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4 December 2025

Dear David Rees MS

Chair, Member Accountability Bill Committee

I am writing in response to your letter dated 19th November 2025 which asked for views on whether the Senedd Cymru (Member Accountability and Elections) Bill should be amended to specifically bring recall polls within the statutory functions of the Electoral Management Board.

Sections 20A to 20D of the Democracy and Boundary Commission Cymru etc. Act 2013 set out that the following functions must be delivered by the Electoral Management Board:

- Electoral Administration Functions - general function of co-ordinating the administration of Welsh elections and referendums including
 - assisting returning officers, local authorities and other persons in carrying out their functions in relation to Welsh elections and referendums; and
 - promoting best practice in the administration of Welsh elections and referendums by providing information, advice or training (or otherwise).
- Directions to returning officers and electoral registration officers - the EMB may give directions in writing to returning officers and/or electoral registration officers about the exercise of the officers' functions in relation to specified elections and must consult with the Electoral Commission before giving a direction of this nature.
- Welsh Elections Information Platform – the Act provides for the establishment of the Welsh elections information platform that will provide up-to-date information, or access to up-to-date information from other electronic sources, to electors to support their participation in Senedd Cymru elections and ordinary elections to principal councils in Wales. The Welsh Elections Information Platform Regulations 2025 regulations specify the Electoral Management Board as the operator of the platform.

The Board's view is that the EMB should be able to bring recall polls within its remit and that that the proposed legislation should enable the functions of the EMB, where relevant, to be applied to the recall proposals.

Mae'r Comisiwn yn croesawu gohebiaeth yn Gymraeg neu Saesneg
The Commission welcomes correspondence in English or Welsh

The EMB acts as a forum for returning officers to raise and discuss issues and consider best practice. Given the nature of the proposed recall polls, it is appropriate that these provisions are extended to cover them.

The Welsh Elections Information Platform Regulations 2025 provide that the EMB is responsible for the operation of Welsh Elections Information Platform. The platform will provide information about electoral events taking place in Wales and as such, our view is that recall polls should be included in the legislation (or separate legislation) to enable the EMB to publish information about them.

Whilst unlikely that the EMB would want to direct a single returning officer in the conduct of a stand-alone recall poll, powers of direction could be useful in requiring returning officers to make available the datasets needed to communicate any recall poll to voters through the Welsh Elections Information Platform.

As such, our view is that consideration should be given to whether there is a need to be explicit in the proposed legislation that the functions of the EMB extend to recall petitions as well as devolved elections and referendums.

We are not of the view that the EMB should become responsible for administering recall polls. The administration and conduct of recall polls should firmly remain with returning officers who have the infrastructure and resources to be able to undertake those functions.

Should you need any further information or wish to discuss further, please do not hesitate to let me know.

Yours sincerely,

A handwritten signature in cursive script that reads "K Jones". To the right of the signature is a vertical line, likely representing a placeholder for a stamp or a separator.

Karen Jones FCIPD, DL

Chair, Electoral Management Board for Wales