

Mick Antoniw MS
Counsel General
Welsh Government

26 September 2023

Dear Mick

Senedd Cymru (Members and Elections) Bill: interdependency with the anticipated gender quotas Bill

In his statement on the Welsh Government's legislative programme on 27 June 2023, the First Minister announced that in addition to a Bill to reform the Senedd's size, electoral system and boundary arrangements, the Welsh Government intended to bring forward a Bill to introduce candidate-level gender quotas for Senedd elections (the "gender quotas Bill"). The Explanatory Memorandum for the Senedd Cymru (Members and Elections) Bill (the "SC(ME) Bill") indicates that the Welsh Government also intends to include provision in future legislation for the publication of diversity information in respect of Senedd candidates.

While the gender quotas Bill will be a separate piece of legislation, subject in due course to scrutiny in its own right, it is inevitable that there will be a degree of interdependency between any such Bill and the SC(ME) Bill. This is because any candidate-level quotas that are introduced will need to operate within the context of the electoral system, boundaries and disqualification provisions the SC(ME) Bill seeks to establish.

We would be grateful if you could:

- 1) Confirm whether a draft of the gender quotas Bill will be published in advance of its formal introduction. If the Welsh Government does not propose to publish a draft Bill, please confirm the reasons for this, and indicate whether an advanced copy of the Bill could be shared with us, in confidence, prior to its formal introduction.

- 2) Provide us with further information about the objectives and proposed legislative approach the Welsh Government anticipates pursuing in the gender quotas Bill. This should include information about the following, in addition to any other information you consider relevant:
- a. The purpose of introducing candidate-level gender quotas for Senedd elections, including a consideration of the aim(s) the Welsh Government is seeking to achieve through their introduction.
 - b. The proposed policy to be given effect in the gender quotas Bill, including the anticipated design and operation of candidate-level gender quotas, and how compliance will be enforced.
 - c. An assessment of the implications the proposed policy may reasonably be expected to have for the operation and implementation of the electoral system proposed in the SC(ME) Bill, including, but not limited to, the submission of candidate lists to constituency returning officers (section 7(1)), the length of candidate lists (section 7(3)), and candidate eligibility for filling vacant seats (section 9)).
 - d. Information about how such implications have been taken into account in the assessment of the financial and other impacts in the Explanatory Memorandum to the SC(ME) Bill. This should include details of which of the financial or other impact assessments would have been substantively different had provision regarding gender quotas been included in the SC(ME) Bill, and, if so, how.

It would be helpful to receive your response **by 3 November 2023**.

This letter is being copied to the Finance Committee and the Legislation, Justice and Constitution Committee, and the Deputy Minister for Social Partnership, as we understand that she will be the Member in charge for the gender quotas Bill.

Yours sincerely



David Rees MS
Chair, Reform Bill Committee

cc Peredur Owen Griffiths MS, Chair, Finance Committee
Huw Irranca Davies MS, Chair, Legislation, Justice and Constitution Committee
Hannah Blythyn MS, Deputy Minister for Social Partnership

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.