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**Changes to legislation:** *There are currently no known outstanding effects for the Senedd and Elections (Wales) Act 2020, Cross Heading: Representation of the People Act 1983 (c. 2). (See end of Document for details)*

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## SCHEDULE 2

### ELECTORAL COMMISSION: FURTHER AMENDMENTS

#### *Representation of the People Act 1983 (c. 2)*

- 1 (1) Schedule 4A to the 1983 Act is amended as follows.
- (2) In paragraph 14(1), after “code of practice” insert “ for elections other than local government elections in Wales ”.
- (3) After paragraph 14 insert—
  - “14A(1) The Electoral Commission (“the Commission”) may prepare, and from time to time revise, a code of practice for local government elections in Wales giving—
    - (a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this Schedule;
    - (b) guidance (supplementing the definition in section 90ZA(3)) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate's election.
  - (2) Once the Commission have prepared a draft code under this paragraph, they must submit it to the Welsh Ministers for approval.
  - (3) The Welsh Ministers may approve a draft code with or without modifications.
  - (4) Once the Welsh Ministers have approved a draft code they must lay a copy of the draft, in the form in which they have approved it, before Senedd Cymru.
  - (5) If the draft incorporates modifications, the Welsh Ministers must at the same time lay before Senedd Cymru a statement of their reasons for making them.
  - (6) If, within the 40-day period, Senedd Cymru resolves not to approve the draft, the Welsh Ministers must take no further steps in relation to it.
  - (7) If no such resolution is made within the 40-day period—
    - (a) the Welsh Ministers must issue the code in the form of the draft laid before Senedd Cymru,
    - (b) the code comes into force on the date appointed by the Welsh Ministers by order, and
    - (c) the Commission must arrange for the code to be published in such manner as the Commission think appropriate.
  - (8) Sub-paragraph (6) does not prevent a new draft code from being laid before Senedd Cymru.
  - (9) In this paragraph, “the 40-day period”, in relation to a draft code, means the period of 40 days beginning with the day on which the draft is laid before Senedd Cymru, no account being taken of any period during which Senedd Cymru is dissolved or is in recess for more than four days.
  - (10) In this paragraph references to a draft code include a revised draft code.”.

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