

**Eluned Morgan AS/MS**  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Russell George MS  
Chair, Health and Social Care Committee

Huw Irranca-Davies MS  
Chair, Legislation, Justice and Constitution Committee

Peredur Owen Griffiths MS  
Chair, Finance Committee

2 October 2023

Dear Russell, Huw & Peredur,

**The Health Service Procurement (Wales) Bill – Stage 3 Government Amendments**

Today I have tabled 6 Government Amendments for Stage 3 of the Health Service Procurement (Wales) Bill. The Purpose and Effect table (copy attached at **Annex A**) provides an explanation of the amendments.

I would like to take the opportunity again to reiterate my thanks to all three Committees for scrutinising the Bill and its supporting documentation.

Yours sincerely,

**Eluned Morgan AS/MS**  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

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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.

## ANNEX A

### THE HEALTH SERVICE PROCUREMENT (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Eluned Morgan MS on 29 September 2023.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
7.	Section 2, page 1, line 15, leave out '116' and insert '120'.	Adran 2, tudalen 1, llinell 16, hepgorer '116' a mewnosoder '120'.	<p>This is a technical amendment to update; following numerical changes to the UK Government's Procurement Bill during its scrutiny process; the numbering of the section within the Procurement Bill which contains the power for a Minister of the Crown to disapply provisions within that Bill in relation to regulated health procurement. This is the equivalent power to that for the Welsh Ministers by virtue of section 2(2) of the Health Service Procurement (Wales) Bill.</p> <p>The effect of this amendment is to ensure the new section (120A, as amended) being inserted by virtue of section 2(2) of the Health Service Procurement (Wales) Bill, which contains the power for the Welsh Ministers to disapply provisions in the Procurement Bill in relation to regulated health service procurement in Wales, will directly follow the equivalent power for a Minister of the Crown. This will ensure clarity for readers of both the Health Service Procurement (Wales) Bill and the Procurement Bill.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
8.	Section 2, page 1, line 16, leave out '116A' and insert '120A'.	Adran 2, tudalen 1, llinell 17, hepgorer '116A' a mewnosoder '120A'.	Consequential to amendment 7.
9.	Section 2, page 1, line 28, leave out '118(10) and insert '122(10)'.	Adran 2, tudalen 1, llinell 29, hepgorer '118(10)' a mewnosoder '122(10)'.	<p>This is a technical amendment to update the numbering of a new paragraph being inserted into the UK Government's Procurement Bill by virtue of section 2(3) of the Health Service Procurement (Wales) Bill, following numerical changes to the Procurement Bill during its scrutiny process.</p> <p>The effect of this amendment is to ensure any regulations made by the Welsh Ministers using the power in the Procurement Bill (by virtue of section 120A, as amended), are subject to the affirmative procedure and as such may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.</p>
10.	Section 2, page 1, line 28, leave out '(l)' and insert '(o)'.	Adran 2, tudalen 1, llinell 29, hepgorer '(l)' a mewnosoder '(o)'.	Consequential to amendment 9.
11.	Section 2, page 1, line 29, leave out '(la)' and insert '(oa)'.	Adran 2, tudalen 1, llinell 30, hepgorer '(la)' a mewnosoder '(oa)'.	Consequential to amendment 9.
12.	Section 2, page 1, line 29, leave out '116A' and insert '120A'.	Adran 2, tudalen 1, llinell 30, hepgorer '116A' a mewnosoder '120A'.	Consequential to amendment 7.