

## **Government Response: The Procurement Act 2023 (Specified International Agreements) (Amendment) (Wales) Regulations 2025**

**Technical Scrutiny point 1:** The Welsh Government note the point raised regarding regulation 4(3)(d) and the absence of a definition for the term “*below-threshold contract*”. We note the guidance set out in paragraph 4.2(2) of Writing Law for Wales which states “...if it is obvious from the context what the term is referring to, there should be no need for a definition”. Due to the reference to section 87 (“*regulated below-threshold contracts: notices*”) of the Procurement Act 2023 in regulation 4(3)(c), and direct cross-reference to this in sub-paragraph (d), we were of the view that a definition was not needed as it was clear that the provision can only relate to below-threshold contracts within the context of the Procurement Act 2023.

However, we recognise there is an argument that a direct reference to s.5(5) of the Procurement Act 2023 might be helpful to readers. We therefore propose to insert this definition through an amending provision to be included in a further set of regulations currently being drafted to amend Schedule 9, and which we anticipate will be laid in February 2026.