

SL(6)766 – The Representation of the People Act 1983 (Security Expenses Exclusion) (Amendment) (Wales) Order 2026

Background and Purpose

Schedule 4A to The Representation of the People Act 1983 details the expenses that candidates must account for at UK Parliamentary elections and local government elections, including local government elections in Wales.

Paragraph 13A, which was inserted by regulation 4(1) of the Representation of the People (Variation of Election Expenses and Exclusions) Regulations 2024 (S.I. 2024/428), provides for a general exclusion for reasonable expenses incurred that are reasonably attributable to the protection of persons or property, other than at local government elections in Wales.

This Order amends paragraph 13A so that the general exclusion also applies in relation to local government elections in Wales.

Procedure

Senedd approval procedure.

The Welsh Ministers have laid a draft of the Order before the Senedd. The Welsh Ministers cannot make the Order unless the Senedd approves the draft Order.

Technical Scrutiny

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

Merits Scrutiny

The following point is 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 ("EM") accompanying the Order references the Gould principle, which provides that electoral law should not be changed within six months of an election that the change would impact. Paragraphs 13-14 of the EM state as follows:

"13. The coming into force date for the SI will be 13 March 2026, however, the legislation will come into effect in relation to local government elections from 7 May 2026.



14. Whilst this does not meet the Gould principle, it is important the changes take place as soon as possible to protect the safety of candidates. Furthermore, this is a straightforward change, bringing rules into alignment with other elections in Wales and England and guidance can be updated quickly. Also, this amendment does not require any administrative changes to the systems used to run elections."

Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 2 March 2026 and reports to the Senedd in line with the reporting point above.

