# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE** | **The Subsidy Control (Gross Cash Amount and Gross Cash Equivalent) Regulations 2022** |
| **DATE** | **21 November 2022** |
| **BY** | **Rebecca Evans MS, Minister for Finance and Local Government** |

This Written Statement updates Members on the final Statutory Instrument accompanying the Subsidy Control Act 2022 to be laid before Parliament: [‘The Subsidy Control (Gross Cash Amount and Gross Cash Equivalent) Regulations 2022’](https://www.legislation.gov.uk/uksi/2022/1186/made).

These regulations set out principles and methodologies for public authorities to use when valuing different types of [non-grant] subsidies for the purposes of complying with the monetary thresholds in the Subsidy Control Act and associated regulations. This includes regulation on how the value of a non-grant subsidy is to be determined by reference to the benefit to the enterprise when compared to the terms on which the same type of financial assistance might have been reasonably been expected to have been available on the market to that enterprise.

I welcome the much-needed detail and clarity that these regulations bring to this area of implementation of the Subsidy Control Act. Prior to the introduction of these regulations there has been an unacceptable lack of detail, resulting in a lack in confidence for both officials and businesses across Wales for almost two years. I am glad to see some small movement towards providing adequate granularity in the new subsidy control regime after my repeated requests.

I have reviewed the regulations and concluded that they do not engage Standing Orders 30A and 30B. Nevertheless, these Regulations will significantly impact upon the devolved area of economic development as it applies to the practical application of the Subsidy Control regime. Further, the enabling power in s82 of the Subsidy Control Act was one of the provisions subject to the Legislative Consent Motion where the Senedd refused consent.

I therefore felt it appropriate to bring this matter to the attention of the Senedd.