



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 1 **E+W**

ELECTIONS

Right to vote in local government elections

2 **Extension of right to vote in local government elections** **E+W**

- (1) In section 2 of the 1983 Act (local government electors)—
- (a) in subsection (1)—
 - (i) in paragraph (c), for “or a relevant citizen of the Union” substitute “, a relevant citizen of the Union or (in Wales) a qualifying foreign citizen”;
 - (ii) in paragraph (d), after “over” insert “ except in Wales (see subsection (1A))”;
 - (b) after subsection (1) insert—

“(1A) In Wales, voting age is 16 years or over.”
- (2) In section 12 of the Government of Wales Act 2006 (c. 32) (entitlement to vote)—
- (a) in subsection (1)(a), omit “or fall within the extended franchise for Senedd elections as described in this section”;
 - (b) omit subsection (1A);
 - (c) omit subsection (1B).
- (3) In section 4 of the 1983 Act (entitlement to be registered as a local government elector)—
- (a) in subsection (3)—

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Cross Heading: Right to vote in local government elections. (See end of Document for details)

- (i) in paragraph (c), for “or a relevant citizen of the Union” substitute “, a relevant citizen of the Union or (in relation to a local government election in Wales) a qualifying foreign citizen ”;
- (ii) in paragraph (d), omit “ or, if resident in an area in Wales, is 16 years of age or over”;
- (b) omit subsection (3A);
- (c) omit subsection (5B).

Commencement Information

- I1** S. 2(1)(3) in force at 20.3.2021, see s. 175(3)(b) (subject to s.3)
- I2** S. 2(2) in force at 5.5.2022, see s. 175(5)
- I3** S. 2(2) in force at 5.5.2022, see s. 175(5)

3 Transitional provision **E+W**

- (1) Despite the coming into force of the amendments made by the provisions mentioned in subsection (2) by virtue of section 175(3), they only have effect in relation to a local government election or a local referendum for the purposes of—
 - (a) a local government election at which the poll is held on or after 5 May 2022;
 - (b) a local referendum held on or after 5 May 2022.
- (2) The provisions are—
 - (a) section 2(1) and (3);
 - (b) section 22;
 - (c) paragraphs 2(12), 8(3)(b), 15 and 19 of Schedule 2.
- (3) In subsection (1), “local referendum” means a referendum held under—
 - (a) section 27 of the 2000 Act or by virtue of regulations or an order made under Part 2 of that Act;
 - (b) section 40 of the 2011 Measure.

4 Duty to promote awareness and provide assistance **E+W**

- (1) A principal council must—
 - (a) promote awareness among relevant young people of the arrangements for registration as local government electors that apply to them;
 - (b) take the steps the council considers necessary to help relevant young people register as local government electors.
- (2) In this section “relevant young people” means—
 - (a) persons resident in the principal council's area who have attained the age of 14, but are under the age of 18;
 - (b) persons of the same age who—
 - (i) are not resident in the area of the principal council, and
 - (ii) are looked after by the council;
 - (c) persons of the same age who—
 - (i) are not resident in the area of the principal council, and

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- (ii) are persons to whom the council has a duty to safeguard and promote their well-being under section 109 of the Social Services and Well-being (Wales) Act 2014 (anaw 4).
- (3) In this section, a person is looked after if the person is a looked after child for the purposes of the Social Services and Well-being (Wales) Act 2014.

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