

Janet Finch-Saunders MS  
Chair  
Petitions Committee  
Welsh Parliament  
Cardiff Bay  
CF99 1SN

8 January 2021

Dear Chair,

**Petition P-05-1088 Trigger by-election for Members wishing to change party affiliation**

Thank you for your letter dated 9 December 2020.

Primary legislation would be required in order for a Member's change of party affiliation to result in the triggering of a by-election. Such a change is primarily a matter for the Senedd, rather than the Senedd Commission.

There are a number of routes to make such a change. A Bill (a draft law) to make such a change would need to be introduced either by the Government, a Senedd Committee, an individual Member or the Senedd Commission.

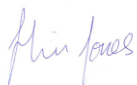
The Senedd Commission did introduce the Senedd and Elections Wales Act which amongst other things extended the right to vote to 16 year olds. This followed the report of the Expert Panel on Electoral Reform to advise and report, to the Commission, as well as a mandate from the Senedd to introduce such a Bill. However, this legislation did not cover the specific issue of changes to party affiliation and no amendments were made to the legislation to include these matters.

It is worth noting, as set out in the Expert Panel report, that the system for filing vacancies is different for Regional Members and Constituency Member.

The Senedd Commission has no formal position on this matter. Any proposal to introduce a Bill on this issue would require considerations relating to mandate.

I trust this provides you with the information you need to be able to respond to the petitioner.

Kind regards,



**Elin Jones MS**

Llywydd and Chair of the Senedd Commission



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