreme Court – reserved | | | Relates to maintaining single legal system of England and Wales |
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| L3 Coroners and inquiries | | | | | |
| 182 Coroners (including their appointment and remuneration). | No | Yes – reserved | Office does not exist in Scotland. | | Relates to maintaining single legal system of England and Wales |
| 183 The subject-matter of the Inquiries Act 2005. | Not expressly | Not expressly | Act extends across all UK, empowering devolved and UK ministers to establish inquiries. | | In practice, reserved across United Kingdom. |
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| L4 Arbitration | | | | | |
| 184 Arbitration. | No | No | | | Relates to |

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| L5 Mental capacity | | | | | |
| 185 The subject-matter of the Mental Capacity Act 2005. | No | No | | | Relates to maintaining single legal system of England and Wales |
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| L6 Personal data | | | | | |
| 186 Protection of personal data. | Yes – head B2 | Yes – reserved | | Scottish reservation limited to subject-matter of Data Protection Act 1998, and EU Council Directive 95/46/EC | Reserved across United Kingdom. |
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| L7 Information rights | | | | | |
| 187 Public access to information held by a public authority. | Yes – Head B13 | Yes – reserved | Exception corresponds to Scottish exception | | |
| <i>Exception</i> Public access to information held by— (a) the Assembly, (b) the Assembly Commission, (c) the Welsh Government, (d) any Welsh public authority, unless supplied by a Minister of the Crown or government | | | | | |

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| department and held in confidence. | | | | | |
| <i>Interpretation</i> “Public authority” and “held by a public authority”— (a) in relation to environmental information, have the same meanings as in the Environmental Information Regulations 2004 (S.I. 2004/3391); (b) otherwise, have the meanings given in section 3 of the Freedom of Information Act 2000. “Welsh public authority” has the meaning given in section 83 of that Act. | | | | | |
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| L8 Public sector information | | | | | |
| 188 The subject-matter of— (a) the INSPIRE Regulations 2009 (S.I. 2009/3157); (b) the Re-use of Public Sector Information Regulations 2015 (S.I. 2015/1415). | No | No | Regulations made under European Communities Act 1972 and apply across UK | | In practice, reserved across United Kingdom. |
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| L9 Public records | | | | | |
| 189 The subject-matter of the Public Records Act 1958. | No | No | | | No apparent rationale. May relate to maintaining single legal system of England and Wales. |

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| L10 Compensation for persons affected by crime and miscarriages of justice | | | | | |
| 190 Compensation for persons affected by crime. | No | Yes – reserved | | | Relates to maintaining single legal system of England and Wales |
| 191 Compensation for miscarriages of justice. | No | No | | | Relates to maintaining single legal system of England and Wales |
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| L11 Offender management | | | | | |
| 192 (1) The management of— (a) offenders, (b) persons who are not offenders but who— (i) are detained (on remand or otherwise) in a relevant institution, or (ii) are remanded to accommodation provided by or on behalf of a local authority. (2) Relevant institutions other than secure children’s homes. (3) Education and training for persons detained in relevant institutions other than secure children’s homes. | No | No | | | Relates to retaining single legal system of England and Wales and reservation of criminal justice. |

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| <p><i>Exception</i> Special educational provision for a person for whom a local authority in Wales maintains a statement of special educational needs.</p> | | | | | |
| <p><i>Interpretation</i> “Management of offenders” includes probation, escort arrangements and the youth justice system. “Offender” includes— (a) a person who is a restricted patient within the meaning given by section 79 of the Mental Health Act 1983, (b) a person who is subject to— (i) a hospital order with a restriction order, or (ii) a supervision order, other than one for the person to be under the supervision of a social worker, by virtue of section 5 of the Criminal Procedure (Insanity) Act 1964 or section 6 or 14 of the Criminal Appeal Act 1968. “Relevant institution” means— (a) a prison, (b) a young offender institution, (c) a secure training centre, (d) a secure college, (e) a secure children’s home,</p> | | | | | |

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| (f) any other institution for the detention of offenders. | | | | | |
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| L12 Family law | | | | | |
| 193 Family law. | No | No | | | Relates to maintaining single legal system of England and Wales |
| <i>Exception</i> Adoption agencies and their functions. | | | | | |
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| L13 Civil registration | | | | | |
| 194 Registration of births, adoptions, marriages, civil partnerships and deaths. | No | No | Currently excepted from devolved powers regarding Local government I relation (subject 12). | | Arguably relates to retaining single legal system of England and Wales, but rationale unclear. |
| 195 Registration of places of worship. | No | No | Not currently excepted from devolved powers. | | Rationale unclear. |
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| L14 Gender recognition | | | | | |
| 196 Gender recognition. | Unclear | No | For Scotland, arguably covered by reservations of matters relating to equalities | | |
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| Head M - Land and Agricultural Assets | | | | | |
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| M1 Registration of land and land charges | | | | | |
| 197 The subject-matter of— (a) the Land Charges Act 1972, (b) the Land Registration Act 2002, and (c) Part 1 of the Commonhold and Leasehold Reform Act 2002. | No | No | | | Relates to maintaining single legal system of England and Wales |
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| M2 Local land charges | | | | | |
| 198 Local land charges. <i>Exception Fees.</i> | No | No | Currently excepted from devolved powers regarding Local government I relation (subject 12), save as regards fees | | Arguably relates to retaining single legal system of England and Wales. |
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| M3 Registration of agricultural charges and debentures | | | | | |
| 199 The subject-matter of sections 9 and 14 of, and the Schedule to, the Agricultural Credits Act 1928. | No | No | Not currently excepted from devolved powers. | | Relates to retaining single legal system of England and Wales |
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| M4 Buildings and development | | | | | |

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| <p>200 The regulation of— (a) the design and construction of buildings, (b) the demolition of buildings, and (c) services, fittings and equipment provided in or in connection with buildings.</p> | No | No | Executive powers already devolved to Welsh ministers. | | Rationale for limiting devolved powers unclear |
| <p>201 National policy statements under the Planning Act 2008.</p> | No | No | Territorial scope is complex but mostly extends to all UK. Provisions are prospective. | | To large degree, reflects existing powers of UK Parliament and Government. |
| <p>202 The subject-matter of Parts 3 to 8 of the Planning Act 2008, so far as relating to— (a) development of a kind for which development consent would have been required under that Act on the commencement date if the development were to be carried out to any extent in Wales, and (b) development which would have been associated development under section 115 of that Act in relation to that kind of development on that date; and for this purpose “the commencement date” is the date on which section 3(1) of the Wales Act 2016 came</p> | No | No | Provisions currently apply to England and Wales | | Rationale unclear. |

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| into force. | | | | | |
| 203 Community Infrastructure Levy. | No | No | Only applies to England and Wales, for financing infrastructure from developers | | Rationale unclear |
| 204 Compulsory purchase of land. | No | No | | | Relates to retaining single legal system of England and Wales |
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| M5 University and college land | | | | | |
| 205 The subject-matter of the Universities and College Estates Acts 1925 and 1964. | No | No | Not excepted from current devolved powers. | | Rationale unclear. Involves removing powers the National Assembly presently has. |
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| <i>Head N - Miscellaneous</i> | | | | | |
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| N1 Equal opportunities | | | | | |

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| <p>206 Equal opportunities, including the subject-matter of the Equality Act 2006 and the Equality Act 2010.</p> | <p>Yes – head L2</p> | <p>No</p> | <p>Scottish reservation relates to pre-1999 legislation. Northern Ireland has a distinct and complicated regime under the Belfast Agreement for protection of equalities.</p> | | <p>Reserved across Great Britain. Relates to social union.</p> |
| <p><i>Exceptions</i> The encouragement (other than by prohibition or regulation) of equal opportunities, and in particular of the observance of the equal opportunity requirements. Imposing duties on any Welsh public authority to make arrangements with a view to securing that its functions are carried out with due regard to the need to meet the equal opportunity requirements. Imposing duties on any specified public authority to make arrangements with a view to securing that its devolved Welsh functions are carried out with due regard to the need to meet the equal opportunity requirements.</p> | | | <p>Exceptions parallel those for Scotland</p> | | |

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| <p>The subject-matter of Part 1 of the Equality Act 2010 (socio-economic inequalities).</p> | | | | | |
| <p><i>Interpretation</i> “Specified public authority” means a person (other than a Welsh public authority) who— (a) has any function that is exercisable only in relation to Wales and is a devolved Welsh function, and (b) is specified in an Order in Council made by Her Majesty under this Schedule. “Devolved Welsh function” means a function which relates to— (a) a matter in respect of which functions are exercisable by the Welsh Ministers or the Counsel General, or (b) a matter which is not reserved. “Equal opportunities” means the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of</p> | | | | | |

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| <p>disability, age, sexual orientation or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions, but not including language.</p> <p>“Equal opportunity requirements” means the requirements of the law for the time being relating to equal opportunities.</p> <p>“Welsh public authority” means a person whose functions—</p> <p>(a) are exercisable only in relation to Wales, and</p> <p>(b) are wholly or mainly devolved Welsh functions.</p> | | | | | |
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| N2 Control of weapons | | | | | |
| 207 Control of nuclear, biological and chemical weapons and other weapons of mass destruction. | Yes – head L3 | Yes – excepted | | | Reserved across United Kingdom. |
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| N3 Ordnance Survey | | | | | |
| 208 Ordnance Survey. | Yes – head L4 | No | | | Reserved across Great Britain. |
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| N4 Time | | | | | |
| 209 Timescales, time zones and the subject-matter of the Summer Time Act 1972. | Yes – head L5 | | | | Reserved across Great Britain. |
| 210 The calendar; units of time; | Yes – head | | | | Reserved across |

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| the date of Easter. | L5 | | | | Great Britain. |
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| N5 Outer space | | | | | |
| 211 Activities connected with outer space. | Yes – head L6 | Yes – excepted | | | Reserved across United Kingdom. |
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| N6 Antarctica | | | | | |
| 212 Activities connected with Antarctica. <i>Interpretation</i> “Antarctica” has the meaning given in section 1 of the Antarctic Act 1994 | Yes – head L7 | No | | | Reserved across Great Britain. |
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| N7 Deep sea bed mining | | | | | |
| 213 Activities for the purposes of deep sea bed mining operations. <i>Interpretation</i> “Deep sea bed mining operations” has the meaning given in section 17 of the Deep Sea Mining Act 1981 | No | No | Not excepted from current devolved powers. | | Rationale unclear. Arguably involves removing powers the National Assembly presently has. |
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| N8 Intercountry adoption | | | | | |
| 214 Intercountry adoption. | No | No | | | Arguably relates to retaining single legal system of England and Wales and shared body of family law. |
| 215 Functions of “the Central Authority” under the Hague Convention on Protection of | No | No | | | Arguably relates to retaining single legal system of England |

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| Children and Co-operation in respect of Intercountry Adoption. | | | | | and Wales and shared body of family law, and UK international obligations. |
| <i>Exception</i> Adoption agencies and their functions. | | | | | |
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| N9 The Children's Commissioner | | | | | |
| 216 The Children's Commissioner (established under the Children Act 2004). | No | No | Children's Commissioner has functions in relation to non-devolved functions in Wales | | |
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| N10 School teachers' pay and conditions | | | | | |
| 217 Remuneration and conditions of employment of school teachers. | No | No | | | Rationale unclear. |

Alan Trench
January 2016