

Explanatory Memorandum to the Representation of the People (Electoral Registration without Applications) (Electoral Reform) (Wales) Regulations 2026

This Explanatory Memorandum has been prepared by the Elections Division and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1

Cabinet Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Representation of the People (Electoral Registration without Applications) (Electoral Reform) (Wales) Regulations 2026. I am satisfied that the benefits justify the likely costs.

Siân Gwenllïan MS

Cabinet Minister for Local Government, Housing, and Planning

23 June 2026

PART 1

1. Description

- 1.1. These electoral reform regulations provide for all local authorities in Wales to conduct electoral registration without application in relation to the local government electoral register in Wales and prescribes certain steps for doing so.
- 1.2. The electoral reform regulations make provisions similar to those used to conduct automatic voter registration pilots and implement them permanently on a national level, subject to amendments identified as being appropriate during the course of the pilot and in response to the evaluation conducted by the Electoral Commission.

2. Matters of special interest to the Legislation Committee

- 2.1. These regulations will work alongside the provisions brought in by Chapter 2 of Part 1 of the Elections and Elected Bodies (Wales) Act 2024 (the 2024 Act) which have been brought into force by the Elections and Elected Bodies (Wales) Act 2024 (Commencement No. 3) Order 2026.
- 2.2. In the making of these regulations the Welsh Ministers have considered the findings of an Electoral Commission pilot evaluation report made under section 17 of the 2024 Act. Where appropriate its recommendations have been incorporated within the Regulations.
- 2.3. These regulations seek to modify section 9ZA(4) of the Representation of the People Act 1983 (the 1983 Act) to reduce the notification period for electoral registration without application from 60 to 28 days.

Electoral Reform Regulations

- 2.4. Under section 18 of the 2024 Act these are 'electoral reform' regulations, and their purpose is to implement what has been tested in pilot regulations permanently and on a national level. Section 18 allows for the amendment of any enactment (including primary legislation), the creation of new regulation making powers (not being pursued in this instance) and the creation/modification of criminal offences. Given the depth of these powers, they are subject to two limitations, firstly in terms of scope as the provisions within the reform regulations must be similar to those contained in the pilot regulations, and secondly the Senedd may choose to subject these to the enhanced scrutiny under section 19 of the 2024 Act.
- 2.5. Any future amendments to the automatic voter registration (AVR) framework being made could be either pursuant to 'ordinary' regulation making powers in the 1983 Act (as amended by the 2024 Act), or through other pilots taking place again in future.

3. Legislative background

3.1. Section 72(5) of the 2024 Act provides conditions on the commencement of automatic registration provisions, which may not come into force unless the following conditions have been satisfied:

- a) pilot provision has been made in regulations under section 5(1) of the Act,
- b) an evaluation report on the operation of the pilots has been sent to Welsh Ministers under section 17(5)(a),
- c) Welsh Ministers have laid the report before Senedd Cymru, and
- d) that regulations have been made that apply to registers of local government electors for areas in Wales which do not require registration officers to prepare edited registers of local government electors or supply them.

3.2. The automatic voter registration pilots undertaken in Welsh local authorities under the [Representation of the People \(Electoral Registration without Applications\) \(Pilot Scheme\) \(Wales\) Regulations 2025](#) enabled the majority of these conditions to be satisfied. Just over 14,500 eligible electors were added to the local government register as a result of the pilots. The Electoral Commission reported to Welsh Ministers on those pilots in December 2025 and the Cabinet Secretary for Housing and Local Government made a [written statement](#) to Senedd Members informing them of the outcomes.

3.4. Following the success of the pilots, the [Representation of the People \(Removal of the Edited Register\) \(Wales\) Regulations 2026](#), made on 11 March 2026, removed the requirement for registration officers to prepare edited registers of local government electors or supply them. This satisfies the final requirement to full rollout.

3.5. The [Elections and Elected Bodies \(Wales\) Act 2024 \(Commencement No. 3\) Order 2026](#) was also made on 11 March 2026. This order commences provisions within sections 3 and 4 of the 2024 Act which relate to the duty to register local government electors. Section 3 creates a statutory duty on electoral registration officers (EROs) to register eligible people for local government elections without requiring an application from the individual. Section 4 supplements and enables the duty in section 3 by setting out how it is to operate in practice.

3.6. These regulations are being made under the Senedd approval procedure in accordance with section 18(3) and (5), 19(1) and 21 of the 2024 Act. These make provision similar to that made by the pilot regulations which will apply generally, and on a permanent basis, in Wales.

4. Purpose and intended effect of the legislation

4.1. The Electoral Commission has estimated that there are approximately 400,000 people in Wales missing from the electoral register. It has also

stated that under-registration is particularly acute among young people, with only around two in five 16- and 17-year-olds in Wales registered.¹

- 4.2. Through the 2024 Act, Welsh Ministers took forward primary legislative proposals to improve the process of registering to vote for devolved elections in Wales. The intention is to allow local authorities to use existing, locally held data to identify and verify potential electors, subsequently adding them automatically to the local government electoral register.
- 4.3. These regulations provide for Electoral Registration Officers (ERO) in Wales to use data such as council tax lists, housing association lists, library services data, etc. Under regulation 5, a new regulation 37A provides that the power for an ERO to inspect data includes 'the use of the data sources available to them by virtue of regulations 35 and 35A' (of the Representation of the People (England and Wales) Regulations 2001). Where an ERO is satisfied that a potential elector can be verified by matching data from two separate data sources they can begin the process to automatically register that individual. Examples of relevant 'matching data' include:
 - A person's full name;
 - Where held by the registration officer, a person's date of birth,
 - The address, including postcode of the property at which a person is registered,
 - Where held by the registration officer, the unique property reference number of the property at which a person is registered,
 - any other information held by the registration officer which relates to a person's entry on the register.
- 4.4. EROs can also use local authority education data to verify attainers and younger electors. Potential electors identified by education data only need to be verified by that one source of data as it is considered that those individuals would be unlikely to be captured by most other data sources, such as council tax, due to their age. Education data is also considered to have a high level of accuracy.
- 4.5. Where an ERO may be aware of an unregistered person but cannot satisfy themselves as to the person's identity for the purposes of the electoral register through this data matching process, they will not be able to complete the automatic process of registration and may proceed instead down the standard Invitation to Register route as appropriate.
- 4.6. Potential electors positively verified by two separate data sources (or one education data source) will be sent a notice of registration that will inform them they have 28 days in which to notify their local authority if they do not wish to be automatically registered, if they believe they are eligible to be anonymously registered or if they believe they are not eligible to be registered at all. This 28-day notification period has been reduced from 60

¹ [EA Bulletin: 391 Wales | Electoral Commission](#)

days in response to a recommendation by the Electoral Commission in its evaluation of the pilots. The shorter period offers more flexibility around the timing of an automatic registration exercise and less opportunity for elector confusion about whether they are registered to vote or not – particularly in the event of by-elections.

- 4.7. Regulation 37B (3) includes an offence relating to improperly disclosing information that carries a punishment. This has the potential to have some effect on the courts system, although this offence runs parallel to existing systems and offences, so the number of new cases is considered to be negligible. Its impact is considered to be very low, but a Justice Impact Assessment has been conducted in relation to this regulation.
- 4.8. As this approach to registration will sit alongside the existing UK Individual Electoral Registration system, this notice of registration will also provide other useful information to the elector, particularly making clear the distinction with registration for the UK Parliamentary register which the individual would have to apply for themselves separately (if eligible).
- 4.9. After the 28-day notice period has elapsed, provided the individual has not opted out or registered separately through the individual electoral registration process, they will be added to the local government electoral register. Any individual registered by the automatic process will have a 'J' marker placed next to their entry on the local government register to indicate this is how they were registered.
- 4.10. The Electoral Commission will produce guidance to support EROs in carrying out their functions in relation to these regulations.
- 4.11. As provided in section 18(3) of the 2024 Act, these regulations will apply electoral registration without applications generally and permanently across Wales. If necessary, the regulations may be amended in future under section 53 and schedule 2 of the 1983 Act, as modified by sections 3 and 4 of the 2024 Act (once commenced).

5. Consultation

- 5.1. In 2022, An Electoral Administration and Reform [White Paper](#) posed questions on how automatic registration might best operate and how to help people understand they have been automatically registered. Most respondents to the questions relating to automatic registration were supportive of the concept of automatic registration and provided feedback to Welsh Government on which aspects should be piloted.

Electoral Commission Evaluation of the AVR Pilot

- 5.2. Following the electoral registration without application pilots, Welsh Ministers were presented with the [Electoral Commission's evaluation](#). The evaluation report outlined the benefits of the approach piloted, including adding just over 14,500 new electors and 1,500 attainers (14–15-year-olds

who will be registered once they turn 16) to the local government register. This was between 2 and 8% of electorate in the pilot areas.

5.3. The evaluation determined that automatic registration could be rolled out in Wales and could have a positive impact on the completeness of the electoral registers and made recommendations for Welsh Ministers to consider:

- timing the AVR process to align with the annual canvass (the annual check of the accuracy and completeness of electoral registers);
- reducing the length of the 60 day opt-out period;
- improving the efficiency of data matching software; and
- ensuring Electoral Registration Officers have appropriate resources to manage the process.
- consider final data from the annual canvass to assess the data matching accuracy of the pilots.

5.4 In response to the pilots and Electoral Commission recommendations these regulations are similar to the pilot regulations but have been amended to the extent considered necessary to make AVR more effective and efficient, from both lessons learned directly from the pilot activity and the statutory evaluation.

5.5. The changes from the pilot model include:

- a) Amending section 9ZA(4) of the Representation of the People Act 1983 to reduce the notification period for automatic registration from 60 to 28 days. This provides sufficient time for individuals to opt out of the process whilst allowing EROs to process applications in a timely manner.
- b) A requirement to conduct a registration without application exercise at least once in a calendar year, rather than up to four times. This will ease the administrative burden on EROs whilst still providing a regular opportunity to improve the numbers of people on the electoral register.

Stakeholder Engagement

5.6. Welsh Government has also engaged extensively with local authorities, the Electoral Commission, and the Association of Electoral Administrators through an implementation working group, and directly with electoral

management software providers to understand the impact of the legislation and practical implications for the registration process.

5.7. The Electoral Management Board was also invited to give comments on the pilot scheme and the proposals for the roll-out of automatic voter registration across Wales.

PART 2 – REGULATORY IMPACT ASSESSMENT

6. Options

- a. Business as usual
- b. Full roll out of Automatic Registration across Wales.

Option a) Business as usual

- 6.1. This option would maintain the current approach, which requires electors to take personal responsibility for registering to vote. Eligible electors would be identified as part of the annual canvass exercise and sent an Invitation to Register form (ITR).
- 6.2. While this option avoids additional burdens on local authorities and has no financial implications there are barriers within the existing registration practices, particularly for groups such as young people and more transient populations. An [Electoral Commission public opinion poll](#) has indicated that over half of people in the UK believe automatic registration would improve the existing electoral registration system.

Option b) Full roll out of Automatic Registration across Wales.

- 6.3. A full roll-out of automatic registration across Wales would enable EROs to identify eligible electors using locally available data and following a notification period add those electors to the local government register without the need for an application. The process works by matching locally held datasets, such as council tax, housing and education records, to identify and verify individuals at a given address. Where sufficient matches are achieved (usually across two datasets, or a single education dataset), electors can be added directly to the register. Those who cannot be confidently matched are sent an ITR to complete the process. This approach is designed to improve completeness and accuracy of the register by making greater use of existing public data while maintaining safeguards within the process.
- 6.4. Evidence from the pilots indicates that this approach could add significant numbers of electors to the register. The [Electoral Commission's evaluation](#) showed that the pilots automatically added over 14,500 new electors to the Local Government register (representing 2–8% of those registered), including around 1,500 attainers (16–37% of the eligible cohort in those areas), with a high degree of accuracy and only limited removals following the annual canvass (less than 5% of those added).

7. Costs and benefits

Option a: business as usual

Costs

7.1. Option (a) would introduce no additional costs.

Benefits

7.2. By continuing business as usual, there would be no divergence between the local government and UK parliamentary electoral registration administration processes, which is simpler for local authorities to manage. However, the effect of this is likely to be time limited as the UK Government has already expressed an intention to introduce similar plans as part of its [Representation of the People Bill](#).

Risks

7.3. By not implementing AVR across Wales, the specific barrier to democratic participation explored by the pilot scheme would remain and continue to affect voter access and participation. Certain demographic groups would likely continue to be under-represented on polling day, notably 16- and 17-year-olds, indicating that existing registration practices are not fully effective in engaging these electors. The evaluation illustrated that the pilots in Powys and Gwynedd added around 1,500 attainers to the local government register, which represented between 16 and 37% of potential attainers in those authorities.

Option b: Full roll out of Automatic Registration across Wales

Costs – Year 1 implementation

Local authority costs

7.4. We have worked with local authorities, the Electoral Commission and the Association of Electoral Administrators in developing cost estimates for this policy. The pilot costs, run in four separate local authority areas, have informed these estimates alongside stakeholder input through the Automatic Voter Registration Working Group, which includes local authority representatives.

7.5. The pilots showed between 2% and 8% of electors were added to the register, which suggests around 122,500 electors could be added Wales-wide by AVR in year 1, based on 5% of the electorate as an average rate.

7.6. Overall, correspondence costs scale with the proportion of the electorate identified by the AVR data matching. Based on 5% average figure, the cost of AVR notification letters in year 1 is estimated to be £94,000 Wales-wide.

Additional costs are likely to vary between local authorities but the average cost is approximately £4,300 per local authority.

- 7.7. The pilots also showed that local authorities incurred additional related costs by having to send ITRs to electors identified through the AVR but not able to be fully verified by the process. On average, 1.3 ITRs were issued per successful registration. For a Wales-wide roll out of AVR this would equate to an estimated 159,250 additional ITRs at a cost of approximately £123,000 (or £5,600 per authority).
- 7.8. Costs of printing may vary between local authorities depending on their print supplier and postage costs tend to increase year on year, so printing and postage estimates may increase by the end of year one.
- 7.9. Staffing costs have been estimated using the costs from the pilots and information from the local authorities that participated in relation to the staffing hours and grades required to administrate the pilot.
- 7.10. There are three providers of EMS systems serving the 22 local authorities in Wales. The software upgrades required for the pilots cost approximately £450,000 per provider. Total costs across Wales for EMS upgrades to provide full functionality for AVR beyond the pilot scheme is estimated to be £1.3m to £1.5m.
- 7.11. Year 1 costs to local authorities are estimated in the table below. Welsh Government will fund these costs in full, supporting local authorities with implementation and initial delivery.

Table 1: Estimated Delivery Costs of AVR in Wales

Cost Category	Wales Total (to the nearest £1,000)	Per Authority (to the nearest £1,000)
Staffing	748,000	34,000
Printing & Postage	94,000	4,000
ITR Costs	123,000	6,000
Total (excl. EMS)	965,000	44,000

Costs – Beyond Year 1

- 7.12. Beyond the first-year costs, the cost of AVR is uncertain but is expected to gradually decrease as the accuracy of the register should improve year on year. This increased accuracy will mean that fewer notification letters and subsequent ITRs are required to be sent from year 2 onwards. Staff costs should also decrease or level off as existing staff become more experienced as the data matching processes bed-in after year 1. There will not be significant EMS related costs after year 1, unless revisions are required, which are likely to be minor in nature in comparison to the initial year 1 changes. Any ongoing costs for correspondence with electors are expected to be incorporated into the Revenue Support Grant (RSG) for

local authorities, and we will work with colleagues in local government to identify what may be needed to add to the RSG.

Electoral Commission Costs

7.13. Most of the Electoral Commission’s activity to support the delivery of automatic voter registration will relate to producing guidance for EROs and updating statutory elections forms. This will be met from existing resource and teams. There is a potential Year 1 cost to incorporate AVR messaging into the Commission’s registration campaign materials. It is expected that this will cost up to £100,000. Any campaign related costs above this would be subject to further consideration. It is expected that these would be one-off costs in year 1 of implementation. Electoral Commission funding in relation to devolved Welsh elections and devolved Welsh referendums is payable out of the Welsh Consolidated Fund. Any additional costs will be reflected in a supplementary estimate submitted to the Llywydd’s Committee.

Welsh Government staff costs

7.14. There will be no additional costs to the Welsh Government relating to these regulations. Limited administrative staff costs were incurred in relation to preparing and making the regulations, however, those are now ‘sunk costs’ and are therefore disregarded from this assessment.

7.15. The total estimated cost of AVR implementation across Wales in year one is approximately £2.6 million. The majority of these will be met by Welsh Government, and the Electoral Commission cost will be funded through the Welsh Consolidated Fund. Should the anticipated costs change, the RIA will be reviewed and updated as necessary.

Table 2 – Total Estimated Year 1 Costs

Cost Category	Total (to the nearest £1,000)
Local Authority funding	965,000
EMS Upgrades	1,500,000
Electoral Commission	100,000
Total	2,565,000

Benefits

7.16. The pilots have demonstrated that this approach would lead to higher electoral registration levels, particularly among young people who are less likely to engage with existing ITR processes. By removing the need for individuals to register themselves, barriers to democratic participation are reduced, helping to ensure that as many eligible electors as possible are registered. Longer-term benefits include efficiencies for local authorities, as more timely and accurate registration reduces the need for follow-up

activity and alleviates pressure from last-minute registrations ahead of elections.

7.17. The Electoral Commission pilot evaluation report noted that AVR 'could have a positive impact on the completeness of the electoral registers'. The Welsh Government made changes to the pilot model considering the evaluation which is likely to make Wales-wide implementation more effective in the long term, such as reducing the notification period from 60 days to 28 days, streamlining the process and requiring fewer resources from local authorities.

8. Competition Assessment

8.1. The competition filter test has been completed in relation to the impacts on electoral management software suppliers. These regulations are not expected to impact on competition in Wales or the competitiveness of Welsh businesses.

9. Post implementation review

9.1. It is intended that electors added to the register by automatic registration will have a marker flag next to their entry. This will enable future monitoring and review of the numbers of electors registered under these regulations and other aspects of electoral registration, such as how many go on to register for the UK parliamentary electoral franchise. This could be reviewed on an annual basis after each automatic registration exercise has concluded.