

Government Response: The Representation of the People (Absent Voting and Miscellaneous Amendments) (Wales) Regulations 2026

Technical Scrutiny points 1 to 6 and 8 to 10: The Welsh Government thanks the Committee for the points it has raised. In response to the issues raised in technical points 1 to 6 and 8 to 10, the Welsh Government is satisfied that none of those issues affect the operation, legal effect or overall meaning of the Regulations. However, the Welsh Government will keep these issues under review and it will consider whether making amendments in respect of any of those points might be advantageous, in the interests of improving the clarity of any of the provisions mentioned, when opportunities to make such amendments arise. In particular, in relation to **Technical Scrutiny point 2 (a) to (e)** the Welsh Government will consider making these amendments as part of the ongoing maintenance of the 2025 Order.

Technical Scrutiny point 7: In regulation 20, in the new paragraph 11C(8) of Schedule 1 to the 2025 Order, a specific meaning is given to the word “copy” for the purpose of paragraph 11C. Paragraph 11C(8) sets out that “In this paragraph “copy” includes an electronic copy.” We note the Committee’s comment that the term “copy” is also used in the new paragraph 11B and the Committee’s query as to whether the meaning of “copy” applies to both paragraphs 11B and 11C. The definition in the new paragraph 11C(8) does not apply to paragraph 11B. The references to “copy” in paragraph 11B relate to instances where the registration officer may require the applicant to provide the registration officer with a copy of certain documents and there is a separate provision in paragraph 11B(11) which sets out that “A document or attestation provided under this paragraph may be transmitted by an applicant by electronic means”.

Merit Scrutiny point 11: Under the current, unamended version of the 2025 Order, paragraph 4 of Schedule 6 provides that donations of under £500 received from permissible donors are to be disregarded from an individual candidate’s election expenses. This reflects the position in the Political Parties, Elections and Referendums Act 2000 for donations made to registered political parties by permissible donors. However, paragraph 6 of Schedule 6 requires an individual candidate to report all donations (which must be donations from permissible donors if they are to be accepted (paragraph 6(1)) over the value of £50, even though those that are under the value of £500 will be disregarded from their election expenses. The amendment therefore raises the threshold at which donations must be reported as it is not considered necessary for individual candidates to report donations that do not count towards their election expenses limitation. This is an administrative amendment only.