

Title: Standing as an Assembly constituency candidate and an Assembly regional candidate	Impact Assessment (IA)
IA No:	Date: 05/04/2012
Lead department or agency: Wales Office	Stage: Consultation
Other departments or agencies: Cabinet Office, Scotland Office, Northern Ireland Office	Source of intervention: Domestic
	Type of measure: Primary legislation
	Contact for enquiries: Peter Newbitt, 029 2092 4205

Summary: Intervention and Options	RPC Opinion: RPC Opinion Status
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Cost of Preferred (or more likely) Option				
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANCB on 2009 prices)	In scope of One-In, Measure qualifies as One-Out?	
£-	NA	NA	No	Zero Net Cost

What is the problem under consideration? Why is government intervention necessary?

Currently, 40 Assembly constituencies each return 1 Assembly member under the first past the post electoral system, and 5 Assembly electoral regions each return 4 Assembly members under a 'list' system. Each region comprises between 7 and 9 constituencies. Candidates for election to the Assembly are prohibited from standing in both a constituency and a region. The Government believes that this is an unnecessary restriction which could disproportionately restrict smaller parties in particular from fielding good candidates, running counter to the democratic process. It is asking interested parties whether in future candidates at Assembly elections should be able to stand in both a constituency and a region.

What are the policy objectives and the intended effects?

Removing the prohibition on an Assembly election candidate being able to stand in both a constituency and a region, enabling candidates and political parties to choose whether to stand in one or both, may allow small parties to contest elections more effectively. The prohibition on standing in more than one region or more than one constituency will remain.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 0: Do nothing. Candidates will be able to stand in either a constituency or a region, not both.

Option 1: Primary legislation will be introduced to remove the prohibition on candidates in Assembly elections standing in both a constituency and a region.

Will the policy be reviewed? It will be reviewed. If applicable, set review date: 08/2012

Does implementation go beyond minimum EU requirements?	No		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	Micro No	< 20 No	Small No Medium No Large No
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: N/A	Non-traded: N/A	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

Date:

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)			
			Low: Optional	High: Optional	Best Estimate: £-	
COSTS (£m)		Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)		Total Cost (Present Value)	
Low	Optional	Years	Optional	Optional	Optional	
High	Optional		Optional	Optional	Optional	
Best Estimate	£-		£-	£-	£-	
Description and scale of key monetised costs by 'main affected groups' There would be no additional administrative costs as a result of this change. Ending the prohibition on dual candidacy would not change the number of deposits a party has to pay to field candidates in an Assembly election.						
Other key non-monetised costs by 'main affected groups' None.						
BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)		Total Benefit (Present Value)		
		Optional	Optional	Optional	Optional	
Low	Optional	Years	Optional	Optional	Optional	
High	Optional		Optional	Optional	Optional	
Best Estimate						
Description and scale of key monetised benefits by 'main affected groups' There are no major monetised benefits associated with this policy option.						
Other key non-monetised benefits by 'main affected groups' Ending the prohibition on dual candidacy would benefit the democratic process by making the choice of where to stand less restrictive for candidates and political parties (this should help smaller parties in particular). It may also have a positive effect on representation in the Assembly by giving high quality candidates an opportunity to contest both the constituency and party list, increasing their chance of securing an Assembly seat.						
Key assumptions/sensitivities/risks			Discount rate (%)	NA		

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m: Costs:	Benefits:	Net:	In scope of OIOO? Yes/No	Measure qualifies as IN/OUT/Zero net cost
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Evidence Base (for summary sheets)

Problem under consideration

Currently, 40 Assembly constituencies each return 1 Assembly member under the first past the post electoral system, and 5 Assembly electoral regions each return 4 Assembly members under a 'list' system. Each region comprises between 7 and 9 constituencies. Candidates for election to the Assembly are prohibited from standing in both a constituency and a region. The Government believes that this is an unnecessary restriction which could disproportionately restrict smaller parties in particular from fielding good candidates, running counter to the democratic process. It is asking interested parties whether in future candidates at Assembly elections should be able to stand in both a constituency and a region.

Rationale for intervention

The Government believes that this is an unnecessary restriction which could impact disproportionately on smaller parties, and run counter to the democratic process. It is asking interested parties whether in future candidates at Assembly elections should be able to stand in both a constituency and a region.

Policy objective

The objective is to legislate to remove the prohibition on an Assembly election candidate being able to stand in both a constituency and a region, enabling candidates and political parties to choose whether to stand in one or both. The prohibition on standing in more than one region or more than one constituency will remain.

Description of options considered (including do nothing)

Option 0: Do nothing. Candidates will be able to stand in either a constituency or a region, not both.

Option 1: Primary legislation will be introduced to remove the prohibition on candidates in Assembly elections standing in both a constituency and a region.

Monetised and non-monetised costs and benefits of each option (including administrative burden)

There would be no additional administrative costs as a result of this change. Ending the prohibition on dual candidacy would not change the number of deposits a party has to pay to field candidates in an Assembly election. Ending the prohibition on dual candidacy would benefit the democratic process by making the choice of where to stand less restrictive for candidates and political parties (this should help smaller parties in particular). It may also have a positive effect on representation in the Assembly; currently high quality candidates who stand as a constituency candidate, but who fail to secure that seat, are lost to the Assembly because of the 'all or nothing' choice they are forced to make.

Rationale and evidence that justify the level of analysis used in the IA (proportionality approach)

The Government is consulting to establish the level of public support for removing the prohibition on dual candidacy and, in this impact assessment, has described fully who will be affected, the impacts on these groups and the key non-monetised benefits of this change.

Risks and assumptions

N/A

Direct costs and benefits to business calculations (following OIOO methodology)

There are no specific costs or benefits to business.

Wider impacts

There are no specific impacts on business, competition, innovation or the wider economy.

There are no specific social impacts, including human rights.

There are no specific environmental impacts.

Summary and preferred option with description of implementation plan

The Government's preferred option is Option 1. Primary legislation would be introduced to remove the prohibition on candidates in Assembly elections standing in both a constituency and a region. The Government is seeking the views of interested parties on this proposal.

Y Sail Dystiolaeth (ar gyfer taflenni crynhoi)

Y broblem sy'n cael ei hystyried

Ar hyn o bryd, mae 40 o etholaethau Cynulliad yn ethol un aelod Cynulliad o dan y system etholiadol cyntaf i'r felin, ac mae pob un o 5 rhanbarth etholiadol yn ethol 4 aelod Cynulliad o dan system 'restr'. Mae pob rhanbarth yn cynnwys rhwng 7 a 9 etholaeth. Mae ymgeiswyr sydd am gael eu hethol i'r Cynulliad wedi'u gwahardd rhag sefyll mewn etholaeth ac mewn rhanbarth. Mae'r Llywodraeth o'r farn bod hwn yn gyfyngiad diangen a allai olygu cyfyngiad anghymesur ar bleidiau llai yn fwyaf arbennig, rhag cynnig ymgeiswyr da, sy'n mynd yn groes i'r broses ddemocrataidd. Mae'n gofyn i bartion â diddordeb a ddylid caniatáu i ymgeiswyr yn etholiadau'r Cynulliad sefyll mewn etholaeth ac mewn rhanbarth yn y dyfodol.

Sail resymegol dros ymyrryd

Mae'r Llywodraeth o'r farn bod hyn yn gyfyngiad diangen a allai gael effaith anghymesur ar bleidiau llai yn fwyaf arbennig, a'i fod yn mynd yn groes i'r broses ddemocrataidd. Mae'n gofyn i bartion â diddordeb a ddylid caniatáu i ymgeiswyr yn etholiadau'r Cynulliad sefyll mewn etholaeth ac mewn rhanbarth yn y dyfodol.

Amcan y polisi

Yr amcan yw deddfu i ddiddymu'r gwaharddiad ar ymgeiswyr yn etholiadau'r Cynulliad rhag sefyll mewn etholaeth ac mewn rhanbarth, gan alluogi ymgeiswyr a phleidiau gwleidyddol i ddewis a ydynt am sefyll mewn un ynteu'r dda. Bydd y gwaharddiad ar sefyll mewn mwy nag un rhanbarth neu fwy nag un etholaeth yn parhau.

Disgrifiad o'r opsiynau a ystyriwyd (gan gynnwys gwneud dim)

Opsiwn 0: Gwneud dim. Bydd ymgeiswyr yn cael sefyll un ai mewn etholaeth neu mewn rhanbarth, ond nid yn y dda.

Opsiwn 1: Bydd deddfwriaeth sylfaenol yn cael ei chyflwyno i ddiddymu'r gwaharddiad ar ymgeiswyr rhag sefyll mewn etholaeth ac mewn rhanbarth yn etholiadau'r Cynulliad.

Costau a buddiannau ariannol ac anariannol pob opsiwn (gan gynnwys y baich gweinyddol)

Ni fyddai dim costau gweinyddol ychwanegol yn deillio o'r newid hwn. Ni fyddai rhoi diweddu ar y gwaharddiad ar ymgeisyddiaeth ddeuol yn newid nifer yr ernesau y byddai'n rhaid i blaid eu talu i enwebu ymgeiswyr yn etholiadau'r Cynulliad. Byddai diweddu'r gwaharddiad ar ymgeisyddiaeth ddeuol yn hybu'r broses ddemocrataidd drwy wneud y dewis o ble i sefyll yn llai cyfyngedig i ymgeiswyr a phleidiau gwleidyddol (dylai hyn helpu pleidiau llai yn fwyaf arbennig). Gallai hefyd gael effaith positif ar gynrychiolaeth yn y Cynulliad; ar hyn o bryd mae'r Cynulliad yn colli ymgeiswyr da sy'n sefyll yn afluwyddiannus fel ymgeiswyr etholaeth, oherwydd y dewis 'popeth neu ddim' maent yn gorfod ei wneud.

Sail resymegol a thystiolaeth sy'n cyflawnhau lefel y dadansoddi a ddefnyddir yn yr IA (dull cymesuredd)

Mae'r Llywodraeth yn ymgynghori i ganfod lefel cefnogaeth y cyhoedd i ddiddymu'r gwaharddiad ar ymgeisyddiaeth ddeuol ac, yn yr asesiad effaith hwn, mae wedi rhoi disgrifiad llawn o bwy a effeithir, yr effeithiau ar y grwpiau hynny a phrif fuddiannau anariannol y newid hwn.

Risgau a thybiaethau

Dim

Costau a buddiannau uniongyrchol i gyfrifiadau busnes (gan ddefnyddio methodoleg OIOO)

Nid oes dim costau a buddiannau penodol i fusnes.

Effeithiau ehangach

Nid oes dim effeithiau penodol ar fusnes, cystadleuaeth, arloesi na'r economi ehangach.

Nid oes dim effeithiau cymdeithasol penodol, gan gynnwys hawliau dynol.

Nid oes dim effeithiau amgylcheddol penodol.

Crynodeb a'r opsiwn a ffefrir ynghyd â disgrifiad o gynllun cyflawni

Yr opsiwn a ffefrir gan y Llywodraeth yw Opsiwn 1. Byddai deddfwriaeth sylfaenol yn cael ei chyflwyno i ddiddymu'r gwaharddiad ar ymgeiswyr rhag sefyll mewn etholaeth ac mewn rhanbarth yn etholiadau'r Cynulliad Mae'r Llywodraeth am glywed barn partïon â diddordeb ar y cynnig hwn.