OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2025 Rhif 1296 (Cy. 210)

CAFFAEL CYHOEDDUS, CYMRU

Rheoliadau Deddf Caffael 2023 (Symiau Trothwy) (Diwygio) (Cymru) 2025

2025 No. 1296 (W. 210)

PUBLIC PROCUREMENT, WALES

The Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Yn dilyn adolygiad o'r symiau trothwy perthnasol, mae'r Rheoliadau hyn yn cyflwyno diwygiadau i Atodlen 1 i Ddeddf Caffael 2023 ("y Ddeddf") drwy hepgor colofn yn y tabl a nodir yn Atodlen 1. Mae hyn yn sicrhau y bydd y trothwyon fel y'u gosodir yng Nghytundeb Sefydliad Masnach y Byd ar Gaffael gan Lywodraethau yn gymwys i gontractau cyhoeddus ar gyfer nwyddau, gweithiau a gwasanaethau a reoleiddir gan Weinidogion Cymru. Bydd y diwygiadau hyn yn sicrhau bod Atodlen 1 i'r Ddeddf yn adlewyrchu rhwymedigaethau masnach ryngwladol Cymru.

Mae rheoliad 3 yn diwygio'r tabl yn Atodlen 1 sy'n nodi'r symiau trothwy ar gyfer amryw fathau o gontractau. Mae'r trothwyon hynny yn pennu uwchlaw pa werth y mae contractau o wahanol fathau i gael eu rheoleiddio gan y gyfundrefn o sylwedd.

Mae rheoliad 4 yn gwneud darpariaethau trosiannol mewn cysylltiad â'r newidiadau i drothwyon, gan ei gwneud yn glir o ba bryd y maent yn cael effaith.

Ystyriwyd cod ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth Y Gyfarwyddiaeth Caffael a Masnachol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Following a review of the relevant threshold amounts, these Regulations bring forward amendments to Schedule 1 to the Procurement Act 2023 ("the Act") by omitting a column in the table set out in Schedule 1. This ensures the thresholds as laid down in the World Trade Organisation's Agreement on Government Procurement will apply to public contracts for goods, works and services regulated by Welsh Ministers. These amendments will ensure Schedule 1 to the Act reflects Wales's international trade obligations.

Regulation 3 amends the table in Schedule 1 which sets out the threshold amounts for various types of contracts. Those thresholds determine the value above which contracts of different types fall to be regulated by the substantive regime.

Regulation 4 makes transitional provisions in connection with the changes to thresholds, making clear from when they have effect.

The Welsh Ministers' code of practice on the carrying out of regulatory impact assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Commercial and Procurement Directorate, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2025 Rhif 1296 (Cy. 210)

CAFFAEL CYHOEDDUS, CYMRU

Rheoliadau Deddf Caffael 2023 (Symiau Trothwy) (Diwygio) (Cymru) 2025

Gwnaed *9 Rhagfyr 2025*

Gosodwyd gerbron Senedd Cymru 11 Rhagfyr 2025

Yn dod i rym am 12.05 a.m. ar 1 Ionawr 2026

Mae Gweinidogion Cymru(**1**) yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt gan baragraff 2 o Atodlen 1 i Ddeddf Caffael 2023(**2**).

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Caffael 2023 (Symiau Trothwy) (Diwygio) (Cymru) 2025.

(2) Daw'r Rheoliadau hyn i rym am 12.05 a.m. ar 1 Ionawr 2026(**3**).

Dehongli

2. Yn y Rheoliadau hyn, ystyr "Deddf 2023" yw Deddf Caffael 2023.

(**1**) Gweinidogion Cymru yw'r "awdurdod priodol" fel y diffinnir "appropriate authority" yn adran 123(1) o Ddeddf Caffael 2023, yn ddarostyngedig i'r cyfyngiadau a nodir yn adran 111(1) o'r Ddeddf honno.

(**2**) 2023 p. 54.

(**3**) Daw'r Rheoliadau hyn i rym ar ôl O.S. 2025/1200 a ddaw i rym am 12.00 a.m. ar 1 Ionawr 2026.

2025 No. 1296 (W. 210)

PUBLIC PROCUREMENT, WALES

The Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025

Made *9 December 2025*

Laid before Senedd Cymru 11 December 2025

Coming into force 12.05 a.m. on 1 January 2026

The Welsh Ministers(**1**) make these Regulations in exercise of the powers conferred on them by paragraph 2 of Schedule 1 to the Procurement Act 2023(**2**).

Title and coming into force

1.—(1) The title of these Regulations is the Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025.

(2) These Regulations come into force at 12.05 a.m. on 1 January 2026(**3**).

Interpretation

2. In these Regulations, "the 2023 Act" means the Procurement Act 2023.

(**1**) The Welsh Ministers are the "appropriate authority" as defined in section 123(1) of the Procurement Act 2023, subject to the restrictions set out in section 111(1) of that Act.

(**2**) 2023 c. 54.

(**3**) These Regulations come into force after S.I. 2025/1200 which come into force at 12.00 a.m. on 1 January 2026.

Diwygio Atodlen 1 i Ddeddf 2023

3.—(1) Mae paragraff 1 o Atodlen 1(**1**) i Ddeddf 2023 (symiau trothwy) wedi ei ddiwygio fel a ganlyn.

(2) Yn is-baragraff (1)—

(a) yn y geiriau o flaen y tabl—

(i) ar ôl "the table below is" hepgorer "—" a mewnosoder "the threshold set out in the corresponding row of the third column.";

(ii) hepgorer paragraffau (c) a (d).

(b) yn y tabl—

(i) hepgorer y drydedd golofn (fel bod y bedwaredd golofn yn dod yn drydedd golofn);

(ii) ym mhennawd y drydedd golofn newydd, hepgorer ": any other contract".

(3) Hepgorer is-baragraff (1B).

Darpariaethau Trosiannol

4.—(1) Yn y rheoliad hwn—

mae i "awdurdod contractio" yr ystyr a roddir i ("*contracting authority*") gan adran 2(1) o Ddeddf 2023;

mae i "contract sydd o dan y trothwy" yr ystyr a roddir i ("*below-threshold contract*") gan adran 5(5) o Ddeddf 2023.

(2) Nid oes dim yn y Rheoliadau hyn yn effeithio ar unrhyw gaffaeliad sydd wedi ei ddechrau cyn y diwrnod y daw'r Rheoliadau hyn i rym.

(3) At ddiben paragraff (2), mae caffaeliad wedi ei ddechrau cyn y diwrnod y daw'r Rheoliadau hyn i rym os, cyn y diwrnod hwnnw—

(a) yw hysbysiad tendro wedi ei gyhoeddi yn unol ag adran 21 o Ddeddf 2023 (hysbysiadau tendro a dogfennau tendro cysylltiedig);

(b) yw hysbysiad tryloywder wedi ei gyhoeddi yn unol ag adran 44 o Ddeddf 2023 (hysbysiadau tryloywder);

(c) yw hysbysiad tendro sydd o dan y trothwy wedi ei gyhoeddi yn unol ag adran 87(**2**) o Ddeddf 2023 (contractau rheoleiddiedig sydd o dan y trothwy: hysbysiadau);

Amendments to Schedule 1 to the 2023 Act

3.—(1) Paragraph 1 of Schedule 1(**1**) to the 2023 Act (threshold amounts) is amended as follows.

(2) In sub-paragraph (1)—

(a) in the words before the table—

(i) after "the table below is" omit "—" and insert "the threshold set out in the corresponding row of the third column.";

(ii) omit paragraphs (c) and (d).

(b) in the table—

(i) omit the third column (so that the fourth column becomes the third column);

(ii) in the heading of the new third column, omit ": any other contract".

(3) Omit sub-paragraph (1B).

Transitional Provisions

4.—(1) In this regulation—

"below-threshold contract" ("*contract sydd o dan y trothwy*") has the meaning given by section 5(5) of the 2023 Act;

"contracting authority" ("*awdurdod contractio*") has the meaning given by section 2(1) of the 2023 Act.

(2) Nothing in these Regulations affects any procurement commenced before the day on which these Regulations come into force.

(3) For the purpose of paragraph (2), a procurement is commenced before the day on which these Regulations come into force if, before that day—

(a) a tender notice has been published in accordance with section 21 of the 2023 Act (tender notices and associated tender documents);

(b) a transparency notice has been published in accordance with section 44 of the 2023 Act (transparency notices);

(c) a below-threshold tender notice has been published in accordance with section 87(**2**) of the 2023 Act (regulated below-threshold contracts: notices);

(**1**) Fel y'i diwygiwyd gan O.S. 2025/163, O.S. 2025/181 (Cy. 38) ac O.S. 2025/1200. Gwnaed diwygiadau eraill ond nid yw'r rhain yn berthnasol i'r offeryn hwn.

(**2**) Diwygiwyd adran 87(4) gan O.S. 2024/782 (Cy. 121).

(**1**) As amended by S.I. 2025/163, S.I. 2025/181 (W. 38) and S.I. 2025/1200. Other amendments have been made but these are not relevant to this instrument.

(**2**) Section 87(4) was amended by S.I. 2024/782 (W. 121).

(d) mewn cysylltiad â phob contract arall sydd o dan y trothwy, yw awdurdod contractio wedi cysylltu â chyflenwr er mwyn dechrau dyfarniad y contract hwnnw.

(d) in respect of all other below-threshold contracts, a contracting authority has contacted a supplier in order to commence the award of that contract.

Mark Drakeford

Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg, un o Weinidogion Cymru
9 Rhagfyr 2025

The Cabinet Secretary for Finance and Welsh Language, one of the Welsh Ministers
9 December 2025

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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ISBN 978-0-348-39754-3

£6.40

http://www.legislation.gov.uk/id/wsi/2025/1296

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