



Department for  
Science, Innovation  
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Rt Hon Mark Drakeford MS  
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Dear Mark,

I am writing to you about an update in devolution analysis on provisions in Part 2 of the Data Protection and Digital Information (DPDI) Bill.

Part 2 of the DPDI Bill regulates the provision of Digital Verification Services (DVS), which the UK Government maintains is reserved under the Internet Services reservation. As a result of updated devolution analysis I am seeking further agreement for two measures within Part 2.

The DVS provisions in this Bill aim to increase trust in and acceptance of digital identities across the UK to help make identity proofing easier, cheaper and more secure and to enable a trusted digital identity market to develop in the UK for those that choose to use it to prove things about themselves. To do this, the measures establish a framework of standards and governance for the provision of digital verification services in the UK.

Clause 74 of the Bill creates a permissive power for public authorities to share information with registered digital verification providers for the purpose of providing digital verification services. Clause 78(3) requires public authorities who decide to share information in reliance on the power in Clause 74 to have due regard to a Code of Practice.

The UK Government maintains that these functions are reserved, but in further consideration of the Welsh Devolution Guidance Note, which sets out that consent should also be sought when conferring or imposing reserved functions on a devolved Welsh authority, we have come to the view that it is appropriate to seek agreement to Clause 74 and Clause 78(3) - either through a Legislative Consent Motion or a statement made by the Welsh Ministers - noting that there is no procedure in the Senedd Standing Orders covering situations where a UK Parliament bill imposes reserved functions on devolved Welsh authorities. I hope you will be content to support this.

I would like to acknowledge and thank Welsh Government officials for their diligent work in engaging with those in DSIT on this matter already, and that officials are still in discussion on outstanding matters to resolve between our Departments on the DPDI Bill, including provisions in Part 2. I look forward to this collaboration continuing during the DPDI Bill's remaining stages and post Royal Assent during its implementation.

I look forward to continuing our work together on this vital legislation.

Julia Lopez MP  
Minister for Data and Digital Infrastructure

