

# **SL(6)651 – The Senedd Cymru (Disqualification) Order 2025**

## **Background and Purpose**

This Order designates, for the purposes of a Senedd Cymru election at which the poll is held on or after 6 April 2026, offices whose holders are disqualified from being a Member of the Senedd (but not from being a candidate to be a Member of the Senedd). The offices are described in the Schedule to this Order.

Other disqualifying offices and categories of persons disqualified from being a Member of the Senedd (and in some cases from being a candidate to be a Member of the Senedd) are prescribed by section 16 of, and Schedule 1A to, the Government of Wales Act 2006 (c. 32). This Order should be read with those provisions.

Prior to each Senedd election a new Disqualification Order is usually made which revokes the previous Order and sets out an updated list of disqualifying offices. This Order revokes the Senedd Cymru (Disqualification) Order 2020 (S.I. 2020/1255), though that Order continues to have effect for a Senedd Cymru election at which the poll is held before 6 April 2026.

## **Procedure**

Draft Affirmative.

The Welsh Ministers have laid a draft of the Order before the Senedd. Such an Order may only be made by His Majesty in Council, if a draft has been laid before, and approved by, a resolution of the Senedd.

## **Technical Scrutiny**

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## **Merits Scrutiny**

The following points are identified for reporting under Standing Order 21.3 in respect of this instrument.

### **1. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

The Explanatory Memorandum that accompanies this Order notes that the criteria used to form the basis of the list of disqualified offices emanates from a predecessor of this Committee's recommendations in 2014 following its inquiry into the rules pertaining to disqualification from membership of the Senedd. The Explanatory Memorandum states the following:



*“In 2014 the Constitutional and Legislative Affairs (CLA) Committee carried out an inquiry into the rules pertaining to disqualification from membership of the Senedd. This included 21 recommendations and proposed an overhaul of the legislative framework surrounding disqualifications from membership of the Senedd. The Welsh Government agreed with the overall thrust of the CLA Committee’s report.*

*In its response to the CLA Committee’s report the Welsh Government made a commitment to consult on the National Assembly for Wales (Disqualification) Order 2015 and by consulting on the draft Senedd Cymru (Disqualification) Order 2025 (“the 2025 Order”) we have continued to honour that commitment.*

*The consultation for the 2025 Order was carried out between 30 May 2025 and 25 July 2025, and the draft Order takes account of the outcome of that consultation.*

*The criteria for determining which offices were to be included in the National Assembly for Wales (Disqualification) Order 2015 were based on the principles set out in the CLA Committee’s report, along with some additional considerations by the Welsh Government.*

*The same principles have continued to be applied when considering the offices to be included in the 2025 Order. The criteria and principles were published in the Welsh Government’s public consultation on the 2025 Order.”*

## **2. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

As a result of the consultation carried out between the 30 May 2025 and 25 July 2025, the Explanatory Memorandum lists the following offices that have been added to the draft Order as disqualified offices:

- Agricultural Advisory Panel for Wales

*The disqualifying offices: Chair, and independent agriculture member, and independent education member, appointed by the Welsh Ministers*

- Armed Forces Commissioner

*The disqualifying offices: Commissioner*

- Climate Change Committee

*The disqualifying offices: All members.*

- Community and Town Councils



*The disqualifying offices: a paid officer having responsibility, for the purposes of section 151 of the Local Government Act 1972, for the administration of the financial affairs of the community council; A person holding a paid post that is for the time being specified by the community council in the list maintained in accordance with subsection (2) and any directions under section 3 of the Local Government Act 1972*

- Corporate Joint Committees (CJCs)

*The disqualifying offices: All members*

- Independent Football Regulator

*The disqualifying offices: All members*

- Veterans' Commissioner for Wales

*The disqualifying offices: Commissioner*

## **Welsh Government response**

A Welsh Government response is not required.

### **Legal Advisers**

**Legislation, Justice and Constitution Committee**

**1 October 2025**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**