

Senedd Cymru | Welsh Parliament

Y Pwyllgor Busnes | Business Committee

Galw am dystiolaeth ar argymhellion a wnaed gan y Pwyllgor Diben Arbennig ar Ddiwygio'r Senedd | Call for evidence on recommendations made by the Special Purpose Committee on Senedd Reform

Tystiolaeth gan Gymdeithas y Gweinyddwyr Etholiadol | Evidence from the Association of Electoral Administrators (AEA)

The Senedd's Business Committee is inviting views to inform its consideration of four recommendations made by the Special Purpose Committee on Senedd Reform:

1. The size of the Welsh Government in a larger Senedd

We consider this a matter for the Welsh Government to determine. The recommendation will not affect the mechanics of election delivery.

2. The number of Deputy Presiding Officers in a larger Senedd

We consider this a matter for the Welsh Government to determine. The recommendation will not affect the mechanics of election delivery.

3. The number of Senedd Commissioners in a larger Senedd

We consider this a matter for the Welsh Government to determine. The recommendation will not affect the mechanics of election delivery.

4. The consequences of a Member changing their political party if elected through a closed proportional list system

Although primarily a governance matter, there are electoral administration implications to consider.

At present there are no procedures set out in legislation should this situation arise. The same applies for London members of the London Assembly and regional members of the Scottish Parliament elected via a comparable party list system.

In all instances in the UK where the election is via a party list system, changing political party is not a consideration. An individual remains a regional member in the same way a constituency member 'crossing the floor' does not automatically vacate their seat.

We make this distinction notwithstanding the proposal that all Senedd members are elected via a party list system from 2026 onwards.

We offer three potential options:

1. The member is deemed no longer eligible to hold their seat. This would create a vacancy to be filled by the next eligible person on the party list at the time the original election was contested.

This is similar to the existing system for vacancies caused by resignation, death, etc. It is the simplest system to administer, with a by-election only required where the party list is exhausted.

2. The member is deemed no longer eligible to hold their seat and the vacancy is filled via a by-election.

It could be argued this is the most democratic way in which to fill the vacancy as the by-election would be fought based on the prevailing political climate. There would be resource implications through the need to administer an election.

3. No change is made and the member continues to serve.

It could be argued this is the least democratic option in that the member was elected by reference to their political party at the time of the election, not as an individual.

Regardless of the solution, we consider the legislation should clearly set out the procedures to be followed in such circumstances.

