

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 of Schedule 11: Transition committees of merging councils and restructuring councils

Section 138 – Reviews of electoral arrangements

632. The Welsh Ministers may direct the Boundary Commission to conduct an ‘initial review’ of electoral arrangements for principal areas which are the subject of a merger application, or a proposal for restructuring.
633. If the review relates to a restructuring which involves the transfer of part of an area to be abolished to another principal area, the direction must specify the area which is to be subject to the initial review (since it may not be necessary to include the whole of the receiving area in the review). A direction for an initial review of such areas may also specify that certain matters set out in paragraph 3(1) of Schedule 1 to the Act (which would normally be considered in an initial review of whole principal area) are not to be considered in the review of what is a more limited area.
634. A direction under this section must specify the voting system in relation to which the electoral arrangements are to be reviewed.
635. This section (along with section 11) introduces Schedule 1 (as to which, see paragraphs 63 to 94 of these Notes) which makes provision for the conduct of an initial review by the Boundary Commission in respect of mergers and restructurings (as well as in respect of changes to the voting system in an area not subject to a merger or restructure).
636. Subsection (6) empowers the Welsh Ministers to amend, by regulations, section 29(3) of the 2013 Act. This enables the Welsh Ministers to re-set the start of the 10-year review period, during which the Boundary Commission must undertake a review of electoral arrangements for all principal councils in Wales. The 10-year review cycles started on 30 September 2013, when section 29(3) of the 2013 Act came into force.