

EXPLANATORY MEMORANDUM TO
THE PARLIAMENTARY ELECTIONS (WELSH FORMS) (AMENDMENT)
ORDER 2005

2005 No. 3470

1. This explanatory memorandum has been prepared by the Department for Constitutional Affairs and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order amends the Parliamentary Elections (Welsh Forms) Order 2005 (S. I. 2005/1105) which prescribes Welsh versions of certain forms or form of words which may be used at parliamentary elections in Wales. This Order prescribes Welsh versions of the words “spouse” and “civil partner” in substitution for the words “husband” and “wife” in the 2005 Order.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

None.

4. Legislative Background

4.1 These amendments are consequential upon the Civil Partnership Act 2004.

5. Extent

This instrument applies to Wales.

6. European Convention on Human Rights

6.1 The Minister of State, Harriet Harman, MP QC, has made the following statement regarding Human Rights:

'In my view the provisions of this Instrument (which amends The Parliamentary Elections (Welsh Forms) 2005, S.I. No 2005/1105) are compatible with the Convention rights as defined in section 1 of the Human Rights Act 1998.'

7. Policy background

7.1 These amendments are consequential upon the Civil Partnership Act 2004 (“the Act”). Substantive provisions of the Act came into force on 5 December 2005. This Order prescribes Welsh versions for the words “spouse” and

“civil partner” to be substituted for the words “husband” and “wife” in the 2005 Order.

- 7.2 Other consequential amendments to secondary legislation concerning parliamentary and other elections have been made by the Civil Partnership Act (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114) under powers conferred by section 259 of the Act. However, because the 2005 Order came into force after the Act received Royal Assent, the amendments in this Order could not be made under those powers.

8. Impact

- 8.1 A Regulatory Impact Assessment has not been prepared as there is no regulatory impact on any part of the private or voluntary sector of the changes we are making. These provisions complement the changes made in the Civil Partnership Act (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114) under powers conferred by section 259 of the Act.

9. Contact

- 9.1 Any queries about the content of this memorandum should be addressed to: Shashi Langham at the Department for Constitutional Affairs Tel: 020 7210 8244. E-mail: Shashi.Langham@dca.gsi.gov.uk.