

Government Response: The Welsh Elections Information Platform Regulations 2025

Technical Scrutiny point 1: The Welsh Government notes the reporting point. The drafting is in line with the language used in existing legislation, including the Government of Wales Act 2006 and the Senedd Cymru (Members and Elections) Act 2024. Both refer to ‘individual candidates’. Neither provide for a further definition of an individual candidate. The Welsh Government considers that the meaning behind “an individual who is a candidate to be a Member of the Senedd” is clear on the basis it is followed by the distinct concept of a party list candidate.

However, the Welsh Government accepts that there may be scope to clarify this further and is therefore minded to make an amendment to this effect, and to achieve consistency with the draft Conduct Order.

The committee is aware that the Welsh Government intends to amend this S.I., once the Conduct Order is made, to cross refer to that Order. The Welsh Government commit to taking that opportunity to make this amendment at the same time. This will be done before the end of 2025. There will be no ill effects suffered from waiting until then to amend the definition provision as the amendment will be made well in advance of the 2026 election and while the information platform is being established.

Technical Scrutiny point 2: The Welsh Government notes the reporting point. However, the drafting reflects the different voting systems in place at each election and avoids any scope for confusion as between them. Registered political parties do not ‘stand’ in principal council elections. The publishing of information about registered political parties in the context of ordinary elections to principal councils in Wales would fall under regulation 4(2)(b)(i) as information about a specified election.

Technical Scrutiny point 3: The Welsh Government notes the reporting point. The drafting reflects a non-government amendment made to the Elections and Elected Bodies (Wales) Act 2024 (then Bill) by Rhys ab Owen during stage 3 of the passage of that Bill. The regulation refers to accessibility arrangements at *polling stations*. It is anticipated this might include for example, the provision of wheelchair ramps, hearing loops, disabled parking and toilet facilities, rather than equipment to be provided to voters to assist them in casting a vote at the polling booth – these accessibility arrangements are dealt with in the draft Conduct Order. The duty placed on the Returning Officer by the draft Conduct Order relates to equipment that is provided to allow voters to vote independently and to allow for the assistance of a companion.

The feasibility of providing information on the platform about accessibility arrangements at the polling station has been tested in a Welsh Government funded pilot with The Democracy Club. The requirement to collect and publish this information

will be built into the specification to procure a third party to create and build an electronic facility.

Technical Scrutiny point 4: The arrangements for election addresses (for Senedd elections) uses a well-established, existing system (postal communication) that is provided for in existing legislation, namely the 2007 Conduct Order. The rules on producing postal communications are also outlined within the terms and conditions of the universal service provider, which is currently the Royal Mail. The Welsh Government has therefore adopted the least interventionist approach here as it did not feel it necessary or proportionate to interfere any further with the existing framework.

The provision of candidates' statements, however, is a new concept established by these Regulations, which necessitates in more prescriptive provisions being made.

These Regulations differentiate between Senedd elections and ordinary elections for principal councils throughout, to account for the different electoral systems and to guard against confusion.

Technical Scrutiny point 5: The Welsh Government did consider prescribing a deadline date for these purposes, however, the date by which the Electoral Management Board (EMB) will need to have candidate statements/election addresses submitted to them will depend on system design (yet to be determined), and the capacity of the EMB to administer the process. Welsh Government therefore feel that such a date should be left to the discretion of the platform operator (EMB) for each specified election. However, that date must be included in the notice of submission process.