

The Local Authorities (Conduct of Referendums) (Wales) Regulations

REPORT UNDER SECTION 45(8B), (8C) AND (8D) OF THE LOCAL GOVERNMENT ACT 2000

It is proposed that the above draft regulations, laid before the Assembly, be made in pursuance of the Assembly's powers contained in sections 13(3), 45 and 105 of the Local Government Act 2000 ("the 2000 Act") to make provision with respect to referendums.

In accordance with section 45 (8A) of the 2000 Act, the draft regulations have been the subject of consultation with the Electoral Commission, which considered them at their meeting of 11th March 2004.

As required under section 45(8B) and (8C) of the 2000 Act, the Electoral Commission has been consulted as to both the intelligibility of the question to be asked in a referendum and the statement ("preamble") which is to precede that question on the referendum ballot paper.

I can report that the Electoral Commission was content with the wording of the preambles to the questions contained in Part 1 of Schedule 1 to these draft regulations. I can also report that the Electoral Commission considered that the proposed questions did not fully meet all the standards set out in the Commission's 'Question assessment guidelines'. The Electoral Commission therefore suggested amendments to the questions in Part 1 of Schedule 1. Those suggested amendments have been incorporated in full.

Lastly, I can report that the views of the Electoral Commission were sought in pursuance of section 45(8D) of the 2000 Act. The Commission made no comment on the provisions in the draft regulations concerning limitations on expenditure and the creation of criminal offences in connection with these limitations (draft regulation 6 refers).