



INFORMATION DOCUMENT: Social Partnership and Public Procurement (Wales) Act 2023 – List of Expressions and Definitions

The following table is listed in alphabetical order by expression/word used in the Social Partnership and Public Procurement (Wales) Act 2023 (SPPP Act) and ‘The Social Partnership and Public Procurement (Wales) Regulations 2026’ (“the Regulations”). It is not an exhaustive list of all the expressions or words within the Act or the Regulations, but covers some of the main terms that Contracting Authorities may find relevant as a high-level reference aid. The table lists the expression/word, its meaning, and where it may be found within the Act to provide context and so that Contracting Authorities can refer back to the appropriate location in the Act.

This document is correct at the date of publication of the document.

Expression	Act and Provision Reference	Provision Title	Meaning
contracting authority <i>(“awdurdod contractio”)</i>	SPPP Act, Part 3	Contracting authorities	(22)(1) In this Part, a “contracting authority” means a body, office-holder or other person listed in Schedule 1. (22)(2) But the Welsh Ministers are not a contracting authority for the purposes of sections 29, 30, 35, 36 and 41. (22)(4) The Welsh Ministers may by regulations amend this section, and Schedule 1, so as to modify the meaning of a contracting authority.



contracting authority area	SPPP Act Part 3	Contracting authorities	(22)(3) In this Part, a contracting authority's area is the area by reference to which the authority primarily exercises its functions, disregarding any areas outside Wales.
contracts register	SPPP Act, Part 3	Contracts register	(40)(2) A contracts register is a register of public contracts entered into by the contracting authority that are of a description prescribed by the Welsh Ministers by regulations ("registrable contracts").
Deputy Welsh Minister <i>("un o Ddirprwy Weinidogion Cymru")</i>	SPPP Act, Part 1	Interpretation of Part 1	(14) In this Part— means a person holding office under section 50 of the Government of Wales Act 2006 (c. 32).
economic operator <i>("gweithredwr economaidd")</i>	SPPP Act, Part 3	Interpretation of Part 3	(45) In this Part— means any person who offers the execution of works, the supply of products or the provision of services on the market;
employer <i>("cyflogwr")</i>	SPPP Act, Part 1	Interpretation of Part 1	(14) In this Part— has the same meaning as in the Employment Rights Act 1996 (c. 18).
excluded contract	the Social Partnership and Public Procurement (Wales) Regulations 2026	Regulation 3, "Excluded contracts"	Regulation 3 In these regulations, "excluded contract" means a contract which—



			<p>(a) is an exempted contract within the meaning of Schedule 2 to the Procurement Act 2023 (“PA 2023”);</p> <p>(b) is subject to a disapplication in regulations made by the Welsh Ministers under section 120A of PA 2023 such that PA 2023 does not apply to the contract; or</p> <p>(c) is awarded under section 41 of PA 2023 by reference to paragraph 15 of Schedule 5 to PA 2023 (direct award: user choice contracts).</p>
financial year <i>(“blwyddyn ariannol”)</i>	SPPP Act, Part 4	General interpretation	<p>(46) In this Act— means—</p> <p>(a) in relation to a public body other than a Local Health Board or NHS trust, the period of 12 months ending with 31 March;</p> <p>(b) in relation to a Local Health Board, an accounting year within the meaning given by the order made under section 11 of the National Health Service (Wales) Act 2006 (c. 42) establishing the Board;</p> <p>(c) in relation to an NHS trust, an accounting year within the meaning</p>



			given by the order made under section 18 of that Act establishing the trust.
framework agreement (<i>“cytundeb fframwaith”</i>)	SPPP Act, Part 3	Interpretation of Part 3	(45) In this Part— means an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the main terms governing public contracts (call-off contracts) to be awarded during a given period, in particular with regard to pricing the things envisaged to be procured and, where appropriate, their quantity.
further education employer (<i>“cyflogwr addysg bellach”</i>)	SPPP Act, Part 1	Interpretation of Part 1	(14) In this Part— means an employer in the further education sector within the meaning of section 91(3) of the Further and Higher Education Act 1992 (c. 13).
higher education employer (<i>“cyflogwr addysg uwch”</i>)	SPPP Act, Part 1	Interpretation of Part 1	(14) In this Part— means an employer in the higher education sector within the meaning of section 91(5) of the Further and Higher Education Act 1992.



major construction contract	SPPP Act, Part 3	Socially responsible procurement duty: major construction contracts	25(2) In this Part, a “major construction contract” is a public contract that is a works contract with an estimated value equal to or greater than £2,000,000. 25(3) The Welsh Ministers may by regulations amend this section to modify the meaning of a major construction contract.
outsourcing services contract <i>(“contract allanoli gwasanaethau”)</i>	SPPP Act, Part 3	Socially responsible procurement duty: outsourcing services contracts	(26)(2) In this Part, “an outsourcing services contract” means a contract under which— (a) a requirement to provide a public service provided by, or previously provided by, a contracting authority is transferred to another person, or (b) another person agrees to undertake any other function undertaken by, or previously undertaken by, a contracting authority; and “outsourced” is to be construed accordingly.
prescribed contract <i>(“contract rhagnodedig”)</i>	SPPP Act, Part 3	Socially responsible procurement duty	(24)(8) In this Part, a “prescribed contract” means— (a) a major construction contract (see section 25),



	<p>the Social Partnership and Public Procurement (Wales) Regulations 2026</p>	<p>Regulation 4 “Socially responsible procurement duty and prescribed contracts”</p>	<p>(b) an outsourcing services contract (see section 26), and</p> <p>(c) any other public contract of a description prescribed by the Welsh Ministers by regulations.</p> <p>Regulation 4 – (1) For the purpose of section 24(8) of SPPPA 2023 (socially responsible procurement duty) a prescribed contract also includes any contract of a kind referred to in paragraph (2) unless paragraph (3) applies.</p> <p>(2) The kinds of contract are—</p> <p>(a) a contract between one or more economic operators and one or more contracting authorities; and having as its object the execution of works, the supply of products or the provision of services;</p> <p>(b) a framework agreement.</p> <p>(3) Paragraph (2) does not apply if a contract—</p> <p>(a) has an estimated value that is less than the threshold amount set out in the table of paragraph (1) of Schedule 1 to PA 2023 for that type of contract, or</p> <p>(b) is an excluded contract.</p>
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private sector employer (“ <i>cyflogwr sector preifat</i> ”)	SPPP Act, Part 1	Interpretation of Part 1	(14) In this Part— means an employer that is not— (a) a body, office or holder of an office whose functions are wholly or mainly of a public nature, (b) a voluntary organisation employer, (c) a further education employer, nor (d) a higher education employer.
procurement strategy	SPPP Act, Part 3	Procurement strategy	(38)(1) A contracting authority must prepare a strategy (a “procurement strategy”) setting out how the authority intends to carry out public procurement.
public body	SPPP Act, Part 2	Overview of Part and interpretation	(15)(3) In this Part, a “public body” means a person listed as a “public body” in section 6(1) of Well-being of Future Generations (Wales) Act 2015, but for the purposes of sections 16 and 18 it does not include the Welsh Ministers.



<p>public body employer (<i>“cyflogwr corff cyhoeddus”</i>)</p>	<p>SPPP Act, Part 1</p>	<p>Interpretation of Part 1</p>	<p>(14) In this Part— means an employer that is one of the persons listed as a “public body” in section 6(1) of Well-being of Future Generations (Wales) Act 2015, other than the Welsh Ministers.</p>
<p>public contract</p>	<p>SPPP Act, Part 3</p>	<p>Public contracts</p>	<p>(21)(1) In this Part, a “public contract” means a contract between one or more economic operators and one or more contracting authorities; and having as its object the execution of works, the supply of products or the provision of services.</p> <p>(21)(2) For the purposes of this Part, a framework agreement is treated as a public contract (and references to “public contract” are to be construed accordingly).</p>
<p>public procurement (<i>“caffael cyhoeddus”</i>)</p>	<p>SPPP Act, Part 3</p>	<p>Public procurement</p>	<p>(23) For the purposes of this Part, references to “public procurement” are to a contracting authority—</p> <ul style="list-style-type: none"> (a) designing and carrying out any procedure preceding the award of a public contract including, in particular, seeking bids and selecting economic operators; (b) drafting, negotiating and awarding a public contract; (c) managing a public contract after it has been awarded;



			and references to “procurement” are to be construed accordingly.
the public services outsourcing and workforce code <i>(“y cod allanoli gwasanaethau cyhoeddus a’r gweithlu”)</i>	SPPP Act, Part 3	Public services outsourcing and workforce code	(32)(1) For the purposes of maintaining or improving the quality of public services or other functions outsourced by contracting authorities, the Welsh Ministers must prepare and publish a code of practice (the “public services outsourcing and workforce code”) about employment and pensions matters related to outsourcing services contracts.
registrable contracts	SPPP Act, Part 3 the Social Partnership and Public Procurement (Wales) Regulations 2026	Contracts register Regulation 5 “Registrable contracts for the purpose of the register”	(40)(2) “...public contracts entered into by the contracting authority that are of a description prescribed by the Welsh Ministers by regulations (“registrable contracts”).” Regulation 5. – (1) For the purposes of section 40(2) of SPPPA 2023 (contracts register), a registrable contract is any contract of a kind referred to in paragraph (2) unless paragraph (3) applies. (2) The kinds of contract are— (a) a contract between one or more economic operators and one or more contracting authorities; and having as its



			<p>object the execution of works, the supply of products, or the provision of services;</p> <p>(b) a framework agreement.</p> <p>(3) Paragraph (2) does not apply if a contract—</p> <p>(a) has an estimated value less than that of a notifiable below-threshold contract, or</p> <p>(b) is an excluded contract.</p>
<p>the Senedd</p> <p>(“<i>y Senedd</i>”)</p>	<p>SPPP Act, Part 4</p>	<p>General interpretation</p>	<p>(46) In this Act— means Senedd Cymru.</p>
<p>Social Partnership Council for Wales (“SPC”)</p>	<p>SPPP Act, Part 1</p>	<p>Social Partnership Council for Wales</p>	<p>(1)(2) For the purposes of improving economic, environmental, social, and cultural well-being (including by improving public services) in Wales, the SPC may provide information and advice to the Welsh Ministers in relation to—</p> <p>(a) the social partnership duties which this Act imposes on public bodies and the Welsh Ministers (see Part 2);</p> <p>(b) the pursuit of the “A prosperous Wales” well-being goal by public bodies when carrying out sustainable development under Well-being of Future Generations (Wales) Act 2015 (see Part 2);</p>



	SPPP Act, Part 1	Membership of the Social Partnership Council for Wales	<p>(c) the functions conferred on contracting authorities and the Welsh Ministers under Part 3 (socially responsible public procurement).</p> <p>(2)(5) In this Act, a reference to the “Social Partnership Council for Wales” or “SPC” is a reference to the members of the SPC acting jointly; accordingly, a function expressed as a function of the SPC is a function of each member that may only be exercised jointly with the other members.</p>
SPC (“CPG”)	SPPP Act, Part 4	General interpretation	(46) In this Act— means the Social Partnership Council established by section 1.
social public workforce clauses (“ <i>cymalau gweithlu cyhoeddus cymdeithasol</i> ”)	SPPP Act, Part 3	Social public workforce clauses in outsourcing services contracts	(33) The public services outsourcing and workforce code must include model contract clauses (“social public workforce clauses”), which in particular— (a) are designed to ensure that members of staff employed by contracting authorities in providing services, or undertaking functions, to be outsourced will, if they wish, become employed by the person providing those services, or



			<p>undertaking those functions, when they are outsourced (“transferring staff”);</p> <p>(b) are designed to protect the terms and conditions and pensions arrangements of transferring staff;</p> <p>(c) are designed to ensure that the terms and conditions of other members of staff employed by the person providing the services, or undertaking the functions, who are involved in providing those services, or undertaking those functions, are no less favourable overall than those of transferring staff, and that the pensions arrangements of those other members of staff are reasonable;</p> <p>(d) make provision supplementary to the matters referred to in paragraphs (a) to (c).</p>
<p>social public works clauses</p> <p>(“<i>cymalau gweithiau cyhoeddus cymdeithasol</i>”)</p>	<p>SPPP Act, Part 3</p>	<p>Social public works clauses in major construction contracts</p>	<p>(27)(1) The Welsh Ministers must publish model clauses for major construction contracts (“social public works clauses”) designed to bring about the improvements to economic, social, environmental and cultural well-being listed under each category in the Table in subsection (2).</p>



socially responsible procurement objectives	SPPP Act, Part 3	Socially responsible procurement duty	(24)(3) A contracting authority must set and publish objectives (“socially responsible procurement objectives”) designed to maximise its contribution to achieving the well-being goals.
sustainable development	SPPP Act, Part 2 and Part 3 section 24(2)	Overview of Part and interpretation	(15)(2) For the purposes of this Part, “sustainable development” has the meaning given by section 2 of Well-being of Future Generations (Wales) Act 2015.
trade union (“ <i>undeb llafur</i> ”)	SPPP Act, Part 4	General interpretation	(46) In this Act— has the meaning given by section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52) (and “recognised” (“ <i>cydnabyddedig</i> ”) in relation to a trade union has the meaning given by section 178(3) of that Act).
the sustainable development principle	SPPP Act, Part 3	Socially responsible procurement duty	(24)(7) For the purposes of subsection (2), “the sustainable development principle” has the meaning given by section 5 of Well-being of Future Generations (Wales) Act 2015.
voluntary organisations (“ <i>sefydliadau gwirfoddol</i> ”)	SPPP Act, Part 3	Interpretation of Part 3	(45) In this Part— has the same meaning as “relevant voluntary organisations” within the meaning of section 74(2) of the Government of Wales Act 2006 (c. 32).



voluntary organisation employer (“ <i>cyflogwr sefydliad gwirfoddol</i> ”)	SPPP Act, Part 1	Interpretation of Part 1	(14) In this Part— means an employer that is a “relevant voluntary organisation” within the meaning of section 74(2) of the Government of Wales Act 2006 (c. 32).
the WFGA 2015 (“ <i>DLICD 2015</i> ”)	SPPP Act, Part 4	General interpretation	(46) In this Act— means the Well-being of Future Generations (Wales) Act 2015 (anaw 2).
works (“ <i>gweithiau</i> ”)	SPPP Act, Part 3	Interpretation of Part 3	Social Partnership and Public Procurement (Wales) Act 2023 (45) In this Part— has the meaning given by regulation 45 of and Schedule 3 to the Procurement (Wales) Regulations 2024.
works contract (“ <i>contract gweithiau</i> ”)	SPPP Act, Part 3	Interpretation of Part 3	Social Partnership and Public Procurement (Wales) Act 2023 (45) In this Part— has the meaning given by paragraph 4 of Schedule 1 to the Procurement Act 2023 (c. 54).