



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	The Education (Scotland) Act 2025 (Consequential Provisions and Modifications) Order 2025
DATE	29 October 2025
BY	Lynne Neagle MS, Cabinet Secretary for Education

The Secretary of State for Scotland, the Rt Hon Douglas Alexander MP, yesterday laid The Education (Scotland) Act 2025 (Consequential Provisions and Modifications) Order 2025 (the Order) before both House of Parliament. The Order is being made under section 104 of the Scotland Act 1998. Section 104 of the Scotland Act enables the Secretary of State to make amendments to legislation (both primary and secondary) outside of the Scottish Parliament's competence, in consequence of legislation made by the Scottish Parliament. The draft Order is required to be laid before both Houses of Parliament. This is similar to the mechanism provided for in section 150 of the Government of Wales Act 2007, which enables the Secretary of State to make consequential amendments to legislation outside the Senedd's competence arising from legislation made by the Senedd or the Welsh Ministers.

The Order will make provision in consequence of the Education (Scotland) Act 2025 (the 2025 Act). The Act will establish and confer functions on Qualifications Scotland, a new qualifications body to replace the Scottish Qualifications Authority (SQA) and establish and confer functions on His Majesty's Chief Inspector of Education in Scotland. A copy of the Order and its accompanying explanatory memorandum can be accessed at the following link:

<https://www.legislation.gov.uk/ukdsi/2025/9780348276053/contents>

The Order will do three things:

First, it will make provision relating to such functions of Qualifications Scotland that may be exercised otherwise than in or as regards Scotland, and repeals the connected functions of the SQA.

Second, it makes limited amendments to primary legislation, and numerous amendments to secondary legislation, in reserved areas and in the law of England, Wales and Northern

Ireland. These amendments are largely updates to statutory references designed to ensure that existing law which refers to the SQA will refer to Qualifications Scotland.

Third, the Order will provide that the Chief Inspector is to be treated as a non-ministerial officeholder in the Scottish Administration to support the delivery model for the new education inspectorate in Scotland.

Further detail on the Order is outlined in the explanatory memorandum.

We have been working closely with the UK Government, the Scottish Government, and the Northern Ireland Executive on the development of the Order. The Order will amend a number of Welsh statutory instruments to update statutory references and ensure they reflect the changes to Scottish law. This will include amendments to Welsh language versions of the relevant legislation. We are satisfied the amendments are consequential and necessary.