

SL(6)155 – The Local Elections (Miscellaneous and Consequential Amendments) (Wales) Regulations 2022

Background and Purpose

On 14 December 2021 Senedd Cymru approved the Local Elections (Principal Areas) (Wales) Rules 2021 and the Local Elections (Communities) Rules 2021 (referred to collectively as the 2021 Rules).

The 2021 Rules provide the rules of conduct by which the election of councillors to principal councils and to community councils in Wales is to take place. The 2021 Rules are Wales-specific and aim to provide an updated and modernised set of conduct rules.

These [Regulations](#) make miscellaneous and consequential amendments to the 2021 Rules and various other pieces of local elections legislation. For example:

- the 2021 Rules are amended to add to the list of grounds on which the returning officer may hold a nomination paper to be invalid, i.e. that the nomination paper does not include the declarations the candidate is required to include in their nomination paper, signed by the candidate.;
- the rule governing procedure on the close of the poll in the 2021 Rules is amended, so that marked copies of the registration records and the list of proxies and the marked corresponding number list may be placed into packets and sealed at a place other than the polling station;
- sections 67, 69 and 70 of the Representation of the People Act 1983 are amended, in order to be consistent with the policy of allowing candidates to keep their home address private, including when the candidate is acting as their own election agent;
- the Local Elections (Principal Areas) (England and Wales) Rules 2006 and the Local Elections (Parishes and Communities) (England and Wales) Rules 2006 are amended, so that they apply only in relation to England;
- the National Assembly for Wales (Representation of the People) Order 2007 is amended, setting out how the 2021 Rules are modified where the poll at a principal area election or a community election is combined with a poll at a Senedd Cymru election;



- the Regulations make transitional provisions, so that the Regulations do not affect the conduct of local elections in Wales where the poll takes place before 5 May 2022.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

One point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

Both the Explanatory Note and the Explanatory Memorandum provide very clear summaries and explanations of the Regulations. Given the detailed and intricate nature of the Regulations, we are particularly grateful for such helpful summaries and explanations, which have been invaluable in helping us scrutinise the Regulations.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

22 February 2022



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee