

Jane Hutt AS/MS
Ysgrifennydd y Cabinet dros Gyfiawnder Cymdeithasol, y
Trefnydd a'r Prif Chwip
Cabinet Secretary for Social Justice, Trefnydd and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-JH-0452-25 / JH/PO/174/25

Mike Hedges MS
Chair, Legislation, Justice and Constitution Committee

11 April 2025

Dear Mike,

Thank you for your letter of 20 March, seeking further information about our position in relation to clause 53 of the Border Security, Asylum and Immigration Bill LCM. I have also responded to a separate letter about this LCM from the Chairs of the Equality and Social Justice Committee and the Children, Young People and Education Committee.

Why are you not seeking consent for clause 53 of the Bill? Clause 53 contains a regulation making power for the Secretary of State to make consequential provision. These regulations may amend, repeal or revoke any enactment. Clause 53(3)(c) states that “enactment” includes an enactment contained in, or in an instrument made under, a Measure or Act of Senedd Cymru.

Clause 53 was not included in the LCM as it is a narrow power which is restricted to making required amendments to existing legislation as a direct consequence of the provisions of the Bill coming into force. This power will primarily be used in relation to reserved subject matters, as the majority of the Bill is outside legislative competence.

I hope this response assists the Committee in considering the LCM.

A handwritten signature in black ink that reads 'Jane Hutt'.

Jane Hutt AS/MS
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Cabinet Secretary for Social Justice, Trefnydd and Chief Whip