

Kirsty Williams AM
Cabinet Secretary for Education

15 June 2017

Dear Kirsty

The Education (Postgraduate Master's Degree Loans) (Wales) Regulations 2017

You will be aware we considered these Regulations at our meeting on 15 May and subsequently reported to the Assembly with two technical points under Standing Order 21.2.

We are grateful for the government response on these reporting points, which we considered at our meeting on 22 May.

We were satisfied with the explanation in relation to the first reporting point concerning human rights and equality,

However, as regards the second point in relation to eligible prisoners, we agreed that the Regulations, the Explanatory Note and the Explanatory Memorandum should be clearer on the main policies set out in the Regulations. In particular, a person must be able to read the explanatory material on its own and get a proper understanding of the main policies without having to refer to the Regulations themselves.

We accept that a person must turn to the Regulations for a full and detailed account of the law, but in this case there was genuine confusion around a significant policy area, namely the maximum loan amount an eligible prisoner can receive. It is only by reading the Regulations that it is possible to ascertain the caveat that applies to eligible prisoner loans.

I would be grateful therefore if you could ensure that explanatory material to subordinate legislation: is drafted consistently with the subordinate legislation; gives an accurate



summary of significant policy areas when read on its own; and keeps the lay person in mind.

I am copying this letter to the Jane Hutt AM, Leader of the House given the wider implications for the drafting of explanatory material.

Yours sincerely

Huw Irranca-Davies

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Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

