



Ein cyf/Our ref MA/JJ/2228/20

Mick Antoniw MS
Chair of the Legislation, Justice and Constitution Committee

17 July 2020

Dear Mick,

Thank you for your letter of 1 July regarding the draft regulations I intend to lay before the Senedd in relation to the 2020 Electoral Register. To assist the Committee in its forthcoming scrutiny of the regulations, I have answered the questions raised in your letter below.

- (i) What is your assessment of the potential risks to the electoral arrangements for next year's May elections if electoral registration officers do not publish registers until 1 February 2021?

I do not consider there to be any risks to electoral arrangements for 2021 arising specifically from extending the deadline for publishing registers. Electoral registration officers (ERO) and their staff are experienced at performing this annual task and I am confident in their ability to produce accurate registers ahead of the May election. We have consulted the Electoral Commission and the Wales Electoral Coordination Board and no risks were raised by them. It is also our understanding that EROs will seek to meet the 1 December publication date as usual but welcome the additional flexibility these regulations provide to ensure that EROs can meet their statutory duty to ensure the register is as complete and accurate as possible.

- (ii) What consultations have you undertaken in relation to the proposed regulations?

The Electoral Commission was consulted on this in line with Sections 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000. The Electoral Commission did not recommend any changes. The Wales Electoral Co-ordination Board were consulted and agreed the additional flexibility provided by these regulations would be welcomed in the event that the current public health arrangements could prevent the completion of the 2020 annual canvass in the usual timeframe.

- (iii) What other publication deadlines did you consider setting and why was a date of 1 February 2021 considered to be the best option?

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The annual canvass period usually runs from 1 July to 1 December, and is driven by a requirement for EROs to publish a revised electoral register for their area by 1 December. The only exception to this is where an election is held in their area between 1 July and 1 December, then the deadline for publication of the revised electoral register is automatically extended to 1 February the following year under section 13(1A) of the Representation of the People Act 1983. This gives EROs an additional two months to complete their canvass and compile their revised electoral register.

1 February 2021 was chosen as appropriate date for publication for the purposes of these regulations to ensure an up to date register is published in advance of the scheduled May 2021 elections, but is also already a deadline which EROs are familiar with and have had to work to in other circumstances. It is consistent with similar regulations being made by both the UK and Scottish Governments.

I hope this letter adequately addresses the queries you raised. Further details on the rationale and policy intentions behind this legislation can be found in the explanatory memorandum which accompanies the Regulations. I look forward to receiving the Committee's comments in due course.

Yours sincerely



Julie James AS/MS

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government