

*Draft Regulations laid before Senedd Cymru under section 122(10)(i) of the Procurement Act 2023, for approval by resolution of Senedd Cymru.*

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DRAFT WELSH STATUTORY  
INSTRUMENTS

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**2025 No. (W.)**

**PUBLIC PROCUREMENT,  
WALES**

**The Procurement Act 2023  
(Specified International  
Agreements) (Amendment) (Wales)  
Regulations 2025**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make amendments to Schedule 9 (treaty state suppliers (specified international agreements)) to the Procurement Act 2023 (“the 2023 Act”) in order to implement the procurement chapters of two international agreements entered into by the United Kingdom. These agreements are the Agreement on Partnership and Cooperation between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Iraq signed at London on 14 January 2025 and the Strategic Partnership and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Kazakhstan signed at Astana on 24 April 2024.

The United Kingdom’s trading relationship with the Republic of Iraq was previously governed by the Partnership and Cooperation Agreement between the European Union and Iraq (“The EU-Iraq PCA”). The United Kingdom’s trading relationship with the Republic of Kazakhstan was previously governed by the Enhanced Participation and Cooperation Agreement (“EPCA”) between the European Union and the Republic of Kazakhstan. The EU-Iraq PCA and the EPCA between the European Union and the Republic of Kazakhstan ceased to apply to the United Kingdom upon the United Kingdom’s exit from the European Union.

Schedule 9 to the 2023 Act lists international agreements to which the United Kingdom is a party and which contain procurement obligations to which effect must be given in the United Kingdom. Regulation 3 of these Regulations amends Schedule 9 to the 2023 Act to reflect the agreements with the Republic of Iraq and the Republic of Kazakhstan entered into by the United Kingdom.

Regulation 4 of these Regulations makes provision for transitional arrangements, so that these Regulations will not affect any procurement under the 2023 Act which relates to the agreements with the Republic of Iraq and the Republic of Kazakhstan entered into by the United Kingdom, where the procurement has commenced before the day on which the relevant agreement enters into force.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from The Commercial and Procurement Directorate, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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*Made*

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*Coming into force*

*31 December 2025*

The Welsh Ministers<sup>(1)</sup> make the following Regulations in exercise of the powers conferred on them by sections 89(3)(a) and 122(3)(b) and (d) of the Procurement Act 2023<sup>(2)</sup>.

In accordance with section 122(10)(i) of that Act, a draft of these Regulations has been laid before, and approved by a resolution of, Senedd Cymru.

**Title and coming into force**

**1.**—(1) The title of these Regulations is the Procurement Act 2023 (Specified International Agreements) (Amendment) (Wales) Regulations 2025.

(2) These Regulations come into force on 31 December 2025.

**Interpretation**

**2.** In these Regulations—

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- (1) The Welsh Ministers are the “appropriate authority” as defined in section 123(1) of the Procurement Act 2023, subject to the restrictions set out in section 111(1) of that Act.
- (2) 2023 c. 54.

“the 2023 Act” (“*Deddf 2023*”) means the Procurement Act 2023;

“contracting authority” (“*awdurdod contractio*”) has the meaning given by section 2(1) of the 2023 Act.

### Amendments to Schedule 9 to the 2023 Act

3.—(1) Schedule 9 to the Procurement Act 2023<sup>(1)</sup> (treaty state suppliers (specified international agreements)) is amended as follows.

(2) Omit paragraph B1 and the italic headings before and after it.

(3) In paragraph 26 for “In any case other than a procurement regulated by the Welsh Ministers, the” substitute “The”.

(4) In paragraph 27 for “In any case other than a procurement regulated by the Welsh Ministers, the” substitute “The”.

### Transitional provisions

4.—(1) In this regulation—

“relevant agreement” (“*cytundeb perthnasol*”) means, as the case may be, the UK-Iraq PCA or the UK-Kazakhstan SPCA;

“the UK-Iraq PCA” (“*CBCCh y DU ac Irac*”) means the Agreement on Partnership and Cooperation between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Iraq signed at London on 14 January 2025;

“the UK-Kazakhstan SPCA” (“*CPCChS y DU a Kazakhstan*”) means the Strategic Partnership and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Kazakhstan signed at Astana on 24 April 2024.

(2) A reference to the relevant agreement entering into force means, in respect of—

- (a) the UK-Kazakhstan SPCA, when Chapter 8 (Government Procurement) of Title III (Trade and Business) starts to apply in accordance with article 136<sup>(2)</sup>, or

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(1) As amended by S.I. 2025/163, S.I. 2025/181 (W. 38), and S.I. 2025/XXX.

(2) See also article 271 which sets out when the agreement enters into force (notwithstanding Chapter 8). A digital copy of the agreement was published in the Country Series Collection (Kazakhstan No. 1/2025, CP 1365), available on <https://www.gov.uk/government/collections/command-papers-by-country-2013>.

- (b) the UK-Iraq PCA, when that agreement enters into force in accordance with article 115(1).

(3) The amendments made by regulation 3 do not affect any procurement commenced before the day on which the relevant agreement enters into force if before that day—

- (a) a tender notice has been published in accordance with section 21(1) of the 2023 Act (tender notices and associated tender documents),
- (b) a transparency notice has been published in accordance with section 44(1) of the 2023 Act (transparency notices),
- (c) a below-threshold tender notice has been published in accordance with section 87(1)(2) of the 2023 Act (regulated below-threshold contracts: notices), or
- (d) in respect of a below-threshold contract to which sub-paragraph (c) does not apply, a contracting authority has contacted a supplier in order to commence the award of that contract.

*Name*

The Cabinet Secretary for Finance and Welsh  
Language, one of the Welsh Ministers

*Date*

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- (1) A digital copy of the agreement was published in the Country Series Collection (Iraq No. 1/2025, CP 1356), available on <https://www.gov.uk/government/collections/command-papers-by-country-2013>.
  - (2) Section 87 was amended by S.I. 2024/782 and S.I. 2024/959.