



Llywodraeth Cymru  
Welsh Government

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# Consultation on the changes to local government elections rules in Wales

We want your views on the draft Local Elections (Wales) (Amendment) Rules 2026 and the draft Representation of the People Act 1983 (Security Expenses Exclusion) (Amendment) (Wales) Order 2026.

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# **Introduction**

## **Local Elections (Wales) (Amendment) Rules 2026**

The rules for the running of local elections in Wales are set out in the Local Elections (Principal Areas) (Wales) Rules 2021 (“the Principal Areas Rules”) for county and county borough councils, and the Local Elections (Communities) (Wales) Rules 2021 (“the Communities Rules”) for town and community councils. We refer to these two sets of rules in this document as “the 2021 Rules”.

The 2021 Rules were fully redrafted and modernised in 2021. They were updated further in 2023 to enable elections under the Single Transferable Vote system, should any principal council adopt that system under the power in the Local Government and Elections (Wales) Act 2021.

We are therefore not proposing making significant changes to the 2021 Rules, aside from some, largely technical, changes or those required to take account of changes to policy and other legislation.

The main changes proposed relate to updating the 2021 Rules to ensure they are bilingual, and that they reflect recent changes made to the Senedd election rules contained in the Senedd Cymru (Representation of the People) Order 2025 (“the Conduct Order”).

We are consulting on a draft statutory instrument to amend the 2021 Rules.

At this stage we have not redrafted any of the forms that are prescribed within the 2021 Rules, but we do ask questions within the consultation about the bilingual presentation of the forms.

The changes proposed are the subject of this consultation and are set out in further detail below.

# **Representation of the People Act 1983 (Security Expenses Exclusion) (Amendment) (Wales) Order 2026**

For elections to the Senedd, we have made some changes to ensure that reasonable expenses can be incurred to provide for the personal security of candidates and for the protection of property. A separate piece of legislation is required to bring campaign expenditure in local government elections in Wales in line with recent changes made for Senedd elections by the Conduct Order and the Political Parties, Elections and Referendums Act 2000 (Exclusions and Variation of Campaign Expenditure Limits) (Wales) Regulations 2025.

This change requires an amendment to be made to paragraph 13A of Schedule 4A to the Representation of the People Act 1983 (“RPA 1983”). The amendment will ensure that candidates at local government elections will not, as part of their election expenses, have to account for reasonable expenses incurred in providing for their personal security and the protection of property.

## **Amendment of the 2021 Rules**

### **The 2021 Rules**

#### **What is not changing?**

The draft Amendment Rules is a large document, and readers will wish to be aware that the majority of the 2021 Rules and associated processes will remain the same as for previous local elections.

## **What is changing?**

### **Welsh language requirements and potential impact on the Welsh language**

Our goal has been to support the equal use of Welsh and English in elections and for this to be reflected effectively throughout legislation. The Conduct Order made changes to ensure forms and related procedures are bilingual for Senedd elections, and that Welsh comes before English where there are requirements to provide forms for elections in Welsh and English. We propose reflecting these changes in the Rules for local elections, to ensure consistency across elections legislation and to make elections bilingual wherever possible.

We invite your opinions on whether the draft Rules effectively encourage equal usage of the Welsh language, along with any insights you may have regarding their potential implications for the Welsh language. A full Welsh language impact assessment will be published with the final Rules.

Details of amendments included in the draft Rules:

- Rules 8, 36, 65 and 90 amend the 2021 Rules in relation to ballot papers to require the words “Wales”, “Welsh”, “Cymru” or “Cymreig” to be included on the ballot paper as part of a description where a candidate has requested their use during the nomination process.
- Rules 15, 43, 72 and 97 replace the rules in the 2021 Rules that set out the questions that can be asked of persons who attend at the polling station to vote. These rules are amended to make it clear that the questions can be asked in Welsh or English, and the amended rules set out the text of the questions in both languages.
- Rules 20, 21, 48, 49, 77 and 102 amend the 2021 Rules in relation to the declaration of the election results to require the returning officer to give the declaration and provide the public notice of the results in both Welsh and English.

Further changes are also being considered to ensure all the forms, provided as appendices in the 2021 Rules, are bilingual. However, no specific amendments

are included in the draft Rules subject to this consultation.

### **Updating prescribed forms**

The appendices to the 2021 Rules contain the prescribed text for certain of the forms to be used at local government elections.

The Local Elections (Principal Areas) (Single Transferable Vote) (Wales) Rules 2023 (“the STV Rules”) amended the 2021 Rules by inserting new sections and new appendices to the Rules. The draft Rules have been amended to take account of minor changes introduced by the STV Rules. These mostly relate to updating wording contained within forms to make them more accessible and understandable. For example, including the word ‘voting’ to the word ‘voting box’ so users can more easily understand instructions.

Other changes have been made to the appendices to the 2021 Rules to reflect amendments made to the substantive rules, and to clarify certain elements of the forms. For example, the consent to nomination forms have been amended to provide clearer instructions for candidates when completing the statements of party membership.

Rules 23 to 30, 51 to 58, 79 to 84 and 104 to 09 of the draft Rules contain the proposed changes to the forms in the 2021 Rules.

### **Accessibility equipment duty**

The Elections Act 2022 placed a duty on returning officers to provide such equipment as is reasonable to provide for the purposes of making it easier for disabled people to vote. When exercising this function, returning officers must have regard to any guidance issued by the Electoral Commission. This change was introduced in the Conduct Order for Senedd elections.

For consistency across all elections in Wales, it is the intention to introduce this duty on returning officers at local government elections.

Rules 11, 39, 68 and 93 therefore amend the requirements in relation to the

equipment that must be provided to assist people to vote independently.

Amendments to language around disabilities are also contained within the draft Rules. Rules 16, 17, 44, 45, 73, 74, 98 and 99 contain amendments which replace all references to blindness with references to severe sight impairment.

### **Joint descriptors**

The draft Rules contain amendments to ensure joint descriptors, as registered with the Electoral Commission, can be used by candidates.

Rules 4, 32, 61 and 86 amend the 2021 Rules on nomination papers to allow candidates to include a description in their nomination papers that is a joint description that has been registered by more than one registered political party.

### **Working digitally**

The draft Rules include minor amendments to take account of digital registers, and to ensure this is in line with equivalent procedures for Senedd elections in the Conduct Order.

Rules 6, 34, 63 and 88 of the draft Rules make amendments so nomination papers can be inspected where they have been delivered electronically.

Rules 7, 35, 64 and 89 of the draft Rules make amendments so that home address forms can be inspected by the qualifying persons where they have been delivered electronically.

Rules 11, 39, 68 and 93 of the draft Rules make amendments to the use of electronic versions of the registers of electors, lists of postal and proxy voters and the corresponding number lists.

Rules 12, 13, 40, 41, 69, 70, 94 and 95 of the draft Rules make amendments on the appointment of polling and counting agents to facilitate the use of e-mail addresses for these agents.

## **Use of schools and public rooms**

To bring the 2021 Rules in line with the Conduct Order, Rules 9, 37, 66 and 91 of the draft Rules make amendments in relation to the use of schools and public rooms for the purposes of conducting the poll. The amendments ensure that the use of a room in an unoccupied building for that purpose does not render a person liable to pay any Council Tax or non-domestic rates.

## **Corrections and minor amendments**

The draft Rules contain a number of minor drafting amendments, for instance, to reflect changes implemented in relation to Senedd elections through the Conduct Order.

These minor changes are detailed below.

- Clarification of powers of the presiding officer at a polling station to deal with disruption: Rules 10, 38, 67 and 92 of the draft Rules make amendments on the appointment of presiding officers and clerks to clarify that a presiding officer may not authorise clerks to order the arrest of any person at a polling station. This is a technical change, for consistency with the Conduct Order, and corrects a missing word in previous drafting.
- Sealing of ballot boxes: Rules 14, 42, 71 and 96 of the draft Rules make amendments in relation to the sealing of ballot boxes to amend the reference to the returning officer's seal to a reference to the presiding officer's seal.
- Procedure on close of poll: Rules 19, 47, 76 and 101 of the draft Rules make amendments in relation to detailing the procedure that must be followed on the close of the poll. The amendments:
  - restate paragraph (2) of the respective 2021 Rules so that it is clearer for the reader
  - require the returning officer to also place in sealed packets, any postal ballot papers and postal voting statements that have been returned to the polling station and have not otherwise been collected during the course of the day
  - deal with the sealing of any electronic registers and lists that have been

used at the polling station.

- Declaration of results: Rules 20, 21, 48, 49, 77 and 102 of the draft Rules make amendments to the 2021 Rules to enable the returning officer to use any commonly used surnames or forenames of candidates when making the declaration of the results and providing the public notice of those results, where those commonly used surnames or forenames were included on the statement of persons nominated.
- Delivery of documents: Rules 22, 50, 78 and 103 of the draft Rules make amendments to the 2021 rules dealing with the delivery of documents to the registration officer following the election. The amendments clarify that those documents are to be delivered securely and thereafter must be stored securely. The amendments also set out the information that must be included on the packets in which the documents are so delivered.
- Correction of minor errors in nomination papers or home address forms: Rules 5, 33, 62 and 87 of the draft Rules make amendments to 2021 Rules to enable the returning officer to correct minor errors in nomination papers and home address forms. As the prescribed nomination papers do not require candidates to include their electoral numbers, the rules enabling returning officers to correct minor errors in connection with electoral numbers are omitted.

## **Filling casual vacancies in town and community councils: “6 month rule” correction**

The 2021 Rules currently contain different start dates for the 6 month period during which casual vacancies arising in principal councils and town and community councils would not result in a by-election. We propose making the start dates for the ‘6 month’ period consistent between principal and town and community councils.

This discrepancy is minor. Sections 26(3) and 35(2B) of the Local Government Act 1972 (“LGA 1972”) mean that councillors in principal councils and town and community councils retire on the fourth day after the date of an ordinary election, and the new councillors take up office on the same day.

For principal councils, section 89(3) of the LGA 1972 sets out that where a casual vacancy occurs within 6 months before the day on which the councillor whose office is vacant would have retired, an election would only be held if the total number of unfilled vacancies in the council exceeds one third of members. In other circumstances, the vacancy would be filled at the next ordinary election.

However, the 6 month rule is defined slightly differently in Rule 5(5) and (12) of the Communities Rules 2021 for town and community councils. These use the date of the next scheduled election as the end point of the 6 month period.

The draft Rule 59 contains an amendment that provides for a councillor's final 6 months in office to be the period of 6 months ending on the fourth day after the next ordinary election of town and community councillors. This will bring the '6 month' rule for town and community councils in line with principal councils.

## **Amendment of the Representation of the People Act 1983 (security cost exemption)**

Under the Conduct Order (for individual candidates) and the Political Parties, Elections and Referendums Act 2000 (for parties and non-party campaigners), security related expenses are exempt from campaign spending limits for Senedd elections.

It has been the intention of the Welsh Government to ensure consistency wherever possible across devolved elections, and it is therefore the intention to replicate this security cost exemption for candidates at local government elections. The proposal is that security-related costs will be exempt from the campaign spending limits of candidates at those elections

A separate piece of legislation is required to make enact this proposal, which requires an amendment to the Representation of the People Act 1983. That is the Representation of the People Act 1983 (Security Expenses Exclusion) (Amendment) (Wales) Order 2026. This Order will amend paragraph 13A of Schedule 4A to the Representation of the People Act 1983 to remove the exclusion of the exemption in relation to local government elections in Wales.

The draft Order is subject to consultation alongside the draft Rules governing local government elections.

## Reflecting changes proposed by the UK Government

It would be helpful to have stakeholder's views on various areas of reform highlighted in the UK Government's paper on **Restoring trust in our democracy: Our strategy for modern and secure elections**.

(<https://www.gov.uk/government/publications/restoring-trust-in-our-democracy-our-strategy-for-modern-and-secure-elections>) Particularly areas that would have an impact on the Local Government Election Rules should similar provision be implemented for devolved elections in Wales.

The UK Government has indicated that the nominations deadline will be moved from 4pm to midday on the final day of nominations at all polls. This would presumably ease pressure on returning officers ahead of the deadline for publishing the statement of parties and persons nominated.

As part of the UK Government review, there have also been various recommendations relating to the nominations process and related offences (which are not covered under these rules). These include that legislation be brought forward to ensure that the nomination forms of elected persons are retained for the duration of their term of office. For local government elections in Wales, the nomination papers and the home address forms are not open for inspection from polling day onwards. The returning officer must store nomination papers (with the exception of the home address form) securely for one year in case they are needed for electoral petitions and due to the time limit for prosecutions. Recommendations also include bringing forward measures requiring candidates to sign a very clear declaration along with their nomination.

The UK Government has also indicated their intention to establish a project to review the content of electoral conduct forms. It would be useful at this stage to know stakeholders' thoughts on such an exercise taking place in Wales,

especially in light of the amendments to the forms set out in the draft Rules and the Conduct Order which came into force on 18 July 2025.

## **Consultation questions**

### **Question 1**

Do you agree with the provisions in the draft Rules in relation to the Welsh language?

### **Question 2**

Are there any amendments to the 2021 Rules you consider would assist in ensuring the prescribed forms are made available bilingually?

### **Question 3**

Do you agree with the proposed amendments to the prescribed forms in the 2021 Rules?

### **Question 4**

Do you agree with the new provision in the draft Rules to place a duty on returning officers to provide such equipment as is reasonable to provide for the purposes of making it easier for disabled people to vote?

### **Question 5**

Do you agree with the new provision in the draft Rules to amend language around disabilities?

## **Question 6**

Do you agree with the provisions in the draft Rules to use joint descriptors?

## **Question 7**

Do you agree with the provisions in the draft Rules in relation to electronic working, which are in line with equivalent processes for Senedd elections?

## **Question 8**

Do you agree with the provisions in the draft Rules in relation to the use of rooms, to bring this in line with equivalent provision for Senedd elections?

## **Question 9**

Do you agree with the corrections and minor amendments in the draft Rules, to reflect changes elsewhere such as through the Conduct Order?

## **Question 10**

Do you agree with the principle of correcting the six-month period, so that the process for town and community councils replicates that for principal councils?

## **Question 11**

Do you agree with the principle of aligning the security-cost exemption from campaign spending limits for candidates at local government elections?

## Question 12

What are your views on the potential reforms set out in the UK Government's strategy paper for reserved elections?

## Question 13

Do the current forms serve their intended purpose effectively?

## Question 14

In your opinion, could the draft Rules and draft Order be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English

## Question 15

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please report them.

## How to respond

Submit your comments by 12 January 2026, in any of the following ways.

- complete our **online form** (<https://www.gov.wales/node/71501/respond-online>)
- download, complete our **response form** (<https://www.gov.wales/sites/default/files/consultations/2025-10/wg53258-response-form.docx>) and

email [elections.consultation@gov.wales](mailto:elections.consultation@gov.wales)

(<mailto:elections.consultation@gov.wales>)

- download, complete our **response form** (<https://www.gov.wales/sites/default/files/consultations/2025-10/wg53258-response-form.docx>) and post to:

Elections Division  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

## Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please **tell us** (</changes-local-government-elections-rules-wales>).

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the UK GDPR, please contact:

## Data Protection Officer

Data Protection Officer  
Welsh Government  
Cathays Park

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CF10 3NQ

Email: [Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)  
(mailto:[Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales))

## Information Commissioner's Office

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

Website: [ico.org.uk](https://ico.org.uk/) (<https://ico.org.uk/>)

## UK General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. The Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses, this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. The Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh

Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation. If your details are published as part of the consultation response, these published reports will be retained indefinitely. Any of your data held otherwise by the Welsh Government will be kept for no more than 3 years.

## Further information and related documents

WG Number: WG53258

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