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Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad  
Counsel General and Minister for the Constitution



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/CG/4516/21

Huw Irranca-Davies MS  
Chair  
Legislation, Justice and Constitution Committee

John Griffiths MS  
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Local Government and Housing Committee

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Dear Huw and John,

I note that both the Legislation, Justice and Constitution Committee, and the Local Government and Housing Committee published reports on the Welsh Government's Legislative Consent Memorandum (LCM) on the Elections Bill in early December 2021. I would like to thank the Committees for providing their views on the matters raised in the LCM. The Legislation, Justice and Constitution Committee report contained recommendations for the Welsh Government, which I respond to below.

#### Recommendation 1

*Following the completion of the Bill's passage through the UK Parliament, the Counsel General should issue a statement on the implications of the legislation for devolved elections in Wales.*

Response: Accept. The UK Government has not confirmed with the Welsh Government when the Bill will complete its passage through the UK Parliament, therefore I am unable to provide a firm indication as to the timing of the statement at this time.

#### Recommendation 2

*The Counsel General should confirm at the earliest opportunity his intention to bring forward a Welsh Bill on electoral law in time for the next Senedd general election in 2026.*

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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.

Response: Accept. As set out in the LCM, it is my preference to consider some of the issues covered by the Bill in separate Senedd legislation in due course. As you will be aware, our legislative plans are set out on an annual basis through our Legislative Programme. It is my intention to bring forward a Bill in time for the next Senedd election, but this will of course need to be considered alongside other demands on the Legislative Programme.

### Recommendation 3

*The Counsel General should at the earliest opportunity:*

- *confirm the outcome of his discussions with the UK Government about amending the Bill including in relation to clauses 12 and 13 relating to the Electoral Commission;*
- *explain the nature of the amendments being sought, including the extent to which they relate to a devolved purpose;*
- *advise when, if appropriate, he intends to bring forward a Supplementary Legislative Consent Memorandum related to the tabling of amendments in accordance with Standing Orders 29.2*

Response: Accept.

Discussions are ongoing with the UK Government. We are seeking amendments to remove devolved Welsh elections from the scope of the Bill, and I will update the Committee following the conclusion of those discussions.

### Recommendation 4

*The Welsh Government should include a commentary on the extent of co-operation and engagement with the UK Government in all Legislative Consent Memoranda that are required by virtue of Standing Order 29.*

Response: Accept in principle. We will consider the amendment of the formal guidance for completing Legislative Consent Memoranda as part of our engagement with the Business Committee's review of the LCM process to make this a requirement. In the meantime, when preparing Legislative Consent Memoranda, we will ensure they inform Members of the extent of co-operation and engagement with the UK Government. However, as you will appreciate, there is a need to respect confidentiality, and we may not always be in a position to share all the information we receive.

### **Amendments tabled by UK Government**

I also wanted to make you aware that the UK Government has tabled a number of amendments to the Bill during January, relating to online absent voting applications voter identification provisions and digital imprints. I am giving further consideration to these amendments alongside the approach to the wider Bill, and I will update you in due course.

I hope both the above responses to the recommendations and the update on amendments are helpful. I will continue to keep both Committees updated as the Bill progresses.

Yours sincerely,



**Mick Antoniw AS/MS**

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