

SL(6)776 – The Non-Party Campaigner Campaign Expenditure (Senedd Elections) Code of Practice 2025 (Appointed Day) (Wales) Order 2026

Background and Purpose

This Order appoints 18 February 2026 as the day on which the Non-Party Campaigner Campaign Expenditure (Senedd Elections) Code of Practice 2025 (“the **Code**”) comes into force.

Procedure

No procedure.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements.

Although this Order is not subject to a Senedd procedure, the Code follows the procedure set out in section 100C of the Political Parties, Elections and Referendums Act 2000 (the “**2000 Act**”). The Order confirms that a draft of the Code was laid before the Senedd on 15 December 2025, in accordance with section 100C(4) and (5) of the 2000 Act.

Pursuant to subsections (6) and (10) of section 100C if, within a period of 40 days (excluding periods of dissolution or recess for more than four days) beginning with the date of laying, the Senedd resolves not to approve the draft Code, the Welsh Ministers must not issue it.

Subsection (8) of section 100C provides, amongst other things, that if no such resolution is made by the Senedd within the 40 day period, the Welsh Ministers must issue the Code, which comes into force on the date appointed by the Welsh Ministers by order.

This Order was made on 12 February 2026, which appears to fall on day 39 of the 40 day period.

The preamble to the Order includes the following statements:

*“No resolution of the kind mentioned in section 100C(6) of the 2000 Act **was made** by Senedd Cymru within **40 days** of the draft Code...being laid...*

*...The Code...**was issued**, in the form of the draft laid before the Senedd, by the Welsh Ministers under section 100C(8)(a) of the 2000 Act...” [emphasis added].*



The Welsh Government is therefore asked to clarify:

1. the reason for making this Order during (and not after the expiry of) the 40-day period prescribed in section 100C of the 2000 Act;
2. the date on which the Welsh Ministers issued the Code in accordance with section 100C(8)(a) of the 2000 Act; and, accordingly,
3. whether the Welsh Ministers are satisfied that the requirements of the 2000 Act have been complied with in the making of the Code.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

3 March 2026



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee