

SENEDD AND ELECTIONS (WALES) ACT 2020

EXPLANATORY NOTES

INTRODUCTION

Part 3

Elections

Extension of right to vote

13. This Part makes provision for lowering the voting age and extending the franchise to qualifying foreign citizens at Senedd elections. The Part mostly contains amendments to existing electoral law, in particular the Representation of the People Act 1983 (“the 1983 Act”) and the [Representation of the People \(England and Wales\) Regulations 2001\(SI 2001/341\)](#) (“the 2001 Regulations”) which provide much of the operational detail on the registration system (amongst other things). The amendments made to Acts and regulations in this Part have effect only for the purposes of an election for membership of the Senedd.
14. This Part also amends the Political Parties Elections and Referendums Act 2000 to provide for oversight of the Electoral Commission (in respect of Senedd elections and local elections in Wales) to, in the future, fall to the Senedd. It also makes provision as regards funding for those elections to be payable out of the Welsh Consolidated Fund and for connected auditing arrangements.

Sections 10 and 11 - Extension of right to vote in Senedd elections

15. [Sections 10](#) and [11](#) of the Act enable persons aged 16 and 17 years and qualifying foreign citizens to vote at Senedd elections held on or after 5 April 2021.
16. [Section 10](#) amends section 12 of the Government of Wales Act 2006 (“the 2006 Act”), which sets out who may vote at Senedd elections.
17. Section 12(1)(a) of the 2006 Act provides that the persons entitled to vote at Senedd elections are those who would be entitled to vote as electors at a local government election in Wales. Section 10 of this Act maintains that position but lowers the age at which a person may vote in Senedd elections to age 16 and above. Section 11 of this Act similarly extends the right to vote to qualifying foreign citizens.
18. The amendments to section 12 of the 2006 Act provide that a person is entitled to vote at Senedd elections if they would, but for the legal disabilities removed by the section, be entitled to register on the local government electoral register (see section 4 of the Representation of the People Act 1983). The disability removed by section 12 is the lack of legal capacity of a 16 and 17 year old person and a qualifying foreign citizen to vote in a local government election.