

**EXPLANATORY MEMORANDUM TO**  
**THE LOCAL ELECTIONS (PRINCIPAL AREAS) (WELSH FORMS)**  
**(AMENDMENT) ORDER 2017**

**2017 No. 145**

**THE LOCAL ELECTIONS (COMMUNITIES) (WELSH FORMS) (AMENDMENT)**  
**ORDER 2017**

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**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instruments**

- 2.1 The two instruments make minor changes to the Welsh versions of the ballot paper to be used at local government and community council elections in Wales.

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 None.

*Other matters of interest to the House of Commons*

- 3.2 The two instruments apply only to Wales.
- 3.3 Both instruments concern changes to the Welsh versions of the front of the ballot papers to be used in local council and community council elections in Wales.

**4. Legislative Context**

- 4.1 The Local Elections (Principal Areas) (Welsh Forms) (Amendment) Order 2017 amends the Local Elections (Principal Areas) (Welsh Forms) Order 2007 (S.I. 2007/1015), which prescribes the Welsh versions of certain forms and forms of words contained in the Local Elections (Principal Areas) (England and Wales) Rules 2006 (S.I. 2006/3304). The forms in the 2006 Rules are the forms to be used at local government elections in England and Wales.
- 4.2 The Local Elections (Communities) (Welsh Forms) (Amendment) Order 2017 amends the Local Elections (Communities) (Welsh Forms) Order 2007 (S.I. 2007/1013), which prescribes the Welsh versions of certain forms and forms of words contained in the Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (S.I. 2006/3305). The forms in the 2006 Rules are the forms to be used at parish and community council elections in England and Wales.
- 4.3 The changes are being made in order to rectify an anomaly between the English version and Welsh translation of the ballot paper to be used in local and community elections in Wales.

## **5. Extent and Territorial Application**

- 5.1 Both instruments apply to Wales.
- 5.2 The territorial application of these instruments is set out in section 3 under “Other matters of interest to the House of Commons”.

## **6. European Convention on Human Rights**

- 6.1 As the instruments are not subject to any parliamentary procedure after being laid and do not amend primary legislation, no statement is required.

## **7. Policy background**

### *What is being done and why*

- 7.1 The Local Elections (Principal Areas) (England and Wales) Rules 2006 and the Local Elections (Parishes and Communities) (England and Wales) Rules 2006, as amended, which set out the rules for the conduct of local government and parish and community councils elections in England and Wales respectively, prescribe a range of forms and forms of words to be used in these elections in relation to various aspects of the electoral process, including postal voting and voting at polling stations. Welsh versions of certain of these forms and forms of words are set out in the Local Elections (Principal Areas) (Welsh Forms) Order 2007 and the Local Elections (Communities) (Welsh Forms) Order 2007.
- 7.2 The ballot papers and other forms used at local government and community council elections in Wales (community councils are the equivalent of parish councils in England) are the same as those used at local government and parish council elections in England, though certain information and instructions that appear on the ballot papers and forms are provided in both English and Welsh.
- 7.3 The Orders address an issue that has been identified in relation to the wording on the front of the ballot papers at both local government and community council elections in Wales. The English versions of the ballot papers for these polls set out, in the heading of each ballot paper, details of the election being contested. Currently, there is no provision for a Welsh translation of this wording to also appear in the heading of the ballot papers used in Wales, though other information and instructions for the voter on the ballot papers have been translated and will appear in both English and Welsh.
- 7.4 The two Orders therefore seek to rectify this anomaly by providing a Welsh translation of the words in the heading of the ballot paper. The Local Elections (Principal Areas) (Welsh Forms) (Amendment) Order 2017 make amendments to the Local Elections (Principal Areas) (Welsh Forms) Order 2007 to provide a Welsh translation of "Election of councillors to [*insert name of local authority*]". This Welsh form of words must appear alongside the English wording in the heading of the ballot paper at local government elections in Wales. The Local Elections (Communities) (Welsh Forms) (Amendment) Order 2017 amends the Local Elections (Communities) (Welsh Forms) Order 2007 to provide a Welsh form of words in respect of "Election of councillors to [*insert name of parish/community council*] ". It should be noted that the Welsh wording does not include a translation of the word “parish” as there are no parish councils in Wales. The Welsh form of words must appear alongside the English wording in the heading of the ballot paper at community council elections in

Wales. The Orders ensure that the Welsh versions of the ballot papers are consistent with the current English versions.

- 7.5 These changes will have effect at local government and community council elections in Wales arising on or after 4th May 2017. The new wording on front of the ballot papers in Wales will therefore apply for the local authority and community council elections in Wales scheduled for 4th May 2017.

### ***Consolidation***

- 7.6 The Law Commission is currently conducting a review into the reform of electoral law and published an interim report on 4th February 2016. In the meantime, there are no plans to consolidate amendments that have been made to the Local Elections (Principal Areas) (Welsh Forms) Order 2007 or the Local Elections (Communities) (Welsh Forms) Order 2007.

## **8. Consultation outcome**

- 8.1 The Cabinet Office has consulted with the Electoral Commission and a number of electoral administrators in Wales on the Orders, and they are content with the proposed changes and the Welsh wording contained in the Orders.

## **9. Guidance**

- 9.1 The Electoral Commission issues guidance to electoral administrators relating to the administration and conduct of local government and community council elections in Wales and will update the guidance as necessary to cover the changes set out in these instruments.

## **10. Impact**

- 10.1 There is no impact on business, charities or voluntary bodies.
- 10.2 There is no impact on the public sector.
- 10.3 An Impact Assessment has not been prepared for this instrument as no impact on business is foreseen.

## **11. Regulating small business**

- 11.1 The legislation does not apply to activities that are undertaken by small businesses.

## **12. Monitoring & review**

- 12.1 The Electoral Commission will produce reports on the administration and conduct of the local elections in Wales in May 2017, and the Cabinet Office will consider any findings or recommendations made by the Commission about the provisions introduced by these instruments that will apply to the ballot papers at those polls. The Cabinet Office will continue to keep all electoral legislation under review to ensure it continues to support electors' participation in elections and effective electoral administration.

## **13. Contact**

- 13.1 Peter Richardson at the Cabinet Office, Telephone: 020 7271 6433 or email: [peter.richardson@cabinetoffice.gov.uk](mailto:peter.richardson@cabinetoffice.gov.uk) can answer any queries regarding these instruments.