

ACCOMPANYING DOCUMENTS

Explanatory Notes and an Explanatory Memorandum are printed separately.

Senedd and Elections (Wales) Bill

[AS INTRODUCED]

CONTENTS

PART 1

OVERVIEW

- 1 Overview of this Act

PART 2

NAME OF THE NATIONAL ASSEMBLY FOR WALES

- 2 Senedd
3 Acts of the Assembly for Wales
4 Members of the Assembly for Wales
5 Clerk of the Assembly
6 National Assembly for Wales Commission
7 National Assembly for Wales Remuneration Board
8 National Assembly for Wales Commissioner for Standards
9 Amendments to existing legislation

PART 3

ELECTIONS

Extension of right to vote

- 10 Extension of right to vote to 16 and 17 year old persons in Senedd elections

Electoral registration

- 11 Entitlement to be registered as a local government elector
12 Annual canvass
13 Invitations to register
14 Invitations to register: further provision about persons under the age of 16
15 Applications for registration
16 Review of entitlement to registration
17 Anonymous registration
18 Declarations of local connection
19 Service declarations
20 Contents of service declarations
21 Service declarations: further provision
22 Register of electors

- 23 Protection of information about persons aged under 16
24 Exceptions from prohibition on disclosure
25 Further provision for exceptions
26 Amendments to the National Assembly for Wales (Representation of the People) Order 2007

Oversight of administration of elections

- 27 Duty to consider reform of oversight of the work of the Electoral Commission

General

- 28 Regulations under this Part

PART 4

DISQUALIFICATION

- 29 Disqualification from being a Member of the Senedd
30 Exceptions and relief from disqualification
31 Exception from disqualification by virtue of being a member of the House of Lords
32 Effect of disqualification
33 Judicial proceedings as to disqualification
34 Consequential amendments

PART 5

MISCELLANEOUS

Meetings of the Senedd

- 35 Timing of first meeting

Implementation of Law Commission recommendations

- 36 Power of the Welsh Ministers to make provision about elections etc

Powers of the Senedd Commission

- 37 Senedd Commission

PART 6

GENERAL

- 38 General Interpretation
39 Extent
40 Coming into force
41 Short title

Schedule 1 – Amendments to existing legislation

Part 1 – Amendments to the Government of Wales Act 2006

Part 2 – Amendments to the National Assembly for Wales Commissioner for Standards Measure 2009

Part 3 – Amendments to the National Assembly for Wales (Remuneration) Measure 2010

Schedule 2 – New Schedule 1A to the Government of Wales Act 2006

Senedd and Elections (Wales) Bill

[AS INTRODUCED]

An Act of the National Assembly for Wales to rename the National Assembly for Wales, to extend the right to vote in Senedd elections, to amend the law relating to disqualification from membership of the Senedd, to make provision regarding oversight of the work of the Electoral Commission, to make miscellaneous changes to the law relating to the government of Wales and for related purposes.

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

PART 1

OVERVIEW

1 Overview of this Act

- (1) Part 2 of this Act (including Schedule 1) changes the name of the National Assembly for Wales to the “Senedd”, states that the Senedd may also be known as Welsh Parliament and makes connected changes to the titles of its Members, the legislation, and Commission, together with its Remuneration Board and Commissioner for Standards.
- (2) Part 3 of this Act extends the right to vote for elections to the Senedd to persons aged 16 and 17 and makes related changes to electoral registration. It also requires the Senedd to consider the financial and oversight arrangements for the work of the Electoral Commission in relation to devolved Welsh elections and devolved referendums.
- (3) Part 4 of this Act (including Schedule 2) amends the law relating to persons disqualified from membership of the Senedd.
- (4) Part 5 of this Act contains miscellaneous provisions regarding the Senedd and elections that—
 - (a) extend the time within which the first meeting of the Senedd after a general election must be held;
 - (b) enables the Welsh Ministers, by regulations, to implement recommendations made by the Law Commission;
 - (c) clarify the powers of the Senedd Commission to charge for the provision of goods and services.
- (5) Part 6 of this Act contains general provisions about the interpretation of this Act, its extent, the coming into force of the provisions of the Act, and the short title.

PART 2

NAME OF THE NATIONAL ASSEMBLY FOR WALES

2 **Senedd**

- (1) The Assembly for Wales constituted by the 2006 Act is to be known as the “Senedd”.
- (2) The Senedd may also be known as the Welsh Parliament.

3 **Acts of the Assembly for Wales**

Acts of the Assembly for Wales are to be known as Acts of the Senedd or Deddfau’r Senedd.

4 **Members of the Assembly for Wales**

Members of the Assembly for Wales are to be known as Members of the Senedd or Aelodau’r Senedd.

5 **Clerk of the Assembly**

The Clerk of the Assembly is to be known as the Clerk of the Senedd or Clerc y Senedd.

6 **National Assembly for Wales Commission**

The National Assembly for Wales Commission is to be known as the Senedd Commission or Comisiwn y Senedd.

7 **National Assembly for Wales Remuneration Board**

The National Assembly for Wales Remuneration Board is to be known as the Independent Remuneration Board of the Senedd or Bwrdd Taliadau Annibynnol y Senedd.

8 **National Assembly for Wales Commissioner for Standards**

The National Assembly for Wales Commissioner for Standards is to be known as the Senedd Commissioner for Standards or Comisiynydd Safonau y Senedd.

9 **Amendments to existing legislation**

- (1) For amendments to existing legislation see Schedule 1.
- (2) The amendments made by Schedule 1 do not prejudice Section 150A of the 2006 Act (Change of name of the Assembly etc: translation of references).
- (3) Where, in consequence of an amendment in Schedule 1, a word starting with a consonant is immediately preceded by “an” leave out “an” and insert “a”.

PART 3**ELECTIONS***Extension of right to vote***10 Extension of right to vote to 16 and 17 year old persons in Senedd elections**

- 5 (1) In section 12(1)(a) of the 2006 Act (entitlement to vote), after “constituency” insert “or are 16 or 17 years of age and would be so entitled but for their age”.
- (2) The amendments made by this section 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.

*Electoral registration***11 Entitlement to be registered as a local government elector**

10 In section 4 of the Representation of the People Act 1983 (c. 2) (“the 1983 Act”) (entitlement to be registered as a local government elector) –

(a) in subsection (3)(d), after “age” insert “or, if resident in an area in Wales, is 16 years of age or over”;

15 (b) after subsection (5A) insert –

“(5B) In relation to a register of local government electors for any electoral area in Wales, the reference to “voting age” in subsection (5) is to be interpreted as “16 years of age”.”

12 Annual canvass

- 20 (1) In section 9A of the 1983 Act (registration officers: duty to take necessary steps), after subsection (2) insert –

“(2A) In relation to the registration of local government electors in Wales, subsections (1) and (2)(b) do not require a registration officer to make house to house inquiries in relation to any person under the age of 16.”

- 25 (2) In regulation 32ZA of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) (“the 2001 Regulations”) (annual canvass form) –

(a) after paragraph (3) insert –

“(3A) In relation to the registration of local government electors in Wales, the canvass form in paragraph (2) must also –

30 (a) require the full name and nationality of each person aged 14 or 15 who is eligible to register and is residing at the address to which the form is given, and

(b) in relation to any such person named in the form, require the person’s date of birth to be included.”;

35 (b) after paragraph (5) insert –

“(5A) In relation to the registration of local government electors in Wales, the registration officer must not, under paragraph (5), print on the form the date of birth of any person aged under 16.”

13 Invitations to register

5 (1) In section 9E of the 1983 Act (maintenance of registers: invitations to register in Great Britain), after subsection (7) insert –

“(7A) In relation to the registration of local government electors in Wales, subsection (7) does not apply to a person who was under the age of 16 at the time the requirement was imposed.”

10 (2) In regulation 32ZC of the 2001 Regulations (invitations to apply for registration), after paragraph (2) insert –

“(2A) In relation to the registration of local government electors in Wales, where the person to be invited is under the age of 16, the invitation in paragraph (1) must also include an explanation of how the person’s information will be held and used.”

15 (3) In regulation 32ZD of the 2001 Regulations (steps to be taken by a registration officer to encourage a person to make an application for registration in response to an invitation to do so), after paragraph (3) insert –

“(3A) In relation to the registration of local government electors in Wales, paragraph (3) does not require a registration officer to make, or have made, any visits in the case where the invitations were given to a person under the age of 16.”

20 (4) In regulation 32ZE of the 2001 Regulations (requiring a person to make an application for registration), after paragraph (3) insert –

“(3A) In relation to the registration of local government electors in Wales, the following provisions of this regulation do not apply in the case of a person who is under the age of 16 –

(a) paragraphs (2)(b)(iii) and (3)(b) and (c);

(b) paragraph (3)(f), so far as requiring a notice to state that the person may make representations about why a civil penalty should not be imposed.”

14 Invitations to register: further provision about persons under the age of 16

35 (1) The Welsh Ministers may, by regulations, make provision about invitations to be given under section 9E(1) of the 1983 Act (invitations to apply for registration) in relation to the registration of local government electors in Wales.

(2) Regulations under subsection (1) may (among other things) include provision –

(a) about the form and content of invitations;

(b) about how and when invitations must be given;

(c) requiring invitations to be accompanied by, or combined with, application forms or other documents (including partially completed application forms).

- (3) Regulations under subsection (1) may confer functions on the Electoral Commission (for example, the Commission may be required to design an invitation).
- (4) Regulations under subsection (1) may amend, repeal (or revoke) or modify any enactment.
- 5 (5) Before making regulations under subsection (1), the Welsh Ministers must consult such persons as they consider appropriate.

15 Applications for registration

- (1) The 2001 Regulations are amended as follows.
- (2) In regulation 26 (applications for registration) –
- 10 (a) after paragraph (1) insert –

“(1A) In relation to the registration of local government electors in Wales, where the applicant is not able to provide the applicant’s date of birth, the statement referred to in paragraph (1)(e) must indicate whether the applicant is –

- 15 (a) under the age of 16,
(b) aged 16 or 17, or
(c) aged 18 or over.”;

(b) in paragraph (3), after “(1)” insert “, (1A) ”;

(c) after paragraph (3) insert –

20 “(3A) In relation to the registration of local government electors in Wales, the paper application form under paragraph (3) must also include an explanation of how information about applicants under the age of 16 will be held and used.”;

(d) after paragraph (9) insert –

25 “(9A) In relation to the registration of local government electors in Wales, paragraphs (1)(f) and (8)(a) do not apply in the case where the applicant is under the age of 16.”

- (3) In regulation 26B (power to request additional evidence where certain information is unavailable or where the registration officer considers it necessary), after paragraph (6) insert –
- 30

“(6A) In relation to the registration of local government electors in Wales, paragraphs (2) to (6) do not apply in the case where the applicant is under the age of 16 if –

- 35 (a) there is information available to the registration officer from any educational record relating to the applicant, and
(b) that information is sufficient to satisfy the registration officer as to the applicant’s identity and entitlement to be registered.”

- (4) In regulation 28 (inspection of applications and objections), after paragraph (2) insert –

“(3) In relation to the registration of local government electors in Wales, this regulation does not apply to an application made by a person under the age of 16.”

- 5 (5) In regulation 29ZA (verification of information provided in an application), after paragraph (6) insert –

“(6A) In relation to the registration of local government electors in Wales, this regulation does not apply to an application made by a person under the age of 16.”

16 Review of entitlement to registration

- 10 (1) The 2001 Regulations are amended as follows.

- (2) In regulation 31D (procedure for reviewing entitlement to registration), after paragraph (3) insert –

“(3A) In relation to the registration of local government electors in Wales, paragraph (2)(b) does not apply where the subject of the review is under the age of 16.”

- 15 (3) In regulation 31E (list of reviews), after paragraph (4) insert –

“(5) In relation to the registration of local government electors in Wales, this regulation does not apply to any review where the subject of the review is under the age of 16.”

20 17 Anonymous registration

In regulation 31J of the 2001 Regulations (anonymous registration: evidence by attestation), after paragraph (5) insert –

“(6) In relation to the registration of local government electors in Wales, where the applicant is under the age of 16 on the date on which the application is made –

(a) “qualifying officer” also includes a person authorised in writing for the purposes of this regulation by an officer referred to in paragraph (4)(h), and

(b) where the attestation is signed by a person so authorised, the attestation must be accompanied by a copy of the person’s authorisation.”

18 Declarations of local connection

- (1) Section 7B of the 1983 Act (notional residence: declarations of local connection) is amended as follows.

- 35 (2) After subsection (2) insert –

“(2A) In relation to the registration of local government electors in Wales, this section also applies to a person who, on the date on which the person makes a declaration under subsection (1) –

(a) is under 18 years of age,

(b) does not fall within any of the paragraphs (a) to (c) of subsection (2), and

(c) meets any of the requirements specified in subsection (2B).

(2B) The requirements are that—

(a) the person is, or has been, a child who is looked after by a local authority, or

(b) the person is being kept in any secure accommodation specified in regulations made by the Welsh Ministers in circumstances specified in the regulations.

(2C) The power to make regulations under subsection (2B)(b) is exercisable by statutory instrument and is subject to annulment in pursuance of a resolution of the Senedd.

(2D) In subsection (2B)—

(a) the reference to a child who is looked after by a local authority has the same meaning as in the Social Services and Well-being (Wales) Act 2014 (anaw 1) (see section 74);

(b) “secure accommodation” means accommodation for the purpose of restricting the liberty of persons under the age of 18.”

(3) In subsection (4), after paragraph (b) insert—

“(c) in the case of a person falling within subsection (2A), any of the following—

(i) an address in Wales at which the person has previously been resident, or

(ii) an address used by a council of a county or county borough in Wales in which the person has previously been resident.”

(4) After subsection (7) insert—

“(7A) Despite anything in subsection (7), in relation to Wales, a relevant declaration made by a person has effect only for the person’s registration as a local government elector.

(7B) In subsection (7A) a “relevant declaration” means—

(a) a declaration of local connection made by virtue of subsection (2A);

(b) any other declaration of local connection made by a person who, on the date on which the declaration is made, is—

(i) under the age of 17, and

(ii) not entitled to be registered in the register of parliamentary electors.

(7C) A relevant declaration referred to in subsection (7A) must be marked to show that it is available only for the purposes of registration as a local government elector, but otherwise is to be the same as other declarations of local connection.”

5 **19 Service declarations**

(1) The 1983 Act is amended as follows.

(2) In section 14 (service qualification), after subsection (1) insert—

“(1A) In relation to the registration of local government electors in Wales, a person also has a service qualification for the purposes of this Act if—

10 (a) the person is under the age of 18,

(b) a parent or guardian of the person has a service qualification under any of paragraphs (a) to (e) of subsection (1), and

(c) the person is residing at a particular place in order to be with that parent or guardian.”

15 (3) In section 15 (service declaration) —

(a) after subsection (3) insert—

“(3A) In relation to the registration of local government electors in Wales, a service declaration made by a person by virtue of a service qualification under section 14(1A) ceases to have effect when the person attains the age of 18.

(3B) Without prejudice to subsection (2), a person registered in a register of local government electors in Wales in pursuance of a service declaration referred to in subsection (3A) ceases to be entitled to remain so registered when the person attains the age of 18.

25 (3C) Where a person’s entitlement to remain registered ceases under subsection (3B), the registration officer must remove the person’s entry from the register.”;

(b) after subsection (5) insert—

30 “(5A) Despite anything in subsection (5), in relation to Wales, a relevant service declaration made by a person has effect only for the purposes of the person’s registration as a local government elector.

(5B) In subsection (5A), “relevant service declaration” means—

(a) a service declaration made by virtue of a service qualification under section 14(1A);

35 (b) any other service declaration made by a person who, on the date on which the declaration is made, is—

(i) under the age of 17, and

(ii) not entitled to be registered in the register of parliamentary electors.

(5C) A relevant service declaration referred to in subsection (5A) must be marked to show that it is available only for the purposes of registration as a local government elector, but otherwise is to be the same as other service declarations.”

5 (4) In section 16 (contents of service declaration) –

(a) the existing text becomes subsection (1);

(b) after that subsection insert –

10 “(2) In relation to the registration of local government electors in Wales, a service declaration made by a person claiming to have a service qualification under section 14(1A) does not require to be attested.”

(5) In section 17 (effect of service declaration), after subsection (2) insert –

“(3) In relation to the registration of local government electors in Wales, subsection (2) is subject to section 15(3A).”

20 Contents of service declarations

15 (1) The 2001 Regulations are amended as follows.

(2) In regulation 15 (contents of service declaration) –

(a) after paragraph (1) insert –

20 “(1A) In relation to the registration of local government electors in Wales, paragraph (1)(c) does not apply in a case where the declarant claims a service qualification under section 14(1A) of the 1983 Act (see instead regulation 15A).”;

(b) after paragraph (3) insert –

25 “(3A) In relation to the registration of local government electors in Wales, the reference to “Government department” in paragraph (3) includes any organisation in which a Crown servant works.”

(3) After regulation 15 insert –

“15A Contents of service declaration: declarant with a service qualification under section 14(1A) of the 1983 Act

30 (1) In relation to the registration of local government electors in Wales, a service declaration by a person claiming a service qualification under section 14(1A) of the 1983 Act must include, in addition to the matters specified in regulation 15(1)(a) and (b), such of the particulars specified in paragraph (2), (3) or (4) as are relevant to the declarant.

35 (2) Where the declarant claims a service qualification on the grounds that a parent or guardian of the declarant is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse or civil partner of such a member, the declaration must state –

(a) the service (whether naval, military or air forces) in which the member serves,

40 (b) the rank or rating of the member,

- (c) the service number of the member, and
- (d) where the member serves in the military forces, the regiment or corps in which the member serves.

5 (3) Where the declarant claims a service qualification on the grounds that a parent or guardian of the declarant is a Crown servant to whom regulation 14 applies or the spouse or civil partner of such a servant, the declaration must state –

- (a) the name of the organisation in which the servant works,
- (b) a description of the post of the servant, and
- 10 (c) any staff number, payroll number or other similar identifying number of the servant.

15 (4) Where the declarant claims a service qualification on the grounds that a parent or guardian of the declarant is a British Council employee or the spouse or civil partner of such an employee, the declaration must state –

- (a) a description of the post of the employee, and
- (b) any staff number, payroll number or other similar identifying number of the employee.”

21 Service declarations: further provision

- 20 (1) The 2001 Regulations are amended as follows.
- (2) In regulation 25 (reminders to electors registered pursuant to a declaration), after paragraph (4) insert –

25 “(5) In relation to the registration of local government electors in Wales, paragraphs (6) and (7) apply in the case of a person registered in pursuance of a service declaration made by virtue of a service qualification under section 14(1A) of the 1983 Act.

30 (6) The registration officer must send to the person a reminder that the person’s declaration will cease to have effect, and that the person’s entitlement to remain registered will cease, when the person attains the age of 18.

(7) The reminder must be sent as soon as practicable within the period of 3 months ending on the day on which the person attains the age of 18.”

- 35 (3) In regulation 26B (power to request additional evidence where certain information is unavailable or where the registration officer considers it necessary) –

- (a) in paragraph (7) –
 - (i) for “(6)” substitute “(6A)”;
 - (ii) after sub-paragraph (c) insert –

“(ca) in relation to the registration of local government electors in Wales, a service declaration on the grounds that the applicant has a service qualification under section 14(1A) of the 1983 Act;”;

5 (b) after paragraph (9) insert –

“(9A) In the case of an application in pursuance of a service declaration within paragraph (7)(ca), the registration officer may require that the applicant give the officer one of the following documents or a copy of one of them certified by a relevant official –

10 (a) the applicant’s passport, or

(b) the applicant’s identity card issued in the European Economic Area.

(9B) In paragraph (9A), “relevant official” means –

15 (a) a Crown Servant (within the meaning of regulation 14),

(b) a British Council employee, or

(c) an officer of the forces (within the meaning of section 59(1) of the 1983 Act),

who is not the applicant’s parent, guardian, spouse or civil partner.”

22 Register of electors

20 In section 9 of the 1983 Act (registers of electors), after subsection (5) insert –

“(5A) In relation to the registration of local government electors in Wales, the entry in the combined registers of any person aged 16 or 17 who is registered only as a local government elector must give the date on which the person will attain the age of 18.”

23 Protection of information about persons aged under 16

25 (1) A registration officer must not publish, supply or otherwise disclose a young person’s information, except in accordance with –

(a) section 24, or

(b) regulations under section 25.

30 (2) In this section and sections 24 and 25 –

“a young person’s information” (“*gwybodaeth person ifanc*”) means any entry in –

(a) the register of local government electors, or

(b) an absent voters record or list,

35 relating to a person who, at the time of the publication, supply or other disclosure, is under the age of 16, and “young person” is to be interpreted accordingly;

“absent voters record or list” (“*cofnod neu restr o bleidleiswyr absennol*”) means any of the following –

(a) a record kept under article 8(3), 9(6) or 12(6) of the 2007 Order;

(b) a list kept under article 10 or 12(8) of the 2007 Order;

“register of local government electors” (“*cofrestr o etholwyr llywodraeth leol*”) includes any notice of an alteration in the register under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act;

“registration officer” (“*swyddog cofrestru*”) includes –

(a) a deputy of a registration officer;

(b) a person appointed to assist a registration officer in the carrying out of the registration officer’s functions;

(c) a person, in the course of the person’s employment, assisting a registration officer in the carrying out of those functions.

24 Exceptions from prohibition on disclosure

(1) This section applies for the purpose of section 23(1).

(2) A young person’s information may be disclosed to any person so far as necessary for the purpose of the carrying out by that person of functions in connection with –

(a) the registration of electors, or

(b) the conduct of an election.

(3) A young person’s information may be disclosed in accordance with regulation 32ZA(5) and (5A) of the 2001 Regulations (pre-population of the canvass form).

(4) A young person’s information (other than any information by which the person’s date of birth may be ascertained) may be disclosed in a version or copy of the register of local government electors or an absent voters record or list supplied in accordance with a relevant supply enactment, but only so far as it is necessary to do so for the purposes of or in connection with an election at which the young person will be entitled to vote.

(5) In subsection (4), “relevant supply enactment” means –

(a) regulation 100 of the 2001 Regulations (supply to the Electoral Commission);

(b) regulation 104 of the 2001 Regulations (supply to holders of relevant elective offices and candidates), so far as applying to a member of the Senedd;

(c) regulation 108 of the 2001 Regulations (supply to candidates), so far as applying to candidates at Senedd elections;

(d) regulation 102 of the 2001 Regulations (general provision), so far as relating to regulations 104 and 108;

(e) any enactment making provision equivalent to that in regulation 61 of the 2001 Regulations (absent voters records and lists) in relation to Senedd elections;

(f) any enactment making provision equivalent to that in regulation 98(4) of the 2001 Regulations in relation to Senedd elections.

(6) A young person’s information may be disclosed to any person so far as necessary for the purposes of a criminal investigation or criminal proceedings relating to an offence (or alleged offence) under any enactment relating to –

- (a) the registration of electors, or
- (b) the conduct of elections.

(7) A young person's information may be disclosed to the young person to whom it relates.

(8) A registration officer must supply a young person's information to the young person to whom it relates if the young person requests the information for the purpose of verifying that the young person is a permissible donor within the meaning of section 54(2)(a) of the Political Parties, Elections and Referendums Act 2000 (c. 41).

(9) A young person's information may be disclosed to a person appointed as proxy to vote for the young person to whom the information relates.

(10) A person to whom a young person's information is disclosed under subsection (2) or (6) must not disclose the information to another person, except as mentioned in that subsection.

(11) A person who contravenes subsection (10) commits an offence and is liable on summary conviction to a fine.

25 Further provision for exceptions

(1) The Welsh Ministers may by regulations make provision for or about the disclosure of a young person's information in connection with elections to the Senedd.

(2) Regulations under subsection (1) may (among other things) include provision –

(a) authorising or requiring registration officers to supply or otherwise disclose any young person's information to persons specified in the regulations;

(b) specifying, in relation to any description of persons specified in the regulations in pursuance of paragraph (a), the purposes for which any young person's information supplied or otherwise disclosed may be used;

(c) imposing prohibitions or restrictions relating to the extent (if any) to which persons to whom any young person's information is supplied or otherwise disclosed (whether in accordance with the regulations or otherwise) may –

(i) supply or otherwise disclose the information to other persons;

(ii) make use of the information otherwise than for any purposes specified in the regulations or for which the information has been supplied or otherwise disclosed in accordance with the regulations;

(d) imposing prohibitions or restrictions corresponding to those which may be imposed by virtue of paragraph (c) in relation to –

(i) persons to whom any young person's information has been supplied or otherwise disclosed in accordance with regulations made in pursuance of paragraph (c) or this paragraph, or

(ii) persons who otherwise have access to any young person's information;

(e) imposing, in relation to persons involved in the preparation of the full register of local government electors, prohibitions with respect to supplying copies of the full register and disclosing any young person's information contained in it.

(3) Regulations under subsection (1) may –

- (a) amend, repeal or modify provision in section 24;
 - (b) make provision by reference to other enactments relating to the supply or disclosure of the register of local government electors, or copies of it or entries in it;
 - (c) provide for the creation of criminal offences punishable on summary conviction by a fine.
- (4) Before making regulations under subsection (1), the Welsh Ministers must consult such persons as the Welsh Ministers consider appropriate.

26 Amendments to the National Assembly for Wales (Representation of the People) Order 2007

- (1) The 2007 Order is amended as follows.
- (2) In article 2(1)–
- (a) in definition of “qualifying commonwealth citizen” for “indefinite leave to remain within the meaning of that Act” substitute “any description of such leave”;
 - (b) at the end of the definition of “valid postal voting statement”, omit “and”;
 - (c) after the definition of “voter”, insert ““voting age” means 16 years of age or over.”
- (3) In article 11(4) (proxies at Assembly elections), for “eighteen” substitute “16”.

Oversight of administration of elections

27 Duty to consider reform of oversight of the work of the Electoral Commission

- (1) The Senedd must consider the financial and oversight arrangements for the work of the Electoral Commission in relation to devolved Welsh elections and devolved referendums with a view to making recommendations for reform of those arrangements; and the Electoral Commission must respond to any recommendations relevant to it by laying a report before the Senedd.
- (2) The Senedd may by standing orders make provision regarding the exercise of the functions conferred upon it by this section.
- (3) The provision that may be made under subsection (2) includes, but is not limited to, the delegation of functions to the Presiding Officer or a committee or sub-committee of the Senedd.
- (4) In this section –
- “devolved referendums” (“*refferenda datganoledig*”) means referendums that could be required, authorised or otherwise provided for by an Act of the Senedd (whether or not they are so required, authorised or provided for);
- “devolved Welsh elections” (“*etholiadau datganoledig Cymru*”) means elections that could be required, authorised or otherwise provided for by an Act of the Senedd (whether or not they are so required, authorised or provided for).

*General***28 Regulations under this Part**

- (1) A power to make regulations under this Part –
- (a) is exercisable by statutory instrument;
 - 5 (b) includes the power to make different provision for different purposes;
 - (c) includes the power to make incidental, supplementary, consequential, transitional, transitory or saving provision.
- (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.
- 10 (3) Subsection (2) applies to a statutory instrument containing –
- (a) regulations under section 14(1) (invitations to register: further provision about persons under the age of 16) that amend, repeal or modify provision in –
 - (i) an Act of the United Kingdom Parliament;
 - (ii) a Measure passed under Part 3 of the 2006 Act; or
 - 15 (iii) an Act passed under Part 4 of the 2006 Act;
 - (b) regulations under section 25(1).
- (4) A statutory instrument containing regulations section 14(1) to which subsection (2) does not apply is subject to annulment in pursuance of a resolution of the Senedd.

PART 4**DISQUALIFICATION****29 Disqualification from being a Member of the Senedd**

- (1) Section 16 of the 2006 Act (disqualification from being Assembly member) is amended as follows.
- (2) In subsection (1) –
- 25 (a) after paragraph (za), insert –
 - “(zb) is a member of the House of Lords (but see section 17C),
 - (zc) falls within one of the categories of person specified in Part 1 of Schedule 1A,
 - (zd) holds any of the offices specified in Part 2 of Schedule 1A,”;
 - 30 (b) omit paragraph (a);
 - (c) in paragraph (b), 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 subsection (1) is disqualified from being a candidate for election to the Senedd.

(1B) A person who would have been disqualified from being a Member of the Senedd by virtue of subsection (1)(b) is not disqualified –

(a) from being a candidate for election to the Senedd; and

(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.”

(4) Omit subsections (2) to (4).

(5) In subsection (5), for “in that paragraph and this subsection” substitute “for the purposes of this section”.

(6) After Schedule 1 to the 2006 Act, insert the Schedule 1A set out in Schedule 2 to this Act.

30 Exceptions and relief from disqualification

(1) Section 17 of the 2006 Act (exceptions and relief from disqualification) is amended as follows.

(2) Omit subsection (1).

(3) In subsection (2), after “Kingdom”, at the first place where it appears, insert “, a citizen of the Republic of Ireland or a qualifying Commonwealth citizen within the meaning of that term in paragraph 2 of Schedule 1A”.

(4) In subsection (3), omit “on a ground within section 16(1) or (4)”.

31 Exception from disqualification by virtue of being a member of the House of Lords

After section 17B of the 2006 Act insert –

“17C Exception from disqualification by virtue of being a member of the House of Lords

(1) A person returned at an election as a Member of 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).

(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 –

(a) makes an application for leave of absence from the House of Lords, and

(b) provides the Clerk with a copy of that application,

but this exception ceases to apply if the application is subsequently withdrawn or refused.

(3) Subsection (4) applies where a person –

- (a) is returned at an election as a Member of the Senedd, and
- (b) having been so returned is introduced as a member of the House of Lords.

(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 –

- (a) makes an application for leave of absence from the House of Lords, and
- (b) provides the Clerk with a copy of that application,

but this exception ceases to apply if the application is subsequently withdrawn or refused.

(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.

(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 –

- (a) renews the leave of absence from the House of Lords, and
- (b) provides the Clerk with written confirmation of that renewal,

but this exception ceases to apply if the renewal is subsequently withdrawn.”

32 Effect of disqualification

(1) Section 18 of the 2006 Act (effect of disqualification) is amended as follows.

(2) At the beginning, insert –

“(A1) 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 candidate for election to the Senedd; other disqualifications do not prevent a person from standing for election.

(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.”

(3) Omit subsection (2).

(4) In subsection (3), omit “or” and paragraph (b).

(5) In subsection (8), omit “or” and paragraph (b).

33 Judicial proceedings as to disqualification

- (1) Section 19 of the 2006 Act (judicial proceedings as to disqualification) is amended as follows.
- (2) In subsection (1), omit “or” and paragraph (b).
- 5 (3) After subsection (1) insert –
- “(1A) No application may be made under subsection (1) during a period in which section 18(A2) applies.”

34 Consequential amendments

- 10 (1) In section 427(6B) of the Insolvency Act 1986, for “section 16(2)” substitute “section 16(1)(a)”.
- (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”.
- (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 –
- 15 Children’s Commissioner for Wales
Civil Service Commission
Commissioner for Public Appointments
Comptroller and Auditor General
Electoral Commission
- 20 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
- 25 Parliamentary Commission for Administration
Returning Officer for a constituency or an electoral region of the National Assembly for Wales
Welsh Language Commissioner.

PART 5**MISCELLANEOUS***Meetings of the Senedd***35 Timing of first meeting**

- (1) In section 3 of the 2006 Act (ordinary general elections), in subsection (2)(b), for “seven” substitute “fourteen”.

- (2) In section 5 of the 2006 Act (extraordinary general elections), in subsection (4)(c), “seven” substitute “fourteen”.

Implementation of Law Commission recommendations

36 Power of the Welsh Ministers to make provision about elections etc.

In section 13 of the 2006 Act (power of the Welsh Ministers to make provision about elections etc.), after subsection (1) insert –

“(1A) The provision that may be made under subsection (1) includes provision giving effect to changes to electoral law recommended by the Law Commission for England and Wales.

(1B) The purpose of the power in subsection (1C) is to develop consistency between the law applicable to –

(a) the election of Members of the Senedd; and

(b) the election of members of local authorities in Wales.

(1C) The provision specifically authorised by subsection (1A) also includes the making of provision that would be within the legislative competence of the Senedd, if included in an Act of the Senedd, as to the election of members of local authorities.”

Powers of the Senedd Commission

37 Senedd Commission

In Schedule 2 to the 2006 Act (Assembly Commission), for sub-paragraph (4) substitute –

“(4) The Senedd Commission may –

(a) provide goods or services to the public, or

(b) make arrangements for the provision of goods or services to the public.

(4A) The Senedd Commission may charge for goods or services provided under sub-paragraph (4).”

PART 6

GENERAL

38 General Interpretation

In this Act –

“1983 Act” (“*Deddf 1983*”) means the Representation of the People Act 1983 (c. 2);

“2001 Regulations” (“*Rheoliadau 2001*”) means the Representation of the People (England and Wales) Regulations (S.I. 2001/341);

“2006 Act” (“*Deddf 2006*”) means the Government of Wales Act 2006 (c. 32);

“2007” Order” (“*Gorchymyn 2007*”) means the National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236);

“enactment” (“*deddfiad*”) means a provision contained in any of the following (whenever enacted or made)–

- (a) an Act of the United Kingdom Parliament,
- (b) a Measure passed under Part 3 of the 2006 Act,
- (c) an Act passed under Part 4 of the 2006 Act (including this Act),
- (d) subordinate legislation made under an Act of Parliament, a Measure under Part 3 of the 2006 Act or an Act under Part 4 of the 2006 Act;

“registration officer” (“*swyddog cofrestru*”) means a registration officer appointed by a local authority under section 8(2A) of the 1983 Act.

39 Extent

This Act extends to England and Wales.

40 Coming into force

- (1) The following provisions come into force on the day on which this Act receives Royal Assent–
 - (a) Part 1 (section 1);
 - (b) Part 3 (sections 10 to 28), but, other than section 27 (which takes effect on Royal Assent), it has effect in accordance with section 10(2);
 - (c) Part 4 (sections 29 to 34), including Schedule 2, but it only has effect for the purposes of a Senedd election at which the poll is held on or after 5 April 2021;
 - (d) in Part 5–
 - (i) section 36 (Power of the Welsh Ministers to make provision about elections etc), and
 - (ii) section 37 (Senedd Commission);
 - (e) this Part (sections 38 to 41).
- (2) Part 2 of this Act (sections 2 to 9), including Schedule 1, comes into force on 6 May 2020.
- (3) In Part 5 of this Act, section 35 comes into force on the day of the first Senedd election at which the poll is held on or after 5 April 2021.

41 Short title

The short title of this Act is the Senedd and Elections (Wales) Act 2019.

SCHEDULE 1
(as introduced by section 9)

AMENDMENTS TO EXISTING LEGISLATION

PART 1

AMENDMENTS TO THE GOVERNMENT OF WALES ACT 2006

1 The 2006 Act is amended as set out below.

Amendments

2 Leave out the word or words in Column A wherever they appear in any provision and insert the corresponding word or words in Column B.

TABLE 1

| Column A | Column B |
|-----------------------------------|------------------------------------|
| Act of the Assembly | Act of the Senedd |
| Acts of the Assembly | Acts of the Senedd |
| Assembly | Senedd |
| Assembly's legislative competence | Senedd's legislative competence |
| Assembly Commission | Senedd Commission |
| Assembly constituency | Senedd constituency |
| Assembly constituencies | Senedd constituencies |
| Assembly constituency member | Constituency Member of the Senedd |
| Assembly constituency members | Constituency Members of the Senedd |
| Assembly electoral region | Senedd electoral region |
| Assembly member | Member of the Senedd |
| Assembly members | Members of the Senedd |
| Assembly proceedings | Senedd proceedings |
| Assembly regional member | Regional Member of the Senedd |
| Assembly seat | Senedd seat |
| Assembly seats | Senedd seats |

3 In the heading to Part A1, leave out "Assembly" and insert "Senedd".

4 In the heading to Part 1, leave out –

“NATIONAL ASSEMBLY FOR WALES*The Assembly”*

and insert –

“ESTABLISHMENT OF THE SENEDD*The Senedd”.*

5 In Part 1, in the heading to the provisions listed in Column A, leave out the word or words in Column B and insert the corresponding word or words in Column C.

TABLE 2

| | Column A | Column B | Column C |
|----|-----------------|-----------------------|-----------------------|
| 10 | Section 1 | Assembly | Senedd |
| | Section 2 | Assembly | Senedd |
| | Section 14 | Assembly members | Members of the Senedd |
| | Section 16 | Assembly member | Member of the Senedd |
| | Section 17B | Assembly members | Members of the Senedd |
| 15 | Section 20 | Assembly members | Members of the Senedd |
| | Section 21 | Assembly members | Members of the Senedd |
| | Section 24 | Assembly members | Members of the Senedd |
| | Section 26 | Assembly | Senedd |
| | Section 27 | Assembly | Senedd |
| 20 | Section 41 | Assembly | Senedd |
| | Section 107 | Assembly | Senedd |
| | Section 137 | Assembly Commission’s | Senedd Commission’s |
| | Section 138 | Assembly Commission | Senedd Commission |
| | Section 139 | Assembly Commission | Senedd Commission |
| 25 | Section 140 | Assembly Commission’s | Senedd Commission’s |
| | Schedule 1 | Assembly | Senedd |
| | Schedule 2 | Assembly Commission | Senedd Commission |
| | Schedule 7 | Assembly | Senedd |

6 In the heading to Part 4, leave out “Assembly” and insert “Senedd”.

30 7 In section 1(1), leave out from “National Assembly for Wales” to the end and insert “Senedd”.

8 In section 1, after subsection (1), insert –

“(1A)The Senedd may also be known as the Welsh Parliament.”

9 In section 1(3) leave out “(referred to in this Act as “Assembly Members”)”.

10 In section 20, after subsection (8) insert—

5 “(9) Provision may be made under subsection (3)(a) in respect of any person who has ceased to be an Assembly member.”

11 In section 27(1), leave out from “National Assembly for Wales” to the end and insert “Senedd Commission or Comisiwn y Senedd (referred to in this Act as the “Senedd Commission”)”.

12 In section 107(1) leave out from “National Assembly for Wales” to the end and insert
10 “Senedd or Deddfau’r Senedd (referred to in this Act as “Acts of the Senedd)”.

13 In section 126A, wherever it appears, leave out “National Assembly for Wales” and insert “Senedd”.

14 In the crossheading immediately preceding section 137 leave out “Assembly” and insert “Senedd”.

15 15 In the crossheading immediately preceding paragraph 8 of Schedule 3, leave out “Assembly and Assembly Commission” and insert “Senedd and Senedd Commission”.

16 In the crossheading immediately preceding paragraph 9 of Schedule 3, leave out “Assembly” and insert “Senedd”.

17 In Schedule 9A—

20 (a) leave out “The National Assembly for Wales Commissioner for Standards or Comisiynydd Safonau ar gyfer Cynulliad Cenedlaethol Cymru” and insert in the appropriate place “The Senedd Commissioner for Standards or Comisiynydd Safonau’r Senedd”.

25 (b) leave out “The National Assembly for Wales Remuneration Board or Bwrdd Taliadau Cynulliad Cenedlaethol Cymru.” and insert in the appropriate place “The Independent Remuneration Board of the Senedd or Bwrdd Taliadau Annibynnol y Senedd.”.

18 Nothing in paragraphs 1 to 17 of this Schedule affects paragraph 19 of this Schedule.

30 *Exceptions*

19 The following provisions of the 2006 Act are unaffected by paragraphs 1 to 17 of this Part—

Headings to provisions (unless amended by paragraphs 1 to 17 of this Part);

References to the names of enactments;

35 In section 1(1) the words “There is to be an Assembly for Wales to be known as”;

In section 107(1) the words “The Assembly may make laws”;

Sections 103, 104, 105, 106 and 106A;

Section 126A (except as amended by paragraphs 1 to 17 of this Part);

Schedule 6;
 Schedule 10;
 Schedule 11;
 Schedule 12.

5

PART 2

AMENDMENTS TO THE NATIONAL ASSEMBLY FOR WALES COMMISSIONER FOR STANDARDS
 MEASURE 2009

20 The National Assembly for Wales Commissioner for Standards Measure 2009 is amended
 as set out below.

10 *Amendments*

21 In the crossheading immediately preceding section 1 leave out “National Assembly for
 Wales” and insert “Senedd”.

22 In section 1(1) leave out “National Assembly for Wales Commissioner for Standards” and
 insert “Senedd Commissioner for Standards”.

15 23 Leave out the word or words in Column A wherever they appear and insert the
 corresponding word or words in Column B.

TABLE 3

| Column A | Column B |
|--|---|
| Assembly | Senedd |
| 20 Assembly Commission | Senedd Commission |
| Assembly constituency | Senedd constituency |
| Assembly electoral region | Senedd electoral region |
| Assembly Member | Member of the Senedd |
| Assembly Members | Members of the Senedd |
| 25 National Assembly for Wales Commissioner for Standards | Senedd Commissioner for Standards |
| National Assembly for Wales Commissioner for Standards Measure 2009 | Senedd Commissioner for Standards Measure 2009 |

24 Leave out section 20(1) and (2), and insert –

30

“(1) In this Measure –

“the Act” (“*y Ddeddf*”) means the Government of Wales Act
 2006 (c. 32);

“Senedd Member” (“*Aelod o’r Senedd*”) includes –

35

(a) for the purposes of section 1(3)(a) and (b) only, the
 Counsel General even where that officer is not a
 Member of the Senedd, and

(b) except for the purposes of section 1(3)(a) and (b), a former Assembly Member or a former Member of the Senedd;

“the Clerk” (“*y Clerc*”) means the Clerk of the Senedd;

“the Commission” (“*y Comisiwn*”) means the Senedd Commission;

“Counsel General” (“*Cwnsler Cyffredinol*”) means the Counsel General to the Welsh Government;

“the Committee on Standards of Conduct” (“*y Pwyllgor Safonau Ymddygiad*”) means any committee or sub-committee of the Senedd to which there have been delegated, by or under the Standing Orders, functions relating to complaints that Members of the Senedd have failed to comply with the requirements of a relevant provision;

“Standing Orders” (“*Rheolau Sefydlog*”) means the standing orders of the Senedd.

(2) A reference in this Measure to “*the Senedd*” is a reference to—

(a) the Senedd, or

(b) other than in sections 1, 4, 6(3)(b), (c) and (d) and the Schedule, the Committee on Standards of Conduct.”

Leave out paragraph 2 of the Schedule, and insert—

“2 Arrangements referred to in paragraph 1, (but not the appointment of the person so identified) may be delegated by the Senedd, in whole or in part, to the Commission, to the Committee on Standards of Conduct or to staff of the Commission and such arrangements may include the involvement of persons independent of the Senedd.”

Nothing from paragraphs 20 to 25 of this Part affects paragraph 27 of this Part.

Exceptions

The following provisions of the National Assembly for Wales Commissioner for Standards Measure 2009 are unaffected by paragraphs 20 to 25 of this Part—

The long title;

Section 1(1) save as amended by paragraphs 20 to 25 of this Part;

Section 20(1) and (2);

Paragraph 2 of the Part.

PART 3

AMENDMENTS TO THE NATIONAL ASSEMBLY FOR WALES (REMUNERATION) MEASURE 2010

28 The National Assembly for Wales (Remuneration) Measure 2010 is amended as set out below.

5 *Amendments*

29 In the heading to section 1 leave out “National Assembly for Wales Remuneration Board” and insert “Independent Remuneration Board of the Senedd”.

30 In section 1 leave out “National Assembly for Wales Remuneration Board” and insert “Independent Remuneration Board of the Senedd”.

10 31 Leave out the word or words in Column A wherever they appear and insert the corresponding word or words in Column B.

TABLE 4

| | Column A | Column B |
|----|---|--|
| | Assembly | Senedd |
| 15 | Assembly Commission | Senedd Commission |
| | Assembly member | Member of the Senedd |
| | Assembly members | Members of the Senedd |
| | National Assembly for Wales | Senedd |
| 20 | National Assembly for Wales Commissioner for Standards | Senedd Commissioner for Standards |
| | National Assembly for Wales Remuneration Board | Independent Remuneration Board of the Senedd |
| | National Assembly for Wales (Remuneration) Measure 2010 | Senedd (Remuneration) Measure 2010 |
| 25 | regional Assembly member | regional Member of the Senedd |

32 Nothing from paragraphs 28 to 31 of this Part affects paragraph 33 of this Part.

Exceptions

30 33 The following provisions of the National Assembly for Wales (Remuneration) Measure 2010 are unaffected by paragraphs 28 to 31 of this Part –

The long title;

Section 1(1) save as amended by paragraphs 28 to 31 of this Part;

Sections 15, 17, 19, 20(4);

Schedule 3.

SCHEDULE 2
(as introduced by Section 29)

NEW SCHEDULE 1A TO THE GOVERNMENT OF WALES ACT 2006

This Schedule sets out the new Schedule 1A to the 2006 Act, to be inserted after Schedule 1 to that Act.

“SCHEDULE 1A

SECTION 16

CATEGORIES OF PERSON AND HOLDERS OF OFFICE
DISQUALIFIED FROM BEING A MEMBER OF THE SENEDD OR A
CANDIDATE IN AN ELECTION TO BE A MEMBER OF THE SENEDD

PART 1

CATEGORIES OF PERSONS DISQUALIFIED

Persons under 18 years of age

- 1 A person who has not attained the age of 18 before the day on which
the person is nominated as a candidate for election as a Member of the
Senedd.

Citizenship

- 2 (1) A person who is not—
- (a) a British citizen,
 - (b) a qualifying Commonwealth citizen,
 - (c) a citizen of the Republic of Ireland, or
 - (d) a citizen of the European Union who is resident in the United Kingdom.
- (2) For the purposes of subparagraph (1), a person is a qualifying Commonwealth citizen if that person is a Commonwealth citizen who either—
- (a) is not a person who requires leave under the Immigration Act 1971 (c.77) to enter or remain in the United Kingdom, or
 - (b) 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.
- (3) But a person is not a qualifying Commonwealth citizen by virtue of subparagraph (2)(a) if that person does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).

Bankruptcy

3 (1) A person 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.

5 (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.

4 Section 426B of the Insolvency Act 1986 (c. 45) applies in relation to
10 this disqualification.

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.

Treason

6 A person who has been convicted of treason, in the manner provided
for by section 2 of the Forfeiture Act 1870.

Incapacities on conviction of corrupt or illegal practice

7 A person convicted of a corrupt or illegal practice under the
20 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.

Other criminal offences

8 A person found guilty of one or more offences (whether before or
25 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
30 European Union, in pursuance of the sentence or order or while
unlawfully at large at a time when the person would otherwise be so
detained.

PART 2

HOLDERS OF OFFICES WHO ARE DISQUALIFIED

9 The holders of the following offices are disqualified from membership
35 of the Senedd—

Members of 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;

5 The Auditor General for Wales / Archwilydd Cyffredinol Cymru;

The Public Services Ombudsman for Wales / Ombwdsmon Gwasanaethau Cyhoeddus Cymru;

10 A person who holds office as lord-lieutenant, lieutenant or high sheriff of any area in Wales;

The holders of the following judicial offices –

(a) Judge of the Supreme Court;

(b) Judge of the High Court of Justice or Court of Appeal;

15 (c) Circuit Judge;

(d) District Judge (Magistrates' Courts) (but not Deputy District Judge (Magistrates' Courts));

Members and staff of The Electoral Commission / Comisiwn Etholiadol;

20 The Electoral Registration Officer for any area in Wales or the Returning Officer for a constituency or an electoral region of the Senedd;

Civil Service Commissioners;

Commissioners for Equality and Human Rights;

25 The Commissioner for Public Appointments;

The Comptroller and Auditor General;

The Senedd Commissioner for Standards / Comisiynydd Safonau y Senedd;

30 Her Majesty's Chief inspector of Education and Training in Wales / Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru;

Members of the Local Democracy and Boundary Commission for Wales / Aelodau Comisiwn Ffiniau a Democratiaeth Leol Cymru;

35 Members of the Independent Remuneration Panel for Wales / Aelodau Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol;

The Parliamentary Commissioner for Administration;

40 The Welsh Language Commissioner / Comisiynydd y Gymraeg;

The Commissioner for Older People in Wales/ Comisiynydd Pobl Hŷn Cymru;

The Children's Commissioner for Wales / Comisiynydd Plant Cymru;

5 The Future Generations Commissioner for Wales / Comisiynydd Cenedlaethau'r Dyfodol Cymru;

Members of the Independent Remuneration Board of the Senedd / Aelodau Bwrdd Taliadau Annibynnol y Senedd;

The Clerk of the Senedd / Clerc y Senedd;

10 Acting holders of the above offices;

Statutory deputies of holders of the above offices."