

2018 No. (W.)

**EXITING THE EUROPEAN
UNION, WALES**

**REPRESENTATION OF THE
PEOPLE, WALES**

**LOCAL GOVERNMENT,
WALES**

The Elections (Wales)
(Amendment) (EU Exit)
Regulations 2018

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 11 of, and paragraph 1(1) of Schedule 2 to, the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to local government elections legislation. Part 1 amends primary legislation and Part 2 amends subordinate legislation.

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.

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Sift requirements satisfied ***

Made ***

Laid before the National Assembly for Wales

*Coming into force in accordance with
regulation 1*

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act 2018⁽¹⁾ (relating to the appropriate scrutiny procedure for these Regulations) have been satisfied.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 11 of, and paragraph 1(1) of Schedule 2 to, that Act.

⁽¹⁾ 2018 c. 16.

Title and commencement

1. The title of these Regulations is the Elections (Wales) (Amendment) (EU Exit) Regulations 2018 and they come into force on exit day⁽¹⁾.

PART 1

Amendment to primary legislation

Amendment to the Local Government (Wales) Measure 2011

2. In Schedule 2 to the Local Government (Wales) Measure 2011⁽²⁾ (membership of the Independent Remuneration Panel for Wales), omit paragraph 1(4)(d).

PART 2

Amendments to subordinate legislation

Amendment to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007

3. In Part D of Schedule 1 (functions not to be the responsibility of an authority's executive) to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007⁽³⁾, omit paragraph 7.

Amendment to the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008

4.—(1) The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008⁽⁴⁾ are amended as follows.

(2) In regulation 2(1), omit the definitions of “European Parliamentary election” (“*etholiad Senedd Ewrop*”) and “European Parliamentary general election” (“*etholiad cyffredinol Senedd Ewrop*”)⁽⁵⁾.

(3) In Table 5 (The Representation of the People (England and Wales) Regulations 2001⁽⁶⁾) of

(1) “Exit day” is defined in section 20(1) to (5) (interpretation) of the European Union (Withdrawal) Act 2018.

(2) 2011 nawm 4.

(3) S.I. 2007/399 (W. 45).

(4) S.I. 2008/1848 (W. 177).

(5) The definitions must be construed in accordance with section 27(1) of the Representation of the People Act 1985 (c. 50). Section 27(1) was amended by section 3 of the European Communities (Amendment) Act 1986 (c. 58) in consequence of the European Assembly being renamed the European Parliament.

(6) S.I. 2001/341.

Schedule 4 (application, with modifications, of acts and subordinate legislation), in the row providing for the modification of Schedule 3, Form E(1)—

- (a) for “For “European Parliamentary electoral region” substitute “Referendum voting area...”” substitute “After “Local government electoral area(s)” insert “Referendum voting area...””;
- (b) for “to “electoral region]]”” substitute “to “electoral area]]””.

Name

Cabinet Secretary for Local Government and Public Services, one of the Welsh Ministers

Date

(1) Schedule 3, Form E of the Representation of the People (England and Wales) Regulations 2001 was amended by paragraph 1(7)(b) of Schedule 8 to the Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114) and Part 2 of Schedule 1 to the European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310).