



Huw Irranca-Davies MS
Legislation, Justice and Constitution Committee
Welsh Parliament
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19 December 2022

Dear Huw,

Thank you for your letter of 9 December 2022 regarding the National Health Service (Charges to Overseas Visitors) (Amendment) (No. 4) (Wales) Regulations 2022.

The Welsh Government publishes most of its documents in Welsh under the requirements of the Welsh Language Standards ("the Standards"). It then prioritises a small number of documents for translation under the requirements of the Standards, to ensure that we prioritise the documents which will have the most impact on users. This includes Explanatory Memoranda accompanying Statutory Instruments. Under the requirements of Standard 47 we may consider the subject matter of the document, along with its anticipated audience in order to make the best use of our translation resource, in a reasonable and proportionate way.

The Welsh Language Commissioner's office has helpfully provided guidance in undertaking this process to decide whether a document is subject to Standard 47 in the Code of Practice for the Welsh Language Standards (No 1) Regulations 2015. The process is based on the following questions listed in the Code of Practice:

- Does the subject matter of the document relate to an issue relevant to a large number of persons?
- Does the subject matter of the document relate to an issue which impacts on, or is of importance to, a large number of persons?
- Does the subject matter of the document deal with issues relating to the Welsh language (e.g. Welsh medium education)?
- Does the subject matter of the document relate to an area of special interest in terms of the Welsh language (e.g. education / housing / health care / arts / economy)?
- Will the document be displayed publicly?

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- Is the subject matter of the document likely to be of general interest to Welsh speakers?
- Do you know if a large percentage or number of the anticipated audience speaks Welsh?
- Has more than one person asked for the document to be available in Welsh?
- Is the document likely to draw public interest and a public response (e.g. on social media)?
- Does the document require a response from persons?
- Does the target audience include persons (such as groups and organisations) for whom the Welsh language is an important consideration or who operate in Welsh?
- Is the target audience located in an area with a large percentage or number of Welsh speakers?

In considering this EM we also considered the precedence set by EMs accompanying three other amendments to these Regulations made in the past year that were not laid in Welsh. We also considered the fact that the people being affected by the amendments made to the Regs are not likely to speak Welsh (i.e. visitors from Malta and the Bailiwick of Guernsey making use of NHS services in Wales). Many documents produced by the Welsh Government for the attention of staff in Local Health Boards are produced in English only, as they are not documents produced for discussion with patients / service users and are often of specialist, technical nature and of interest to a very narrow audience within those organisations.

The Welsh Local Health Boards are regarded as a small target audience as these Regulations would be accessed by an extremely small number of people working in each of the seven Welsh Local Health Boards, specifically those leading on overseas visitors process and policy.

I trust this answers your query and provides assurance that we take a very reasonable and proportionate approach to allocating our translation resources in order to make the best use of those resources.

Yours sincerely,



Eluned Morgan AS/MS

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services