D R A F T   W E L S H   S T A T U T O R Y   I N S T R U M E N T S

2021 No. (W.)

LOCAL GOVERNMENT, WALES

REPRESENTATION OF THE PEOPLE, WALES

The Representation of the People (Amendment) (Wales) (Coronavirus) Regulations 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to proxy voting at certain local government by-elections.

Regulation 2 amends the Representation of the People (England and Wales) Regulations 2001, so as to provide applicants with additional grounds for applying for emergency proxy votes, or changing their nominated proxy, at these by-elections. These additional grounds relate to persons who are unable to attend a polling station in person as a result of following relevant legislation, guidance or medical advice in relation to the COVID-19 pandemic.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

DRAFT WELSH STATUTORY INSTRUMENTS

2021 No. (W.)

LOCAL GOVERNMENT, WALES

REPRESENTATION OF THE PEOPLE, WALES

The Representation of the People (Amendment) (Wales) (Coronavirus) Regulations 2021

Made	***
Coming into force	***

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by paragraphs 4(2)(c) and 6(7) and (8) of Schedule 4 to the Representation of the People Act 2000(**1**) and now exercisable by them(**2**), make the following Regulations.

In accordance with section 201(2) of the Representation of the People Act 1983(**3**), a draft of this instrument has been laid before and approved by a resolution of Senedd Cymru.

(**1**) 2000 c. 2; relevant amendments to Schedule 4 were made by the Electoral Administration Act 2006 (c. 22), section 14(2)(a) and (8). For the definition of "prescribed" see section 202(1) of the Representation of the People Act 1983 (c. 2) read together with paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000.

(**2**) Functions of the Secretary of State were transferred to the Welsh Ministers by article 45 of, and Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(**3**) 1983 c. 2; paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000 provides that Schedule 4 shall have effect as if it were contained in Part 1 of the Representation of the People Act 1983.

Title and commencement

1.—(1) The title of these Regulations is the Representation of the People (Amendment) (Wales) (Coronavirus) Regulation 2021.

(2) These Regulations come into force the day after the day on which they are made.

Amendment of the Representation of the People (England and Wales) Regulations 2001

2.—(1) The Representation of the People (England and Wales) Regulations 2001(**1**) are amended as follows..

(2) At the beginning of regulation 56(2)(**2**) insert "Subject to paragraph (3B),".

(3) In regulation 56(3B)—

    (a) for "paragraph 4(2)" insert "paragraphs 4(2), 6(7) or 6(8)"; and

    (b) remove ", or an application under paragraph 6(8) of that Schedule made by virtue of that application,".

(4) At the end of regulation 56(3C), after "the Local Government (Coronavirus) (Postponement of Elections) (Wales) Regulations 2020" insert "or will take place between 25 February 2021 and 4 November 2021".

Name
Minister for Housing and Local Government, one of the Welsh Ministers
Date

(**1**) S.I. 2001/341.
(**2**) Relevant amendments to regulation 56 were made by S.I. 2006/752, S.I. 2006/2910, S.I. 2013/3198 and S.I. 2020/1399 (W. 310).