WELSH STATUTORY INSTRUMENTS

2019 No. 115 (W. 29)

EXITING THE EUROPEAN UNION, WALES REPRESENTATION OF THE PEOPLE, WALES LOCAL GOVERNMENT, WALES

The Elections (Wales) (Amendment) (EU Exit) Regulations 2019

Sift requirements satisfied	*7 January 2019*
Made - - - -	*24 January 2019*
Laid before the National Assembly for Wales - -	*28 January 2019*
Coming into force in accordance with regulation 1	

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 [M1] (relating to the appropriate scrutiny procedure for these Regulations) have been satisfied.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 11 of, and paragraph 1(1) of Schedule 2 to, that Act.

Marginal Citations

M1 2018 c. 16.

Title and commencement

1. The title of these Regulations is the Elections (Wales) (Amendment) (EU Exit) Regulations 2019 and they come into force on exit day [M2].

Commencement Information

I1 Reg. 1 in force on exit day by virtue of the disapplication of 2020 c. 1, Sch. 5 para. 1(1) by S.I. 2020/93, reg. 2

Marginal Citations

M2 "Exit day" is defined in section 20(1) to (5) (interpretation) of the European Union (Withdrawal) Act 2018.

PART 1

Amendment to primary legislation

Amendment to the Local Government (Wales) Measure 2011

2. In Schedule 2 to the Local Government (Wales) Measure 2011 [M3] (membership of the Independent Remuneration Panel for Wales), omit paragraph 1(4)(d).

Commencement Information

I2 Reg. 2 in force on exit day by virtue of the disapplication of 2020 c. 1, Sch. 5 para. 1(1) by S.I. 2020/93, reg. 2

Marginal Citations

M3 2011 nawm 4.

PART 2

Amendments to subordinate legislation

Amendment to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007

3. In Part D of Schedule 1 (functions not to be the responsibility of an authority's executive) to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 [M4], omit paragraph 7.

Commencement Information

I3 Reg. 3 in force on exit day by virtue of the disapplication of 2020 c. 1, Sch. 5 para. 1(1) by S.I. 2020/93, reg. 2

Marginal Citations

M4 S.I. 2007/399 (W. 45).

Amendment to the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008

4.—(1) The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 [M5] are amended as follows.

(2) In regulation 2(1), omit the definitions of "European Parliamentary election" ("*etholiad Senedd Ewrop*") and "European Parliamentary general election" ("*etholiad cyffredinol Senedd Ewrop*") [M6].

(3) In Table 5 (The Representation of the People (England and Wales) Regulations 2001 [M7]) of Schedule 4 (application, with modifications, of acts and subordinate legislation), in the row providing for the modification of Schedule 3, Form E [M8]—

(a) for "For "European Parliamentary electoral region" substitute " Referendum voting area… "." substitute "After "Local government electoral area(s)" insert " Referendum voting area… ".";

(b) for "to "electoral region]]"" substitute " to "electoral area]]" ".

Commencement Information

I4 Reg. 4 in force on exit day by virtue of the disapplication of 2020 c. 1, Sch. 5 para. 1(1) by S.I. 2020/93, reg. 2

Marginal Citations

M5 S.I. 2008/1848 (W. 177).

M6 The definitions must be construed in accordance with section 27(1) of the Representation of the People Act 1985 (c. 50). Section 27(1) was amended by section 3 of the European Communities (Amendment) Act 1986 (c. 58) in consequence of the European Assembly being renamed the European Parliament.

M7 S.I. 2001/341.

M8 Schedule 3, Form E of the Representation of the People (England and Wales) Regulations 2001 was amended by paragraph 1(7)(b) of Schedule 8 to the Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114) and Part 2 of Schedule 1 to the European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310).

Julie James
Minister for Housing and Local Government,
one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 11 of, and paragraph 1(1) of Schedule 2 to, the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to local government elections legislation. Part 1 amends primary legislation and Part 2 amends subordinate legislation.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

Changes to legislation:
There are currently no known outstanding effects for the The Elections (Wales) (Amendment) (EU Exit) Regulations 2019.