

Classification: Protected

Commission Board Date: 25 January 2011

Agenda Item no.3

The
Electoral
Commission

2011 Wales referendum: designation

1 Purpose

1.1 The purpose of this paper is to inform the Commission Board's statutory decision on designating lead campaigners at the referendum on the law making powers of the National Assembly for Wales.

2 Recommendations

2.1 We recommend, based on consideration of each application against the statutory test (paragraph [3.5 & 3.6] below), that the Commission Board now agree that:

- 2.1.1 The application of "Yes for Wales" shows that it meets the statutory test of adequately representing those campaigning for the 'Yes' outcome and is therefore suitable to be designated
- 2.1.2 The application of David Alwyn ap Huw Humphreys does not show that he meets the statutory test of adequately representing those campaigning for the 'No' outcome, and indicates that if he were invited to provide further information at interview, he still would not be able to meet the statutory test. He is therefore not suitable to be designated.

2.2 If the Commission Board **agree** with the recommendations in paragraph 2.1 then, as there is no suitable applicant for the 'No' outcome and the Commission must designate for each outcome or not at all (section 108 PPERA – see Appendix A), **we cannot designate** lead campaigning organisations for the referendum on the law making powers of the National Assembly for Wales.

2.3 If the Commission Board **disagree** with the recommendations in paragraph 2.1 then the following options are available to it:

- to agree that Yes for Wales does not meet the statutory test
- to agree that David Alwyn ap Huw Humphreys meets the statutory test
- to agree that further information is needed before a designation decision can be made, and invite relevant applicant(s) to interview

- Section 4 of the paper sets out the next steps that would apply in each case.

3 Background

Why we designate lead campaigners

3.1 PPERA provides that at a referendum we **may** designate registered campaigners to be lead campaign groups on each side of the referendum question. Designated organisations have certain benefits over other registered campaigners. These include a higher spending limit, free mailings to voters, referendum campaign broadcasts and an infrastructure grant from the Electoral Commission. We **must** designate a lead campaign group on each side of the question, or not designate at all.

Timing

3.2 Polling day is 3 March 2011. The period for applications for designation as a lead campaign group opened on 16 December 2010 and closed at midnight on 19 January 2011. We are statutorily required to make the designation decision by 2 February 2011.

3.3 We have received 2 applications for designation as a lead campaign organisation – 1 for Yes and 1 for No.

The decision the Commission has to take

3.4 PPERA sets out the statutory test the Commission must apply when assessing applications for designation.

3.5 If there is only one applicant in relation to a particular outcome, the Commission **shall** designate that applicant **unless** it is not satisfied that it adequately represents those campaigning for that outcome.

3.6 If there is more than one applicant in relation to a particular outcome that meets the statutory test, the Commission shall designate whichever of the applicants appears to the Commission to represent to the greatest extent those campaigning for that outcome.

3.7 The relevant sections from PPERA and extracts from the explanatory notes¹ are attached as Appendix A.

3.8 The Commission Board has agreed that it will use the following criteria to determine the extent to which an applicant represents those campaigning for the relevant outcome²:

¹ Explanatory notes to an Act are not part of it and should not be taken to have legal status.

- how the applicant's objectives fit with the referendum outcome it supports
- the level and type of support for the application
- how the applicant intends to engage with other campaigners
- the applicant's organisational capacity to represent those campaigning for the outcome, and
- the applicant's capacity to deliver their campaign

The decision making process

3.9 A flowchart summarising the decision-making process that the Commission Board has previously agreed is provided at Appendix B.

3.10 For each application, consideration should be given to whether:

- the applicant has provided sufficient information to **show that it adequately represents** those campaigning for the outcome it supports (category A application).
- the applicant **may be able to provide further information to show that it adequately represents** those campaigning for the outcome it supports (category B application)
- it is clear from the application that the applicant **does not adequately represent** those campaigning for the outcome it supports (category C application)

3.11 The full applications are attached as Appendix C along with a covering assessment sheet for each application providing:

- an overview of each application
- an assessment of the application against the criteria set out above at paragraph 3.8
- where relevant, recommendations on any further information the Board may find helpful in making their decision, and
- recommendations on which, if any, of the applicants the Board may wish to consider inviting for interview or designating

² For background, the 19 January 2011 Board paper which summarise the agreed procedure for appointing lead campaign organisations at referendums can be found at [\\ECS_DATA1\drive\Party and Election Finance\Policy\Legislation\Referendums\Wales Referendum 2011\Final Board Papers\2011 Referendum - the designation process - Board Final 19_1_11.doc](#)

Summary assessment of applications

Applications for YES	Recommendation
Yes for Wales	A - adequate

Applications for No	Recommendation
David Alwyn ap Huw Humphreys	C - not adequate

4 Next steps

4.1 The Commission Board should first consider whether it agrees with the recommended assessments of each application.

4.2 If the Board agree with the recommended assessments of each application, then, as there is no applicant for the 'No' outcome that meets the statutory test and the Commission must designate for each outcome or not at all (section 108 PPERA), designation is not possible for the referendum on the law making powers of the National Assembly for Wales.

4.3 If the Board disagree with the recommended assessments then the Commission Board should consider which applicants fall into each category. The resulting assessment will determine the next steps in the designation decision, as set out below.

4.4 If the Board consider that Yes for Wales does not fall into category A, the next step will be to consider which category is most appropriate.

4.5 If the Board consider that David Alwyn ap Huw Humphreys does not fall into category C, the next step will be to consider which category is most appropriate.

4.6 If the Board consider that **both** applicants fall into category A (adequately represents), then Yes for Wales and David Alwyn ap Huw Humphreys should be designated as the lead campaign organisations for the referendum.

4.7 If the Board consider that one or both applicants fall into category B (may be able to provide further information to show it adequately represents), the next step will be to interview those applicant(s) from which further information is needed, to decide whether they are suitable to be designated. The Board will then need to take a final decision on designation.

4.8 If the Board consider that one or both applicants fall into category C (does not adequately represent) then it still cannot designate lead campaign organisations for the referendum

Timeline

4.9 Depending on the Board's decision, paragraphs 6.1-6.5 below set out the timeline for the interview process, a further Board meeting, informing applicants of the outcome, designation announcements, and publication of information on our website.

5 Risk

5.1 The designation process is likely to attract media attention and may be criticised if it is not run well. Campaign Organisations may also criticise the Commission if they are not designated, and may seek judicial review of our decisions. However, this will be mitigated if the process is fair, properly followed, and transparent. To this end, we will publish all the applications for designation as well as the Commission's formal deliberation and decision papers, once the decision has been made. The designation application form and associated guidance made it clear that we will publish the information provided in applications, except personal contact details and sensitive information about the applicants' campaigning strategy.

6 Milestones, next steps and key audiences

6.1 If the Board concludes that designation is not possible based on the assessment of applications:

6.2 Tomorrow (26 January 2011) / 2 February: The applicants will be informed of our decision by telephone and in writing, and that we will shortly be announcing our decision. The announcement will be made by press release.

6.3 All applications for designation well as the Commission's formal deliberation and decision papers will be posted on the Commission's website, except for the information in section 5 of the application form about campaigning plans and associated references in the Commission Board Papers.

6.4 The Commission Board will be asked to consider a separate paper on whether the Commission should or should not provide voter information on the arguments for each answer to the referendum question in the event that we cannot designate.

6.5 If the Board decide to **invite applicants for interview** the remaining designation process will be:

Tues 25 January 2011	Invitations for interview sent
Thurs 27 January 2011	Interviews
Fri 28 – Sun 30 January 2011	Board paper preparation
Mon 31 January 2011	Papers circulated to Board
Tues 1 February 2011	Board meeting

Wed 2 February 2011

Designation announcement

6.6 If the Board decide designation is possible based on the information presently available:

The same process and timings will be adopted as for designation (as outlined in section 6.2), although the content and messaging of our media work would clearly be different.

7 Attachments

7.1 The following are attached as appendices:

- A. Extracts from the explanatory note and sections from PPERA
- B. Flowchart summarising the designation decision-making process
- C. Applications for designation

Contact Details

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Head of the Wales Office
KJenkins@electoralcommission.org.uk

Ceri John
029 20346806
Senior Political Parties Liaison Officer
CJohn@electoralcommission.org.uk

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Appendix A

Relevant sections of PPERA

108 Designation of organisations to whom assistance is available.

(1) The Commission may, in respect of any referendum to which this Part applies, designate permitted participants as organisations to whom assistance is available in accordance with section 110.

(2) Where there are only two possible outcomes in the case of a referendum to which this Part applies, the Commission—

(a) may, in relation to each of those outcomes, designate one permitted participant as representing those campaigning for the outcome in question; but

(b) otherwise shall not make any designation in respect of the referendum.

(3) Where there are more than two possible outcomes in the case of a referendum to which this Part applies, the Secretary of State may, after consulting the Commission, by order specify the possible outcomes in relation to which permitted participants may be designated in accordance with subsection (4)

(4) In such a case the Commission—

(a) may, in relation to each of two or more outcomes specified in any such order, designate one permitted participant as representing those campaigning for the outcome in question; but

(b) otherwise shall not make any designation in respect of the referendum.

109 Applications for designation under section 108.

(1) A permitted participant seeking to be designated under section 108 must make an application for the purpose to the Commission.

(2) An application for designation must—

(a) be accompanied by information or statements designed to show that the applicant adequately represents those campaigning for the

outcome at the referendum in relation to which the applicant seeks to be designated; and

(b) be made within the period of 28 days beginning with the first day of the referendum period.

(3) Where an application for designation has been made to the Commission in accordance with this section, the application must be determined by the Commission within the period of 14 days beginning with the day after the end of the period of 28 days mentioned in subsection (2)(b).

(4) If there is only one application in relation to a particular outcome at the referendum, the Commission shall designate the applicant unless—

(a) they are not satisfied that the applicant adequately represents those campaigning for that outcome; or

(b) they are prevented from making any designation by virtue of section 108(2)(b) or (4)(b).

(5) If there is more than one application in relation to a particular outcome at the referendum, the Commission shall designate whichever of the applicants appears to them to represent to the greatest extent those campaigning for that outcome unless—

(a) they are not satisfied that any of the applicants adequately represents those campaigning for that outcome; or

(b) they are prevented from making any designation by virtue of section 108(2)(b) or (4)(b).

(6) The Secretary of State may, in the case of any referendum to which this Part applies, by order provide for this section to have effect as if each, or either, of the periods of 28 and 14 days referred to in subsections (2) and (3) was instead such shorter or longer period as is specified in the order.

(7) In this section, in relation to a referendum, any reference to designation is to designation in respect of the referendum under section 108.

Explanatory Notes³

Section 108 : Designation of organisations to whom assistance is available

205. Section 3 of the Referendum Act 1975 identified two umbrella campaign organisations ('Britain in Europe' and the 'National Referendum Campaign') which had emerged since the then government announced its intention to hold a referendum on continued membership of the Common Market.

Section 108 enables the Electoral Commission to designate similar umbrella organisations in any referendum to which Part VII applies.

206. Where there are only two possible outcomes in a particular referendum (as has been the case with seven of the eight national or regional referendums held to date), *subsection (2)* provides that the Commission may designate one umbrella organisation for each of these outcomes. The Commission may not designate an umbrella campaign organisation for one side but not the other.

207. Where there are more than two possible outcomes (as was the case in the 1997 referendum on Scottish devolution), the Commission may designate an umbrella organisation for each of the possible outcomes specified by the Secretary of State (*subsections (3) and (4)*).

Section 109 : Applications for designation under section 108

208. *Section 109* sets out the procedure and timetable for applications for designation and the basis on which the Commission is to determine such applications. The whole process, which commences at the start of the referendum period determined in accordance with *section 102*, takes a maximum of six weeks (four weeks for applications to be submitted and two weeks for the Commission to come to a decision), although there is a power (*in subsection (6)*) to vary the timetable by order.

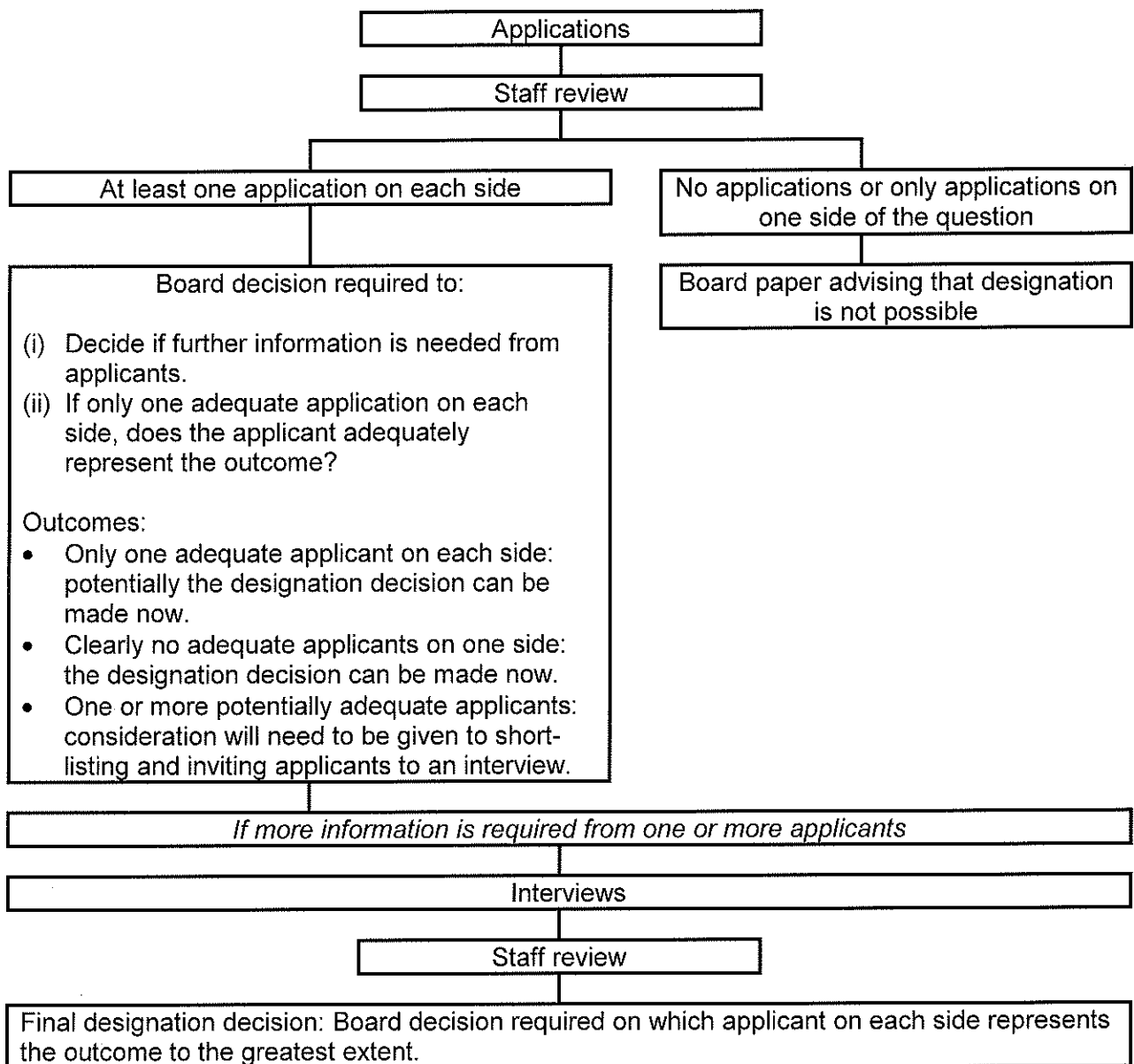
209. The criterion for determining applications (namely, "whichever of the applicants appears to [the Electoral Commission] to represent to the greatest

³ Explanatory notes to an Act are not part of it and should not be taken to have legal status

extent those campaigning for that outcome”) is similar to that employed in respect of the 1975 referendum where the Government undertook to identify two organisations “which adequately represent” each side of the question (see paragraph 40 of the White Paper ‘Referendum on United Kingdom Membership of the European Community’, February 1975, Cmnd 5925). Under *subsection (5)* it is possible for the Commission to decide that none of the applicant organisations in relation to a particular outcome qualifies should be designated. Where that is the case, *section 108 (2)* would require that no organisation be designated in respect of any of the possible outcomes of the referendum.

Appendix B

Summary of the designation decision-making process



Appendix C

Applications for designation

1	Yes for Wales Ltd
2	David Alwyn ap Huw Humphreys

Yes for Wales Ltd.

Outcome supported: YES

- The applicant is a registered permitted participant and is therefore eligible to apply to be designated⁴.

Assessment of application

- Our assessment of the application is that the applicant meets the statutory test of adequately representing those campaigning for the outcome.
- The Yes for Wales campaign has been engaged with Commission through meetings and briefings throughout the referendum process, and since its public launch in January has been recognised in the media and civic society as the lead campaign for a Yes vote. Given the information provided on the compliance and organisational aspects of the campaign, Yes for Wales appears capable of running a credible campaign should it receive the publicly funded grant and/or meet its fundraising targets.

Comparison of application against criteria

Applicant's objectives

- As outlined in section two of the application form, '*the sole objective*' of the campaign is to 'organise for a successful Yes vote in the forthcoming referendum on increasing the powers of the National Assembly for Wales'.

Level and type of support for the application

- The Yes for Wales (YfW) application has the formal support of three of the major political parties in the National Assembly for Wales: Welsh Labour, the Welsh Liberal Democrats and Plaid Cymru. These parties are represented on the YfW planning group at Chief Executive level. Two Welsh Conservative Assembly Members are also on the planning group, although the party is taking a neutral stance.
- YfW is also supported by a number of civil society organisations at planning group level by groups such as Unison, NUS Wales, the Parliament for Wales campaign, and Tomorrow's Wales. Unison and Tomorrow's Wales are registered with the Commission as permitted participants in the referendum.

⁴ http://registers.electoralcommission.org.uk/regulatory-issues/refpermparticipants.cfm?frmReferendum=7&ref_part_id=59&frmPreviewPage=0&frmShowResults=1

Engagement with other campaigners

- As evidenced by the level of support for the application above, YfW is already engaging with other campaigners. In addition, the application states that contact will be made with the Wales Green Party and that *'discussions have also opened with both religious communities and ethnic minority networks in Wales in order to make the campaign as inclusive and broad based as possible'*.
- The application states that YfW 'would not welcome members of the British National Party (BNP) into Yes for Wales either at national or local level.

Organisational capacity

- The application states that the campaign is being organised by *'skilled campaigners who have experience in large-scale campaigning. Daran Hill was National Organiser of Yes for Wales in 1997. Further, the Planning Group of Yes for Wales also includes Leighton Andrews AM (who is Convening this campaign and was Convenor of the 1997 Yes for Wales campaign) in addition to political, trade union and third sector campaigners who between them have centuries of experience in large-scale campaigning'*.
- The YfW planning group *'meets weekly'*, has *'around twenty members and is broadly representative of the campaign as a whole'*.
- A press officer has already been appointed and, if designated, YfW will *'also hire two campaign organisers to work in different parts of Wales'*.
- In terms of compliance, the campaign has been constituted as a company limited by guarantee. A *'qualified lawyer'* is acting as the campaign's treasurer and another company director is an accountant. Daran Hill is acting as the campaign's *'responsible person'*. *'Any two of these three individuals are required to authorise any expenditure'*.

Capacity to deliver campaign

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- [REDACTED]

- [REDACTED]

Recommendations

- This application **appears to meet the statutory test** of adequately representing those campaigning for the outcome they support and is therefore able to be designated

David Alwyn ap Huw Humphreys

Outcome supported: NO

- The applicant is a registered permitted participant and is therefore eligible to apply to be designated⁵.

Assessment of application

- Our assessment of the application is that the applicant does not meet the statutory test of adequately representing those campaigning for the outcome he supports.
- Mr Humphreys is not recognised by the media or by other campaigners as being representative the No side of the argument; on his blog he states that his application has been made in protest against the fact that what is offered in the event of a Yes vote does not go far enough towards independence. The Board may consider that this view is not shared by others who have publicly campaigned for or expressed support for the same outcome. The applicant also states on his blog that he is applying to make sure that the Yes campaign is designated if there are no other applications on the No side – *'we won't actually have to do anything to scupper the vote – just spend £70K on drinks parties whilst we think about the issue'*.⁶ Mr Humphreys is also quoted in the Western Mail on 21 January 2011 as saying that he will probably be voting Yes in the referendum, although caution should be exercised by the Board in giving weight to what could be unsubstantiated press reports.⁷

Comparison of application against criteria

Applicant's objectives

- The applicant is campaigning for a No vote as *'the referendum is not, as the Yes camp claim, a referendum on "Scottish powers", it is a referendum on maintaining the very limited powers of the 2nd class Assembly – we think that this is not good enough for Wales and that a Yes vote would give the impression that less than Scotland is good enough for Wales'*.

⁵ <http://registers.electoralcommission.org.uk/regulatory-issues/refpermparticipants.cfm?ec=%7Bts%20%272011%2D01%2D20%2014%3A28%3A20%27%7D>

⁶ <http://miserableoldfart.blogspot.com/2011/01/anybody-fancy-joining-my-no-campaign.html>

⁷ Western Mail, 21 January 2011 'No bidder to vote Yes', p.12

Level and type of support for the application

- There is little evidence provided of the level of support for the application provided. The applicant states that he has had *'a large number of hits on my blog suggesting that "No it's not good enough" is a worthy and well supported stance'*.

Engagement with other campaigners

- There is no evidence of any engagement with other campaigners in the application.

Organisational capacity

- No evidence is provided in the application to provide an assessment to be made of the applicant's organisational capacity.

Capacity to deliver campaign

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Recommendations

- This application **appears not to meet the statutory test** of adequately representing those campaigning for the outcome he supports and therefore should not be designated. In addition, the lack of evidence provided in the application to enable an assessment to be made against the designation criteria leads us to the conclusion that **even if invited to interview, he still would not be able to meet the statutory test.**

Links to application forms:

David Alwyn ap Huw Humphreys

file:///\\ecs_data1\drive\Party and Election Finance\Third Parties and Permitted Participants\Welsh referendum 2011\David Alwyn ap Huw Humphreys\David Alwyn ap Huw Humphreys Designation App 19.1.11.pdf

Yes for Wales

file:///\\ecs_data1\drive\Party and Election Finance\Third Parties and Permitted Participants\Welsh referendum 2011\Yes for Wales\Yes for Wales - LCO form - 13.01.2011.pdf

Electoral Commission use:
/ NAW

RECEIVED
19 JAN 2011

The
Electoral
Commission

National Assembly for Wales referendum 2011 Application for lead campaign group status

Section 1 – Your organisation's details

Name of
organisation

DAVID Alwyn ap Iwan HUMPHREYS CAMPAIGNING
AC NO! IT'S NOT GOOD ENOUGH

Outcome you are
campaigning for

YES

NO

Headquarters
address

Contact name

DAVID Alwyn ap Iwan Humphreys

Tel. Number

Email

Section 2 – Your objectives

Please refer to the notes on page 4 for the information you should include in this section

The referendum is not, as the yes camp claim,
a referendum on 'Scottish Powers' it is a referendum
on maintaining the very limited powers of the
2nd class Assembly - we think that this is not good
enough for Wales and that a yes vote would give
the impression that less than Scotland is
good enough for Wales

Section 3 – Level of support for your application

Please refer to the notes on pages 4 and 5 for the information you should include in this section

The BBC has reported that there is cross party support for our Assembly to have the same rights as the Scottish Parliament.

General opinion polls have shown that equality with Scotland is the favoured option of well over 50% of the population of Wales.

This referendum doesn't offer parity with Scotland, so our campaign of 'No! It's not good enough' should be the campaign that is most in tune with the will of the people of Wales.

Application for lead campaign group status

Section 4 - Representing other campaigners

Please refer to the notes on page 5 for the information you should include in this section

This is a silly question.

There are two yes campaigns - those who see a yes vote as a means of "killing nationalism stone dead" and those who see it as a means of promoting the national cause.

There are two no campaigns those who are opposed to devolution and those who don't think that this referendum goes far enough.

Never the twain as Quaint, in this case, will meet. I have had a large number of hits on my blog suggesting that "no it is not good enough" is a worthy and well supported stance.

Section 6 – Organisational capacity

Please refer to the notes on page 6 for the information you should include in this section

Wales is well known for it's
ability to form a committee
- committees will be formed!

Application for lead campaign group status

Section 7 - Signatures

I / We apply to The Electoral Commission to be the lead campaign group for the stated referendum outcome.

I / we declare that,

- to the best of my / our knowledge and belief, the information I / we have provided on this form is true
- I / we have read and agree to be bound by the terms and conditions associated with the receipt and use of the publicly funded grant to lead campaign groups, and
- I am/ we are authorised to sign this application on behalf of the above named organisation.

Signed



Print name

DAVID MURRAY OF HOW HUMPHREYS

Position held

Director

Date

17/01/2011

Signed



Print name

Position held

Date

For Electoral Commission use

Date of receipt

Checked by

Date entered in database

File reference number

Application for lead campaign group status

RECEIVED
13 JAN 2011

The
Electoral
Commission

Electoral Commission use:

/ NAW

National Assembly for Wales referendum 2011 Application for lead campaign group status

Section 1 – Your organisation's details

Name of
organisation

Yes for Wales

Outcome you are
campaigning for

YES

NO

Headquarters
address

Yes for Wales campaign
Unison House
Custom House St
Cardiff
CF10 1AP

Contact name

Daran Hill, Campaign Director

Tel. Number

Email

Section 2 – Your objectives

Please refer to the notes on page 4 for the information you should include in this section

The Yes for Wales campaign was constituted as 'Ie Dros Gymru Cyf' (Yes for Wales Ltd) in October 2010 with the intention of being designated as the Lead Organisation for the Yes campaign for the purposes of the referendum. Our company registration number is 7416371. We are not a registered charity, but a non-profit limited company. The sole objective of 'Ie Dros Gymru Cyf' (Yes for Wales Ltd) is, according to our company objectives, "To organise for a successful Yes vote in the forthcoming referendum on increasing the powers of the National Assembly for Wales."

Section 3 – Level of support for your application

Please refer to the notes on pages 4 and 5 for the information you should include in this section

The Yes for Wales campaign is a properly functioning umbrella campaign. We have the formal support of three of the major political parties:

- Welsh Labour: 1 Cathedral Rd, Cardiff, Wales CF11 9HA. General Secretary Dave Hagenydk sits on our Planning Group.
- Welsh Liberal Democrats: Freedom Central, Ground Floor, Blake Court, Schooner Way, Butetown, Cardiff CF10 4DW. General Secretary Joanne Foster sits on our Planning Group.
- Plaid Cymru: Ty Gwynfor, Llys Anson, Glanfa'r Iwerydd, Caerdydd CF10 4BN. Chief Executive Gwenllian Lansdown sits on our Planning Group.

The campaign is also recognised and supported by the Wales TUC (1 Cathedral Rd, Cardiff, Wales CF11 9HA). General Secretary Martin Mansfield also sits on our Planning Group.

We also work closely with Cymru Yfory, an organisation dedicated to promoting the debate on Welsh democracy. The secretariat for Cymru Yfory is provided by Antur Teifi, and is based in Meandros House, 54a Bute St, Cardiff. Several members of the Cymru Yfory executive are also members of the Yes for Wales Planning Group.

All five of these organisations supplied letters to this effect to the Electoral Commission on 9th November. All five have also applied for Permitted Participant status in the referendum campaign. The three political parties are also actively co-operating in sharing names with us and publicising Yes for Wales as the official umbrella campaign for a Yes vote on March 3rd.

We have also the recognition of the Welsh Conservative Group in the National Assembly and many individual Conservatives, including several Welsh Conservative MPs. The Welsh Conservatives as a party are officially neutral. Two Conservative AMs sit on our Planning Group.

Other members of the Planning Group include Unison, NUS Wales and third sector representatives acting in a personal capacity. The Parliament for Wales campaign also recognises us and is donating funds to support Yes for Wales.

Roger Lewis, Chief Executive of the Welsh Rugby Union, has agreed to Chair the Yes for Wales campaign.

In terms of supporting documents confirming recognition for the Yes for Wales campaign and our bid to be the Designated Lead Organisation, we enclose again five letters of support which we shared with the Electoral Commission on 9th November 2010.

Section 4 – Representing other campaigners

Please refer to the notes on page 5 for the information you should include in this section

Yes for Wales is an open organisation which welcomes people from political parties and outside political parties. We believe that we have made contact with the main campaign organisations likely to be campaigning for a positive outcome to the referendum and included them in our national Yes for Wales campaign. In due course we will also make contact with the Wales Green Party. Discussions have also opened with both religious communities and ethnic minority networks in Wales in order to make the campaign as inclusive and broad based as possible.

Yes for Wales is a broad, representative organisation which believes in equality and therefore we will work with any individual, party or organisation that shares this belief. We therefore would not welcome members of the British National Party (BNP) into Yes for Wales either at national or local level.

Much of our campaigning work will be done at local level. If there are local organisations who wish to join Yes for Wales, we would work with our local group structure to incorporate them.

Section 6 – Organisational capacity

Please refer to the notes on page 6 for the information you should include in this section

Yes for Wales is not complacent. Though opinion polls have shown continuous support or a Yes vote, there is a considerable job to be done explaining the meaning of the vote. The All-Wales Convention on the powers of the National Assembly for Wales found that the understanding of the present powers of the National Assembly is mixed. As the Convention report noted: "people had a general sense, rather than a concrete understanding, of the National Assembly for Wales' power" but "overall the evidence pointed to considerable confusion about the National Assembly for Wales' current powers." (Para 5.4.9)

We have a Planning Group which meets weekly. It has around twenty members and is broadly representative of the campaign as a whole. The campaign has also begun to appoint a staff team headed by Daran Hill as Campaign Director, and also a Press Officer. If we achieve designated status we will also hire two Campaign Organisers to work in different parts of Wales. We placed the advertisements for these posts on our campaign website on Monday 20th December and also cascaded them through networks. The posts already filled attracted skilled campaigners who have experience in large scale campaigning. Daran Hill was National Organiser of Yes for Wales in 1997.

Further, the Planning Group of Yes for Wales also includes Leighton Andrews AM (who is Convening this campaign and was Convenor of the 1997 Yes for Wales campaign) in addition to political, trade union and third sector campaigners who between them have centuries of experience in large-scale campaigning.

We have made a good start and our professionalism is demonstrable. Even before appointing permanent staff we have established campaign groups throughout Wales, celebrity supporters are being identified and contacted, and focus groups are already being undertaken to identify and test key messages. All of which has directly fed into our campaigning work with the media, leaflet production and the development of our social media tools.

We believe we have a mission to explain as well as a mission to campaign. In order to do this effectively, we have concentrated on refining and communicating messages internally before they are conveyed externally. To aid in this, in December 2010 we produced a toolkit for local campaigners which set out advice on a variety of topics including: fundraising; our message; the referendum question; working with the media; and branding guidelines.

Financial accountability and probity is very important to us. The campaign has been constituted as a company limited by guarantee and our company directors have an obligation to report accounts and ensure sufficient funds for trading. This obligation is over and above the accountability for any public funds we would receive upon Designation.

Mick Antoniwi, who is a qualified lawyer, has agreed to act as Treasurer of the campaign. Daran Hill (Campaign Director) and Mererid Jones, an accountant, are also company directors. Any two of the three of them are required to authorise any expenditure. We have already begun to divide our financial reports between types of money and types of expenditure. We are confident we understand and can meet the financial reporting requirements that come with Designation.

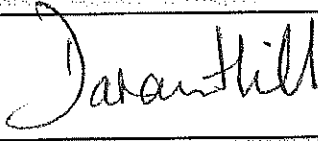
Section 7 - Signatures

I / We apply to The Electoral Commission to be the lead campaign group for the stated referendum outcome.

I / we declare that,

- to the best of my / our knowledge and belief, the information I / we have provided on this form is true
- I / we have read and agree to be bound by the terms and conditions associated with the receipt and use of the publicly funded grant to lead campaign groups, and
- I am/ we are authorised to sign this application on behalf of the above named organisation.

Signed



Print name

DARAN HILL

Position held

CAMPAIGN DIRECTOR

Date

13/1/11

Signed



Print name

LEE WATERS

Position held

VICE CHAIR

Date

13/1/11

For Electoral Commission use

Date of receipt

Checked by

Date entered in database

File reference number

Application for lead campaign group status



Welsh Liberal Democrats
Democratiaid Rhyddfrydol Cymru

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Dear Kay,

Re: Designation of a Yes organisation

I am writing with regards to the role of Electoral Commission in designating lead organisations to campaign for a 'yes' and 'no' result in the proposed referendum on further powers on March 3rd 2011.

Clearly, the guidelines published by the Electoral Commission hitherto have been prepared to cater for a situation in which there are two clearly expressed viewpoints in the period leading up to March 3rd: one for and the other against a specific proposal. In this case, the two viewpoints would be a) for a move to GOWA Part 4, and b) To retain the current system.

I understand that a 'yes' campaign in favour of a move to Part 4 of GOWA is already in existence as evidenced by the work undertaken by the Yes for Wales! steering group which enjoys representation from the four major political parties in Wales, Cymru Yfory and other sectoral groups representative of civil society in Wales. It also enjoys the support of Carwyn Jones AM, Ieuan Wyn Jones AM, Nick Bourne AM and Kirsty Williams AM and therefore delineates the major parties' commitment to a well-run, pluralist, transparent 'yes' campaign which understands PPERA and the need for the highest degree of probity where public funding is in question. It will be an all-Wales, diverse, grassroots, bilingual campaign which will make the case for a 'yes' vote to voters in Wales.

I therefore hope that the Electoral Commission will see fit to designate the said group as the lead 'yes' organisation during the forthcoming referendum campaign period.

Yours sincerely,

Joanne Foster

Chief Executive / Prif Weithredwr

Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru

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Kay Jenkins
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The Electoral Commission
Caradog House
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Cardiff CF10 3BE

25th October 2010

Dear Kay,

RECOGNITION AND DESIGNATION OF THE 'YES FOR WALES' CAMPAIGN

Now that the Order relating to the referendum on the powers of the National Assembly has been laid it is appropriate to confirm that Welsh Labour will support the designation of the 'Yes for Wales' campaign as the lead organisation for the 'Yes' vote in the referendum to be held March 3rd 2011.

Welsh Labour will itself be seeking status as a permitted participant but we believe that the 'Yes for Wales' Campaign has the breadth and depth of support required to be recognised as the lead and designated body by the Electoral Commission.

Best wishes



Chris Roberts
General Secretary



02.11.2010

Dear Sir / Madam,
To whom it may concern

I understand that the Electoral Commission has a key role in designating lead organisations to campaign for a 'yes' and 'no' result in the proposed referendum on further powers on March 3rd 2011.

Clearly, the guidelines published by the Electoral Commission hitherto have been prepared to cater for a situation in which there are two clearly expressed viewpoints in the period leading up to March 3rd: one for and the other against a specific proposal. In this case, the two viewpoints would be a) for a move to GOWA Part 4, and b) To retain the current system.

I understand that an embryonic 'yes' campaign in favour of option a) is already in existence as evidenced by the work undertaken by the Yes for Wales! steering group which enjoys representation from the four major political parties in Wales, Cymru Yfory and other sectoral groups representative of civil society in Wales. It also enjoys the support of Carwyn Jones AM, Ieuan Wyn Jones AM, Nick Bourne AM and Kirsty Williams AM and therefore delineates the major parties' commitment to a well-run, pluralist, transparent 'yes' campaign which understands PPERA and the need for the highest degree of probity where public funding is in question. It will be an all-Wales, diverse, grassroots, bilingual campaign which will make the case for a 'yes' vote to voters in Wales. This group satisfies the criteria which are integral to the Electoral Commission's corporate values in that it promotes transparency and integrity in party and election finance.

I therefore hope that the Electoral Commission will see fit to designate the said group as the lead 'yes' organisation during the forthcoming referendum campaign period.

Yours sincerely,

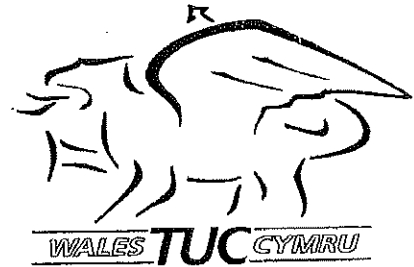
Dr. Gwennllian Lansdown
Prif Weithredwr / *Chief Executive*
Plaid Cymru

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October 2010

Dear Sir / Madam,

Referendum on further powers: yes campaign

I understand that the Electoral Commission has a key role in designating lead organisations to campaign for a 'yes' and 'no' result in the proposed referendum on further powers on March 3rd 2011.

I would advise that the 'yes' campaign is already in existence in the 'Yes for Wales!' steering group which enjoys representation from the four major political parties in Wales, the Wales TUC, Cymru Yfory and other sectoral groups representative of civil society in Wales. It will be an all-Wales, pluralistic, bilingual campaign which will make the case for a 'yes' vote to voters throughout Wales. It also enjoys the support of Carwyn Jones AM, Ieuan Wyn Jones AM, Nick Bourne AM and Kirsty Williams AM.

I hope that the Electoral Commission will see fit to designate the said group as the lead 'yes' organisation during the forthcoming referendum campaign period.

Yours sincerely,



Martin Mansfield

General Secretary

General Secretary – Martin Mansfield - Ysgrifennydd Cyffredinol

Julie Cook - Head of Trade Union Education

Penâeth Addysg yr Undebau Llafur

Siân Cartwright - Head of Learning Services

Penâeth Polisi ac Ymgyrchoedd

Penâeth Gwasanaethau Dysgu



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Kay Jenkins
Pennaeth Swyddfa Cymru a Pherfformiad
Y Comisiwn Etholiadol
Tŷ Caradog
1-6 Plas Sant Andreas
Caerdydd
CF10 3BE

Refferendwm dros fwy o bwerau i'r Cynulliad Cendlaethol - Ymgyrch Ie

Ar ran Cymru Yfory, dyma ddatgan ein bod yn cydnabod ac yn cefnogi cwmni 'Yes for Wales' i weithredu fel y corff fydd yn arwain yr ymgyrch Ie ar gyfer y refferendwm uchod.

Ymhellach, mae Cymru Yfory yn bwriadu gwneud cais i fod yn ymgyrchydd cofrestredig ac yn bwriadu cefnogi gwaith yr Ymgyrch Ie yn llawn.

Yn gywir,

Referendum on further powers for the National Assembly for Wales – Yes Campaign

On behalf of Cymru Yfory, I wish to register our recognition of, and support to, the company registered as 'Yes for Wales' to act as the lead organisation for the Yes Campaign in the forthcoming referendum on further powers for the National Assembly for Wales.

Further to this, Cymru Yfory intends to seek registration as an official campaigning organisation and will seek to fully support the work of the Yes Campaign.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Barry Morgan'.

Parchedical Ddr Barry Morgan / The Most Rev. Dr Barry Morgan
Cadeirydd Cymru Yfory / Chair of Tomorrow's Wales