

Consultation response form

Consultation on Electoral Reform

Please return this form to reach the Welsh Government no later than 10 October 2017

If you have any questions, please email:

RLGProgramme@wales.gsi.gov.uk

Consultation on Electoral Reform	
Date	28 September 2017
Name	John Turner – Chief Executive, Association of Electoral Administrators Rhys George – Chair, AEA Wales
Organisation	Association of Electoral Administrators (AEA)
Address	John Turner – High Oak House, Cargate Lane, Saxlingham, NR15 1TS Rhys George – Neath Port Talbot County Borough Council, Civic Centre, Port Talbot, SA13 1PJ
Email address	John Turner – john.turner@aea-elections.co.uk Rhys George – r.j.george@npt.gov.uk
Telephone	John Turner – Tel: 01508 499865 Mob: 07774 947622 Rhys George – Tel: 01639 763719 Mob: 07731 409766

Consultation questions

Q1 – Do you agree that the qualifying age for voting in Welsh local government elections should be lowered to 16?

It is a matter for Parliament and the devolved administrations to determine the franchise, although we do consider that for administrative consistency and to avoid elector confusion, the qualifying age should be the same for all types of election and referendum. AEA members will however administer the process according to the legislation in force.

Q2 – Should EU citizens who move to Wales once the UK has left the EU continue to acquire the right to vote?

It is a matter for Parliament and the devolved administrations to determine the franchise. AEA members will administer the process according to the legislation in force.

Q3 – Should voting rights be extended to all legal residents in Wales, irrespective of their nationality or citizenry?

It is a matter for Parliament and the devolved administrations to determine the franchise. AEA members will administer the process according to the legislation in force.

Q4 – EU and Commonwealth citizens can stand for election to local government in Wales. Should this continue and be extended to all nationalities made eligible to vote?

It is a matter for Parliament and the devolved administrations to determine the franchise. AEA members will administer the process according to the legislation in force.

Q5 – Should Electoral Registration Officers have a greater range of sources available to them to assist citizens to be added to the register?

Yes. The AEA believes that Electoral Registration Officers should have full access to any records that will assist them in their duty to maintain a complete and accurate electoral register. The AEA therefore supports any measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process.

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) we highlighted that provision needs to be made in legislation for EROs to have access to much wider data sets, including public utility services data or records (such as electricity, gas and water) and DVLA, UCAS and NHS records, and not just local authority data as at present.

Q6 – Which data sources do you think should be used by Electoral Registration Officers?

See response to question 5 above.

Q7 – Should a wider range of local authority staff be empowered to assist citizens to obtain registration through access to the local government register and have the ability to amend it?

No. The Electoral Registration Officer is responsible for the maintenance of the register of electors and has a duty to maintain it in a complete and accurate manner. However, information and data should be shared by local authority staff with the ERO when they are informed of a change so that the ERO and their staff can act on the new information to ensure the register is as accurate and up to date as possible at all times.

The Electoral Registration Officer is independent of the local authority.

Section 8(3) of the Representation of the People Act 1983 requires the relevant county or county borough to appoint “an officer of the council to be

[electoral] registration officer for any constituency or part of a constituency ... situated in the [local authority area].”

Although the appointed individual will also be employed as an officer of the council, they are required to undertake their electoral registration duties and responsibilities in accordance with the law, even where this may conflict with other local authority responsibilities.

Section 54 of the Representation of the People Act 1983 requires that any expenses properly incurred by an ERO shall be paid by the local authority that appointed them. “Properly incurred” relates to the discharge of their duties under the 1983 Act and other relevant legislation.

Q8 – What controls should be put in place to ensure the Electoral Registration Officer maintains overall control of the register?

See response to question 7 above. The maintenance of the electoral register is the sole responsibility of the Electoral Registration Officer, who is independent of the local authority. Local authority staff should not be empowered to have the ability to amend the electoral register unless they are under the direction of the Electoral Registration Officer.

Q9 – Should the individual registration rules be relaxed to allow for block registrations in certain circumstances, protecting the right to vote for populations otherwise at risk of exclusion?

Yes. In our 2015¹ and 2016² post-election reports we made the following recommendation:

“The UK Government should review the registration of students and care homes under IER, with a view to making legislative changes to allow EROs to directly register people at “institutions”.”

In our 2017³ post-election report we made the following recommendation:

“As part of its immediate work programme, Cabinet Office should include workstreams that will:

- *Deliver an effective solution to the registration of individuals in establishments such as universities, colleges, residential care homes and house in multiple occupation.*

The Cabinet Office should also set out a clear timetable of when each of these issues will be considered.”

For information, the AEA is already working closely with the Cabinet Office in respect of the powers to require Higher Education providers to co-operate

¹ [Elections and Individual Registration – The challenge of 2015](#)

² [Pushed to the absolute limit: 2016 – the electoral year never to forget](#)

³ [It's time for urgent and positive Government action - The AEA's review of the 2017 local government elections and the UK Parliamentary general election](#)

with EROs in terms of the registration of students. This is important given that the Higher Education Act also applies to Wales. It is essential that EROs are given every assistance to ensure that they are able to maintain complete and accurate registers of electors.

Q10 – Should we place a duty on Electoral Registration Officers to consider whether any individual groups within their electoral area should be specifically targeted in registration campaigns?

Electoral Registration Officers are already under a statutory duty (section 9 of the Representation of the People Act 1983) to maintain a complete and accurate electoral register and also meet Electoral Commission performance standards. In doing so, Electoral Registration Officers already identify harder to reach groups for their local area and target them as appropriate with registration campaigns to ensure the register of electors is accurate and complete.

Q11 – Should we introduce arrangements so that agencies who are aware of people moving have a duty to inform the Electoral Registration Officers?

Yes, including those agencies outlined in our response to question 5.

Q12 – What are your views on the development of a single electronic register for Wales?

It is a matter for Parliament and the devolved governments to determine whether a national electoral register would be appropriate but if it were, there would be obvious and clear benefits to electoral processes.

However, it should be noted that in law, Electoral Registration Officers have a duty to prepare four separate registers including one for parliamentary electors and one for local government electors. Although the registers are created separately, they are stored on the same software system. We think that a separate electronic register for Wales could well lead to difficulties. It would therefore be important to address such issues in any feasibility study of this proposal.

One other important consideration would be to identify an appropriate 'gate-keeper' agency to act as host.

Q13 – Do you agree that individual principal councils should be able to choose their voting system?

It is a matter for Parliament and the devolved administrations to determine the franchise but the AEA does have concerns that an inconsistency of approach between different elections will cause unnecessary confusion to electors.

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) paragraph 7.1.12:

“As such, the Welsh Government proposes to make legislation which will allow Councils in Wales to decide which voting system best reflects the needs of their local people and communities. Local authorities will be able to use the ‘First Past the Post’ or the ‘Single Transferable Vote’ systems for elections to their Council. It will be for Councils themselves to make the choice of voting system for their own localities.”

We have concerns that this proposed change will lead to an inconsistent approach across Wales with local authorities being able to choose their voting arrangements, which is likely to lead to confusion amongst voters when neighbouring local authorities could be voting in different ways at local government elections held on the same day.

This will also lead to mixed messages across the whole of Wales with different media campaign messaging.

Paragraph 7.1.1 states “i.e. the system favours the strongest party locally and therefore does not reflect the preferences of voters across the area”.

This approach of allowing Councils to choose the voting arrangements for their area would make it a political decision and would give the power to the strongest party within the local authority so in theory they could choose the system that favours them.”

There is a similar issue in relation to local authorities being responsible for the review of polling districts and polling places and the influence political members have on the outcome of the polling scheme approved by local authorities.

In our 2017 report “[It’s time for urgent and positive Government action - The AEA’s review of the 2017 local government elections and the UK Parliamentary general election](#)”, we made the following recommendation:

“ERO’s should be given responsibility for the sub-division of UK parliamentary constituencies into polling districts, and RO’s for the designation of polling places within these districts.”

Q14 – Do you agree that a constitutional change such as this should be subject to a two-thirds majority?

It is a matter for Parliament and the devolved administrations to determine.

Q15 – Do you agree that the term of local government in Wales should be set at five years?

It is a matter for Parliament and the devolved administrations to determine the franchise but the AEA does see some benefits to the cycle of all elections being reviewed, introducing a consistency to terms of office.

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) we stated that we highlighted the benefit of moving to a five-year cycle as the current four-year cycle means that over

time, there will always be a clash with UK Parliamentary general elections being held on the same day. This results in combined polls, which can cause voter confusion and added complexity to the conduct of those polls.

Q16 – Do you agree in principle with the desirability of reforming the voting system to encourage greater participation?

Yes - the AEA supports measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process.

Q17 – Are there other initiatives not covered below which might be taken to enable greater participation in elections in Wales?

As part of our response to *the Political and Constitutional Reform Committee Consultation Paper on Voter Engagement in January 2015* we highlighted that if the option of “None of the above” was to be included on the ballot paper, it may be more of an incentive for electors to cast their vote either at a polling station or by post and it may increase turnout.

Q18 – Should councils be able to choose to use all-postal voting at council elections?

The AEA supports measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process. To that end, the AEA would generally be in support of any local authority that introduced all-postal voting if it were considered appropriate for its area although it should also be recognised that such a policy would remove the element of choice for the elector and ‘all postal’ voting cannot take place without relaxing the integrity and security required for the current system of postal voting.

Clear communications will be key in order to prevent voter confusion especially when neighbouring local authorities may not be conducting all-postal voting with mixed messages across the Council area and the whole of Wales.

The AEA also has concerns in relation to how the proposal would be introduced as outlined in paragraph 5.7 of the consultation paper:

“It would not appear conceivable that they could operate successfully without removing the need for the personal identifiers required to support a postal vote application as requiring the application process would both be administered problematic and also inevitably lead to a declining number of electors. The personal statement element, confirming that the vote was cast by the intended person, should remain, however, as providing at least a self-administered honesty check.”

The personal identifiers were introduced as part of the postal vote process as a safeguard and to reduce the potential for electoral fraud and the misuse of votes in relation to postal voting.

In our response to the [Welsh Government White Paper - Reforming local government: resilient and renewed](#) we highlighted that evidence shows that elections conducted on an all postal ballot basis is likely to increase turnout. However, the necessary safeguards to address potential electoral fraud and the misuse of votes would need to be considered extremely carefully. It would need to be recognised that the latter is likely to mean increased costs and additional time delays caused by the need to collect personal identifiers from all electors and the commensurate effect on checking processes when postal ballot papers are returned.

Whilst there is currently a voluntary code of conduct for political parties in terms of handling postal votes, if an election was to be conducted on an all postal basis, then legislation would need to be considered so that it became a criminal offence for political parties and/or activists to handle postal ballot papers rather than a voluntary code, which cannot be legally enforced.

Q19 – Should it be subject to pilot exercises first?

Yes. See response to question 18.

Q20 – Should councils be able to operate all-postal voting in an individual ward or a number of wards within a council area?

It is a matter for the Council to determine but the AEA does have concerns that an inconsistency of approach between individual wards and a number of wards within a Council area will cause unnecessary confusion to electors which could result in mixed messages across the Council area and the whole of Wales.

Also, this approach of allowing Councils to choose the voting arrangements for each ward would make it a political decision and would give the power to the strongest party within the local authority so in theory they could choose the system that favours them.

Q21 – Should electronic voting be enabled at local elections?

The AEA believes that the use of IT for voting should be considered but only utilised when the system(s) can be shown to deliver safe and secure results, deliver improvements on current paper-based systems, be cost-effective and demonstrate public confidence.

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) we highlighted that the use of IT for voting would replicate the way that some citizens generally conduct their business and interact with both private and public sector organisations. This is particularly the case in terms of young people.

However, whatever system of voting is used would have to be secure and gain public confidence. In an international context, it should be borne in mind that several jurisdictions have moved away from the use of electronic voting systems for a variety of reasons and, most recently, in response to concerns

about “hacking” and ransomware attacks, which are becoming more common. Before pursuing any policy in this area, we believe the Welsh Government should seek detailed expert advice and guidance from GCHQ’s National Cyber Security Centre.

Q22 – Should remote voting be enabled at local elections?

See response to question 21.

Q23 – Should electronic counting be introduced for local elections in Wales?

The AEA believes that the use of IT for counting the votes should be considered but only utilised when the system(s) can be shown to deliver safe and secure results, deliver improvements on current paper-based systems, be cost-effective and demonstrate public confidence.

In our response to the Welsh Government White Paper- Reforming local government: resilient and renewed we highlighted we generally support the electronic counting of votes so long as the system is secure, robust and produces an accurate and timely result. In our 2016 post-election report “Pushed to the absolute limit: 2016 – the electoral year never to forget” we reaffirmed our previous recommendation that:

“The UK Government should consider allowing electronic forms of counting for the counts in respect of at least some of the polls where multiple polls are combined, for example at parish and town council elections.”

In light of result collation issues at the 2016 London Mayoral and Assembly elections, we also recommended that:

“The Greater London Authority should review the method of counting for future polls, i.e. counting electronically versus a manual count as at other SV polls (PCC).”

In our 2017 report “It’s time for urgent and positive Government action - The AEA’s review of the 2017 local government elections and the UK Parliamentary general election” we made the following recommendation:

“Full examination of the benefits of and issues presented by electronic forms of counting should be undertaken in order to assess effectiveness where it is currently permitted and to consider suitability for use at other types of election.”

Q24 – Should mobile polling stations be enabled at local elections?

It is a matter for Parliament and the devolved administrations to determine how people vote but the AEA does see some benefits of mobile polling stations as outlined in the consultation paper. However, the AEA would wish to see the proposal piloted, and a full and proper evaluation before any permanent legislative change is made. This would also be dependent on the implementation of a central electronic register and electronic voting. There is

a risk that mobile polling stations of this type could potentially confuse electors if not implemented carefully and carry considerable risk of administrative failure.

Q25 – Should we enable returning officers to make use of polling places in addition to fixed polling stations?

See response to question 24. In addition the location to be used as a polling place should be accessible, suitable for all eligible electors and be appropriate for them to cast their votes in secret.

Q26 – Should we enable local elections to be held on more than one day and on days other than a Thursday?

The AEA's general view is that polling day should remain as a weekday but supports measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process.

In our response to the Welsh Government White Paper- Reforming local government: resilient and renewed we also highlighted the significant challenges associated with weekend voting, including:

- Resources – increased costs for staff and venue hire;
- Polling station venues – availability;
- Security – increased costs;
- Administration of elections – availability of sufficient polling station and count staff, ICT access, and count venues.

As an alternative to weekend voting, in some democracies, polling on a working day has been converted to a national public holiday.

If polling was to take place over more than one day this would probably increase costs as outlined above.

Q27 – Should consideration be given to simplifying postal voting procedures and literature?

The AEA supports a review of the current postal voting process. However, any changes should not jeopardise the integrity of postal voting and would need to be piloted and fully evaluated before any permanent change was made. Consideration should be given to reviewing the design of the standard prescribed wording for all electoral stationery to utilise more plain English and Cymraeg Clir and reduce unnecessary duplication.

Q28 - How do you think the process could be simplified?

The AEA does not have any specific suggestions. However, any changes made should not jeopardise the integrity of postal voting and would need to be piloted and fully evaluated before any permanent change was made.

Q29 – Should electors attending a polling station be required to produce ID before they are allowed to vote? If so, what types of identification should be accepted?

The UK voting system is largely based on trust and there is no evidence of widespread fraud. In particular, there is currently no evidence in Wales to suggest that public confidence in the current arrangements had reduced.

However, the AEA supports measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process. The AEA has been working closely with the Cabinet Office on the Voter ID pilots taking place at the local elections in May 2018 which involves different forms of ID including photographic and non-photographic and looks forward to receiving the full evaluation of these pilots.

Q30 – Do the advantages of requiring ID outweigh the risk of deterring voters?

This will form part of the evaluation following the conduct of the Voter ID pilots in May 2018.

Q31 – Do you agree that it should no longer be necessary to publish a candidate’s home address in election literature, including anything published electronically?

Yes. In both our 2015⁴ and 2016⁵ post-election reports we made the following recommendation:

“The UK Government should review the home address provision in relation to the nomination process for candidates acting as their own election agent.”

In our 2017⁶ report we made the following recommendation:

“The option for candidates to restrict publication of their home address should be extended to all polls.”

⁴ [Elections and Individual Registration – The challenge of 2015](#)

⁵ [Pushed to the absolute limit: 2016 – the electoral year never to forget](#)

⁶ [It’s time for urgent and positive Government action - The AEA’s review of the 2017 local government elections and the UK Parliamentary general election](#)

Q32 – Do you agree that each candidate should be required to provide a personal statement for inclusion on a website provided by the authority to whom they are seeking election?

One of the reasons quoted by members of the public relating to voter apathy is the lack of information available on each candidate or political party. At the Police and Crime Commissioner elections, candidates provide a statement for display on a website so as to inform voters. At Mayoral elections, candidate's statements are also included in a booklet which is despatched to each household in the electoral area. Before any permanent change, is made it may be worth looking at what impact if any the statement has made in relation to these elections, along with piloting the proposal followed by a full evaluation.

There are benefits to allowing local candidates to publish a personal statement. However, we consider that the arrangements currently in place with UK Government for Police and Crime Commissioner Elections should be replicated so that any such website is managed and maintained by Welsh Government directly.

Requiring Returning Officers to take responsibility for reviewing and publishing what could be several hundred personal statements (in both Welsh and English) would place a significant extra burden on electoral service staff during the candidate nomination processing period where huge pressures are already evident.

Q33 – Do you agree that it should not be permissible to serve both as an Assembly Member and councillor?

It is a matter for Parliament and the devolved administrations to determine this matter. AEA members will administer the process according to the legislation in force.

Q34 – Do you agree that candidates should be required to disclose a party affiliation if they have one?

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) we highlighted that as part of their nomination to stand using a description other than "independent", candidates already need to submit a form giving authorisation by the political party they are standing for.

This proposal appears to require every candidate to confirm political affiliation which, although potentially adding another factor into the consideration of nominations, does not appear administratively onerous.

Q35 – What sort of evidence should be required to suggest there is an undisclosed party affiliation?

The AEA does not have any specific suggestions. However, any changes made should not make the process any more complex for the candidate or the Returning Officer, nor deter potential candidates from standing for election.

Q36 – Should any council staff below senior level be able to stand for election to their own authority?

It is a matter for Parliament and the devolved administrations to determine this matter. AEA members will administer the process according to the legislation in force.

Q37– Is there still justification for councils to keep a list of those other than senior officers who should be politically restricted?

It is a matter for Parliament and the devolved administrations to determine this matter.

Q38 – Do you agree that the statutory chief executive role should include that of returning officer?

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) we highlighted that any model introduced needs to consider and respect the independence of EROs and ROs from local authority structures. In both instances, the responsibilities are personal to the officers appointed, not to the local authorities.

Q39 – Do you agree that any addition to salary in recognition of returning officer duties should be a matter for the local authority to determine?

The AEA believes that Returning Officers, who are independent of their employing local authorities, should be entitled to receive a personal fee at a rate that appropriately reflects the complex and high-profile position and the associated personal liabilities and additional workload that falls to the role.

In our response to the [Welsh Government White Paper- Reforming local government: resilient and renewed](#) we highlighted that we had significant concerns as to this proposal.

“The RO is a unique position set out in legislation, deliberately designed to ensure independence of this role so that it can be delivered without fear or favour. This independence is set out by Section 27(1) of the Representation of the People Act 1983. The duties of the RO are defined in the appropriate legislation for each election type, but include the following:

- *The publication of all relevant statutory notices relating to the election, for example the Notice of Election and the Statement of Persons Nominated/Notice of Poll (if a poll is needed);*

- *The nomination process;*
- *The production, dispatch and verification of postal votes;*
- *The identification, booking and equipping of polling places;*
- *The recruitment, appointment, training and remuneration of Presiding Officers, Poll Clerks and other polling staff;*
- *The secure transfer of ballot boxes from polling places to the count venue;*
- *The verification and counting of the votes;*
- *The declaration of the results;*
- *Holding for public inspection relevant documentation around the election process, including candidates' election expenses.*

These duties are the personal responsibility of the RO who is answerable directly to the courts for any question or failure in these duties. The RO is not responsible to the local authority, its elected members or the Welsh Assembly.

As an independent role, the liabilities are that of the individual, not the local authority. This is demonstrated in that it is the RO who is subject to election petitions within Part III of the Representation of the People Act 1983. Every RO should ensure that they have insurance for this very reason. If they are guilty of any act or omission in breach of their official duty then they are liable on summary conviction to a fine not exceeding £5,000. The fee can also be withheld for 'poor performance' at the poll.

As a consequence of this role being independent, it would be inappropriate for any salary for a job which has been evaluated without these roles and responsibilities to be considered as appropriate remuneration for being the RO.

The RO role is a complex and high profile position and it would be completely wrong for that person to not be appropriately remunerated for taking on this role, the associated personal liabilities and additional workload.

It would not provide the independence or the transparency that the public would expect if the RO was accountable to the very people they were ensuring were freely elected by the electorate.

Any remuneration for any position should be regularly reviewed and evaluated and that of the Returning Officer should also be the case."

Q40 – Should Welsh Government move to a system of calculating Assembly election costs on an agreed formula, based on the size of electorate?

Whatever system is used to cover the costs of conducting the Assembly election, it must ensure that sufficient and adequate funding is available to cover the full and true costs of administering the election, including the costs relating to electoral registration in the run up to and during the election period.

The costs of electoral registration are currently covered by the Electoral Registration Officer (the local authority) as per legislation. However, the influx of registrations and absent vote arrangements in the months leading up to an election are only triggered as a result of that election.

In our 2017 post-election report “It’s time for urgent and positive Government action - The AEA’s review of the 2017 local government elections and the UK Parliamentary general election” we made the following recommendation:

“A full and thorough review of the funding of the delivery of electoral services should be undertaken as a matter of urgency, with the purpose of ensuring that:

- *All costs properly incurred in the administration of elections, including electoral registration costs directly attributable to the election, are reimbursed to Returning Officers and their employing local authorities; and*
- *All costs properly incurred in delivering electoral registration are automatically provided to local authorities without the need to revert to the justification led bidding process”*

Any changes proposed to a new funding system need to be worked through closely with electoral administrators and Returning Officers to ensure the full costs of conducting the poll are covered.

The Cabinet Office currently work to a formula for the conduct of national elections which is being reviewed – it may be worth working closely with electoral administrators to identify both the positives and negatives of the current formula to help develop a suitable funding arrangement which ensures that the full costs are met in the future under any new proposed scheme.

Q41 – Should Welsh prisoners be allowed to register to vote and participate in Welsh local government elections? If so, should it be limited to those sentenced to less than twelve months, four years, or any sentence length?

It is a matter for Parliament and the devolved administrations to determine the franchise. AEA members will administer the process according to the legislation in force.

Q42 – By what method should prisoners cast a vote?

It is a matter for Parliament and the devolved administrations to determine. AEA members will administer the process according to the legislation in force.

Q43 – At what address should prisoners be registered to vote?

It is a matter for Parliament and the devolved administrations to determine. AEA members will administer the process according to the legislation in force.

Q44 - We would like to know your views on the effects that electoral reform would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

With regard to the electoral reform proposals on the Welsh language it is our current view that the overall effect would be neutral. This is due to the fact that currently all aspects of the electoral process are conducted in both Welsh and English and the outlined proposals would simply maintain and extend the existing arrangements to the proposed areas of electoral reform.

Q45 - Please also explain how you believe the proposed options could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

The AEA supports the equal use of both the Welsh and English languages as part of the electoral process and would encourage Welsh Government to liaise with the Welsh Language Commissioner as well as other relevant stakeholder groups such as the Welsh Legislation Advisory Group, Wales Electoral Co-Ordination Board and Wales Electoral Practitioners Working Group to provide expertise in relation to this specific area.

Q46 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Following on from the above comments in relation to any such reforms that are taken forward as part of evaluating the proposals, the following need to be considered:

- Would the proposed reform(s) pose significant short or long term administrative difficulties to implement?
- Has the Welsh Government considered the voters' interests above all other considerations?

We would also ask that the Welsh Government ensure that any changes in legislation relating to elections are made well in advance of the polls in which the changes will take effect. In our 2016 report: “Pushed to the absolute limit: 2016 – the electoral year never to forget”, we made the following recommendation:

“Except in cases of unforeseen emergencies and proportionate to the need, changes to election law should not be applicable to any elections within a six-month period from the date the legislation comes into effect.”

In relation to any proposals to changes relating to electoral registration, a minimum of 12 months is given prior to the new provision(s) coming into force.

In addition, we would like clarification that the Welsh Government will guarantee to fully fund any new burden/initiative resulting from legislative reforms, and to fully engage with the electoral community in relation to practically implementing, developing and planning any new mechanisms or processes including the drafting of legislation.