

Mark Drakeford AS/MS
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language



Llywodraeth Cymru
Welsh Government

Mike Hedges MS
Chair - Legislation, Justice and Constitution Committee
Welsh Parliament
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11 December 2025

Dear Mike,

Consent to the making of the Procurement Act 2023 (Commencement No. 4) Regulations 2025

I wish to inform the Committee of the intention to consent to the making of the Procurement Act 2023 (Commencement No. 4) Regulations 2025 (“the Regulations”).

I received a letter from Chris Ward MP requesting consent to the Regulations on 20 November 2025. In relation to devolved Welsh authorities, the Regulations pertain to sections 69 (Payments compliance notices) and 71 (Assessment of contract performance) of the Procurement Act 2023 (“the Act”).

Section 69 requires contracting authorities to publish a payments compliance notice, essentially detailing how quickly contracting authorities pay their invoices (and whether they are in compliance with the implied payment terms set out in section 68 of the Act).

Section 71 requires contracting authorities to publish a contract performance notice setting out how a supplier has performed against the contract’s key performance indicators, as well as any breaches of or failure to perform the contract on the part of the supplier.

The Regulations will bring into force these sections of the Act, placing the obligation to publish payments compliance notices and contract performance notices on contracting authorities.

In order to commence these sections, the Regulations need to be made under section 127 (Commencement). UK Government will make the Regulations in accordance with section

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

127(3) of the Act and therefore require the consent of the Welsh Ministers.

Although the Welsh Government's general principle is that the law relating to devolved matters should be enacted by the Welsh Ministers where there is executive competence, in this instance it is considered appropriate for a Minister of the Crown to legislate as Welsh Ministers do not have the powers. Providing consent is therefore consistent with our Principles: it ensures the necessary legislative provision is made to commence the relevant provisions of the Procurement Act 2023 and supports the achievement of our policy objectives.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style and is contained within a light grey rectangular box.

Mark Drakeford AS/MS

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