SL(6)679 – [The Procurement Act 2023 (Specified International Agreements) (Amendment) (Wales) Regulations 2025](#)

Background and Purpose

Schedule 9 to the Procurement Act 2023 lists international agreements to which the UK is a party and which contain procurement obligations to which effect must be given in the UK.

These Regulations (alongside the UK Government's the Procurement Act 2023 (Specified International Agreements and Saving Provision) (Amendment) Regulations 2025) amend Schedule 9 to the 2023 Act to reflect the procurement chapters of the international agreements entered between the UK and the Republic of Iraq and the Republic of Kazakhstan. These include requirements that suppliers from those countries receive equal treatment to domestic suppliers when bidding for contracts which are covered by the agreements.

Procedure

Draft Affirmative

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following one point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. **Standing Order 21.2(vi) - that its drafting appears to be defective or it fails to fulfil statutory requirements.**

In regulation 4(3)(d), there is no reference to an interpretation or definition provision for the term "below-threshold contract". We note that this is a defined term in section 5(5) of the Procurement Act 2023 but the Legislation (Wales) Act 2019 does not contain a provision which provides that expressions used in subordinate legislation have the same meaning which they bear in the parent Act.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Senedd Cymru
Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
—
Welsh Parliament
Legislation, Justice and Constitution Committee

Committee Consideration

The Committee considered the instrument at its meeting on 1 December 2025 and reports to the Senedd in line with the reporting point above.