
WELSH STATUTORY INSTRUMENTS

2024 No. 782

The Procurement (Wales) Regulations 2024

PART 4

Consequential amendments

Amendments to the Social Partnership and Public Procurement (Wales) Act 2023

46.—(1) The Social Partnership and Public Procurement (Wales) Act 2023(1) is amended as follows.

(2) In section 25 (socially responsible procurement duty: major construction contracts), in subsection (2), for “with” to the end substitute—

“that is a works contract with an estimated value equal to or greater than £2,000,000.”

(3) In section 45 (interpretation of Part 3), in subsection (1)—

(a) omit the definitions of—

- (i) “the Concession Contracts Regulations”,
- (ii) “the Public Contracts Regulations”,
- (iii) “public works contract”,
- (iv) “the Utilities Contracts Regulations”, and
- (v) “works concession contract”;

(b) in the definition of “works” (“*gweithiau*”), for “paragraph 2 of regulation 2(1) of the Public Contracts Regulations” substitute “regulation 45 of and Schedule 3 to the Procurement (Wales) Regulations 2024(2)”;

(c) in the definition of “works contract” (“*contract gweithiau*”), for “regulation 2(1) of the Utilities Contracts Regulations” substitute “paragraph 4 of Schedule 1 to the Procurement Act 2023 (c. 54)”.

(4) In section 45 (interpretation of Part 3), in subsection (2), for “regulation 6(1) of the Public Contracts Regulations” substitute “section 4 of the Procurement Act 2023”.

Amendments to the 2023 Act

47.—(1) The 2023 Act is amended as follows.

(2) In section 17 (preliminary market engagement notices), in subsection (3) omit the following words “other than to a private utility which is a devolved Welsh authority that is not carrying out procurement under a reserved procurement arrangement or a transferred Northern Ireland procurement arrangement.”.

(3) In section 87 (regulated below-threshold contracts: notices), for subsection (4)(a) substitute—

(1) 2023 asc 1.

(2) S.I. 2024/782 (W. 121).

- “(a) in the case of a contract to be awarded by—
- (i) a central government authority that is not a devolved Welsh authority, not less than £12,000;
 - (ii) a central government authority that is a devolved Welsh authority, not less than £30,000, or”.

Amendment to the Schools Forums (Wales) Regulations 2003

48. In the Schools Forums (Wales) Regulations 2003(3), in regulation 9(1) (consultation on contracts), for “regulation 5 of the Public Contracts Regulations 2015” substitute “section 3 of the Procurement Act 2023”.

Amendment to the Service Charges (Consultation Requirements) (Wales) Regulations 2004

49. In the Service Charges (Consultation Requirements) (Wales) Regulations 2004(4), in regulation 2(1) (interpretation), in the definition of “public notice” (“*hysbysiad cyhoeddus*”), for “means notice published pursuant to the Public Contracts Regulations 2015, on the UK e-notification service (as defined by those Regulations)” substitute “means any notice published, pursuant to the Procurement Act 2023 which relates to a public contract (within the meaning of section 3 of that Act)”.

Amendments to the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

50.—(1) The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011(5) are amended as follows.

- (2) In regulation 18 (public procurement)—
- (a) in paragraph (1), for “enter into a relevant agreement on the basis of an offer which is the most economically advantageous” substitute “award a public contract following a competitive tendering procedure”;
 - (b) in paragraph (2), for “relevant agreement” substitute “public contract”;
 - (c) for paragraph (3) substitute—

“(3) In this regulation, “award criteria” (“*meini prawf*”), “competitive tendering procedure” (“*gweithdrefn dendro gystadleuol*”), “contracting authority” (“*awdurdod contractio*”), and “public contract” (“*contract cyhoeddus*”) have the same meaning as in the Procurement Act 2023.”

Amendment to the Tax Collection and Management (Wales) Act 2016 (Consequential and Supplemental Provisions) Regulations 2018

51. In the Tax Collection and Management (Wales) Act 2016 (Consequential and Supplemental Provisions) Regulations 2018(6), omit regulation 2.

(3) [S.I. 2003/2909 \(W. 275\)](#). Regulation 9(1) was amended by [S.I. 2006/5](#) Schedule 7(1) paragraph 4; and [S.I. 2015/102](#) Schedule 6(2) paragraph 13.

(4) [S.I. 2004/684 \(W. 72\)](#). Regulation 2(1) was amended by [S.I. 2006/5](#) Schedule 7(1) paragraph 5; and [S.I. 2019/116](#) regulation 2;

(5) [S.I. 2011/1064 \(W. 155\)](#). Regulation 18 was amended by [S.I. 2019/120](#) regulation 2.

(6) [S.I. 2018/285 \(W. 54\)](#).

Amendment to the Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021

52. In the Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021(7), in regulation 6, omit paragraph (27)(ii).

Amendments to the Public Procurement (International Trade Agreements) (Amendment) (Wales) (No. 2) Regulations 2023

53. In the Public Procurement (International Trade Agreements) (Amendment) (Wales) (No. 2) Regulations 2023(8), omit regulations 2 to 5.

Amendment to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013

54. In Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013(9), in Article 68a(1), for “the threshold set out in regulation 5 of the Public Contracts Regulations 2015” substitute “the relevant threshold amount set out in Schedule 1 to the Procurement Act 2023”.

(7) S.I. 2021/400 (W. 129).

(8) S.I. 2023/567 (W. 88).

(9) Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013.