

Vikki Howells AS/MS  
Y Gweinidog Addysg Bellach ac Uwch  
Minister for Further and Higher Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref: MA/LN/0616/25

Mike Hedges MS Chair,  
Legislation, Justice and Constitution Committee  
Senedd Cymru  
[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

10 March 2025

Dear Mike,

I am writing to notify you that I have provided my consent for the Recognition of Overseas Qualifications (Charges) (England and Wales and Northern Ireland) Regulations 2025 to apply to Wales.

I have laid a Written Statement which can be found at [Written Statement: The Recognition of Overseas Qualifications \(Charges\) \(England and Wales and Northern Ireland\) Regulations 2025 \(10 March 2025\) | GOV.WALES](#). Unfortunately, due to the extremely short timescale to progress the making of these regulations it has not been possible on this occasion to provide the Legislation, Justice and Constitution Committee with pre-consent notification, and I apologise that this is the case.

This instrument revokes and replaces the Recognition of Overseas Qualifications (Charges) Regulations 2024 (S.I. 2024/942). Whilst the earlier regulations extended and applied to the whole of the UK, following discussions with the devolved Governments in relation to the extent of reserved / devolved competence, the new instrument extends and applies only to England, Wales and Northern Ireland. At the time the earlier regulations were made it was considered by the Department for Education that the subject matter of the regulations was reserved as relating to both immigration (as its primary purpose) and education. The earlier regulations were shared with the devolved Governments in advance of being made on that basis, and no concerns were raised. However, as a result of subsequent detailed discussions between the Department for Education, the Scottish Government, Welsh Government and Northern Ireland Executive it has been concluded that the better view is that the regulations relate to the devolved matter of education.

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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.

The Secretary of State retains the power to make the regulations in a devolved subject area in respect of Wales and Northern Ireland. However, as a result of the operation of section 53 of the Scotland Act 1998 (and given the revised devolution analysis) the UK Government now consider that the better view is that the power to make the regulations with regards Scotland has been transferred to the Scottish Ministers. As a result, these regulations make provision for England, Wales and Northern Ireland only, and equivalent provision will be made for Scotland in regulations made by the Scottish Ministers which will come into force on the same date.

The Regulations were subject to the negative procedure and the SI was signed by the Minister of State (Minister for Skills), Department for Education on 4 March, laid before Parliament on 5 March and will come into force on 28 March.

Yours sincerely

A handwritten signature in black ink that reads "V. Howells". The signature is written in a cursive style with a long, sweeping underline.

**Vikki Howells AS/MS**

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