

# LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Elections**

#### ***Section 23 – Minor and consequential amendments and Schedule 2 – Minor and Consequential Amendments Relating to Part 1: elections***

156. [Schedule 2](#) (introduced by section 23) sets out the minor and consequential amendments to existing legislation relating to Part 1 of the Act.
157. [Paragraph 2\(2\)](#) amends subsections (2A) to (2D) of section 7B of the 1983 Act as inserted by section 19 of the Senedd and Elections (Wales) Act 2020 (“the 2020 Act”).
158. Subsections (2A) to (2D) of section 7B enables a local government elector in Wales who is or has been a child looked after by a local authority or is being kept in secure accommodation to make a declaration of local connection under section 7B as a local government elector. Where a person provides an address in a declaration of local connection the person is to be regarded as resident in the address given in the declaration for the purposes of electoral registration
159. [Paragraph 2\(2\)](#) makes three principal changes to the provision inserted by the 2020 Act. It removes the requirement inserted by section 19 of the 2020 Act for persons kept in secure accommodation to be under the age of 18. It also removes the power in what was section 7B(2B)(b) for the Welsh Ministers to make regulations specifying the types of secure accommodation to which the section applies. Instead, paragraph 2(2) amends section 7B(2D)(b) so that a more detailed description of “secure accommodation” is given.
160. [Paragraph 2\(5\)](#) is consequential on the provision in section 13(2) of the Act (disapplication of section 36 of the 1983 Act to local government elections in Wales). Section 36B(1) to (4) restates the provision in section 36(3AB),(3A),(3B) and (3C) of the 1983 Act and section 36C(1) to (3) restates the provision in section 36(4), (5A) and (6) of the 1983 Act.
161. [Paragraph 19](#) makes amendments to the Local Elections (Principal Areas) (England and Wales) Rules 2006 which are related to the changes made by section 22 of this Act.. The paragraph restates the provision made in section 199B (5), (7) and (8) of the 1983 Act but where there is a requirement in section 199B to provide a document in a language other than English that becomes a requirement to provide the document in a language other than English “and Welsh”.