

WRITTEN STATEMENT

Title: The Welsh Parliament and Elections (Wales) Bill

Date: 2 October 2018

By: Elin Jones AM, Llywydd, as Chair of the Assembly Commission

The Assembly Commission has agreed to table a motion today for debate next week (10 October) asking Members to approve its decision to introduce the Welsh Parliament and Elections (Wales) Bill. This Bill would seek to use the powers devolved to the Assembly under the Wales Act 2017 to change the name of the National Assembly, extend the franchise for Assembly elections, amend the law relating to disqualification arrangements, and to make other changes to the Assembly's electoral and internal arrangements. The Commission's intention is that these changes should be implemented by 2021.

The Commission's decision to introduce this legislation is part of a package of reforms under consideration to make the National Assembly a more effective, accessible and diverse legislature. In my statement to the Assembly on 18 July, I set out our intended approach to the package of reform. Many of these reforms are based on recommendations made by the Expert Panel on Assembly Electoral Reform in its report: [*Parliament that works for Wales*](#).

Each element of this package requires a broad degree of support among Members if it is to be introduced. On some aspects, further work is needed for this to be achieved. For example, Members and political parties are still considering the future size of the Assembly, how Members should be elected, and how diversity could be increased. If an agreement is reached on a way forward, the Commission's intention is that these elements will form the second phase of the reform programme during this Assembly term.

In the meantime, following lengthy discussions with key stakeholders and two public consultations, the Commission is satisfied that there is sufficient support to proceed with the first piece of legislation.

The [report on the findings of the consultation on changing the name of the institution](#) has already been published, as has a [summary of the Commission's consultation on electoral reform](#). Findings of that second consultation have been published today in full in a [report](#) which I'm sure Members will find useful in their deliberations.

The next step for the Assembly Commission will be to seek the support of Members to introduce legislation in early 2019 to allow the implementation of the first phase of Assembly reform before the 2021 election.

This legislation will seek to achieve four key objectives:

01. To change the name of the Assembly to Senedd Cymru/ Welsh Parliament

Changing the name will ensure the name of the institution reflects its constitutional position and help to improve public understanding of the role and responsibilities of the legislature. A majority of those who responded to the public consultation on the matter agreed that 'Senedd Cymru/ Welsh Parliament' best describes the legislature's role and responsibilities. The intention would be for the name change to take



legal effect in May 2020 to ensure that the public are familiar with the new name in advance of the next Assembly election in 2021. In order to minimise costs however, the Commission has decided that there will be no wholesale change to the Assembly's logo.

In addition to changing the institution's name there will be associated changes, for example the suffix which appears after Members' names. This is a matter which is still under consideration by the Commission.

02. To reduce the minimum voting age to 16 with effect from the 2021 Assembly election

The Commission's aim is to empower, engage and enthuse young people to participate in the democratic process in Wales. The Commission is working with the Welsh Government and electoral partners to put in place the required arrangements for the extension of the franchise to include 16 and 17 year olds and the smooth operation of the Assembly elections in 2021

As Members are aware, it is the Commission's view that every effort would need to be made to be made to raise awareness of an extension to the franchise, in order to encourage the highest level of participation possible among young people. The Commission will work with relevant stakeholders to engage young people in this positive change.

03. To clarify and reform the legislative framework relating to disqualification from being an Assembly Member

The Commission intends to implement recommendations for legislative change made by the Constitutional and Legal Affairs Committee of the Fourth Assembly. These changes would provide clarity for potential candidates about their eligibility to stand for election and, by adjusting the point at which most disqualifications take effect, would enable more people to stand without having to first resign their jobs, with such resignations only required if they are elected. The reforms would also clarify the disqualification of lord lieutenants and high sheriffs and, in order to avoid conflicts of interest, would disqualify members of the House of Lords unless they take a formal leave of absence from Westminster. The new disqualification arrangements would take effect from the next Assembly election.

04. To make changes to the Assembly's electoral and internal arrangements

Provisions would ensure that if the Law Commission makes recommendations to rationalise the current laws relating to elections, such recommendations as may be considered desirable in Wales can be implemented for Assembly and local authority elections in Wales. This could allow for the development of a coherent legislative framework and provide consistency across different elections.

The deadline for the first meeting of the Assembly after an election would be extended from seven to fourteen days, in line with the arrangements in the Scottish Parliament. The intention is to extend the opportunities for discussions and negotiations between political parties after the election, before important decisions need to be taken.

Provision will also be made to remove a current legislative ambiguity and clarify that the Assembly Commission has the power to charge for the provision of services not related to its functions.

Should the National Assembly for Wales decide that the Commission should introduce the Welsh Parliament and Elections (Wales) Bill, it would be subject to the Assembly's full legislative scrutiny



processes and would require a super-majority at its final legislative stage, meaning that at least 40 Members would need to vote in favour of the Bill. I will ask the Business Committee to consider an approach to legislative scrutiny which would allow all Members, and the wider Welsh public, to engage fully in the debate around the Bill's principles and its provisions and implications. As required by Standing Orders, the Explanatory Memorandum which will be published alongside the Bill on introduction will include best estimates of the potential costs and savings to which the legislation could give rise, and assessments of the impact of the proposals on equalities and inclusion, the Assembly's official languages, the justice system, children's rights and other relevant areas.

The Commission is grateful to all who continue to engage with us on these matters. I believe that should this legislation be implemented, it will give young people a stronger voice in the future of our nation, paving the way to improving the participation of our next generation in our democracy and our parliament as it enters its third decade of serving the people of Wales.

