

SL(6)802 – The Elections and Elected Bodies (Wales) Act 2024 (Commencement No. 3) Order 2026

Background and Purpose

This Order brings into force section 3 (duty to register local government electors) and section 4 (provision connected to the duty to register eligible local government electors) of the Elections and Elected Bodies (Wales) Act 2024 (the “**2024 Act**”) on 1 October 2026.

Procedure

No procedure.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

Section 72(5) of the 2024 Act provides that, save for certain excepted provision, sections 3 and 4 of that Act may not come into force unless—

1. a report on the operation of Welsh election pilot provision regulations (made under section 5(1) of the 2024 Act) has been sent to the Welsh Ministers under section 17(5)(a) of that Act;
2. the Welsh Ministers have laid that report before Senedd Cymru (section 72(5)(c)); and
3. regulations that apply to registers of local government electors for areas in Wales do not require registration officers to prepare edited registers of local government electors or supply such registers or part of them to any person on payment of a fee (section 72(5)(d)).

The Representation of the People (Removal of the Edited Register) (Wales) Regulations 2026 (the “**2026 Regulations**”), which disapply the requirements in the Representation of the People (England and Wales) Regulations 2001 placed upon Electoral Registration Officers to prepare edited registers of local government electors for an area in Wales or supply such registers or part of them to any person on payment of a fee, were made on 11 March 2026 and come into force on 1 October 2026.

The Explanatory Memorandum to this Order:



- refers to the satisfaction of the requirement to lay the report on the operation of Welsh election pilot provision before Senedd Cymru by reference to a [written statement](#) to Members of the Senedd made by the Cabinet Secretary for Housing and Local Government on 17 December 2025¹; and
- states that this Order brings sections 3 and 4 of the 2024 Act into force on 2 October 2026². However, the Order brings those provisions into force on 1 October 2026 pursuant to article 2 of the Order.

The Welsh Government is therefore asked to explain:

1. whether the report on the operation of Welsh election pilot provision regulations (made under section 5(1) of the 2024 Act) was formally laid before Senedd Cymru as required by section 72(5)(c) of the 2024 Act;
2. the reason for this Order bringing sections 3 and 4 of the 2024 Act into force at the same time as the 2026 Regulations (and not after); and accordingly,
3. whether the Welsh Government is satisfied that the requirements of the 2024 Act have been complied with in the making of this Order.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Government Response:

Technical Scrutiny point 1:

The Welsh Government is grateful to the Committee for raising this point. The Explanatory Memorandum will be amended and re-laid to clarify that the Electoral Commission evaluation report into the operation of the pilots is due to be laid shortly and that in line with article 2 of the Order the provisions will come into force on 1 October 2026. The Welsh Government is satisfied that the requirements of the 2024 Act are being complied with in the bringing into force of these provisions.

With respect to the laying of the report, as per the provisions of section 72(5) of the 2024 Act, the evaluation report is required to be laid before the Senedd prior to sections 3 and 4 being brought into force in October and that requirement will be satisfied shortly. In line with the requirements of section 17 of the 2024 Act this report has been published by the

¹ Explanatory Memorandum, paragraph 3.3

² Explanatory Memorandum, paragraphs 1.1 and 3.4



Electoral Commission and sent to the Welsh Ministers. Further, as noted by the Committee, this publication was accompanied by a written statement from the Cabinet Secretary with respect to its findings.

On the timing of the coming into force of the provisions, Section 72(5)(d) of the 2024 Act provides that sections 3 and 4 may not come into force whilst the requirements to publish and make available an edited version of the register of local government electors remain in force. This condition is satisfied as these requirements with regards to the edited register will have ceased on the day these provisions come into force. There is no legal or practical need in this case for there to be a greater gap between the two coming into force dates.

Committee Consideration

The Committee considered the instrument and Government response at its meeting on 23 March 2026 and reports to the Senedd in line with the reporting point above.

