



Department for
Science, Innovation
& Technology

Rt Hon Peter Kyle
Secretary of State for Science,
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London SW1A 2BQ

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Chi Onwurah MP
Chair of the DSIT Select Committee
Houses of Parliament
SW1A 0AA

19 June 2025

Dear Chi,

Royal Assent of the Data (Use and Access) Act 2025 - Consent from Devolved Legislatures

Firstly, I want to offer my warm congratulations on your recent and well deserved Damehood in the King's Birthday Honours for your distinguished career of political and public service.

However, this letter is about another matter. As you know, the Data (Use and Access) Act received Royal Assent today. The Act will bring huge benefits to people across the UK, and to do this, it makes provision in certain areas which are devolved. These are elements of the Smart Data clauses in Part 1 of the Act; certain clauses establishing the National Underground Asset Register in Part 3 of the Act; and the clause in Part 7 of the Act amending the data sharing gateway in section 35 of the Digital Economy Act 2017. The full details are set out in our explanatory notes to the Act, which are currently being updated for Royal Assent.

My ministers and officials have engaged closely with our counterparts in each of the devolved governments in Wales, Scotland and Northern Ireland as the Act was developed and passed through the UK Parliament. I am pleased this process resulted in both the Senedd Cymru and Scottish Parliament passing legislative consent motions ahead of today.

Unfortunately, it has not been possible for the Northern Ireland Assembly to do the same ahead of Royal Assent. The process has regrettably timed out, despite the best efforts of both the UK Government and the Northern Ireland Executive.

In this instance, the UK Government has only legislated without consent based on assurances from the Executive that there were no policy concerns with any of the transferred matters, and that it had recommended the Assembly provide its consent to the Act - as set out in the [draft legislative consent memorandum](#) laid before the Assembly.

It is important that the provisions apply in Northern Ireland so that the benefits can be felt by the people of Northern Ireland, and so that the legislation is clear. It would not be right if, simply because of a process issue, the people of Northern Ireland could not benefit from smart data schemes like Open Banking and those schemes had to operate differently in different parts of the UK. Similarly, it would not be right if roadworks in Northern Ireland were not made safer and more efficient by NUAR; nor if public service delivery was not improved by the amendment to the Digital Economy Act.

Accordingly, the UK Parliament has legislated in these areas without the consent of the Northern Ireland Assembly.

I want to express my regret that this was necessary, and reassure you of the Government's commitment to upholding the Sewel Convention.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Peter J. Kyle', with a stylized flourish at the end.

Rt Hon Peter Kyle
Secretary of State for Science, Innovation and Technology