

Senedd and Elections (Wales) Bill – Stage 2 Government Amendments

This table provides information about the amendments tabled in the name of Jeremy Miles AM on 30 September 2019.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
34	Section 1, page 1, line 16, leave out 'requires the Senedd to consider' and insert 'makes provision about'.	Adran 1, tudalen 1, llinell 16, hepgorer 'ei gwneud yn ofynnol i'r Senedd ystyried' a mewnosoder 'gwneud darpariaeth ynghylch'.	Consequential to amendments 53 and 71. Updates the overview of the Bill to reflect the content of the new Section 27 substituted by amendment 53 regarding the financial and oversight arrangements for the Electoral Commission.
35	Section 1, page 1, line 16, after '17', insert 'and qualifying foreign citizens'.	Adran 1, tudalen 1, llinell 16, ar ol 'oed', mewnosoder 'a dinasyddion tramor cymhwysol'.	The purpose of this amendment is to add a reference to foreign citizens in the Overview of the Bill. The effect of this amendment is to reflect that foreign citizens are added to the list of persons extended the right to vote by Part 3 of the Bill.
36	Section 1, page 1, line 29, leave out 'its extent,'.	Adran 1, tudalen 1, llinell 31, hepgorer 'ei rhychwant,'.	This is a consequential amendment resulting from amendment 68. It removes wording from section 1 of the Bill that refers to section 39. Section 39 would be removed from the Bill by amendment 68.
37	Section 10, page 3, line 5, leave out subsection (1) and insert— () Section 12 (entitlement to vote) of the 2006 Act is amended as follows. () In subsection (1)(a), after "constituency" insert "or fall within the extended franchise for Senedd elections as described in this section".	Adran 10, tudalen 3, llinell 5, hepgorer is-adran (1) a mewnosoder— () Mae adran 12 (yr hawl i bleidleisio) o Ddeddf 2006 wedi ei diwygio fel a ganlyn. () Yn is-adran (1)(a), ar ol "constituency" mewnosoder "or fall within the extended franchise for Senedd elections as described in this section".	The purpose of this amendment is to extend the Senedd franchise to persons aged 16 and 17. The effect of this amendment is that any citizen who is aged 16 and over meets all other qualifying criteria for voting may vote in Senedd elections.

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	<p>() After subsection (1), insert— “(1A) A person falls within the extended franchise for Senedd elections if the person— (a) has attained the age of 16, but not the age of 18, and (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”.</p>	<p>() Ar ol is-adran (1), mewnosoder— “(1A) A person falls within the extended franchise for Senedd elections if the person— (a) has attained the age of 16, but not the age of 18, and (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”.</p>	
38	<p>Page 3, after line 8, insert a new section— [] Extension of right to vote to qualifying foreign citizens in Senedd elections (1) After section 12(1A) of the 2006 Act, insert— “(1B) A person falls within the extended franchise for Senedd elections if the person— (a) is a qualifying foreign citizen (within the meaning given by section 203(1) of the Representation of the People Act 1983 (c.2)), and (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly included within the Senedd constituency.”</p>	<p>Tudalen 3, ar ol llinell 8, mewnosoder adran newydd— [] Estyn yr hawl i bleidleisio i ddinasyddion tramor cymhwysol yn etholiadau'r Senedd (1) Ar ol adran 12(1A) o Ddeddf 2006, mewnosoder— “(1B) A person falls within the extended franchise for Senedd elections if the person— (a) is a qualifying foreign citizen (within the meaning given by section 203(1) of the Representation of the People Act 1983 (c.2)), and (b) would, but for any disability removed by this section, be entitled to vote as an elector at a local government election in an electoral area wholly or partly</p>	<p>The purpose of this amendment is to extend the Senedd franchise to qualifying foreign citizens.</p> <p>The effect of this amendment is that any qualifying foreign citizens (see amendment 40) who meet all other qualifying criteria for voting may vote in Senedd elections for polls held on or after 5 April 2021.</p>

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	(2) The amendments made by this section have effect for the purposes of an election for membership of the Senedd at which a poll is held on or after 5 April 2021.’.	included within the Senedd constituency.” (2) Mae’r diwygiadau a wneir gan yr adran hon yn cael effaith at ddibenion etholiad i fod yn Aelod o’r Senedd pan gynhelir y bleidlais ar 5 Ebrill 2021 neu wedi hynny.’.	
39	Section 11, page 3, after line 14, insert— () after subsection (3) insert— “(3A) A person is also entitled to be registered in the register of local government electors for any electoral area in Wales if on the relevant date the person— (a) is resident in that area, (b) is not subject to any legal incapacity to vote (age apart) in an election of members (or of a member) of Senedd Cymru, (c) is a qualifying foreign citizen, and (d) is 16 years of age or over.”;’.	Adran 11, tudalen 3, ar ol llinell 14, mewnosoder— () ar ol is-adran (3) mewnosoder— “(3A) A person is also entitled to be registered in the register of local government electors for any electoral area in Wales if on the relevant date the person— (a) is resident in that area, (b) is not subject to any legal incapacity to vote (age apart) in an election of members (or of a member) of Senedd Cymru, (c) is a qualifying foreign citizen, and (d) is 16 years of age or over.”;’.	The purpose of this amendment is to make changes to Section 4 of the Representation of the People Act to enable qualifying foreign citizens to register on the register of local government electors. The effect of this amendment is that qualifying foreign citizens and those who are 16 years of age and over may be added to the local government register in order that they may vote at Senedd elections.
40	Section 11, page 3, after line 18, insert— () In section 203(1) of the 1983 Act (local government provisions as to England and Wales) after the definition of “London member” insert— ““qualifying foreign citizen” means a person who— (a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and (b) either—	Adran 11, tudalen 3, ar ol llinell 18, mewnosoder— () Yn adran 203(1) o Ddeddf 1983 (darpariaethau llywodraeth leol o ran Cymru a Lloegr) ar ol y diffiniad o “London member” mewnosoder— ““qualifying foreign citizen” means a person who— (a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and	The purpose of this amendment is to define who may be considered a qualifying foreign citizen for the purposes of registering as an elector. The effect of this amendment is that persons who do not require leave under the Immigration Act 1971 to enter or remain in the United Kingdom or who do require such leave and have been granted, or are to be treated as having been granted any description of such leave may

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	<p>(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or</p> <p>(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave.”.</p>	<p>(b) either—</p> <p>(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or</p> <p>(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave.”.</p>	<p>register on the register of local government electors.</p>
41	<p>Section 15, page 5, after line 8, insert—</p> <p>‘() In regulation 24 (evidence as to age and nationality), after “Union” insert “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”.’.</p>	<p>Adran 15, tudalen 5, ar ol llinell 8, mewnosoder—</p> <p>‘() Yn rheoliad 24 (tystiolaeth o ran oedran a chenedligrwydd), ar ol “Union” mewnosoder “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”.’.</p>	<p>This amendment is consequential on amendments 37 and 38 which extend the Senedd franchise to qualifying foreign citizens.</p> <p>The effect of this amendment is to add to the list of evidence which may be requested by a registration officer in order to make a determination on an application to register. This amendment enables a registration officer to request a statutory declaration that the person is a qualifying foreign citizen.</p>
42	<p>Section 15, page 5, after line 18, insert—</p> <p>‘() in paragraph (3)(ba), after “Union” insert “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”.’.</p>	<p>Adran 15, tudalen 5, ar ol llinell 18, mewnosoder—</p> <p>‘() ym mharagraff (3)(ba), ar ol “Union” mewnosoder “or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen”.’.</p>	<p>This amendment is consequential on amendments 37 and 38 which extend the Senedd franchise to qualifying foreign citizens.</p> <p>The effect of the amendment is that the Electoral Commission must amend the prescribed Invitation to Register form to include qualifying foreign nationals in the statement of persons who may register to vote as a local government elector in Wales.</p>

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43	Section 18, page 7, after line 19, insert— '() In subsection (3)(e), after "Union" insert "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen".'	Adran 18, tudalen 7, ar ol llinell 19, mewnosoder— '() Yn is-adran (3)(e), ar ol "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen".'	The purpose of this amendment is in consequence of amendment 44 which enables a qualifying foreign citizen to make a declaration of local connection. The effect of this amendment is that a declaration of local connection must state whether a person is a qualifying foreign citizen.
44	Section 18, page 7, after line 34, insert— '() a declaration of local connection made by a qualifying foreign citizen;'	Adran 18, tudalen 7, ar ol llinell 34, mewnosoder— '() a declaration of local connection made by a qualifying foreign citizen;'	The purpose of this amendment is to add qualifying foreign citizens to the list of persons who may make a declaration of local connections only for the purpose of registration as a local government elector. The effect of this amendment is to enable qualifying foreign citizens who fall within section 7B(2) of the Representation of the People Act to make a declaration of local connection for the purposes of registering on the local government register in Wales.
45	Section 19, page 8, after line 34, insert— '() a service declaration made by a qualifying foreign citizen;'	Adran 19, tudalen 8, ar ôl llinell 34, mewnosoder— '() a service declaration made by a qualifying foreign citizen;'	The purpose of this amendment is to enable a qualifying foreign citizen to make a service declaration. The effect of this amendment is to include qualifying foreign citizens in the category of persons who can make a service declaration. The service declaration has effect only for the purposes of registration as a local government elector in Wales.

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46	Section 19, page 9, after line 6, insert— '() in that subsection, in paragraph (e), after "Union" insert "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.	Adran 19, tudalen 9, ar ol llinell 6, mewnosoder— '() yn yr is-adran honno, ym mharagraff (e), ar ol "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.	This amendment is in consequence of amendment 44. The effect of the amendment is to amend the required content of a service declaration to include a statement from the individual that on the date of the declaration the declarant is a qualifying foreign citizen.
47	Section 19, page 9, line 11, after 'declaration)', insert— '() in subsection (1)(c), after "Union" insert "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.	Adran 19, tudalen 9, llinell 11, ar ol 'wasanaeth)', mewnosoder— '() yn is-adran (1)(c), ar ol "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";'.	This amendment is in consequence of amendment 44. The effect of the amendment is to add qualifying foreign citizens to the list of person in section 17 of the Representation of the People Act 1983, which outlines the effect of a service declaration on registration applications.
48	Section 22, page 11, after line 24, insert— '() the entry in the combined registers of any person who is registered only as a local government elector by virtue of section 4(3A) of this Act must give an indication of that fact.'	Adran 22, tudalen 11, ar ôl llinell 24, mewnosoder— '() the entry in the combined registers of any person who is registered only as a local government elector by virtue of section 4(3A) of this Act must give an indication of that fact.'	This amendment is in consequence of amendments 39 and 40. The effect of the amendment is to ensure that combined Parliamentary and local government electoral registers are marked to show registered voters who are entitled to vote only at local government elections and Senedd elections by virtue of being qualifying foreign citizens.
49	Section 26, page 14, after line 12, insert— '() after the definition of "qualifying Commonwealth citizen" insert— "qualifying foreign citizen" means a person who— (a) is not a Commonwealth citizen, a	Adran 26, tudalen 14, ar ol llinell 11, mewnosoder— '() ar ol y diffiniad o "qualifying Commonwealth citizen" mewnosoder— "qualifying foreign citizen" means a	This amendment is in consequence of amendment 38 extending the franchise to qualifying foreign citizens. The effect of the amendment is to Insert a new definition of qualifying foreign citizen into the

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	<p>citizen of the Republic of Ireland or a relevant citizen of the Union, and (b) either— (i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or (ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave;”.</p>	<p>person who— (a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and (b) either— (i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or (ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave;”.</p>	<p>National Assembly for Wales (Representation of the People) Order 2007.</p>
50	<p>Section 26, page 14, line 14, after ‘Act’”, insert ‘to the end’.</p>	<p>Adran 26, tudalen 14, llinell 13, ar ol ‘Act’”, mewnosoder ‘hyd at y diwedd’.</p>	<p>The purpose of this amendment is to remove some otiose wording from the definition of “qualifying Commonwealth citizen”.</p>
51	<p>Section 26, page 14, line 17, leave out ‘11(4) (proxies at Assembly elections)’ and insert— ‘11 (proxies at Assembly elections)— (a) in paragraph (3)(b), after “Union” insert “nor a qualifying foreign citizen”; (b) in paragraph (4)’</p>	<p>Adran 26, tudalen 14, llinell 17, hepgorer ‘11(4) (dirprwyon yn etholiadau'r Cynulliad)’ a mewnosoder— ‘11 (dirprwyon yn etholiadau'r Cynulliad)— (a) ym mharagraff (3)(b), ar ôl “Union” mewnosoder “nor a qualifying foreign citizen”; (b) ym mharagraff (4)’</p>	<p>The purpose of this amendment is to allow qualifying foreign citizens to act as a proxy voter at polls for Senedd elections. The effect of this amendment is that qualifying foreign citizens and all persons aged 16 and over may be nominated to act as a proxy voter for Senedd elections.</p>
52	<p>Section 26, page 14, after line 17, insert— ‘(4) In article 26(3)(b) (effect of registers), after sub-paragraph (i) insert— “(ia) a qualifying foreign citizen;”.</p>	<p>Adran 26, tudalen 14, ar ol llinell 17, mewnosoder— ‘(4) Yn erthygl 26(3)(b) (effaith cofrestrau), ar ol is-baragraff (i) mewnosoder—</p>	<p>The purpose of this amendment is to ensure qualifying foreign citizens and those 16 and over are able to act as proxy voters at Senedd</p>

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	<p>(5) The following amendments have effect for the purposes of an election for membership of the Senedd at which the poll is held on or after 5 April 2021—</p> <p>(a) the amendment made by subsection (2)(c) so far as it defines “voting age” in article 26(3)(a) of the 2007 Order;</p> <p>(b) the amendments made by subsections (3) and [(4)].’.</p>	<p>“(ia) a qualifying foreign citizen;”.</p> <p>(5) Mae’r diwygiadau a ganlyn yn cael effaith at ddibenion etholiad i fod yn Aelod o’r Senedd pan gynhelir y bleidlais ar 5 Ebrill 2021 neu wedi hynny—</p> <p>(a) y diwygiad a wneir gan is-adran (2)(c) i’r graddau y mae’n diffinio “voting age” yn erthygl 26(3)(a) o Orchymyn 2007;</p> <p>(b) y diwygiadau a wneir gan is-adrannau (3) a [(4)].’.</p>	<p>elections.</p> <p>The effect of the amendment is to provide that those who are entitled to vote at Senedd elections (qualifying foreign citizens and those who are 16 and over) can also act as proxy voters for Senedd elections held on or after 5 April 2021.</p>
53	<p>Page 14, line 19, leave out section 27 and insert—</p> <p>[] Financial and oversight arrangements of Electoral Commission</p> <p>(1) Schedule 1 to the Political Parties, Elections and Referendums Act 2000 (c. 41) is amended as follows.</p> <p>(2) After paragraph 16 insert—</p> <p><i>“Financing of Commission: devolved Welsh elections and referendums</i></p> <p>16A (1) The expenditure of the Commission that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums is (so far as it cannot be met out of income received by the Commission) to be met by the Senedd Commission.</p> <p>(2) For each financial year, the Commission</p>	<p>Tudalen 14, llinell 19, hepgorer adran 27 a mewnosoder—</p> <p>[] Trefniadau ariannol a goruchwyllo’r Comisiwn Etholiadol</p> <p>(1) Mae Atodlen 1 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41) wedi ei diwygio fel a ganlyn.</p> <p>(2) Ar ôl paragraff 16 mewnosoder—</p> <p><i>“Financing of Commission: devolved Welsh elections and referendums</i></p> <p>16A (1) The expenditure of the Commission that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums is (so far as it cannot be met out of income received by the Commission) to be met by the Senedd Commission.</p> <p>(2) For each financial year, the Commission</p>	<p>The purpose of this amendment is to remove and replace section 27 of the Bill.</p> <p>The effect is to set out the new funding mechanism for the Electoral Commission in relation to its work on devolved Welsh elections and referendums. The amendment provides that the Electoral Commission is to be funded via the Senedd Commission, and requires it to submit estimates and plans to a Senedd body (either a committee or the Senedd Commission) which will scrutinise the Electoral Commission’s work in relation to devolved Welsh elections and referendums. Provision is also made about reports and accounts relating to the Electoral Commission’s functions in relation to devolved Welsh elections and referendums.</p> <p>The change is achieved by amending Schedule 1 to the Political Parties, Elections and</p>

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	<p>must prepare an estimate of the Commission's income and expenditure that is attributable to the exercise of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums.</p> <p>(3) At least six months before the start of the financial year to which an estimate relates, the Commission must submit the estimate to the relevant Senedd body.</p> <p>(4) During the financial year to which an estimate relates, the Commission may prepare a revised estimate and submit it to the relevant Senedd body; and references in the rest of this paragraph to an estimate include a revised estimate.</p> <p>(5) The standing orders of Senedd Cymru must designate one of the following as the relevant Senedd body—</p> <p>(a) a committee of Senedd Cymru chaired by the Presiding Officer or Deputy Presiding Officer, or</p> <p>(b) the Senedd Commission.</p> <p>(6) The relevant Senedd body must—</p> <p>(a) examine each estimate submitted to it,</p> <p>(b) decide whether it is satisfied that the estimated level of income and expenditure is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh</p>	<p>must prepare an estimate of the Commission's income and expenditure that is attributable to the exercise of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums.</p> <p>(3) At least six months before the start of the financial year to which an estimate relates, the Commission must submit the estimate to the relevant Senedd body.</p> <p>(4) During the financial year to which an estimate relates, the Commission may prepare a revised estimate and submit it to the relevant Senedd body; and references in the rest of this paragraph to an estimate include a revised estimate.</p> <p>(5) The standing orders of Senedd Cymru must designate one of the following as the relevant Senedd body—</p> <p>(a) a committee of Senedd Cymru chaired by the Presiding Officer or Deputy Presiding Officer, or</p> <p>(b) the Senedd Commission.</p> <p>(6) The relevant Senedd body must—</p> <p>(a) examine each estimate submitted to it,</p> <p>(b) decide whether it is satisfied that the estimated level of income and expenditure is consistent with the economical, efficient and effective discharge by the Commission of their</p>	<p>Referendums Act 2000.</p> <p>The new section 27 of the Bill introduces a new Schedule to the Bill, containing further amendments relating to the Electoral Commission, which is to be inserted by amendment 71.</p>

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	<p>referendums, and</p> <p>(c) if it is not so satisfied, make such modifications to the estimate as it considers appropriate for the purpose of achieving such consistency.</p> <p>(7) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must—</p> <p>(a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2), to any later report made under paragraph 16C(4), and to any recommendations contained in the reports;</p> <p>(b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.</p> <p>(8) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the estimate, lay the estimate before Senedd Cymru.</p> <p>(9) If the relevant Senedd body, in the discharge of its functions under this paragraph—</p> <p>(a) does not follow any recommendation contained in a report of the Comptroller and Auditor General,</p> <p>(b) does not follow any advice given to it by the Welsh Ministers, or</p> <p>(c) makes any modification to the estimate, it must include in the next</p>	<p>functions in relation to devolved Welsh elections and devolved Welsh referendums, and</p> <p>(c) if it is not so satisfied, make such modifications to the estimate as it considers appropriate for the purpose of achieving such consistency.</p> <p>(7) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must—</p> <p>(a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2), to any later report made under paragraph 16C(4), and to any recommendations contained in the reports;</p> <p>(b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.</p> <p>(8) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the estimate, lay the estimate before Senedd Cymru.</p> <p>(9) If the relevant Senedd body, in the discharge of its functions under this paragraph—</p> <p>(a) does not follow any recommendation contained in a report of the Comptroller and Auditor General,</p> <p>(b) does not follow any advice given to it by the Welsh Ministers, or</p>	

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	<p>report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.</p> <p>(10) This paragraph applies in relation to the income and expenditure of the Commission in financial years that begin on or after 1 April 2021.</p> <p><i>Five-year plan: devolved Welsh elections and referendums</i></p> <p>16B (1) When the Commission submit an estimate to the relevant Senedd body under paragraph 16A(3), the Commission must at the same time submit to the relevant Senedd body a plan setting out—</p> <p>(a) the Commission’s aims and objectives for the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums during the period of five years beginning with the financial year to which the estimate relates, and</p> <p>(b) the Commission’s estimated requirements for resources for the exercise of those functions during that five-year period.</p> <p>(2) The relevant Senedd body must—</p> <p>(a) examine each plan submitted to it,</p> <p>(b) decide whether it is satisfied that the plan is consistent with the economical, efficient and effective discharge by the Commission of their functions in</p>	<p>(c) makes any modification to the estimate, it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.</p> <p>(10) This paragraph applies in relation to the income and expenditure of the Commission in financial years that begin on or after 1 April 2021.</p> <p><i>Five-year plan: devolved Welsh elections and referendums</i></p> <p>16B (1) When the Commission submit an estimate to the relevant Senedd body under paragraph 16A(3), the Commission must at the same time submit to the relevant Senedd body a plan setting out—</p> <p>(a) the Commission’s aims and objectives for the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums during the period of five years beginning with the financial year to which the estimate relates, and</p> <p>(b) the Commission’s estimated requirements for resources for the exercise of those functions during that five-year period.</p> <p>(2) The relevant Senedd body must—</p> <p>(a) examine each plan submitted to it,</p>	

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	<p>relation to devolved Welsh elections and devolved Welsh referendums, and</p> <p>(c) if it is not so satisfied, make such modifications to the plan as it considers appropriate for the purpose of achieving such consistency.</p> <p>(3) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must—</p> <p>(a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2) and to any recommendations contained in the report;</p> <p>(b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.</p> <p>(4) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the plan, lay the plan before Senedd Cymru.</p> <p>(5) If the relevant Senedd body, in the discharge of its functions under this paragraph—</p> <p>(a) does not follow any recommendation contained in the report of the Comptroller and Auditor General,</p> <p>(b) does not follow any advice given to it by the Welsh Ministers, or</p> <p>(c) makes any modification to the plan, it must include in the next report which it</p>	<p>(b) decide whether it is satisfied that the plan is consistent with the economical, efficient and effective discharge by the Commission of their functions in relation to devolved Welsh elections and devolved Welsh referendums, and</p> <p>(c) if it is not so satisfied, make such modifications to the plan as it considers appropriate for the purpose of achieving such consistency.</p> <p>(3) Before deciding whether it is so satisfied or making any such modifications, the relevant Senedd body must—</p> <p>(a) have regard to the most recent report made to it by the Comptroller and Auditor General under paragraph 16C(2) and to any recommendations contained in the report;</p> <p>(b) consult the Welsh Ministers and have regard to any advice the Welsh Ministers may give.</p> <p>(4) The relevant Senedd body must, after concluding its examination and making its modifications (if any) to the plan, lay the plan before Senedd Cymru.</p> <p>(5) If the relevant Senedd body, in the discharge of its functions under this paragraph—</p> <p>(a) does not follow any recommendation contained in the report of the Comptroller and Auditor General,</p>	

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	<p>makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.</p> <p><i>Examination of Commission: devolved Welsh elections and referendums</i></p> <p>16C (1) Sub-paragraph (2) applies where an estimate and plan are submitted to the relevant Senedd body under paragraphs 16A(3) and 16B(1).</p> <p>(2) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraphs 16A and 16B, the Comptroller and Auditor General must, before the relevant Senedd body considers the estimate and plan—</p> <p>(a) carry out an examination into the economy, efficiency or effectiveness (or, if the Comptroller and Auditor General so determines, any combination of them) with which the Commission have used their resources in discharging their functions in relation to devolved Welsh elections and devolved Welsh referendums (or, if the Comptroller and Auditor General so determines, any of those functions),</p> <p>(b) report to the relevant Senedd body the results of the examination, and</p> <p>(c) include in the report such recommendations as the Comptroller and Auditor General considers</p>	<p>(b) does not follow any advice given to it by the Welsh Ministers, or</p> <p>(c) makes any modification to the plan, it must include in the next report which it makes to Senedd Cymru under paragraph 20B a statement of its reasons for so doing.</p> <p><i>Examination of Commission: devolved Welsh elections and referendums</i></p> <p>16C (1) Sub-paragraph (2) applies where an estimate and plan are submitted to the relevant Senedd body under paragraphs 16A(3) and 16B(1).</p> <p>(2) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraphs 16A and 16B, the Comptroller and Auditor General must, before the relevant Senedd body considers the estimate and plan—</p> <p>(a) carry out an examination into the economy, efficiency or effectiveness (or, if the Comptroller and Auditor General so determines, any combination of them) with which the Commission have used their resources in discharging their functions in relation to devolved Welsh elections and devolved Welsh referendums (or, if the Comptroller and Auditor General so determines, any of those functions),</p>	

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	<p>appropriate in the light of the examination.</p> <p>(3) Sub-paragraph (4) applies where a revised estimate is submitted to the relevant Senedd body under paragraph 16A(4).</p> <p>(4) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraph 16A, the Comptroller and Auditor General may, before the body considers the revised estimate—</p> <p>(a) carry out a further examination into the matters mentioned in sub-paragraph (2)(a),</p> <p>(b) report to the relevant Senedd body the results of the examination, and</p> <p>(c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.</p> <p>(5) Section 8 of the National Audit Act 1983 (right to obtain documents and information) applies in relation to any examination under this paragraph as it applies in relation to an examination under section 6 of that Act.</p> <p>(6) See also section 19 of the Public Audit (Wales) Act 2013 (which enables the Wales Audit Office to make arrangements for any function of a public authority or office holder to be exercised by the</p>	<p>(b) report to the relevant Senedd body the results of the examination, and</p> <p>(c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.</p> <p>(3) Sub-paragraph (4) applies where a revised estimate is submitted to the relevant Senedd body under paragraph 16A(4).</p> <p>(4) For the purpose of assisting the relevant Senedd body to discharge its functions under paragraph 16A, the Comptroller and Auditor General may, before the body considers the revised estimate—</p> <p>(a) carry out a further examination into the matters mentioned in sub-paragraph (2)(a),</p> <p>(b) report to the relevant Senedd body the results of the examination, and</p> <p>(c) include in the report such recommendations as the Comptroller and Auditor General considers appropriate in the light of the examination.</p> <p>(5) Section 8 of the National Audit Act 1983 (right to obtain documents and information) applies in relation to any examination under this paragraph as it applies in relation to an examination under section 6 of that Act.</p>	

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	<p>Auditor General for Wales).”</p> <p>(3) In paragraph 18 (audit)—</p> <p>(a) in sub-paragraph (1)(b), at the end insert “and the relevant Senedd body”;</p> <p>(b) in sub-paragraph (2)(b), after “Parliament” insert “and Senedd Cymru”;</p> <p>(c) after sub-paragraph (2) insert—</p> <p>“(3) The relevant Senedd body may submit to the Auditor General for Wales any accounts that have been certified and laid before Senedd Cymru under sub-paragraph (2).</p> <p>(4) The Auditor General for Wales must—</p> <p>(a) carry out a further examination of any accounts submitted under sub-paragraph (3), so far as they relate to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums, and</p> <p>(b) prepare and lay before Senedd Cymru a report on the accounts so far as they relate to the exercise of those functions.”</p> <p>(4) In paragraph 19(4) (responsibilities of accounting officer), after “the Speaker’s Committee” insert “, the relevant Senedd body”.</p> <p>(5) After paragraph 20 insert—</p> <p><i>“Reports by Commission: devolved</i></p>	<p>(6) See also section 19 of the Public Audit (Wales) Act 2013 (which enables the Wales Audit Office to make arrangements for any function of a public authority or office holder to be exercised by the Auditor General for Wales).”</p> <p>(3) Ym mharagraff 18 (archwilio)—</p> <p>(a) yn is-baragraff (1)(b), ar y diwedd mewnosoder “and the relevant Senedd body”;</p> <p>(b) yn is-baragraff (2)(b), ar ôl “Parliament” mewnosoder “and Senedd Cymru”;</p> <p>(c) ar ôl is-baragraff (2) mewnosoder—</p> <p>“(3) The relevant Senedd body may submit to the Auditor General for Wales any accounts that have been certified and laid before Senedd Cymru under sub-paragraph (2).</p> <p>(4) The Auditor General for Wales must—</p> <p>(a) carry out a further examination of any accounts submitted under sub-paragraph (3), so far as they relate to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums, and</p> <p>(b) prepare and lay before Senedd Cymru a report on the accounts so far as they relate to the exercise of those functions.”</p>	

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	<p><i>Welsh elections and referendums</i></p> <p>20A (1) The Commission must, as soon as practicable after the end of each financial year—</p> <p>(a) prepare a report about the performance of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums during that financial year, and</p> <p>(b) lay the report before Senedd Cymru.</p> <p>(2) On laying the report, the Commission must publish it in such manner as the Commission may determine.</p> <p><i>Reports by relevant Senedd body</i></p> <p>20B (1) The relevant Senedd body must, at least once in each year—</p> <p>(a) prepare a report on the exercise by the body of its functions under this Schedule, and</p> <p>(b) lay the report before Senedd Cymru.</p> <p>(2) For the purposes of the law of defamation, the publication of any matter by the relevant Senedd body in such a report is absolutely privileged.”</p> <p>(6) In paragraph 25—</p> <p>(a) the existing provision becomes sub-paragraph (1);</p>	<p>(4) Ym mharagraff 19(4) (cyfrifoldebau'r swyddog cyfrifyddu), ar ôl “the Speaker's Committee” mewnosoder “, the relevant Senedd body”.</p> <p>(5) Ar ôl paragraff 20 mewnosoder—</p> <p><i>“Reports by Commission: devolved Welsh elections and referendums</i></p> <p>20A (1) The Commission must, as soon as practicable after the end of each financial year—</p> <p>(a) prepare a report about the performance of the Commission's functions in relation to devolved Welsh elections and devolved Welsh referendums during that financial year, and</p> <p>(b) lay the report before Senedd Cymru.</p> <p>(2) On laying the report, the Commission must publish it in such maner as the Commission may determine.</p> <p><i>Reports by relevant Senedd body</i></p> <p>20B (1) The relevant Senedd body must, at least once in each year—</p> <p>(a) prepare a report on the exercise by the body of its functions under this Schedule, and</p> <p>(b) lay the report before Senedd Cymru.</p> <p>(2) For the purposes of the law of</p>	

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	<p>(b) after that sub-paragraph insert— “(2) In this Schedule— “devolved Welsh election” means— (a) a general election of members of Senedd Cymru; (b) an election held under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies); (c) a local government election in Wales; “devolved Welsh referendum” means a referendum held under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to local authority executive arrangements); “relevant Senedd body” means the body designated under paragraph 16A(5).”</p> <p>(7) Schedule [<i>new Schedule – amendment 71</i>] contains further amendments relating to the Electoral Commission.’.</p>	<p>defamation, the publication of any matter by the relevant Senedd body in such a report is absolutely privileged.”</p> <p>(6) Ym mharagraff 25— (a) daw'r ddarpariaeth bresennol yn is-baragraff (1); (b) ar ôl yr is-baragraff hwnnw mewnosoder— “(2) In this Schedule— “devolved Welsh election” means— (a) a general election of members of Senedd Cymru; (b) an election held under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies); (c) a local government election in Wales; “devolved Welsh referendum” means a referendum held under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to local authority executive arrangements); “relevant Senedd body” means the body designated under paragraph 16A(5).”</p> <p>(7) Mae Atodlen [<i>Atodlen newydd – gwellaint 71</i>] yn cynnwys diwygiadau pellach sy'n</p>	

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		ymwneud â'r Comisiwn Etholiadol.'	
54	Page 15, line 3, leave out section 28.	Tudalen 15, llinell 3, hepgorer adran 28.	<p>The purpose of this amendment is to remove general provisions relating to the power to make regulations and the procedures that apply to them.</p> <p>The effect of this amendment is that there is no provision dealing with regulations and their procedure in this part of the Bill. Provision is made in Part 6 of the Bill instead.</p>
55	<p>Section 29, page 15, line 24, leave out 'In subsection (1)—' and insert—</p> <p>Before subsection (1) insert—</p> <p>"(A1) A person is disqualified from being a Member of Senedd Cymru, and from being a candidate to be a Member of Senedd Cymru, if that person—</p> <p>(a) falls within any of the categories of person specified in Part 1 of Schedule 1A, or</p> <p>(b) holds any of the offices specified in Part 2 of Schedule 1A."</p> <p>() In subsection (1)—</p> <p>(a) for the words before paragraph (za) substitute—</p>	<p>Adran 29, tudalen 15, llinell 27, hepgorer 'Yn is-adran (1)—' a mewnosoder—</p> <p>'O flaen is-adran (1) mewnosoder—</p> <p>"(A1) A person is disqualified from being a Member of Senedd Cymru, and from being a candidate to be a Member of Senedd Cymru, if that person—</p> <p>(a) falls within any of the categories of person specified in Part 1 of Schedule 1A, or</p> <p>(b) holds any of the offices specified in Part 2 of Schedule 1A."</p> <p>() Yn is-adran (1)—</p> <p>(a) yn lle'r geiriau o flaen paragraff (za) rhodder—</p>	<p>The purpose of this amendment, together with amendments 57 and 58, is to clarify the effect of section 29 of the Bill and remove duplication from that section. Section 29 of the Bill makes amendments to section 16 of the Government of Wales Act 2006, which sets out the grounds on which people are disqualified from membership of the Assembly. Amendments 55, 57 and 58 replace some of the amendments to section 16, in order to achieve the intended result more clearly.</p> <p>Section 29 of the Bill amends section 16 of the Government of Wales Act 2006 to create a distinction between disqualification being a member of the Senedd, and disqualification from being either a member or a candidate for election. Amendment 55 will mean that section 29 of the Bill inserts provisions into section 16</p>

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	“(1) A person is disqualified from being a Member of Senedd Cymru (but not from being a candidate to be a Member of Senedd Cymru) if that person—”,’.	“(1) A person is disqualified from being a Member of Senedd Cymru (but not from being a candidate to be a Member of Senedd Cymru) if that person—”,’.	which set out these two types of disqualification clearly at the outset.
56	Section 29, page 15, after line 26, insert— ‘(zc) is a member of the council of a county or county borough in Wales (but see sections 17D, 17E and 17F), or’.	Adran 29, tudalen 15, ar ôl llinell 29, mewnosoder— ‘(zc) is a member of the council of a county or county borough in Wales (but see sections 17D, 17E and 17F), or’.	This is an amendment to section 29 of the Bill, which would insert new provision into section 16 of the Government of Wales Act 2006. . The effect is to disqualify members of the council of a county or county borough in Wales from membership of Senedd Cymru, subject to the exceptions which are provided for in the new sections inserted into the 2006 Act by amendment 61.
57	Section 29, page 15, leave out lines 27 to 29.	Adran 29, tudalen 15, hepgorer llinellau 30 hyd at 32.	This amendment is consequential on amendment 55. It removes wording from section 29(2)(a) of the Bill which is unnecessary as a result of that amendment. The purpose of this amendment, together with amendments 55 and 58, is to clarify the effect of section 29 of the Bill.
58	Section 29, page 15, line 31, leave out— ‘after “members” insert “(but see subsection (1B))”’; and (d) omit paragraphs (c) to (e). (3) After subsection (1), insert— “(1A) A person who is disqualified from being a Member of the Senedd by virtue of paragraph (zc) or (zd) of	Adran 29, tudalen 15, llinell 34, hepgorer— ‘ôl “members” mewnosoder “(but see subsection (1B))”’; a (d) hepgorer paragraffau (c) i (e). (3) Ar ôl is-adran (1), mewnosoder— “(1A) A person who is disqualified from being a Member of the Senedd by virtue of paragraph (zc) or (zd) of	This amendment replaces provisions in section 29(2) and (3) of the Bill, which amend section 16 of the Government of Wales Act 2006 (setting out the grounds of disqualification). The purpose of this amendment is to ensure that those provisions amend section 16 correctly, and to remove wording which is unnecessary as a result of amendment 55.

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	<p>subsection (1) is disqualified from being a candidate for election to the Senedd.</p> <p>(1B) A person who would have been disqualified from being a Member of the Senedd by virtue of subsection (1)(b) is not disqualified—</p> <p>(a) from being a candidate for election to the Senedd; and</p> <p>(b) from being a Member of the Senedd if the person has resigned or otherwise vacated the disqualifying office before taking the oath or affirmation of allegiance.”,</p> <p>and insert—</p> <p>‘at the end insert “(but see subsection (1A))”;</p> <p>() omit paragraphs (c) to (e).</p> <p>() After subsection (1) insert—</p> <p>“(1A) A person returned at an election as a Member of Senedd Cymru is not disqualified under subsection (1)(b) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).”.</p>	<p>subsection (1) is disqualified from being a candidate for election to the Senedd.</p> <p>(1B) A person who would have been disqualified from being a Member of the Senedd by virtue of subsection (1)(b) is not disqualified—</p> <p>(a) from being a candidate for election to the Senedd; and</p> <p>(b) from being a Member of the Senedd if the person has resigned or otherwise vacated the disqualifying Office before taking the oath or affirmation of allegiance.”,</p> <p>a mewnosoder—</p> <p>‘y diwedd mewnosoder “(but see subsection (1A))”;</p> <p>() hepgorer paragraffau (c) i (e).</p> <p>() Ar ôl is-adran (1) mewnosoder—</p> <p>“(1A) A person returned at an election as a Member of Senedd Cymru is not disqualified under subsection (1)(b) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).”.</p>	<p>Section 29(3) of the Bill would insert a section 16(1A) into the Act, providing for people listed in some of the paragraphs of section 16(1) to be disqualified from candidacy for election to the Senedd. If amendment 55 is agreed, this issue will be addressed more directly at the start of section 16, so the provision that would be inserted by section 29(3) of the Bill should be removed.</p> <p>Section 29(3) of the Bill would also insert a section 16(1B) into the Act, providing that a person holding an office specified in an Order in Council is not disqualified if the person resigns the office before taking the oath as a member of the Senedd. The current wording leaves some uncertainty about when a person would be disqualified, and amendment 58 replaces the provision with a version that is intended to avoid that uncertainty. It also updates a cross-reference to that provision.</p>
59	<p>Section 30, page 16, line 18, leave out—</p> <p>‘subsection (1).</p> <p>(3) In subsection (2), after “Kingdom”, at the first place where it appears, insert “, a</p>	<p>Adran 30, tudalen 16, llinell 18, hepgorer—</p> <p>‘is-adran (1).</p> <p>(3) Yn is-adran (2), ar ôl “Kingdom”, yn y lle cyntaf y mae’n ymddangos, mewnosoder</p>	<p>This amendment corrects and clarifies section 30 of the Bill, which makes amendments and repeals in section 17 of the Government of Wales Act 2006. Section 17 sets out exceptions from</p>

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	<p>citizen of the Republic of Ireland or a qualifying Commonwealth citizen within the meaning of that term in paragraph 2 of Schedule 1A”.</p> <p>(4) In subsection (3), omit “on a ground within section 16(1) or (4)”.</p> <p>and insert—</p> <p>‘subsections (1) and (2).</p> <p>() In subsection (3), omit “or (4)”.</p> <p>() In the section heading, for “Exceptions and relief” substitute “Relief”.’.</p>	<p>“, a citizen of the Republic of Ireland or a qualifying Commonwealth citizen within the meaning of that term in paragraph 2 of Schedule 1A”.</p> <p>(4) Yn is-adran (3), hepgorer “on a ground within section 16(1) or (4)”.</p> <p>a mewnosoder—</p> <p>‘is-adrannau (1) a (2).</p> <p>() Yn is-adran (3), hepgorer “or (4)”.</p> <p>() Ym mhennawd yr adran, yn lle “Exceptions and relief” rhodder “Relief”.’.</p>	<p>disqualification, and enables the Assembly to decide that a person’s disqualification is to be disregarded.</p> <p>Section 30(2) of the Bill amends section 17(2) of the Act, but section 17(2) should instead be repealed. Section 17(2) creates an exception from disqualification under section 16(2) for certain persons born overseas, but section 16(2) is to be repealed by section 29(4) of the Bill. Amendment 59 therefore amends section 30 of the Bill so that it repeals section 17(2) rather than adding to it.</p> <p>Section 30(3) of the Bill amends section 17(3) of the Act, which enables the Assembly to disregard a person’s disqualification from membership of the Assembly. Amendment 59 changes the amendment to section 17(3), so that it makes clear that the Assembly can grant relief if a person is disqualified only from membership of the Assembly, but not if the person is disqualified from both membership and candidacy. This reflects the amendments which section 29 of the Bill makes to section 16 of the Act, creating the two categories of disqualification.</p> <p>If section 17 of the Act is amended in these ways, it will deal only with relief from disqualification, and not with exceptions from disqualification. This amendment therefore adds a provision to section 30 of the Bill removing the reference to exceptions from the heading of section 17.</p>
60	Section 31, page 16, line 27, leave out—	Adran 31, tudalen 16, llinell 27, hepgorer—	This amendment replaces and removes

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	<p>‘the Senedd who obtains leave of absence from the House of Lords is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords).</p> <p>(2) The exception in subsection (1) applies if, at any time in the period of eight days beginning with the day the person is so returned, the person—</p> <p>(a) makes an application for leave of absence from the House of Lords, and</p> <p>(b) provides the Clerk with a copy of that application, but this exception ceases to apply if the application is subsequently withdrawn or refused.</p> <p>(3) Subsection (4) applies where a person—</p> <p>(a) is returned at an election as a Member of the Senedd, and</p> <p>(b) having been so returned is introduced as a member of the</p>	<p>‘the Senedd who obtains leave of absence from the House of Lords is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords).</p> <p>(2) The exception in subsection (1) applies if, at any time in the period of eight days beginning with the day the person is so returned, the person—</p> <p>(a) makes an application for leave of absence from the House of Lords, and</p> <p>(b) provides the Clerk with a copy of that application, but this exception ceases to apply if the application is subsequently withdrawn or refused.</p> <p>(3) Subsection (4) applies where a person—</p> <p>(a) is returned at an election as a Member of the Senedd, and</p> <p>(b) having been so</p>	<p>provisions in section 31 of the Bill which make provision about exception from disqualification by virtue of being a member of the House of Lords.</p> <p>Section 31 would insert a new section 17C into the Government of Wales Act 2006 but the current provisions results in some uncertainty about when the exceptions would apply.</p> <p>The effect of the amendment is to correct and clarify section 31 of the Bill.</p>

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	<p>House of Lords.</p> <p>(4) A person is not disqualified under section 16(1)(zb) if, at any time in the period of eight days beginning with the day on which the person is introduced as a member of the House of Lords, that person—</p> <p>(a) makes an application for leave of absence from the House of Lords, and</p> <p>(b) provides the Clerk with a copy of that application, but this exception ceases to apply if the application is subsequently withdrawn or refused.</p> <p>(5) A person who has been granted leave of absence from the House of Lords and is re-elected to the Senedd must provide the Clerk with written confirmation that the leave of absence continues before taking the oath of allegiance or making the corresponding affirmation.</p> <p>(6) A person who had leave of</p>	<p>returned is introduced as a member of the House of Lords.</p> <p>(4) A person is not disqualified under section 16(1)(zb) if, at any time in the period of eight days beginning with the day on which the person is introduced as a member of the House of Lords, that person—</p> <p>(a) makes an application for leave of absence from the House of Lords, and</p> <p>(b) provides the Clerk with a copy of that application, but this exception ceases to apply if the application is subsequently withdrawn or refused.</p> <p>(5) A person who has been granted leave of absence from the House of Lords and is re-elected to the Senedd must provide the Clerk with written confirmation that the leave of absence continues before taking the oath of</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>absence from the House of Lords during one Parliament is not disqualified under section 16(1)(zb) following the dissolution of that Parliament if, at any time on or before the eighth day following the day of the first meeting of the House of Lords after that dissolution, that person—</p> <p>(a) renews the leave of absence from the House of Lords, and</p> <p>(b) provides the Clerk with written confirmation of that renewal, but this exception ceases to apply if the renewal is subsequently withdrawn.”,</p> <p>and insert—</p> <p>‘Senedd Cymru is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of Lords) at any time in the period of eight days beginning with the day the person is so returned.</p> <p>(2) A Member of Senedd Cymru</p>	<p>allegiance or making the corresponding affirmation.</p> <p>(6) A person who had leave of absence from the House of Lords during one Parliament is not disqualified under section 16(1)(zb) following the dissolution of that Parliament if, at any time on or before the eighth day following the day of the first meeting of the House of Lords after that dissolution, that person—</p> <p>(a) renews the leave of absence from the House of Lords, and</p> <p>(b) provides the Clerk with written confirmation of that renewal, but this exception ceases to apply if the renewal is subsequently withdrawn.”,</p> <p>a mewnosoder—</p> <p>‘Senedd Cymru is not disqualified under section 16(1)(zb) (disqualification by virtue of being a member of the House of</p>	

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	<p>who becomes a member of the House of Lords is not disqualified under section 16(1)(zb) at any time before the end of the period of eight days beginning with the day the person makes and subscribes the oath required by the Parliamentary Oaths Act 1866 (c. 19) (or the corresponding affirmation).</p> <p>(3) A person is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time when the person—</p> <ul style="list-style-type: none"> (a) has leave of absence from the House of Lords, or (b) has made an application for leave of absence which has not been withdrawn or refused. <p>(4) A person who is on leave of absence from the House of Lords immediately before Parliament is dissolved is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time in the</p>	<p>Lords) at any time in the period of eight days beginning with the day the person is so returned.</p> <p>(2) A Member of Senedd Cymru who becomes a member of the House of Lords is not disqualified under section 16(1)(zb) at any time before the end of the period of eight days beginning with the day the person makes and subscribes the oath required by the Parliamentary Oaths Act 1866 (c. 19) (or the corresponding affirmation).</p> <p>(3) A person is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time when the person—</p> <ul style="list-style-type: none"> (a) has leave of absence from the House of Lords, or (b) has made an application for leave of absence which has not been withdrawn 	

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	<p>period—</p> <p>(a) beginning with the dissolution of the old Parliament, and</p> <p>(b) ending at the end of the period of eight days beginning with the day of the first meeting of the new Parliament.”.</p>	<p>or refused.</p> <p>(4) A person who is on leave of absence from the House of Lords immediately before Parliament is dissolved is not disqualified from being a Member of Senedd Cymru under section 16(1)(zb) at any time in the period—</p> <p>(a) beginning with the dissolution of the old Parliament, and</p> <p>(b) ending at the end of the period of eight days beginning, with the day of the first meeting of the new Parliament.”.</p>	
61	<p>Page 17, after line 24, insert a new section—</p> <p>‘[] Exceptions from disqualification by virtue of being a member of a county or county borough council</p> <p>After section 17C of the 2006 Act (as inserted by section 31) insert—</p> <p>“17D Exception from disqualification by virtue of being a councillor: recently elected members</p>	<p>Tudalen 17, ar ôl llinell 24, mewnosoder adran newydd—</p> <p>‘[] Eithriadau rhag anghymhwysu yn rhinwedd bod yn aelod o gyngor sir neu gyngor bwrdeistref sirol</p> <p>Ar ôl adran 17C o Ddeddf 2006 (fel y'i mewnosodir gan adran 31) mewnosoder—</p> <p>“17D Exception from disqualification by virtue of being a councillor:</p>	<p>This amendment is linked to amendment 56.</p> <p>The purpose of the amendment is to amend the Bill to insert a new section 32 into it which would in turn amend the Government of Wales Act 2006 so as to provide for new sections 17D, 17E and 17F of that Act.</p> <p>The effect of the amendment is to provide for certain exceptions from disqualification from</p>

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	<p>(1) A person returned at an election as a Member of Senedd Cymru is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).</p> <p>(2) A Member of Senedd Cymru who is returned at an election as a member of the council of a county or county borough in Wales is not disqualified under section 16(1)(zc) at any time before the person makes a declaration of acceptance of office under section 83 of the Local Government Act 1972 (c. 70).</p> <p>17E Exception from disqualification by virtue of being a councillor: ordinary election of</p>	<p>recently elected members</p> <p>(1) A person returned at an election as a Member of Senedd Cymru is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time before the person purports to take the oath of allegiance (or make the corresponding affirmation) in compliance with section 23(1) or 55(2).</p> <p>(2) A Member of Senedd Cymru who is returned at an election as a member of the council of a county or county borough in Wales is not disqualified under section 16(1)(zc) at any time before the person makes a declaration of acceptance of office under section 83 of the Local Government Act 1972 (c. 70).</p>	<p>membership of the Senedd by virtue of being a member of the council of a county or county borough in Wales.</p> <p>Proposed new section 17D would provide for an exception from disqualification for newly elected members. This would mean that a person returned at an election as a Member of Senedd Cymru would not be disqualified until that person purported to take the oath of allegiance (or make the corresponding affirmation) in accordance with the Government of Wales Act 2006. A Member of Senedd Cymru who is returned as a councillor would also not be disqualified until that person made a declaration of acceptance of office in accordance with the Local Government Act 1972.</p> <p>Proposed new section 17E would also provide for a time limited exception from disqualification if a member of the council of a county or county borough in Wales is returned as a Member of Senedd Cymru and the expected day of the next ordinary election of members of the council is within 372 days of the return day.</p> <p>Proposed new section 17F would provide for a time limited exception from disqualification if a member of Senedd Cymru was returned as a councillor and the expected day of the next general election of Members of Senedd Cymru is within 372 days of the return day.</p>

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	<p>councillors within 372 days</p> <p>(1) This section applies if—</p> <p>(a) a member of the council of a county or county borough in Wales is returned as a Member of Senedd Cymru, and</p> <p>(b) the expected day of the next ordinary election of members of the council is within the period of 372 days beginning with the day the person is so returned (“the return day”).</p> <p>(2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period—</p> <p>(a) beginning with the return day, and</p> <p>(b) ending with the fourth day after the day of the next ordinary election of members of the council.</p> <p>(3) For the purposes of</p>	<p>17E Exception from disqualification by virtue of being a councillor: ordinary election of councillors within 372 days</p> <p>(1) This section applies if—</p> <p>(a) a member of the council of a county or county borough in Wales is returned as a Member of Senedd Cymru, and</p> <p>(b) the expected day of the next ordinary election of members of the council is within the period of 372 days beginning with the day the person is so returned (“the return day”).</p> <p>(2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period—</p> <p>(a) beginning with the</p>	

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	<p>subsection (1)(b) the expected day of the next ordinary election of members of the council is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).</p> <p>(4) For the purpose of determining the expected day, no account is to be taken of the possibility of—</p> <p>(a) an order under section 37ZA(1) of the Representation of the People Act 1983 (c. 2) (power to vary ordinary day of local elections), or</p> <p>(b) an order under section 87 of the Local Government Act 2000 (c. 22) (power to change year in which local election is held), being made after the relevant time.</p> <p>(5) References in this section and section 17F to the “day” of an election are to the day on which the poll at</p>	<p>return day, and</p> <p>(b) ending with the fourth day after the day of the next ordinary election of members of the council.</p> <p>(3) For the purposes of subsection (1)(b) the expected day of the next ordinary election of members of the council is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).</p> <p>(4) For the purpose of determining the expected day, no account is to be taken of the possibility of—</p> <p>(a) an order under section 37ZA(1) of the Representation of the People Act 1983 (c. 2) (power to vary ordinary day of local elections), or</p> <p>(b) an order under section 87 of the Local Government Act 2000 (c. 22) (power to</p>	

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	<p style="text-align: center;">the election is held.</p> <p>17F Exception from disqualification by virtue of being a councillor: general election of Members of Senedd Cymru within 372 days</p> <p>(1) This section applies if—</p> <p style="padding-left: 20px;">(a) a Member of Senedd Cymru is returned as a member of the council of a county or county borough in Wales, and</p> <p style="padding-left: 20px;">(b) the expected day of the next general election of Members of Senedd Cymru is within the period of 372 days beginning with the day the person is so returned (“the return day”).</p> <p>(2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period—</p> <p style="padding-left: 20px;">(a) beginning with the return day, and</p> <p style="padding-left: 20px;">(b) ending immediately before the day of the next general election of Members of</p>	<p style="text-align: center;">change year in which local election is held),</p> <p style="text-align: center;">being made after the relevant time.</p> <p>(5) References in this section and section 17F to the “day” of an election are to the day on which the poll at the election is held.</p> <p>17F Exception from disqualification by virtue of being a councillor: general election of Members of Senedd Cymru within 372 days</p> <p>(1) This section applies if—</p> <p style="padding-left: 20px;">(a) a Member of Senedd Cymru is returned as a member of the council of a county or county borough in Wales, and</p> <p style="padding-left: 20px;">(b) the expected day of the next general election of Members of Senedd Cymru is within the period of 372 days beginning with the day the person is so returned (“the return day”).</p>	

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	<p>Senedd Cymru.</p> <p>(3) For the purposes of subsection (1)(b) the expected day of the next general election of Members of Senedd Cymru is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).</p> <p>(4) Where, at the relevant time, section 5(2) or (3) (extraordinary general elections) applies—</p> <p>(a) if an Order in Council under section 5(4) has been made, the expected day is the day on which the poll is required to be held in accordance with that Order;</p> <p>(b) if no Order in Council under section 5(4) has been made but a day has been proposed under section 5(1), that is the expected day;</p> <p>(c) otherwise, the expected day is to be treated as being within the period mentioned in subsection (1)(b).</p>	<p>(2) The member is not disqualified under section 16(1)(zc) (disqualification by virtue of being a member of the council of a county or county borough in Wales) at any time in the period—</p> <p>(a) beginning with the return day, and</p> <p>(b) ending immediately before the day of the next general election of Members of Senedd Cymru.</p> <p>(3) For the purposes of subsection (1)(b) the expected day of the next general election of Members of Senedd Cymru is to be determined by reference to the circumstances as at the beginning of the return day (“the relevant time”).</p> <p>(4) Where, at the relevant time, section 5(2) or (3) (extraordinary general elections) applies—</p> <p>(a) if an Order in Council</p>	

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	<p>(5) For the purpose of determining the expected day, no account is to be taken of the possibility of—</p> <p>(a) an order under section 4 (power to vary date of ordinary general election) being made after the relevant time, or</p> <p>(b) section 5(2) or (3) (extraordinary general elections) first applying after that time.”.</p>	<p>under section 5(4) has been made, the expected day is the day on which the poll is required to be held in accordance with that Order;</p> <p>(b) if no Order in Council under section 5(4) has been made but a day has been proposed under section 5(1), that is the expected day;</p> <p>(c) otherwise, the expected day is to be treated as being within the period mentioned in subsection (1)(b).</p> <p>(5) For the purpose of determining the expected day, no account is to be taken of the possibility of—</p> <p>(a) an order under section 4 (power to vary date of ordinary general election) being made after the relevant time, or</p> <p>(b) section 5(2) or (3) (extraordinary</p>	

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		general elections) first applying after that time.”.	
62	<p>Section 32, page 17, line 28, leave out—</p> <p>‘A person who is disqualified from being a Member of the Senedd by virtue of section 16(1)(zc) or (zd) is also disqualified from being a</p> <p>candidate for election to the Senedd; other disqualifications do not prevent a person from standing for election.</p> <p>(A2) Where a person who is elected to the Senedd is disqualified from being a Member of the Senedd by virtue of a disqualifying membership or office under section 16(1)(za), (zb) or (b), the disqualification does not take effect unless and until the person purports to take the oath or affirmation of allegiance as Member of the Senedd while still holding the disqualifying membership or office.”,</p> <p>and insert—</p> <p>‘If a person who is disqualified from being a candidate to be a Member of Senedd Cymru (see section 16(A1)) is nominated as a candidate at a general election of Members of Senedd Cymru or an election to fill a vacancy under section 10, the person’s nomination is void.”.</p>	<p>Adran 32, tudalen 17, llinell 28, hepgorer—</p> <p>‘A person who is disqualified from being a Member of the Senedd by virtue of section 16(1)(zc) or (zd) is also disqualified from being a</p> <p>candidate for election to the Senedd; other disqualifications do not prevent a person from standing for election.</p> <p>(A2) Where a person who is elected to the Senedd is disqualified from being a Member of the Senedd by virtue of a disqualifying membership or office under section 16(1)(za), (zb) or (b), the disqualification does not take effect unless and until the person purports to take the oath or affirmation of allegiance as Member of the Senedd while still holding the disqualifying membership or office.”,</p> <p>a mewnosoder—</p> <p>‘If a person who is disqualified from being a candidate to be a Member of Senedd Cymru (see section 16(A1)) is nominated as a candidate at a general election of Members of Senedd Cymru or an election to fill a vacancy under section 10, the person’s nomination is void.”.</p>	<p>This is an amendment to section 32(2) of the Bill, which would insert new provisions into section 18 of the Government of Wales Act 2006 (which sets out the effects of disqualification). It removes the provisions that would be inserted by the existing section 32(2), in order to remove duplication and avoid uncertainty. It substitutes a new provision to be inserted into section 18, to spell out the effect of disqualification from being a candidate for membership of the Senedd.</p> <p>Section 32(2) of the Bill would insert new subsections (A1) and (A2) into section 18 of the Act. Those subsections would provide that certain grounds of disqualification prevent a person being a candidate as well as a member of the Senedd; and that disqualification on certain other grounds does not take effect until a person takes the oath of allegiance as a member of the Senedd. These matters will already be addressed in section 16 of the Act (but in different terms), as a result of the amendments to be made by section 29 of the Bill. To avoid duplication and uncertainty, amendment 62 removes these amendments to section 18 from section 32 of the Bill.</p> <p>In their place, amendment 62 substitutes a new subsection (A1) to be inserted into section 18 of the Act. That subsection provides that if a person who is disqualified from being a candidate for membership of the Senedd is nominated as a</p>

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			candidate at an election, the nomination is void. This is intended to clarify the effect of creating the new category of disqualification from candidacy.
63	Section 32, page 17, after line 40, insert— '(6) In section 19(1) of the 2006 Act (judicial proceedings as to disqualification), omit paragraph (b) and the "or" before it.'	Adran 32, tudalen 17, ar ôl llinell 41, mewnosoder— '(6) Yn adran 19(1) o Ddeddf 2006 (achosion barnwrol o ran anghymhwysu), hepgorer paragraff (b) a'r "or" o'i flaen.'	This amendment, together with amendment 64, moves a provision from section 33 of the Bill to section 32, with a minor correction, so that section 33 of the Bill can be removed. In section 32 of the Bill, subsections (3) to (5) amend section 18 of the Government of Wales Act 2006 to remove provisions that apply where a person is disqualified from being an Assembly member for a particular constituency or region. It will no longer be possible for a person to be disqualified for a specific constituency or region as a result of the amendments to be made to section 16 of the Act by section 29 of the Bill. Section 33(2) of the Bill amends section 19(1) of the Act to deal with the same issue, and belongs in the same section as the other amendments dealing with the issue. Amendment 63 therefore moves the amendment to section 19(1) into section 32 of the Bill, with a minor change to clarify which occurrence of the word "or" is being removed.
64	Page 18, line 1, leave out section 33.	Tudalen 18, llinell 1, hepgorer adran 33.	This amendment removes section 33 of the Bill, which amends section 19 of the Government of Wales Act 2006 (concerning proceedings about disqualification). Section 33 will be unnecessary if amendments 62 and 63 are agreed. Subsections (2) and (3) of section 33 contain two amendments to section 19 of the Act. The

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			<p>amendment in section 33(2) is to be moved to section 32 of the Bill by amendment 63.</p> <p>The amendment in section 33(3) of the Bill would insert a new subsection (1A) into section 19 of the Act, providing that an application to the High Court could not be made during a period when a person was not disqualified by virtue of section 18(A2). However, the new section 19(1A) is unnecessary, because it would already be the case that an application could not be made during that period by virtue of section 19(1) of the Act. The new subsection also refers to the section 18(A2) that would be inserted into the Act by section 32 of the Bill; but the new section 18(A2) is itself unnecessary, and the provision inserting it will be removed if amendment 62 is agreed.</p>
65	<p>Section 34, page 18, line 9, leave out— ” substitute “section 16(1)(a)”.</p> <p>(2) In Schedule 5 (Assembly Election Rules) to the 2007 Order, in rule 9(4)(c)(ii) after “disqualified”, at the first place where it appears, insert “from being a candidate”.</p> <p>(3) In the Schedule to the National Assembly for Wales (Disqualification) Order 2015 (S.I. 2015/1536) omit the entries relating to the following offices— Children’s Commissioner for Wales Civil Service Commission Commissioner for Public Appointments Comptroller and Auditor General</p>	<p>Adran 34, tudalen 18, llinell 9, hepgorer— ” rhodder “section 16(1)(a)”.</p> <p>(2) Yn Atodlen 5 (Rheolau Etholiadau'r Cynulliad) i Orchymyn 2007, yn rheol 9(4)(c)(ii) ar ôl “disqualified”, yn y lle cyntaf y mae'n ymddangos, mewnosoder “from being a candidate”.</p> <p>(3) Yn yr Atodlen i Orchymyn Cynulliad Cenedlaethol Cymru (Anghymhwys) 2015 (O.S. 2015/1536) hepgorer y cofnodion sy'n ymwneud â'r swyddi a ganlyn— Y Comisiwn Etholiadol Comisiwn Ffiniau a Democratiaeth Leol Cymru</p>	<p>This amendment replaces and removes provisions in section 34 of the Bill which make consequential amendments to other legislation as a result of the changes to the disqualification rules.</p> <p>Section 34(1) of the Bill amends a provision in section 427 of the Insolvency Act 1986 which refers to section 16 of the Government of Wales Act 2006. Amendment 65 updates the amendment to section 427, so that it refers to the correct provisions of the 2006 Act as they will be amended by the Bill if amendments 55 and 76 are agreed. That change also means that a provision of the 2006 Act which amended section 427 of the 1986 Act can be repealed.</p>

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	<p>Electoral Commission Future Generations Commissioner for Wales Her Majesty's Chief Inspector of Education and Training in Wales Independent Remuneration Panel for Wales Local Democracy and Boundary Commission for Wales Older People's Commissioner for Wales Parliamentary Commission for Administration Returning Officer for a constituency or an electoral region of the National Assembly for Wales Welsh Language Commissioner.',</p> <p>and insert— 'of the Government of Wales Act 2006 by virtue of this section" substitute "section 16(A1) (a) of the Government of Wales Act 2006 and paragraph 4 of Schedule 1A to that Act". () In Schedule 10 to the 2006 Act, omit paragraph 18 and the italic heading before it.'</p>	<p>Comisiwn y Gwasanaeth Sifil Comisiynydd Cenedlaethau'r Dyfodol ar gyfer Cymru Y Comisiynydd Penodiadau Cyhoeddus Comisiynydd Plant Cymru Comisiynydd Pobl Hŷn Cymru Comisiynydd y Gymraeg Y Comisiynydd Seneddol dros Weinyddiaeth Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol Prif Arolygydd ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru Y Rheolwr ac Archwilydd Cyffredinol Swyddog canlyniadau ar gyfer un o etholaethau neu un o ranbarthau etholiadol Senedd.',</p> <p>a mewnosoder— 'of the Government of Wales Act 2006 by virtue of this section" rhodder "section 16(A1) (a) of the Government of Wales Act 2006 and paragraph 4 of Schedule 1A to that Act". () Yn Atodlen 10 i Ddeddf 2006, hepgorer paragraff 18 a'r pennawd italic o'i flaen.'</p>	<p>Section 34(2) and (3) of the Bill make amendments to subordinate legislation as a consequence of the changes to the rules on disqualification. Amendment 65 removes these amendments from the Bill, as the Welsh Government intends that the necessary changes will be made when the subordinate legislation is updated in advance of the next general election to the Senedd.</p>
66	<p>Page 19, after line 28, insert a new section— '[] Power to make consequential and transitional provision etc. (1) If the Welsh Ministers consider it</p>	<p>Tudalen 19, ar ol llinell 28, mewnosoder adran newydd— '[] Pŵer i wneud darpariaeth ganlyniadol a darpariaeth drosiannol etc. (1) Os yw Gweinidogion Cymru yn ystyried ei</p>	<p>The purpose of this amendment is to add a regulation making power to make consequential etc amendments to any enactment to give effect to any provision of this Act.</p>

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	<p>appropriate for the purposes of, in consequence of, or for giving full effect to any provision of this Act, they may by regulations make—</p> <p>(a) supplemental, incidental or consequential provision;</p> <p>(b) transitional, transitory or saving provision.</p> <p>(2) Regulations under subsection (1) may amend, modify, repeal or revoke any enactment (including an enactment contained in this Act).’.</p>	<p>bod yn briodol at ddibenion unrhyw ddarpariaeth yn y Ddeddf hon, o ganlyniad i unrhyw ddarpariaeth ynddi, neu er mwyn rhoi effaith lawn i unrhyw ddarpariaeth ynddi, cant drwy reoliadau wneud—</p> <p>(a) darpariaeth atodol, darpariaeth gysylltiedig neu ddarpariaeth ganlyniadol;</p> <p>(b) darpariaeth drosiannol, darpariaeth ddarfodol neu ddarpariaeth arbed.</p> <p>(2) Caiff rheoliadau o dan is-adran (1) ddiwygio, addasu, diddymu neu ddirymu unrhyw ddeddfiad (gan gynnwys deddfiad sydd wedi ei gynnwys yn y Ddeddf hon).’.</p>	<p>The effect of this amendment is that Welsh Ministers will be able to amend provisions contained in any enactments, by regulations. Regulations made under this section would follow the affirmative procedure if they amend primary legislation or regulations made under section 25 but would follow the negative procedure in other cases.</p>
67	<p>Page 19, after line 28, insert a new section—</p> <p>[] Regulations under this Act</p> <p>(1) A power to make regulations under this Act—</p> <p>(a) is exercisable by statutory instrument;</p> <p>(b) includes the power to make different provision for different purposes;</p> <p>(c) includes the power to make incidental, supplementary, consequential, transitional, transitory or saving provision.</p> <p>(2) A statutory instrument to which this subsection applies may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the Senedd.</p> <p>(3) Subsection (2) applies to a statutory instrument containing—</p>	<p>Tudalen 19, ar ol llinell 28, mewnosoder adran newydd—</p> <p>[] Rheoliadau o dan y Ddeddf hon</p> <p>(1) Mae pŵer i wneud rheoliadau o dan y Ddeddf hon—</p> <p>(a) yn arferadwy drwy offeryn statudol;</p> <p>(b) yn cynnwys y pŵer i wneud darpariaeth wahanol at ddibenion gwahanol;</p> <p>(c) yn cynnwys y pŵer i wneud darpariaeth gysylltiedig, atodol, ganlyniadol, drosiannol, ddarfodol neu arbed.</p> <p>(2) Ni chaniateir i'r offeryn statudol y mae'r is-adran hon yn gymwys iddo gael ei wneud oni bai bod drafft o'r offeryn wedi e'i osod gerbron y Senedd a'i gymeradwyo drwy benderfyniad ganddi.</p>	<p>The purpose of this amendment is to insert a new section into the Bill setting out the scope of regulation making powers in the Bill and the relevant procedures that apply. The new section provides that certain regulations made under the Bill must be subject to the Assembly's affirmative procedure, and that in other cases the negative procedure applies.</p> <p>The effect of this amendment, together with amendment 66, is to move the provisions about regulations to Part 6 of the Bill, and to apply them generally to all of the regulation-making powers in the Bill, not only the powers in Part 3.</p>

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	<p>(a) regulations under section 14(1) (invitations to register: further provision about persons under the age of 16) or section [] (power to make consequential and transitional provision etc.) that amend, repeal or modify provision in—</p> <p>(i) an Act of the United Kingdom Parliament;</p> <p>(ii) a Measure passed under Part 3 of the 2006 Act; or</p> <p>(iii) an Act passed under Part 4 of the 2006 Act;</p> <p>(b) regulations under section 25(1).</p> <p>(4) A statutory instrument containing regulations under this Act to which subsection (2) does not apply is subject to annulment in pursuance of a resolution of the Senedd.’.</p>	<p>(3) Mae is-adran (2) yn gymwys i offeryn statudol sy’n cynnwys—</p> <p>(a) rheoliadau o dan adran 14(1) (gwahoddiadau i gofrestru: darpariaeth bellach am bersonau o dan 16 oed) neu adran [] (pŵer i wneud darpariaeth ganlyniadol a throsiannol etc.) sy’n diwygio, diddymu neu’n addasu darpariaeth mewn—</p> <p>(i) Deddf Senedd y Deyrnas Unedig;</p> <p>(ii) Mesur a basiwyd o dan Ran 3 o Ddeddf 2006;</p> <p>(iii) Deddf a basiwyd o dan Ran 4 o Ddeddf 2006;</p> <p>(b) rheoliadau o dan adran 25(1).</p> <p>(4) Mae offeryn statudol sy’n cynnwys rheoliadau o dan y Ddeddf hon nad yw is-adran (2) yn gymwys iddo yn ddarostyngedig i gael ei ddiddymu yn unol a phenderfyniad gan y Senedd.’.</p>	
68	Page 20, line 13, leave out section 39.	Tudalen 20, llinell 12, hepgorer adran 39.	<p>The purpose of this amendment is to remove section 39 of the Bill, which provides that the Bill extends to England and Wales.</p> <p>Section 39 is unnecessary, because section 108A(2)(a) of the Government of Wales Act 2006 already ensures that all Assembly Acts extend only to England and Wales.</p>
69	<p>Section 40, page 20, leave out lines 18 to 19 and insert—</p> <p>‘ () in Part 3, sections 10 to 26 and 28, but—</p> <p>(i) section 10 has effect in accordance with</p>	<p>Adran 40, tudalen 20, hepgorer llinellau 17 hyd at 18 a mewnosoder—</p> <p>‘ () yn Rhan 3, adrannau 10 i 26 ac 28, ond—</p> <p>(i) mae adran 10 yn cael effaith yn unol ag</p>	<p>The purpose of this amendment is to make changes to the provision about the coming into force of Part 3 of the Bill as a consequence of amendment 38, 52 and 70.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>section 10(2);</p> <p>(ii) section [new section – amendment 38] has effect in accordance with section [new section - amendment 38](2);</p> <p>(iii) section 26(2)(c), (3) and (first section to be inserted by amendment 52) have effect in accordance with section 26(second section to be inserted by amendment 52);’.</p>	<p>adran 10(2);</p> <p>(ii) mae adran [adran newydd - gwelliant 38] yn cael effaith yn unol ag adran [adran newydd - gwelliant 38](2);</p> <p>(iii) mae adran 26(2)(c), (3) a (yr is-adran cyntaf a fewnosodir gan welliant 52) yn cael effaith yn unol ag adran 26(yr ail is-adran a fewnosodir gan welliant 52);’.</p>	<p>The effect of the amendment is that whilst most of Part 3 comes into force at Royal Assent, it does so for the purposes of voting at and registering for an election to the Senedd that takes place on or after 5 April 2021.</p>
70	<p>Section 40, page 20, after line 27, insert—</p> <p>() In Part 3, section 27 and Schedule [new Schedule - amendment 71] come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.</p> <p>() An order under subsection (first subsection inserted by this amendment) may include transitional, transitory or saving provision.’.</p>	<p>Adran 40, tudalen 20, ar ôl llinell 28, mewnosoder—</p> <p>() Yn Rhan 3, mae adran 27 ac Atodlen [Atodlen newydd - gwelliant 71] yn dod i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.</p> <p>() Caiff gorchymyn o dan is-adran (yr is-adran cyntaf a fewnosodir gan y gwelliant hwn) gynnwys darpariaeth drosiannol, darpariaeth ddarvoudol neu ddarpariaeth arbed.’.</p>	<p>The purpose is to insert separate provision for when and how the provisions in Section 27 come into force.</p> <p>The effect of this provision is that Section 27 (as substituted by amendment 53) and the new Schedule to the Bill (inserted by amendment 71) will not come into effect with the rest of the Bill. The Welsh Ministers will set the date this comes into force by statutory instrument. Such an order may also include transitional, transitory or saving provision.</p>
71	<p>Page 26, after line 34, insert a new schedule—</p> <p style="text-align: center;">‘SCHEDULE 2 (introduced by section [new section]) ELECTORAL COMMISSION: FURTHER AMENDMENTS</p> <p><i>Representation of the People Act 1983 (c. 2)</i></p>	<p>Tudalen 26, ar ôl llinell 35, mewnosoder atodlen newydd—</p> <p style="text-align: center;">‘ATODLEN 2 (a gyflwynir gan adran [adran newydd]) Y COMISIWN ETHOLIADOL: DIWYGIADAU PELLACH</p>	<p>The purpose of this amendment is to insert a new schedule into the Bill dealing with the Electoral Commission’s functions of undertaking reviews and making codes of practice in relation to the conduct of devolved Welsh elections and referendums.</p> <p>The effect of this is to provide for how the Electoral Commission should prepare and revise</p>

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	<p>1 (1) Schedule 4A to the 1983 Act is amended as follows.</p> <p>(2) In paragraph 14(1), after “code of practice” insert “for elections other than local government elections in Wales”.</p> <p>(3) After paragraph 14 insert—</p> <p>“14A(1) The Electoral Commission (“the Commission”) may prepare, and from time to time revise, a code of practice for local government elections in Wales giving—</p> <p>(a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this Schedule;</p> <p>(b) guidance (supplementing the definition in section 90ZA(3)) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate’s election.</p> <p>(2) Once the Commission have prepared a draft code under this paragraph, they must submit it to the Welsh Ministers for approval.</p> <p>(3) The Welsh Ministers may approve a draft code with or without modifications.</p> <p>(4) Once the Welsh Ministers have</p>	<p><i>Deddf Cynrychiolaeth y Bobl 1983 (p. 2)</i></p> <p>1 (1) Mae Atodlen 4A i Ddeddf 1983 wedi ei diwygio fel a ganlyn.</p> <p>(2) Ym mharagraff 14(1), ar ôl “code of practice” mewnosoder “for elections other than local government elections in Wales”.</p> <p>(3) Ar ôl paragraff 14 mewnosoder—</p> <p>“14A(1) The Electoral Commission (“the Commission”) may prepare, and from time to time revise, a code of practice for local Government elections in Wales giving—</p> <p>(a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this Schedule;</p> <p>(b) guidance (supplementing the definition in section 90ZA(3)) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate’s election.</p> <p>(2) Once the Commission have prepared a draft code under this paragraph, they must submit it to the Welsh Ministers for approval.</p> <p>(3) The Welsh Ministers may approve a draft code with or without modifications.</p> <p>(4) Once the Welsh Ministers have approved a draft code they must lay a copy of the draft, in the form in which they have approved it, before Senedd</p>	<p>a code of practice in relation to election expenses for local government elections in Wales and sets out that such a code must be approved by Welsh Ministers and Senedd Cymru.</p> <p>This is achieved by inserting a new paragraph into schedule 4A to the Representation of the People Act 1983.</p> <p>These amendments also have the effect of making amendments consequential to the change of name to ‘Senedd Cymru’. They also set out the matters which the Electoral Commission must keep under review and submit reports to the Welsh Ministers on in relation to devolved Welsh elections and devolved referendums. They further set out requirements for the preparation and revision of a code of practice on the attendance of observers at devolved Welsh elections on which Welsh Ministers must be consulted. The amendments also provide for the Electoral Commission to set performance standards for electoral registration officers, returning officers and counting officers in relation to devolved Welsh elections and referendum, and the Electoral Commission must consult with Welsh Ministers before determining those standards.</p> <p>These are achieved by inserting new sections into the Political Parties, Elections and Referendums Act 2000.</p>

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	<p>approved a draft code they must lay a copy of the draft, in the form in which they have approved it, before Senedd Cymru.</p> <p>(5) If the draft incorporates modifications, the Welsh Ministers must at the same time lay before Senedd Cymru a statement of their reasons for making them.</p> <p>(6) If, within the 40-day period, Senedd Cymru resolves not to approve the draft, the Welsh Ministers must take no further steps in relation to it.</p> <p>(7) If no such resolution is made within the 40-day period—</p> <p>(a) the Welsh Ministers must issue the code in the form of the draft laid before Senedd Cymru,</p> <p>(b) the code comes into force on the date appointed by the Welsh Ministers by order, and</p> <p>(c) the Commission must arrange for the code to be published in such manner as the Commission think appropriate.</p> <p>(8) Sub-paragraph (6) does not</p>	<p>Cymru.</p> <p>(5) If the draft incorporates modifications, the Welsh Ministers must at the same time lay before Senedd Cymru a statement of their reasons for making them.</p> <p>(6) If, within the 40-day period, Senedd Cymru resolves not to approve the draft, the Welsh Ministers must take no further steps in relation to it.</p> <p>(7) If no such resolution is made within the 40-day period—</p> <p>(a) the Welsh Ministers must issue the code in the form of the draft laid before Senedd Cymru,</p> <p>(b) the code comes into force on the date appointed by the Welsh Ministers by order, and</p> <p>(c) the Commission must arrange for the code to be published in such manner as the Commission think appropriate.</p> <p>(8) Sub-paragraph (6) does not prevent a new draft code from being laid before Senedd Cymru.</p> <p>(9) In this paragraph, “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before Senedd Cymru, no account being taken of any period during which Senedd Cymru is dissolved or is in</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>prevent a new draft code from being laid before Senedd Cymru.</p> <p>(9) In this paragraph, “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before Senedd Cymru, no account being taken of any period during which Senedd Cymru is dissolved or is in recess for more than four days.</p> <p>(10) In this paragraph references to a draft code include a revised draft code.”</p> <p><i>Political Parties, Elections and Referendums Act 2000 (c. 41)</i></p> <p>2 The Political Parties, Elections and Referendums Act 2000 is amended as follows.</p> <p>3 (1) Section 6 is amended as follows.</p> <p>(2) In subsection (3)(b), after “Scottish Parliament” insert “, Senedd Cymru”.</p> <p>(3) In subsection (6)—</p> <p>(a) in paragraph (a)—</p> <p>(i) in sub-paragraph (i), at the end insert “other than those mentioned in paragraph (d) of that subsection”;</p> <p>(ii) in sub-paragraph (ii), omit “or Wales”;</p>	<p>recess for more than four days.</p> <p>(10) In this paragraph references to a draft code include a revised draft code.”</p> <p><i>Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41)</i></p> <p>2 Mae Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 wedi ei diwygio fel a ganlyn.</p> <p>3 (1) Mae adran 6 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn is-adran (3)(b), ar ôl “Scottish Parliament” mewnosoder “, Senedd Cymru”.</p> <p>(3) Yn is-adran (6)—</p> <p>(a) ym mharagraff (a)—</p> <p>(i) yn is-baragraff (i), ar y diwedd mewnosoder “other than those mentioned in paragraph (d) of that subsection”;</p> <p>(ii) yn is-baragraff (ii), hepgorer “or Wales”;</p> <p>(b) ym mharagraff (b), hepgorer “and those under Part II of the Local Government Act 2000”.</p> <p>4 Ar ôl adran 6 mewnosoder—</p> <p>“6ZA Reviews of devolved electoral matters in Wales</p> <p>(1) The Commission must keep the matters mentioned in subsection (2) under review, and must from time to time submit reports on thoes matters to the Welsh Ministers.</p>	

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	<p>(b) in paragraph (b), omit “and those under Part II of the Local Government Act 2000”.</p> <p>4 After section 6 insert—</p> <p>“6ZA Reviews of devolved electoral matters in Wales</p> <p>(1) The Commission must keep the matters mentioned in subsection (2) under review, and must from time to time submit reports on those matters to the Welsh Ministers.</p> <p>(2) The matters are such matters as the Commission may from time to time determine relating to—</p> <p>(a) general elections of Members of Senedd Cymru;</p> <p>(b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</p> <p>(c) local government elections in Wales;</p> <p>(d) referendums under Part 2 of the Local Government Act 2000 and Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales);</p> <p>(e) the law relating to the elections and referendums mentioned in</p>	<p>(2) The matters are such matters as the Commission may from time to time determine relating to—</p> <p>(a) general elections of Members of Senedd Cymru;</p> <p>(b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</p> <p>(c) local government elections in Wales;</p> <p>(d) referendums under Part 2 of the Local Government Act 2000 and Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales);</p> <p>(e) the law relating to the elections and referendums mentioned in paragraphs (a) to (d).</p> <p>(3) Subsection (4) applies if the Welsh Ministers request the Commission to review and report on any matter or matters for which provision is or could be made in an Act of Senedd Cymru (whether or not falling within subsection (2)).</p> <p>(4) The Commission must, within such time as the Welsh Ministers may specify—</p> <p>(a) review the matters specified in the request, and</p> <p>(b) submit a report on those matters to</p>	

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	<p>paragraphs (a) to (d).</p> <p>(3) Subsection (4) applies if the Welsh Ministers request the Commission to review and report on any matter or matters for which provision is or could be made in an Act of Senedd Cymru (whether or not falling within subsection (2)).</p> <p>(4) The Commission must, within such time as the Welsh Ministers may specify—</p> <p>(a) review the matters specified in the request, and</p> <p>(b) submit a report on those matters to the Welsh Ministers.</p> <p>(5) The Commission must publish each report made under this section in such manner as the Commission may determine.”</p> <p>5 In section 6C(3), after “6F” insert “or 6G”.</p> <p>6 In section 6D(4), after “6F” insert “or 6G”.</p> <p>7 (1) Section 6F is amended as follows.</p> <p>(2) In subsection (1), after “section 6A” insert “, other than those specified in subsection (2) of section 6G,”.</p> <p>(3) In subsection (10), after “this section” insert “and section 6G”.</p> <p>8 After section 6F insert—</p> <p>“6G Code of practice on attendance of observers at devolved elections in Wales</p>	<p>the Welsh Ministers.</p> <p>(5) The Commission must publish each report made under this section in such manner as the Commission may determine.”</p> <p>5 Yn adran 6C(3), ar ôl “6F” mewnosoder “or 6G”.</p> <p>6 Yn adran 6D(4), ar ôl “6F” mewnosoder “or 6G”.</p> <p>7 (1) Mae adran 6F wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn is-adran (1), ar ôl “section 6A” mewnosoder “, other than those specified in subsection (2) of section 6G,”.</p> <p>(3) Yn is-adran (10), ar ôl “this section” mewnosoder “and section 6G”.</p> <p>8 Ar ôl adran 6F mewnosoder—</p> <p>“6G Code of practice on attendance of observers at devolved elections in Wales</p> <p>(1) The Commission must prepare a code of practice on the attendance at elections specified in subsection (2) of—</p> <p>(a) representatives of the Commission,</p> <p>(b) accredited observers, and</p> <p>(c) nominated members of accredited organisations.</p> <p>(2) The code must make provision about attendance at—</p> <p>(a) general elections of Members of</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(1) The Commission must prepare a code of practice on the attendance at elections specified in subsection (2) of—</p> <ul style="list-style-type: none"> (a) representatives of the Commission, (b) accredited observers, and (c) nominated members of accredited organisations. <p>(2) The code must make provision about attendance at—</p> <ul style="list-style-type: none"> (a) general elections of Members of Senedd Cymru; (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies); (c) local government elections in Wales. <p>(3) The code must in particular—</p> <ul style="list-style-type: none"> (a) specify the manner in which applications under sections 6C(1) and 6D(1) are to be made to the Commission; (b) specify the criteria to be taken into account by the Commission in determining such applications; (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power 	<p>Senedd Cymru;</p> <ul style="list-style-type: none"> (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies); (c) local government elections in Wales. <p>(3) The code must in particular—</p> <ul style="list-style-type: none"> (a) specify the manner in which applications under sections 6C(1) and 6D(1) are to be made to the Commission; (b) specify the criteria to be taken into account by the Commission in determining such applications; (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power conferred by subsection (1) of that section; (d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section; (e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election as it relates to a person having 	

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	<p>conferred by subsection (1) of that section;</p> <p>(d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section;</p> <p>(e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election as it relates to a person having such permission;</p> <p>(f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.</p> <p>(4) The code may make different provision for different purposes.</p> <p>(5) Before preparing the code, the Commission must consult the Welsh Ministers.</p> <p>(6) The Commission must lay the code before Senedd Cymru.</p> <p>(7) The Commission must publish the code (in such manner as the Commission may determine).</p> <p>(8) The following persons must have regard to the code in exercising any</p>	<p>such permission;</p> <p>(f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.</p> <p>(4) The code may make different provision for different purposes.</p> <p>(5) Before preparing the code, the Commission must consult the Welsh Ministers.</p> <p>(6) The Commission must lay the code before Senedd Cymru.</p> <p>(7) The Commission must publish the code (in such manner as the Commission may determine).</p> <p>(8) The following persons must have regard to the code in exercising any function conferred by section 6A, 6B, 6C, 6D or 6E in relation to an election specified in subsection (2)—</p> <p>(a) the Commission;</p> <p>(b) representatives of the Commission;</p> <p>(c) relevant officers (within the meaning of section 6E).</p> <p>(9) The Commission may at any time revise the code.</p> <p>(10) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code.”</p>	

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	<p>function conferred by section 6A, 6B, 6C, 6D or 6E in relation to an election or referendum specified in subsection (2)—</p> <p>(a) the Commission;</p> <p>(b) representatives of the Commission;</p> <p>(c) relevant officers (within the meaning of section 6E).</p> <p>(9) The Commission may at any time revise the code.</p> <p>(10) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code.”</p> <p>9 (1) Section 9A is amended as follows.</p> <p>(2) In subsection (1)(a), after “relevant officers” insert “mentioned in subsection (2)”.</p> <p>(3) After subsection (5) insert—</p> <p>“(5A) In relation to electoral registration officers for areas in Wales, the reference to their functions in subsection (2)(a) is a reference to their functions in relation to registers of parliamentary electors.”</p> <p>(4) In subsection (6)—</p> <p>(a) in paragraph (a), at the end insert “other than one mentioned in paragraph (d) of that subsection”;</p> <p>(b) omit paragraph (d);</p> <p>(c) in paragraph (e), omit “or Wales”.</p> <p>(5) In subsection (7), omit paragraph (b).</p>	<p>9 (1) Mae adran 9A wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn is-adran (1)(a), ar ôl “relevant officers” mewnosoder “mentioned in subsection (2)”.</p> <p>(3) Ar ôl is-adran (5) mewnosoder—</p> <p>“(5A) In relation to electoral registration officers for areas in Wales, the reference to their functions in subsection (2)(a) is a reference to their functions in relation to registers of parliamentary electors.”</p> <p>(4) Yn is-adran (6)—</p> <p>(a) ym mharagraff (a), ar y diwedd mewnosoder “other than one mentioned in paragraph (d) of that subsection”;</p> <p>(b) hepgorer paragraff (d);</p> <p>(c) ym mharagraff (e), hepgorer “or Wales”.</p> <p>(5) Yn is-adran (7), hepgorer paragraff (b).</p> <p>(6) Yn is-adran (8)—</p> <p>(a) yn y geiriau o flaen paragraff (a), ar ôl “sections” mewnosoder “9AA, ”;</p> <p>(b) ym mharagraff (b), ar ôl “subsection (6)” mewnosoder “or section 9AA(6)”;</p> <p>(c) ym mharagraff (c), ar ôl “subsection (7)” mewnosoder “or section 9AA(7)”.</p> <p>10 Ar ôl adran 9A mewnosoder—</p> <p>“9AA Performance standards for devolved elections and referendums in Wales</p> <p>(1) The Commission may from time to time—</p> <p>(a) determine standards of</p>	

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	<p>(6) In subsection (8)—</p> <p>(a) in the words before paragraph (a), after “sections” insert “9AA,”;</p> <p>(b) in paragraph (b), after “subsection (6)” insert “or section 9AA(6)”;</p> <p>(c) in paragraph (c), after “subsection (7)” insert “or section 9AA(7)”.</p> <p>10 After section 9A insert—</p> <p>“9AA Performance standards for devolved elections and referendums in Wales</p> <p>(1) The Commission may from time to time—</p> <p>(a) determine standards of performance for relevant officers mentioned in subsection (2), and</p> <p>(b) publish, in such form and in such manner as they consider appropriate, the standards so determined.</p> <p>(2) The standards of performance are such standards as the Commission think ought to be achieved by—</p> <p>(a) electoral registration officers for areas in Wales in the performance of their functions in relation to registers of local government electors;</p> <p>(b) returning officers in the administration of the elections specified in subsection (6);</p> <p>(c) counting officers in the administration of the referendums specified in</p>	<p>performance for relevant officers mentioned in subsection (2), and</p> <p>(b) publish, in such form and in such manner as they consider appropriate, the standards so determined.</p> <p>(2) The standards of performance are such standards as the Commission think ought to be achieved by—</p> <p>(a) electoral registration officers for areas in Wales in the performance of their functions in relation to registers of local government electors;</p> <p>(b) returning officers in the administration of the elections specified in subsection (6);</p> <p>(c) counting officers in the administration of the referendums specified in subsection (7).</p> <p>(3) Before determining standards under subsection (1), the Commission must consult—</p> <p>(a) the Welsh Ministers, and</p> <p>(b) any other person they think appropriate.</p> <p>(4) The Commission may determine different standards for different descriptions of relevant officers.</p> <p>(5) When the Commission publish standards under subsection (1) they</p>	

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	<p>subsection (7).</p> <p>(3) Before determining standards under subsection (1), the Commission must consult—</p> <p>(a) the Welsh Ministers, and</p> <p>(b) any other person they think appropriate.</p> <p>(4) The Commission may determine different standards for different descriptions of relevant officers.</p> <p>(5) When the Commission publish standards under subsection (1) they must send a copy to the Welsh Ministers who must lay a copy before Senedd Cymru.</p> <p>(6) The elections specified in this subsection are—</p> <p>(a) a general election of Members of Senedd Cymru;</p> <p>(b) an election under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</p> <p>(c) a local government election in Wales.</p> <p>(7) The referendums specified in this subsection are referendums under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local</p>	<p>must send a copy to the Welsh Ministers who must lay a copy before Senedd Cymru.</p> <p>(6) The elections specified in this subsection are—</p> <p>(a) a general election of Members of Senedd Cymru;</p> <p>(b) an election under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);</p> <p>(c) a local government election in Wales.</p> <p>(7) The referendums specified in this subsection are referendums under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales)."</p> <p>11 Yn adran 9B, yn is-adrannau (1) a (4), ar ôl "9A(1)" mewnosoder "or 9AA(1)".</p> <p>12 Yn adran 9C(2)—</p> <p>(a) ym mharagraff (b), ar ôl "9A(6)" mewnosoder "or 9AA(6)";</p> <p>(b) ym mharagraff (c), ar ôl "9A(7)" mewnosoder "or 9AA(7)".</p> <p>13 Yn adran 13(12), ar ôl "met under" mewnosoder "paragraph 16A of Schedule 1 to this</p>	

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	<p>authorities in Wales).”</p> <p>11 In section 9B, in subsections (1) and (4), after “9A(1)” insert “or 9AA(1)”.</p> <p>12 In section 9C(2)—</p> <p>(a) in paragraph (b), after “9A(6)” insert “or 9AA(6)”;</p> <p>(b) in paragraph (c), after “9A(7)” insert “or 9AA(7)”.</p> <p>13 In section 13(12), after “met under” insert “paragraph 16A of Schedule 1 to this Act or”.</p> <p>14 (1) Schedule 1 is amended as follows.</p> <p>(2) In paragraph 14—</p> <p>(a) in sub-paragraph (1)—</p> <p>(i) in paragraph (b), omit “or 20(12)”;</p> <p>(ii) for paragraph (c) substitute—</p> <p>“(c) met by the Senedd Commission under paragraph 16A of this Schedule or paragraph 6 of Schedule 2 to the Government of Wales Act 2006.”;</p> <p>(b) after sub-paragraph (6) insert—</p> <p>“(6A) An estimate prepared under this paragraph for a financial year beginning on or after 1 April 2021 must not include income or expenditure that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16A).”</p>	<p>Act or”.</p> <p>14 (1) Mae Atodlen 1 wedi ei diwygio fel a ganlyn.</p> <p>(2) Ym mharagraff 14—</p> <p>(a) yn is-baragraff (1)—</p> <p>(i) ym mharagraff (b), hepgorer “or 20(12)”;</p> <p>(ii) yn lle paragraff (c) rhodder—</p> <p>“(c) met by the Senedd Commission under paragraph 16A of this Schedule or paragraph 6 of Schedule 2 to the Government of Wales Act 2006.”;</p> <p>(b) ar ôl is-baragraff (6) mewnosoder—</p> <p>“(6A) An estimate prepared under this paragraph for a financial year beginning on or after 1 April 2021 must not include income or expenditure that is attributable to the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16A).”</p> <p>(3) Ym mharagraff 15, ar ôl is-baragraff (5) mewnosoder—</p> <p>“(6) A plan prepared under this paragraph for a period beginning on or after 1 April 2021 must not include aims, objectives or estimated requirements for the exercise of the</p>	

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	<p>(3) In paragraph 15, after sub-paragraph (5) insert—</p> <p>“(6) A plan prepared under this paragraph for a period beginning on or after 1 April 2021 must not include aims, objectives or estimated requirements for the exercise of the Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16B).”</p> <p>(4) In paragraph 20, after sub-paragraph (1) insert—</p> <p>“(1A) The reference in sub-paragraph (1) to the Commission’s functions does not include the Commission’s functions in relation to devolved Welsh elections or devolved Welsh referendums.”.</p>	<p>Commission’s functions in relation to devolved Welsh elections and devolved Welsh referendums (as to which, see paragraph 16B).”</p> <p>(4) Ym mharagraff 20, ar ôl is-baragraff (1) mewnosoder—</p> <p>“(1A) The reference in sub-paragraph (1) to the Commission’s functions does not include the Commission’s functions in relation to devolved Welsh elections or devolved Welsh referendums.”.</p>	
72	Schedule 2, page 27, line 7, leave out ‘CATEGORIES OF PERSON AND HOLDERS OF OFFICE DISQUALIFIED’ and insert ‘DISQUALIFICATION’.	Atodlen, tudalen 27, llinell 7, hepgorer ‘CATEGORIES OF PERSON AND HOLDERS OF OFFICE DISQUALIFIED’ a mewnosoder ‘DISQUALIFICATION’.	Schedule 2 to the Bill would insert a Schedule 1A into the Government of Wales Act 2006. The purpose of this amendment is to remove unnecessary and duplicated wording from the heading to Part 1 of Schedule 1A (as would be inserted by Schedule 2 to the Bill).
73	Schedule 2, page 27, after line 19, insert— () a qualifying foreign citizen,.’	Atodlen, tudalen 27, ar ol llinell 19, mewnosoder— () a qualifying foreign citizen,.’	The purpose of this amendment is to amend Part 1 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill). The effect of the amendment is to add qualifying foreign citizens to the list of persons not

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			disqualified from being a member of the Senedd or a candidate in an election to become a member of the Senedd.
74	<p>Schedule 2, page 27, after line 30, insert— ‘() For the purposes of sub-paragraph (1), a qualifying foreign citizen is a person resident in the United Kingdom who—</p> <p>(a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of the European Union, and</p> <p>(b) either—</p> <p>(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or</p> <p>(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.’.</p>	<p>Atodlen, tudalen 27, ar ol llinell 30, mewnosoder— ‘() For the purposes of sub-paragraph (1), a qualifying foreign citizen is a person resident in the United Kingdom who—</p> <p>(a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of the European Union, and</p> <p>(b) either—</p> <p>(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or</p> <p>(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.’.</p>	<p>The purpose of this amendment is to add a definition of ‘qualifying foreign citizen’ for the purposes of candidacy for and membership of the Senedd.</p> <p>The effect of the amendment is to set out the criteria for being ‘a qualifying foreign citizen’. These will be persons who are not Commonwealth, Irish or EU citizens and either do not need leave to enter or remain in the United Kingdom, or will have been granted indefinite leave to remain within the meaning of the Immigration Act 1971.</p>
75	<p>Schedule 2, page 27, line 32, after ‘(2)(a)’, insert ‘or a qualifying foreign citizen by virtue of subparagraph () (b)(i)’.</p>	<p>Atodlen, tudalen 27, llinell 32, ar ôl ‘(2)(a)’, mewnosoder ‘or a qualifying foreign citizen by virtue of sub-paragraph () (b)(i)’.</p>	<p>The purpose of the amendment is to provide that a ‘qualifying foreign citizen’ does not include persons who do not require leave to enter or remain in the UK as a result of section 8 of the Immigration Act 1971.</p> <p>The effect of this amendment is that persons who do not require leave to enter or remain in the UK as a result of section 8 of the Immigration Act 1971 are not eligible to stand for or be members of the Senedd.</p>

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76	<p>Schedule 2, page 28, line 2, leave out—</p> <p>‘on whom a bankruptcy restrictions order, an interim order or a debt relief restrictions order under the Insolvency Act 1986 has effect is disqualified from being a Member of the Senedd.</p> <p>(2) In this schedule, a reference to a bankruptcy restrictions order or an interim order includes a reference to bankruptcy restrictions order or an interim order made under Schedule 2A to the Insolvency (Northern Ireland) Order 1989.</p> <p>4 Section 426B of the Insolvency Act 1986 (c. 45) applies in relation to this disqualification.</p> <p>5 A person who would be disqualified from being a Member of the House of Commons by virtue of section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland, and that section applies as modified by subsection (6B) of it.</p> <p style="text-align: center;"><i>Treason</i></p> <p>6 A person who has been convicted of treason, in the manner provided for by section 2 of the Forfeiture Act 1870.</p> <p style="text-align: center;"><i>Incapacities on conviction of corrupt or illegal practice</i></p> <p>7 A person convicted of a corrupt or illegal practice under the Representation of the People Act 1983, and section 173 of that Act applies to membership of the Senedd as an elective office to which that section applies.</p>	<p>Atodlen, tudalen 28, llinell 2, hepgorer—</p> <p>‘on whom a bankruptcy restrictions order, an interim order or a debt relief restrictions order under the Insolvency Act 1986 has effect is disqualified from being a Member of the Senedd.</p> <p>(2) In this schedule, a reference to a bankruptcy restrictions order or an interim order includes a reference to bankruptcy restrictions order or an interim order made under Schedule 2A to the Insolvency (Northern Ireland) Order 1989.</p> <p>4 Section 426B of the Insolvency Act 1986 (c. 45) applies in relation to this disqualification.</p> <p>5 A person who would be disqualified from being a Member of the House of Commons by virtue of section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland, and that section applies as modified by subsection (6B) of it.</p> <p style="text-align: center;"><i>Treason</i></p> <p>6 A person who has been convicted of treason, in the manner provided for by section 2 of the Forfeiture Act 1870.</p> <p style="text-align: center;"><i>Incapacities on conviction of corrupt or illegal practice</i></p> <p>7 A person convicted of a corrupt or illegal practice under the Representation of the People Act 1983, and section 173 of that Act applies to membership of the Senedd as an elective office to which that section applies.</p> <p style="text-align: center;"><i>Other criminal offences</i></p>	<p>The purpose of this amendment is to remove and replace provisions in Part 1 of the new Schedule 1A that Schedule 2 to the Bill would insert into the Government of Wales Act 2006. Part 1 of the new Schedule sets out categories of persons disqualified from candidacy for and membership of the Senedd.</p> <p>This amendment removes unnecessary provision and corrects and clarifies inconsistent provision. In particular it:</p> <ul style="list-style-type: none"> • ensures that the entry for persons subject to bankruptcy restrictions orders and debt relief restrictions orders deals consistently with the final and interim versions of those orders; • removes an entry for persons convicted of treason, which is extremely unlikely to add anything to the entry for persons convicted of any offence and sentenced to more than one year’s imprisonment.

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	<p style="text-align: center;"><i>Other criminal offences</i></p> <p>8 A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year, is disqualified from membership of the Senedd while detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man or elsewhere in the European Union, in pursuance of the sentence or order or while', and insert— 'in respect of whom one or more of the following orders has effect—</p> <p>(a) a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 (c. 45) or Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19));</p> <p>(b) a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986, Part 13 of the Bankruptcy (Scotland) Act 2016 (asp 21) or Schedule 2A to the Insolvency (Northern Ireland) Order 1989.</p> <p>[] A person who is disqualified from being a member of the House of Commons under section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland.</p>	<p>8 A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year, is disqualified from membership of the Senedd while detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man or elsewhere in the European Union, in pursuance of the sentence or order or while',</p> <p>a mewnosoder— 'in respect of whom one or more of the following orders has effect—</p> <p>(a) a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 (c. 45) or Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19));</p> <p>(b) a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986, Part 13 of the Bankruptcy (Scotland) Act 2016 (asp 21) or Schedule 2A to the Insolvency (Northern Ireland) Order 1989.</p> <p>[] A person who is disqualified from being a member of the House of Commons under section 427 of the Insolvency Act 1986 because of an award of sequestration made by a court in Scotland.</p> <p><i>Persons guilty of corrupt or illegal practices at</i></p>	

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	<p><i>Persons guilty of corrupt or illegal practices at elections</i></p> <p>[] A person who is incapable of being elected to the House of Commons having been reported personally guilty or convicted of a corrupt or illegal practice under the Representation of the People Act 1983 (c. 2).</p> <p><i>Persons imprisoned or detained following conviction etc.</i></p> <p>[] (1) A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year.</p> <p>(2) A person is disqualified under this paragraph only while the person is</p> <p>—</p> <p>(a) detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man, or elsewhere in the European Union, in pursuance of the sentence or order, or</p> <p>(b) ’.</p>	<p><i>elections</i></p> <p>[] A person who is incapable of being elected to the House of Commons having been reported personally guilty or convicted of a corrupt or illegal practice under the Representation of the People Act 1983 (c. 2).</p> <p><i>Persons imprisoned or detained following conviction etc.</i></p> <p>[] (1) A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year.</p> <p>(2) A person is disqualified under this paragraph only while the person is</p> <p>—</p> <p>(a) detained anywhere in the United Kingdom, the Channel Islands, the Isle of Man, or elsewhere in the European Union, in pursuance of the sentence or order, or</p> <p>(b) ’.</p>	
77	<p>Schedule 2, page 28, after line 32, insert—</p> <p><i>‘Sex offenders</i></p> <p>[] A person subject to the notification requirements of, or an order under, Part 2 of the Sexual Offences Act 2003 (c. 42).’.</p>	<p>Atodlen, tudalen 28, ar ôl llinell 32, mewnosoder—</p> <p><i>‘Sex offenders</i></p> <p>[] A person subject to the notification requirements of, or an order under, Part 2 of the Sexual Offences Act 2003 (c. 42).’.</p>	<p>The purpose of this amendment is to insert new provision into Part 1 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill).</p> <p>The effect of the amendment is that persons subject to the notification requirements, of, or an</p>

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			order under, Part 2 of the Sexual Offences Act 2003 would be disqualified from candidacy for and membership of the Senedd.
78	Schedule 2, page 28, leave out lines 35 to 36.	Atodlen, tudalen 28, hepgorer llinellau 35 hyd at 36.	The purpose of this amendment is to remove the introductory wording to Part 2 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill) because it is both unnecessary and inconsistent with the provision made in section 29 of the Bill.
79	Schedule 2, page 28, line 37, leave out— 'any other legislature, with the following exceptions— (a) Members of the House of Commons in the circumstances provided for in sections 17A and 17B; (b) Members of the House of Lords in the circumstances provided for in section 17C', and insert— 'the legislature of any country or territory outside the United Kingdom'.	Atodlen, tudalen 28, llinell 37, hepgorer— 'any other legislature, with the following exceptions— (a) Members of the House of Commons in the circumstances provided for in sections 17A and 17B; (b) Members of the House of Lords in the circumstances provided for in section 17C', a mewnosoder— 'the legislature of any country or territory outside the United Kingdom'.	This amendment removes provisions in Part 2 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill) which would have the effect of disqualifying members of any other legislature other than the Senedd from candidacy for and membership of the Senedd. It replaces this with provision which would have the effect of disqualifying members of the legislature of any country or territory outside the United Kingdom from candidacy for and membership of the Senedd.
80	Schedule 2, page 29, after line 4, insert— 'Civil servants; Members of any of the regular armed forces of the Crown; Members of any police force in Wales, England, Scotland or Northern Ireland;'. '	Atodlen, tudalen 29, ar ôl llinell 4, mewnosoder— 'Civil servants; Members of any of the regular armed forces of the Crown; Members of any police force in Wales, England, Scotland or Northern Ireland;'. '	The purpose of this amendment is to insert new provision into Part 2 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill) which would have the effect of disqualifying civil servants, members of any of the regular armed forces of the Crown and members of any police force in Wales, England, Scotland and Northern Ireland from candidacy for and membership of the

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			<p>Senedd.</p> <p>This amendment should be read with amendment 83, which inserts definitions of “civil servant” and “member of the regular armed forces of the Crown” into the new Schedule 1A.</p>
81	<p>Schedule 2, page 29, after line 17, insert—</p> <p>(e) Judge of the Court of Session, or Temporary Judge in Scotland;</p> <p>(f) Judge of the High Court of Justice or Court of Appeal in Northern Ireland;</p> <p>(g) Judge of the Court Martial Appeal Court;</p> <p>(h) Judge of the Upper Tribunal or legal member of the Upper Tribunal for Scotland;</p> <p>(i) Chairman of the Scottish Land Court;</p> <p>(j) Sheriff principal, sheriff, summary sheriff, temporary sheriff principal, part-time sheriff or part-time summary sheriff in Scotland;</p> <p>(k) County Court Judge or deputy County Court Judge in Northern Ireland;</p> <p>(l) District judge (magistrates’ courts), or deputy district judge (magistrates’ courts), in Northern Ireland;</p> <p>(m) Chief or other Child Support Commissioner for Northern Ireland or deputy Child Support Commissioner for Northern Ireland;</p> <p>(n) Chief or other Social Security Commissioner for Northern Ireland or deputy Social Security Commissioner for Northern Ireland;’.</p>	<p>Atodlen, tudalen 29, ar ôl llinell 17, mewnosoder—</p> <p>(e) Judge of the Court of Session, or Temporary Judge in Scotland;</p> <p>(f) Judge of the High Court of Justice or Court of Appeal in Northern Ireland;</p> <p>(g) Judge of the Court Martial Appeal Court;</p> <p>(h) Judge of the Upper Tribunal or legal member of the Upper Tribunal for Scotland;</p> <p>(i) Chairman of the Scottish Land Court;</p> <p>(j) Sheriff principal, sheriff, summary sheriff, temporary sheriff principal, part-time sheriff or part-time summary sheriff in Scotland;</p> <p>(k) County Court Judge or deputy County Court Judge in Northern Ireland;</p> <p>(l) District judge (magistrates’ courts), or deputy district judge (magistrates’ courts), in Northern Ireland;</p> <p>(m) Chief or other Child Support Commissioner for Northern Ireland or deputy Child Support Commissioner for Northern Ireland;</p> <p>(n) Chief or other Social Security Commissioner for Northern Ireland or deputy Social Security Commissioner for Northern Ireland;’.</p>	<p>The purpose of this amendment is to insert new provision into Part 2 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill) in relation to the holders of the listed judicial offices. They include various judicial offices in Scotland and Northern Ireland, and judges of the Court Martial Appeal Court and the Upper Tribunal.</p> <p>The effect of this amendment would be that the holders of the listed judicial offices would be disqualified from candidacy for and membership of the Senedd.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
82	<p>Schedule 2, page 30, leave out line 9 and insert—</p> <p>‘Members of the staff of the Senedd’.</p>	<p>Atodlen, tudalen 30, hepgorer llinell 9 a mewnosoder—</p> <p>‘Members of the staff of the Senedd’.</p>	<p>The purpose of this amendment is to remove the reference in Part 2 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill) to ‘The Clerk of the Senedd’.</p> <p>This amendment replaces that provision with a reference to ‘members of the staff of the Senedd’. This will include the Clerk to the Senedd as a result of the definition set out in paragraph 3(2) of Schedule 2 to the Government of Wales Act 2006. This defines these persons as the Clerk and other persons appointed by the Senedd Commission.</p> <p>The effect of this amendment is that members of the staff of the Senedd will be disqualified from candidacy for and membership of the Senedd.</p>
83	<p>Schedule 2, page 30, after line 11, insert—</p> <p><i>‘Interpretation</i></p> <p>In this Part—</p> <p>“civil servants” means members of the civil service of the State, including the civil service of Northern Ireland, the Northern Ireland Court Service, Her Majesty’s Diplomatic Service and Her Majesty’s Overseas Civil Service;</p> <p>“members of the regular armed forces of the Crown” means members of the Royal Navy, the Royal Marines, the regular army (as defined by section 374 of the Armed Forces Act 2006 (c. 52)) or the Royal Air Force but does not include a person who—</p>	<p>Atodlen, tudalen 30, ar ôl llinell 11, mewnosoder—</p> <p><i>‘Interpretation</i></p> <p>In this Part—</p> <p>“civil servants” means members of the civil service of the State, including the civil service of Northern Ireland, the Northern Ireland Court Service, Her Majesty’s Diplomatic Service and Her Majesty’s Overseas Civil Service;</p> <p>“members of the regular armed forces of the Crown” means members of the Royal Navy, the Royal Marines, the regular army (as defined by section 374 of the Armed Forces Act 2006 (c. 52)) or the Royal Air</p>	<p>This amendment inserts definitions into Part 2 of Schedule 1A to the Government of Wales Act 2006 (as would be inserted by Schedule 2 to the Bill) which relate to the entries inserted into that Part by amendment 80.</p>

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	<p>(a) is an officer on the retired or emergency list of any of the regular armed forces of the Crown,</p> <p>(b) holds an emergency commission in any of such forces,</p> <p>(c) belongs to any reserve of officers of any of those forces,</p> <p>(d) a naval, army, marine or air force pensioner, or former soldier who is liable to be recalled for service, or</p> <p>(e) is an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force and does not for the time being hold an appointment in the naval, military or air force service of the Crown.”.</p>	<p>Force but does not include a person who—</p> <p>(a) is an officer on the retired or emergency list of any of the regular armed forces of the Crown,</p> <p>(b) holds an emergency commission in any of such forces,</p> <p>(c) belongs to any reserve of officers of any of those forces,</p> <p>(d) a naval, army, marine or air force pensioner, or former soldier who is liable to be recalled for service, or</p> <p>(e) is an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force and does not for the time being hold an appointment in the naval, military or air force service of the Crown.”.</p>	