



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Public Procurement (Agreement on Government Procurement) (Amendment) Regulations 2023**

DATE **8 November 2023**

BY **Rebecca Evans MS, Minister for Finance and Local Government**

The Legislation which is being amended:

The Public Contracts Regulations 2015 (PCR 2015)

The Concession Contracts Regulations 2016 (CCR 2016)

The Utilities Contracts Regulations 2016 (UCR 2016)

Any impact the SI may have on the Senedd's legislative competence and/or the Welsh Ministers' executive competence.

This SI contains provisions that enable functions to be exercised by the Minister for the Cabinet Office, some of which require the prior consent of the Welsh Ministers in relation to Devolved Welsh Authorities.

These functions would constitute functions of either a Minister of the Crown or public authority (Cabinet Office) for the purposes Schedule 7B of the Government of Wales Act 2006, and this therefore will be a relevant consideration in the context of the Senedd's competence to legislate in these areas in the future.

The purpose of the amendments

The purpose of the amendments is to reflect the Republic of North Macedonia accession to the World Trade Organisation's Agreement on Government Procurement (GPA) on 7 November 2023.

The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here:

<https://www.legislation.gov.uk/uksi/2023/1169/contents/made>

Matters of special interest to the Legislation, Justice and Constitution Committee

None identified.

Why consent was given

There is no divergence between the Welsh Government and the UK Government on the policy for the correction. Therefore, making separate SIs in Wales and England would lead to duplication, and unnecessary complication of the statute book. In these exceptional circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.