

# HYSBYSIAD YNGHYLCH GWELLIANNAU

## NOTICE OF AMENDMENTS

Cyflwynwyd ar 22 Mai 2023  
Tabled on 22 May 2023

### Bil Caffael y Gwasanaeth Iechyd (Cymru)

### Health Service Procurement (Wales) Bill

- Gareth Davies** 1  
Section 3, page 2, line 9, after ‘services’, insert ‘(including social care services)’.  
Adran 3, tudalen 2, llinell 9, ar ôl ‘services’, mewnosoder ‘(including social care services)’.
- Gareth Davies** 2  
Section 3, page 2, line 9, after ‘are’, insert ‘directly’.  
Adran 3, tudalen 2, llinell 9, ar ôl ‘are’, mewnosoder ‘directly’.
- Gareth Davies** 3  
Section 3, page 2, after line 19, insert –  
‘() Regulations under subsection (1) must ensure the continuity of effective cross-border health services.’  
Adran 3, tudalen 2, ar ôl llinell 19, mewnosoder –  
‘() Regulations under subsection (1) must ensure the continuity of effective cross-border health services.’
- Gareth Davies** 4  
Section 3, page 2, after line 19, insert –  
‘() Before making the first regulations under subsection (1), the Welsh Ministers must –  
(a) carry out public consultation on a proposed draft of the regulations;  
(b) allow at least 12 weeks for persons to make representations on the proposed draft;  
(c) consider representations made within that period; and

(d) publish a summary of the representations.’.

Adran 3, tudalen 2, ar ôl llinell 19, mewnosoder –

- ‘() Before making the first regulations under subsection (1), the Welsh Ministers must –
- (a) carry out public consultation on a proposed draft of the regulations;
  - (b) allow at least 12 weeks for persons to make representations on the proposed draft;
  - (c) consider representations made within that period; and
  - (d) publish a summary of the representations.’.

**Gareth Davies**

5

Section 3, page 2, after line 19, insert –

- ‘() Before making regulations under subsection (1), the Welsh Ministers must lay a statement before the Senedd explaining how they have complied with the public sector equality duty in section 149 of the Equality Act 2010 (c. 15).’.

Adran 3, tudalen 2, ar ôl llinell 19, mewnosoder –

- ‘() Before making regulations under subsection (1), the Welsh Ministers must lay a statement before the Senedd explaining how they have complied with the public sector equality duty in section 149 of the Equality Act 2010 (c. 15).’.

**Gareth Davies**

6

Section 3, page 2, after line 19, insert –

- ‘() Explanatory material accompanying regulations under subsection (1) must include an assessment of any interaction between the regulations and Part 1 or 2 of the United Kingdom Internal Market Act 2020 (c. 27), including the application of those Parts to the regulations and any practical effect those Parts have on the regulations.’.

Adran 3, tudalen 2, ar ôl llinell 19, mewnosoder –

- ‘() Explanatory material accompanying regulations under subsection (1) must include an assessment of any interaction between the regulations and Part 1 or 2 of the United Kingdom Internal Market Act 2020 (c. 27), including the application of those Parts to the regulations and any practical effect those Parts have on the regulations.’.

Section 3, page 2, after line 19, insert –

- ‘( ) Explanatory material accompanying regulations under subsection (1) must include an assessment as to how the Act is consistent with, and contributes to, wider policy, legislative and strategic context, including the Act’s interaction with –
- (a) the Well-being of Future Generations (Wales) Act 2015 (anaw 2);
  - (b) an Act of the Senedd resulting from the Social Partnership and Public Procurement (Wales) Bill that was introduced into the Senedd on 7 June 2022;
  - (c) the programme for transforming and modernising planned care and reducing waiting lists for health services;
  - (d) commitments in relation to –
    - (i) being a Free Trade Nation and Deforestation Free Nation;
    - (ii) developing the Foundational Economy;
    - (iii) eliminating modern slavery from public sector supply chains;
    - (iv) measuring consumption emissions regarding carbon; and
    - (v) Net Zero and biodiversity loss targets.’.

Adran 3, tudalen 2, ar ôl llinell 19, mewnosoder –

- ‘( ) Explanatory material accompanying regulations under subsection (1) must include an assessment as to how the Act is consistent with, and contributes to, wider policy, legislative and strategic context, including the Act’s interaction with –
- (a) the Well-being of Future Generations (Wales) Act 2015 (anaw 2);
  - (b) an Act of the Senedd resulting from the Social Partnership and Public Procurement (Wales) Bill that was introduced into the Senedd on 7 June 2022;
  - (c) the programme for transforming and modernising planned care and reducing waiting lists for health services;
  - (d) commitments in relation to –
    - (i) being a Free Trade Nation and Deforestation Free Nation;
    - (ii) developing the Foundational Economy;
    - (iii) eliminating modern slavery from public sector supply chains;
    - (iv) measuring consumption emissions regarding carbon; and
    - (v) Net Zero and biodiversity loss targets.’.

**Gareth Davies**

8

Section 3, page 2, after line 19, insert –

- ‘( ) The Welsh Ministers must take steps before the coming into force of regulations made under subsection (1) to promote public awareness of the changes to the law to be made by the regulations.’

Adran 3, tudalen 2, ar ôl llinell 19, mewnosoder –

- ‘( ) The Welsh Ministers must take steps before the coming into force of regulations made under subsection (1) to promote public awareness of the changes to the law to be made by the regulations.’

**Gareth Davies**

9

Section 3, page 2, after line 21, insert –

- ‘( ) Guidance published under this section must include guidance about compliance with the regulations when social care services are procured by virtue of subsection (1)(b).’

Adran 3, tudalen 2, ar ôl llinell 21, mewnosoder –

- ‘( ) Guidance published under this section must include guidance about compliance with the regulations when social care services are procured by virtue of subsection (1)(b).’

**Gareth Davies**

10

Page 2, after line 29, insert a new section –

**[ ] Review of this Act**

- (1) The Welsh Ministers must arrange –
  - (a) for reviews of the impact and effectiveness of this Act;
  - (b) for reports on the outcome of the reviews to be produced and published.
- (2) The first report on the outcome of a review must be published before 1 April in the fifth year following the year in which the Act comes into force.
- (3) The Welsh Ministers must publish subsequent reports before 1 April in every fifth year following the last year in which a report was required to be published.’

Tudalen 2, ar ôl llinell 29, mewnosoder adran newydd –

**[ ] Adolygu’r Ddeddf hon**

- (1) Rhaid i Weinidogion Cymru drefnu –
  - (a) ar gyfer adolygiadau o effaith ac effeithiolrwydd y Ddeddf hon;
  - (b) i adroddiadau ar ganlyniad yr adolygiadau gael eu llunio a’u cyhoeddi.
- (2) Rhaid cyhoeddi’r adroddiad cyntaf ar ganlyniad adolygiad cyn 1 Ebrill yn y bumed flwyddyn yn dilyn y flwyddyn y daw’r Ddeddf i rym.
- (3) Rhaid i Weinidogion Cymru gyhoeddi adroddiadau dilynol cyn 1 Ebrill ym mhob pumed flwyddyn yn dilyn y flwyddyn ddiwethaf yr oedd yn ofynnol cyhoeddi adroddiad.’