

Eluned Morgan MS  
Minister for Health and Social Services

31 January 2024

Dear Eluned,

**The National Health Service (General Medical Services Contracts) (Wales) (Amendment) Regulations 2023**

At our meeting on 22 January 2024, we considered the National Health Service (General Medical Services Contracts) (Wales) (Amendment) Regulations 2023 (the amendment Regulations).

You will be aware that we considered the National Health Service (General Medical Services Contracts) Regulations 2023 ("the Principal Regulations") on 25 September 2023. The amendment Regulations have been made to correct errors of a technical nature which we identified in our report on the Principal Regulations.

Our report on the amendment Regulations contained eight technical and two merits reporting points; seven of the technical reporting points again highlight issues where we consider that the drafting appears to be defective or it fails to fulfil statutory requirements. In addition, reporting point 9 (the first of our merits points) highlights that two issues we raised in our report on the Principal Regulations have not been rectified in the amendment Regulations and therefore the errors remain in law.

At our meeting on 29 January 2024, we considered the Welsh Government response to our report on the amendment Regulations.

In response to four of the reporting points, we have been told that the Welsh Government will further amend the Principal Regulations "when the opportunity arises". You may appreciate my Committee's concern that this is a less than ideal situation, given that these amending Regulations were needed to correct errors in the Principal Regulations, and now further amending regulations are needed before the law will be clear.

Furthermore, in response to two of our reporting points, we have been told that the Welsh Government is liaising with the SI Registrar about the possibility of resolving the issues via a correction slip.

Given that we have previously been advised by the Counsel General that correction slips would be used to address errors that are small scale and/or obvious and where the text and location of the corrections would be equally small scale and obvious , we would welcome clarification on how the issues identified in reporting points 1 and 9 may satisfy this criteria.

I would be grateful if you would write to my Committee and provide an update on the discussions held with the SI Registrar, while also confirming which issues identified in our report on the amendment Regulations will be addressed via correction slip and which will need to wait for the further amending regulations to be made.

I would be grateful to receive a response by Wednesday 14 February 2024.

Yours sincerely,

A handwritten signature in black ink that reads "Huw Irranca-Davies". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Huw Irranca-Davies  
Chair