



# Senedd Cymru (Members and Elections) Act 2024

2024 asc 4

## PART 3

### DEMOCRACY AND BOUNDARY COMMISSION CYMRU

#### 11 Renaming the Local Government (Democracy) (Wales) Act 2013

- (1) The short title of the [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#) is changed to the Democracy and Boundary Commission Cymru etc. Act 2013.
- (2) That Act is referred to in this Act as “the 2013 Act”.
- (3) In section 76 of the 2013 Act (short title), for “Local Government (Democracy) (Wales) Act 2013” substitute “Democracy and Boundary Commission Cymru etc. Act 2013”.
- (4) Part 1 of Schedule 1 makes minor and consequential amendments relating to this section.

#### Commencement Information

- II** S. 11 in force at 25.6.2024, see [s. 25\(1\)\(a\)](#)

#### 12 Renaming the Local Democracy and Boundary Commission for Wales

- (1) In section 2 of the 2013 Act (name and continuation of the Commission)—
  - (a) omit subsection (2);
  - (b) at the end insert—
    - “(3) That body corporate (which was first renamed by subsection (2)) is renamed the Democracy and Boundary Commission Cymru (referred to in this Act as “the Commission).”;

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- (c) in the heading, for “Local Democracy and Boundary Commission for Wales” substitute “Democracy and Boundary Commission Cymru”.
- (2) Part 2 of Schedule 1 makes minor and consequential amendments relating to this section.

**Commencement Information**

**I2** S. 12 in force at 25.6.2024, see [s. 25\(1\)\(a\)](#)

**13 Number of members of the Commission**

In section 4(1) of the 2013 Act (members of the Commission), for paragraph (c) substitute—

“(c) at least 1 but no more than 7 other members.”

**Commencement Information**

**I3** S. 13 in force at 25.6.2024, see [s. 25\(1\)\(a\)](#)

**14 Persons who may not be members or chief executive of the Commission**

(1) In section 4(3) of the 2013 Act (persons who may not be appointed as members of the Commission)—

- (a) for “The Welsh Ministers may not appoint a person who is” substitute “A member may not be”;
- (b) for paragraph (a) substitute—  
 “(a) a member of a UK legislature;”;
- (c) for paragraph (b) substitute—  
 “(ba) a person engaged by a member of a UK legislature, under a contract of service or a contract for services, in connection with the carrying out of the member’s functions;  
 (bb) a person engaged by a registered political party under a contract of service or a contract for services;  
 (bc) a special adviser;”.

(2) In section 8(4) of that Act (persons who may not be appointed as chief executive)—

- (a) for paragraph (a) substitute—  
 “(a) a member of a UK legislature;”;
- (b) for paragraph (b) substitute—  
 “(ba) a person engaged by a member of a UK legislature, under a contract of service or a contract for services, in connection with the carrying out of the member’s functions;  
 (bb) a person engaged by a registered political party under a contract of service or a contract for services;  
 (bc) a special adviser;”.

(3) In section 72(1) of that Act (interpretation), at the appropriate places insert—

““member of a UK legislature” means—

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- (a) a Member of the Senedd;
  - (b) a member of the House of Commons;
  - (c) a member of the House of Lords;
  - (d) a member of the Scottish Parliament;
  - (e) a member of the Northern Ireland Assembly;”
- ““registered political party” means a party registered under Part 2 of the [Political Parties, Elections and Referendums Act 2000 \(c. 41\)](#),”;
- ““special adviser” means a special adviser within the meaning of—
- (a) Chapter 1 of Part 1 of the Constitutional Reform and Governance Act 2010 (c. 25), or
  - (b) section 1 of the Civil Service (Special Advisers) Act (Northern Ireland) 2013 (c. 8 (N.I.)).”

(4) In Schedule 3 to that Act (index of defined expressions), in table 2—

- (a) after the entry for “mandatory consultees” insert—

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“Member of a UK legislature” (*Aelod o un o ddeddfwrfeydd y DU*) Section 72(1)”;

- (b) after the entry for “qualifying public body” insert—

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“Registered political party (*Plaid wleidyddol gofrestredig*) Section 72(1)”;

- (c) after the entry for “single member area” insert—

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“Special adviser (*Cynghorydd arbennig*) Section 72(1)”.

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#### Commencement Information

**I4** S. 14 in force at 25.6.2024, see [s. 25\(1\)\(a\)](#)

### 15 Quorum for meetings of the Commission

In section 6 of the 2013 Act (proceedings of the Commission), after subsection (1) insert—

“(1A) The Welsh Ministers may by regulations amend subsection (1) to change the quorum, but may not change the quorum to a number which is lower than 3.”

#### Commencement Information

**I5** S. 15 in force at 25.6.2024, see [s. 25\(1\)\(a\)](#)

### 16 Assistant commissioners

(1) In section 11 of the 2013 Act (assistant commissioners to whom functions relating to local government may be delegated)—

- (a) for subsection (1) substitute—

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- “(1) The Commission may appoint one or more persons (to be known as an “assistant commissioner) to whom the Commission may delegate functions in accordance with section 13(1).”;
- (b) in subsection (2)—
- (i) for “But the Commission may not appoint a person who is” substitute “An assistant commissioner may not be”;
- (ii) for paragraph (a) substitute—
- “(a) a member of a UK legislature;”;
- (iii) for paragraph (b) substitute—
- “(ba) a person engaged by a member of a UK legislature, under a contract of service or a contract for services, in connection with the carrying out of the member’s functions;
- (bb) a person engaged by a registered political party under a contract of service or a contract for services;
- (bc) a special adviser;”.
- (2) In section 13(1) of that Act (delegation), for “an assistant commissioner” substitute “one or more assistant commissioners”.
- (3) In the table in Part 2 of Schedule 1A to the 2006 Act (offices that disqualify the holder from being a Member of the Senedd or a candidate in an election to be a Member of the Senedd), after the entry for “Comptroller and Auditor General or Rheolwr ac Archwilydd Cyffredinol” insert—

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“Democracy and Boundary Commission Cymru or Comisiwn Democratiaeth a Ffiniau Cymru	The members, assistant commissioners and chief executive of the Commission”.
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**Commencement Information**

**I6** S. 16 in force at 25.6.2024, see [s. 25\(1\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Senedd Cymru (Members and Elections) Act 2024, PART 3.