

**Rebecca Evans AS/MS**  
**Y Gweinidog Cyllid a Llywodraeth Leol**  
**Minister for Finance and Local Government**



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref

Mark Isherwood MS  
Chair, Public Accounts and Public Administration Committee

21 December 2022

Dear Mark,

Thank you for the report on the Welsh Government's Legislative Consent Memoranda (LCM) on the Procurement Bill.

Following my letter of 2 December, I have now fully considered the five recommendations in the report, and I am pleased to provide my response to each of them below.

**Recommendation 1.** The Senedd's consent should also be sought for clauses 114 and 116, and any future memoranda in respect of the Bill should identify them accordingly.

[My response has already been provided in my letter of 2 December.](#)

**Recommendation 2.** We recommend that the Minister for Finance and Local Government provide the Public Accounts and Public Administration Committee with a timeframe for introducing and implementing secondary legislation, including regulations, which will contain the details of how procurement rules will operate.

[It is important that the timetable for introducing the Welsh legislation mirrors the UK Government's timetable as closely as possible to ensure there is minimal impact on buyers and suppliers.](#)

[The UK Government have set an ambitious timetable for introducing and implementing secondary legislation. Based on their current anticipated timetable, the UK Government expect to lay their main Statutory Instrument in late 2023 and have indicated their intention to provide a six-month period before commencement in 2024 for stakeholders to prepare for transition and implementation. The Cabinet Office has however advised my officials that they are reviewing this timetable so it may be subject to change.](#)

[As referenced above, it is important that the introduction and implementation of the Welsh secondary legislation be aligned with, and to the same timetable as, the UK Government's.](#)

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Officials from both Governments are working closely together to ensure consistency of approach in any timetable changes for laying the Statutory Instruments.

**Recommendation 3.** We recommend the Minister for Finance and Local Government provide the Public Accounts and Public Administration Committee with an update in 12 months' time on the progress of the UK Government's Procurement Bill and its implementation within Wales.

Accepted.

**Recommendation 4.** We recommend the Minister for Finance and Local Government provides an update on the development of the project plan for secondary legislation that is necessary to put detail in place ahead of the Bill coming into force, the discussions with Cabinet Office to ensure a consistent approach and the timeframes for the secondary legislation.

My officials are continuing to develop and refine a flexible project plan for the secondary legislation, which enables them to adapt and respond to shifting priorities whilst remaining focused on the project's key milestones.

There are regular ongoing discussions with the Cabinet Office to ensure there is a consistent approach taken with the secondary legislation, which is important for both buyers and suppliers.

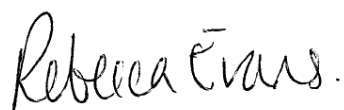
My response to recommendation 2 provides information on the timeframes for the secondary legislation.

**Recommendation 5.** We recommend the Minister for Finance and Local Government provide us with an update on discussions between the Welsh Government and the UK Government on bringing forward amendments to clause 110(10) to make regulations made by the Welsh Ministers under clause 70 subject to the affirmative procedure.

A government amendment has been agreed at the House of Lords Report Stage to require that regulations made by the Welsh Ministers under clause 70 (contract change notices and publication of modifications) will be subject to the affirmative procedure. An amendment has thereby been made to clause 110 (10) of the Bill as introduced (clause 118(10) of the Bill as amended on Report)

I trust the responses provided are helpful. Please do not hesitate to contact me if you need anything further.

Yours sincerely,



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