



From: The Minister

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Jenny Gilruth MSP
Cabinet Secretary for Education and Skills
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

Via email: scottish.ministers@gov.scot

Dear Jenny,

**PROPOSED SECTION 104 ORDER AS A CONSEQUENCE OF THE
INTRODUCTION OF THE EDUCATION (SCOTLAND) BILL**

I refer to your letter dated 10 October 2024 seeking agreement, in principle, to an Order being taken forward under section 104 of the Scotland Act 1998 because of the introduction of the Education (Scotland) Bill.

I note the intention of the Scottish Government to establish a new qualifications body, known as Qualifications Scotland, and to establish the office of His Majesty's Chief Inspector of Education in Scotland.

I understand that this proposed Order will constitute a legislative vehicle for the Department for Work and Pensions to implement necessary consequential amendments, including in relation to Northern Ireland child maintenance and social security legislation.



I note that there will potentially be some legislative amendments to subordinate legislation under the remit of the Department for Communities. In particular, the amendments will substitute references to “Scottish Qualifications Authority with “Qualifications Scotland” to reflect changes being made by the Scottish Government to the education qualifications body. My departmental officials have indicated that there are a relatively small number of Northern Ireland regulations that will require the appropriate amendment.

I am happy to confirm that I am content to agree in principle to this Order being taken forward. Officials from my Department will continue to work with your officials and officials in the Department for Work and Pensions in relation to Northern Ireland elements that are identified as the Order progresses.

I am copying this letter to Bridget Phillipson MP, Secretary of State for Education, Ian Murray MP, Secretary of State for Scotland, Lynne Neagle MS, Cabinet Secretary for Education, Welsh Government and the Convener of the Scottish Parliament’s Education, Children and Young People Committee.

Yours sincerely,

Gordon Lyons MLA
Minister for Communities