



Health Service Procurement (Wales) Act 2024

2024 asc 1

3 Procurement of services etc. as part of the NHS in Wales

- (1) The National Health Service (Wales) Act 2006 (c. 42) is amended as follows.
- (2) After section 10 insert—

“Procurement

10A Procurement of services etc. as part of the NHS in Wales

- (1) The Welsh Ministers may, by regulations, make provision in relation to the processes to be followed and objectives to be pursued by relevant authorities in the procurement of—
 - (a) services provided as part of the health service in Wales (“health services”), and
 - (b) goods or other services that are connected to those health services.
- (2) Regulations under subsection (1) must include provision specifying steps to be taken when following a competitive tendering process.
- (3) Regulations under subsection (1) must, in relation to the procurement of the services or goods to which they apply, make provision for the purposes of—
 - (a) ensuring transparency;
 - (b) ensuring fairness;
 - (c) ensuring that compliance can be verified;
 - (d) managing conflicts of interest.
- (4) Before making regulations under subsection (1), the Welsh Ministers must carry out such consultation as they consider appropriate and publish a summary of the responses they receive.

Changes to legislation: There are currently no known outstanding effects for the Health Service Procurement (Wales) Act 2024, Section 3. (See end of Document for details)

- (5) Explanatory material accompanying regulations made under subsection (1) must set out how the regulations make provision for the purposes of subsection (3).
 - (6) The Welsh Ministers must publish such guidance as they consider appropriate about compliance with the regulations.
 - (7) A relevant authority must have regard to guidance published under this section.
 - (8) The Welsh Ministers must—
 - (a) review the operation of the regulations, and
 - (b) publish the conclusions of the review before the end of the period of 5 years beginning with the day on which the regulations come into force.
 - (9) In this section “relevant authority” means—
 - (a) a county council or county borough council in Wales;
 - (b) a local health board established under section 11;
 - (c) a National Health Service trust established under section 18;
 - (d) a special health authority established under section 22.”
- (3) In section 203(6), before “section 25B(3)(c)” insert “section 10A(1),”.

Commencement Information

II S. 3 in force at 6.2.2024, see [s. 4](#)

Changes to legislation:

There are currently no known outstanding effects for the Health Service Procurement (Wales) Act 2024, Section 3.