

Baroness Thomas of Winchester  
Chair of the Delegated Powers and Regulatory Reform Committee  
House of Lords  
London  
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## REPORT ON TERRORISM PREVENTION AND INVESTIGATION MEASURES BILL

Thank you for the Delegated Powers and Regulatory Reform Committee's report of 14 October 2011 on (amongst other Bills) the Terrorism Prevention and Investigation Measures (TPIM) Bill. I am grateful for the Committee's confirmation that in the particular circumstances of the TPIM Bill, it does not consider the order-making power in clause 26 – which allows the Secretary of State to bring the Enhanced TPIM regime temporarily into force while Parliament is dissolved – to be inherently inappropriate.

I am writing to inform the Committee of two minor amendments to clause 26 that the Government has tabled for consideration during Lords Report Stage of the Bill:

- The deletion of clause 26(11)(a) of the Bill, which allows for the amendment of any enactment. On further consideration we have concluded that this particular subsection is not required to allow the Government to make the necessary provisions for the ETPIM regime, and that this element of the order-making power can therefore be removed.
- An amendment to clause 26 to make clear that the order-making power cannot make provision for matters that are devolved in Scotland (other than those already contained in the TPIM Bill) without the consent of the Scottish Government.

I am copying this letter to Lord Hunt of Kings Heath, and copies will be placed in the House library and on the Home Office website.

James Brokenshire MP