

Rebecca Evans MS

Cabinet Secretary for Finance, Constitution and Cabinet Office

16 July 2024

Dear Rebecca

The Procurement (Wales) Regulations 2024

Further to my [letter](#) to you on 1 July 2024 in relation to the [Procurement \(Wales\) Regulations 2024](#), I would like to acknowledge your contribution to the [Plenary debate](#) on the Regulations which took place on 2 July 2024.

During our [meeting](#) on Monday 8 July 2024, the Committee noted the statements you made as part of the Plenary debate. In particular, we noted that you expanded on comments previously expressed (in your [letter](#) to us on 27 June 2024) that the issue we have raised regarding the list of central Government bodies listed in Schedule 2 to the Regulations "is both technically and historically complex, and it's linked to our international obligations". You told the Senedd that "Whilst the Welsh Government has the powers to pass laws relating to the observation and implementation of international obligations, it's the UK Government that is responsible for agreeing trade deals for the whole of the United Kingdom, and, historically, this has meant that we've been unable to amend names such as those listed in Schedule 2, as we've lacked the powers to do so."

The Committee's consideration of the Regulations, including the responses we have received from you, has highlighted matters which are novel to us. We have some concerns that the making of these Regulations has brought to light potential wider issues with the Welsh Government's powers to observe and implement international obligations.

The Committee agreed to write to you again, to seek further clarity on a number of matters. Our purpose in doing so is to better understand the complexities of which you have spoken.



You have acknowledged that the Welsh Government and the Senedd have the powers to observe and implement international obligations. As such:

1. Can you clarify which specific international obligations the Welsh Government considers applies to this situation.
2. Can you confirm which international obligations the Welsh Government considers might be breached if the Welsh Government reflects the correct names of the bodies in the Regulations.
3. What specific restriction is there on the Welsh Ministers using their current powers to reflect the correct names of the bodies referenced in the Regulations?
4. Can you clarify the link between: (a) the UK Government being responsible for concluding trade agreements for the UK, and (b) the Welsh Government not having the power to reflect the correct names of bodies in Welsh Legislation.
5. Can you confirm whether the Welsh Government considers that its powers to implement and observe international obligations are not sufficient enough to reflect a name change of central Government bodies.

I would be grateful to receive a response to these further questions by 31 August 2024.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges
Chair