

**MEMORANDUM OF
CORRECTIONS LAID
BEFORE THE ASSEMBLY
UNDER STANDING ORDER
22.13**

The National Assembly for Wales
(Returning Officers' Charges)
Order 2002

Background

The National Assembly for Wales (Returning Officers' Charges) Order 2002 ("the Order"), to which this memorandum relates, was considered by the Business Committee on 12 November 2002, were laid before the National Assembly on the 15 November 2002 and considered by the Legislation Committee on the 26 November 2002.

Certain matters were identified by the Legislation Committee as being appropriate for Correction under Standing Order 22.13.

Amendment - Preamble

In the Preamble of the Order, in the English language text, insert after the words "(Representation of the People) Order 1999 (a)" the words "and having carried out consultation with the Electoral Commission,", and in the Welsh language text, insert after the words "(Cynrychiolaeth y Bobl) 1999(a)," the words "ac ar ôl gwneud unrhyw ymgynghori â'r Comisiwn Etholiadol".

Reason for the Amendment:

Section 7(2)(f) of the Political Parties Elections and Referendums Act 2000 requires that the Electoral Commission be consulted before the Secretary of State makes an Order under section 11 of the Government of Wales Act 1998. The National Assembly does not have any devolved powers under section 11 of the Government of Wales Act 1998, however, Order making powers have been devolved to the National Assembly by virtue of the National Assembly for Wales (Representation of the People) Order 1999, which was made by the Secretary of

State under section 11 of the Government of Wales
Act 1998.

Accordingly, the National Assembly does not have a statutory obligation to consult the Electoral Commission in relation to the Order, however, the Electoral Commission has been consulted and, in the circumstances, it is felt appropriate to reflect this fact on the face of the Order.

Edwina Hart
Minister for Finance, Local Government and
Communities