EXPLANATORY MEMORANDUM TO

THE EUROPEAN PARLIAMENTARY ELECTIONS (WELSH FORMS) ORDER 2014

2014 No. 704

1. This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The Order prescribes the Welsh versions of certain prescribed forms and forms of words to be used at European Parliamentary elections in the electoral region of Wales.

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

3.1 None.

4. Legislative Context

4.1 The Order replaces and revokes the European Parliamentary Elections (Welsh Forms) Order 2009 (S.I. 2009/781). It prescribes the Welsh versions of certain forms and forms of words contained in the European Parliamentary Elections Regulations 2004 (S.I. 2004/293), as amended by the European Parliamentary Elections (Amendment) Regulations 2009 (S.I. 2009/186) and the European Parliamentary Elections (Amendment) Regulations 2013 (S.I. 2013/2876) which make a number of changes to certain prescribed forms and notices used by voters at European Parliamentary elections.

4.2 The Order forms part of a group of instruments intended to improve the voting experience and which also include provisions to update ballot papers and other forms used by voters.

5. Territorial Extent and Application

5.1 This instrument applies to Wales.

6. European Convention on Human Rights

6.1 As the instrument is not subject to any parliamentary procedure after being made and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The European Parliamentary Elections Regulations 2004, as amended, which set out the rules for the conduct of European Parliamentary elections, prescribe a range of forms and forms of words to be used in these elections in relation to various aspects of the electoral process, including postal voting and voting at

polling stations. Welsh versions of certain of these forms and forms of words were set out in the European Parliamentary Elections (Welsh Forms) Order 2009.

7.2 The Government has undertaken a programme of work to make improvements to the design of ballot papers and other forms used by voters at elections. The changes are being made following widespread consultation involving a programme of public user-testing and are designed to make the ballot paper and forms clearer and easier to use, and so facilitate electors' engagement with the voting process.

7.3 As a consequence, a number of changes were made to the forms and forms of words in the European Parliamentary Elections (Amendment) Regulations 2013. This Order provides translations of these forms and forms of words and ensures that the Welsh versions are consistent with the current English versions.

7.4 These changes will have effect at the next European Parliamentary elections, scheduled for 22 May 2014.

7.5 Examples of the changes being made to the forms are:

- Ballot paper – provide for the left-alignment of the details of parties and candidates, which reflects the way in which people read, i.e. left to right; and replace the traditional grid pattern on the ballot paper with horizontal lines that allow the voting box to float freely between them which will help electors with certain eyesight problems who found the old design difficult to use.
- Postal Voting Statement – greater prominence given to the requirement for postal voters to provide personal identifiers, i.e. date of birth and signature, with emphasis on the fact that these will be checked against those held on file; and a reminder to the voter to check that these have been completed is also included on the revised form.
- Poll card - clearer and stronger emphasis given to the type and date of the election; clear guidance on what to do if the elector is unexpectedly unable to vote in person.

8. Consultation outcome

8.1 The Cabinet Office has consulted with the Electoral Commission on the Order and they are content with the Welsh forms contained within the Order.

8.2 The Order sets out Welsh versions of the revised forms and notices in the European Parliamentary Elections (Amendment) Regulations 2013. The forms in those Regulations were developed in consultation with the Electoral Commission together with other leading stakeholders such as the Association of Electoral Administrators (AEA), the Society of Local Authority Chief Executives (SOLACE), and also with election software and printing suppliers and SCOPE. Further, draft versions of election material have been subject to a full programme of public user-testing in a variety of geographical locations (including sessions in Wales) and amongst a broad cross-section of the general public. These included those for whom English is not their first language, individuals with low literacy levels, and in the case of bilingual material for use in elections held in Wales a group of Welsh speakers.

8.3 The response to both the public user-testing and the wider consultation has been supportive of the proposed new designs which are seen as an improvement on the current forms and will help to make it easier for electors to cast their vote.

9. Guidance

9.1 The Electoral Commission will continue to issue guidance relating to the conduct of elections.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 A separate full regulatory impact assessment has not been prepared for this instrument because no impacts on the private, public or voluntary sectors are foreseen.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The Cabinet Office keeps all electoral legislation under review to ensure it continues to support electors' participation in elections and effective electoral administration.

13. Contact

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