



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **Welsh Elections (Coronavirus) Bill**

**DATE**            **27 January 2021**

**BY**                **Julie James MS, Minister for Housing and Local Government**

The Welsh Government's policy is that the Senedd election should take place on 6 May as scheduled, and everybody involved in the election must prepare on that basis. We are grateful to all those who are working so hard to ensure that the election can be held safely.

However, given the uncertain trajectory of the pandemic, we also need to prepare for a scenario in which postponement of the election may be necessary.

I am today introducing the Welsh Elections (Coronavirus) Bill into the Senedd. The Senedd agreed, following yesterday's plenary debate, that the Bill will be treated as a government Emergency Bill. I have also laid an Explanatory Memorandum to the Bill.

The Welsh Elections (Coronavirus) Bill makes provisions to respond to the potential risks to the ordinary general election for membership of the Senedd arising from the coronavirus pandemic with the objective of ensuring the election can be administered and proceed safely and that the electorate can participate and vote, or, in extremis, that the election can be postponed if necessary. The overriding objective of the Welsh Government is that the election will proceed on 6 May 2021 as planned, and the adjustments made by the Bill are prudent contingency measures to ensure that the election can be delivered by Returning Officers in the context of the unfolding pandemic. The Bill will apply only for the ordinary general election due to be held on 6 May 2021 and will not apply to any subsequent elections.

The Bill contains provisions that: -

- a. provide for a shorter dissolution period for the Senedd ahead of the day of the poll;
- b. protect the time within which the first meeting of the newly returned Senedd after the 2021 election must be held;
- c. provide a power for the Llywydd, following a proposal from the First Minister, to postpone the election from 6 May 2021 for a reason relating to the coronavirus pandemic to a date not later than 5<sup>th</sup> November 2021, and to fix a day for the poll if the Senedd agrees by a resolution passed by not less than two-thirds of the total number of Senedd seats – the Bill proposes a role for the Electoral Commission to provide advice on the matter of postponement if the Llywydd or the First Minister requests;
- d. ensure the Llywydd's existing power to vary the date of the 2021 election continues to apply to the ordinary general election if the date of the poll for the election is postponed;
- e. enable a by-election to fill a constituency vacancy that arises after 6 May 2021 to be held on a date fixed by the Llywydd following consultation with the Welsh Ministers;
- f. enable a by-election to fill a vacancy for membership of a county council, county borough council or community council to be postponed to a date not later than 5 November 2021;
- g. make consequential modifications to the National Assembly for Wales (Representation of the People) Order 2007 (as amended); and
- h. confer a regulation-making power on the Welsh Ministers to make any incidental, supplementary, consequential, transitional, transitory or saving provisions that they consider appropriate for the purposes of, or in connection with, giving full effect to the Act.

We also continue to keep early voting in the Senedd election actively under review if the prevalence of the pandemic means it is simply not safe to hold the election in May as planned. In such exceptional circumstances, we must consider all options to enable voters to participate in the election.

So far, the pandemic has been difficult to predict and there is difficulty in knowing what the status of the pandemic will be when the election is due to take place. Under normal circumstances, and quite rightly, elections arrangements are hard to change, especially at short notice. But so far the pandemic has required pace and pragmatism in responding to a rapidly changing situation. In these circumstances, it would be irresponsible for us to fail to prepare. The Bill is therefore a prudent measure to ensure that contingency arrangements are in place in the event that the pandemic presents a serious threat to public health and the conduct of the forthcoming Senedd election.