



Welsh Elections (Coronavirus) Act 2021

2021 asc 2

Supplementary

13 Effect of this Act on existing power to make provision about elections

- (1) This Act does not affect the power of the Welsh Ministers to make an order under section 13 of the 2006 Act, but subsection (7) of that section (Senedd Cymru procedure) is subject to section 12.
- (2) This Act does not affect the power of the Welsh Ministers to make rules under section 36 or section 36A of the [Representation of the People Act 1983 \(c. 2\)](#), but section 36A(10) (Senedd Cymru procedure) is subject to section 12.

14 Modification of the 2007 Order

- (1) The 2007 Order is modified in relation to the 2021 election as follows.
- (2) Article 2(1) (interpretation) has effect as if it contained the definition of “coronavirus” given by section 16.
- (3) In Article 84(2)(b) (timing of when a person becomes a candidate in relation to a Senedd general election) has effect as if—
 - (a) for “any subsequent Assembly election” there were substituted “the ordinary general election for membership of Senedd Cymru the poll for which is, on the day on which this provision comes into force, due to be held on 6 May 2021”;
 - (b) in paragraph (i), for sub-paragraph (aa) there were substituted—

“(aa) which is 21 days before 6 May 2021, computed in accordance with rule 2 of the rules set out in Schedule 5;”.
- (4) In Schedule 1, paragraph 7 (closing date for applications for absent voting at Senedd elections) has effect as if—
 - (a) in sub-paragraph (2), after “sub-paragraph (3)” there were inserted “and sub-paragraph (3A)”;
 - (b) after sub-paragraph (3) there were inserted—

Status: This is the original version (as it was originally enacted).

“(3A) Where an application—

- (a) to vote by proxy under article 9(1), or
- (b) for the appointment of a proxy under article 11(6) or (7)

is made on the grounds set out in sub-paragraph (3AB) the application shall be disregarded if it is received after 5pm on the day of the poll at the election for which it is made.

(3AB) The grounds are that—

- (a) the application is made as a result of the need to comply with an enactment relating to coronavirus or to follow guidance relating to coronavirus issued by the Welsh Ministers, and
- (b) the applicant became aware of the grounds after 5pm on the sixth day before the date of the poll at the election for which it is made.”

(5) In Schedule 5 (Senedd election rules)—

- (a) rule 1(1) (timetable for conduct of proceedings at a Senedd election), in the table, in the column headed “Time”, the entry corresponding to the entry “Delivery of nomination papers.” has effect as if—
 - (i) the reference to “10” were substituted by “9”;
 - (ii) the reference to “4” were substituted by “5”.
- (b) rule 4 (nomination of candidates at a Senedd constituency election) has effect as if after paragraph (1) there were inserted—

“(1A) The constituency nomination paper may also be delivered on the candidate’s behalf by a person authorised by the candidate for the purpose if the candidate has given the person’s name and address to the returning officer in writing or electronically before or at the time the paper is delivered.”

- (c) rule 6 (nomination of individual candidates at a Senedd regional election) has effect as if after paragraph (1) there were inserted—

“(1A) The individual nomination paper may also be delivered on the candidate’s behalf by a person authorised by the candidate for the purpose if the candidate has given the person’s name and address to the returning officer in writing or electronically before or at the time the paper is delivered.”

- (d) rule 9(1) (consent to nomination at a Senedd constituency election) has effect as if—
 - (i) sub-paragraph (b) were omitted;
 - (ii) for sub-paragraph (c) there were substituted—
 - “(c) is delivered at the place for the delivery of nomination papers or is delivered electronically to an electronic address for that purpose; and
 - (d) is delivered within the time specified for the delivery of the nomination papers.”
- (e) rule 9(2) (consent to nomination at a Senedd regional election) has effect as if—
 - (i) sub-paragraph (b) were omitted;

(ii) for sub-paragraph (c) there were substituted—

- “(c) is delivered at the place for the delivery of individual nomination papers or party nomination papers, or is delivered electronically to an electronic address for that purpose; and
- (d) is delivered within the time specified for the delivery of the nomination papers.”

15 Review: preparations for the holding of the poll

- (1) The Welsh Ministers must carry out reviews of the preparations for the holding of the poll for the 2021 election.
- (2) The first review must take place by 19 February 2021.
- (3) Subsequent reviews must take place at least once in each subsequent period of 21 days up until the poll for the 2021 election is held.
- (4) As soon as reasonably practicable after a review, the Welsh Ministers must lay before Senedd Cymru a statement summarising the result of the review and stating whether any postponement of the 2021 election is reasonably anticipated.