



Deddf Senedd Cymru (Aelodau ac Etholiadau) 2024

2024 dsc 4

RHAN 2

Y SYSTEM BLEIDLEISIO MEWN ETHOLIADAU
CYFFREDINOL Y SENEDD A DYRANNU SEDDI

8 Etholiadau cyffredinol

Yn lle adrannau 6 i 9 o Ddeddf 2006 (pleidleisio a dyrannu seddi yn etholiadau cyffredinol) rhodder—

“6 Voting at general elections

- (1) Each person entitled to vote at a general election in a Senedd constituency may give a vote for—
 - (a) a registered political party that has submitted a list of candidates to be Members of the Senedd for the constituency, or
 - (b) an individual who is a candidate (“an individual candidate”) to be a Member of the Senedd for the constituency.
- (2) An order under section 13 must provide for the ballot paper used at a general election in a Senedd constituency to include the names of the candidates who stand nominated to be Members of the Senedd for the constituency.
- (3) In this Act “registered political party” means a party registered under Part 2 of the [Political Parties, Elections and Referendums Act 2000 \(c. 41\)](#).

7 Candidates at general elections

- (1) A registered political party may submit a list of candidates to be Members of the Senedd for a particular Senedd constituency at a general election.

- (2) The list must be submitted to the constituency returning officer.
- (3) The list must not include more than eight people (but may include only one).
- (4) The list must not include a person—
 - (a) who is included on another list submitted under this section (whether for the constituency or another constituency);
 - (b) who is an individual candidate to be a Member of the Senedd (whether for the constituency or another constituency).
- (5) A person may not be an individual candidate to be a Member of the Senedd for a constituency if that person is—
 - (a) included on a list submitted under this section (whether for the constituency or another constituency);
 - (b) an individual candidate to be a Member of the Senedd for another constituency.
- (6) In this Act, “constituency returning officer”, in relation to a Senedd constituency, means the person designated as the returning officer for the constituency in accordance with an order under section 13 (power of the Welsh Ministers to make provision about elections etc.).

8 Calculation of seat allocation figures

- (1) This section and section 9 are about the allocation, to registered political parties or individual candidates, of the seats for a Senedd constituency at a general election.
- (2) For each registered political party by which a list of candidates has been submitted under section 7 (candidates at general elections) for the constituency—
 - (a) the votes given in the constituency for the party are to be added up, and
 - (b) the number arrived at under paragraph (a) is to be divided by the seat allocation divisor.
- (3) On the first calculation for a party under subsection (2)(b), the seat allocation divisor for the party is one (section 9 makes provision about recalculations under that subsection with an increased divisor).
- (4) For each individual candidate to be a Member of the Senedd for the constituency, the votes given in the constituency for the candidate are to be added up.
- (5) The number arrived at—
 - (a) in the case of a registered political party, under subsection (2)(b), or
 - (b) in the case of an individual candidate, under subsection (4),
 is referred to in section 9 as the “seat allocation figure” for that party or individual candidate.

9 Allocation of seats

- (1) The first seat for a Senedd constituency is to be allocated to the registered political party or individual candidate with the highest seat allocation figure.

- (2) The second and subsequent seats for the constituency are to be allocated to the party or individual candidate with the highest seat allocation figure after any recalculation required by subsection (3) has been carried out.
- (3) This subsection requires a recalculation of the seat allocation figure for a registered political party—
 - (a) for the first application of subsection (2), if the application of subsection (1) resulted in the allocation to the party of a seat for the constituency, or
 - (b) for any subsequent application of subsection (2), if the previous application of that subsection resulted in the allocation to the party of a seat for the constituency,and each recalculation is to be carried out under section 8(2)(b) after adding one to the previous seat allocation divisor for that party.
- (4) An individual candidate already allocated a seat as a Member of the Senedd for the constituency is to be disregarded when applying subsection (2).
- (5) Seats for the constituency that are allocated to a party are to be filled by the candidates on the party's list in the order in which they appear on the list.
- (6) Once a party's list has been exhausted (by the application of subsection (1) or (2)), the party is to be disregarded when applying subsection (2).
- (7) If, on the application of subsection (1) or on an application of subsection (2), the highest seat allocation figure is the seat allocation figure for two or more parties or individual candidates (referred to in subsection (8) as the "tied seat allocation figure"), subsection (1) or (2) (as the case may be) applies to each of them.
- (8) But if subsection (7) would mean that more than the full number of seats for the constituency were allocated, subsection (1) or (2) is not to be applied until—
 - (a) a recalculation of the seat allocation figure for any party with the tied seat allocation figure has been carried out under section 8(2)(b) after adding one to the number arrived at under section 8(2)(a), and
 - (b) one has been added to the number arrived at under section 8(4) for any individual candidate with the tied seat allocation figure.
- (9) If, after that, the highest seat allocation figure is still the seat allocation figure for two or more parties or individual candidates (so it is still the case that more than the full number of seats for the constituency would be allocated), the constituency returning officer must decide between them by lots."

9 Seddi gwag

- (1) Mae Deddf 2006 wedi ei diwygio fel a ganlyn.
- (2) Hepgorer adran 10 (seddi gwag mewn etholaethau).
- (3) Yn lle adran 11 (seddi gwag mewn rhanbarthau etholiadol) rhodder—

“11 Vacant seats

- (1) This section makes provision about what is to happen if the seat of a Member of the Senedd becomes vacant.
- (2) If the Member was an individual candidate when returned as a Member of the Senedd, the seat remains vacant until the next general election.
- (3) If the Member was returned as a Member of the Senedd from a list submitted under section 7 by a registered political party, the constituency returning officer must notify to the Presiding Officer the name of the person (if any) who is to fill the vacancy.
- (4) A person’s name may be notified under subsection (3) only if the person—
 - (a) is included on the list mentioned in subsection (3),
 - (b) is willing to serve as a Member of the Senedd, and
 - (c) is not a person to whom subsection (5) applies.
- (5) This subsection applies to a person if—
 - (a) the person is not a member of the registered political party that submitted the list, and
 - (b) the party gives notice to the constituency returning officer that the person’s name is not to be notified to the Presiding Officer as the name of the person who is to fill the vacancy.
- (6) But if there is more than one person who satisfies the conditions in subsection (4), the constituency returning officer may only notify the name of whichever of them was the higher, or the highest, on the list.
- (7) If there is no-one who satisfies the conditions in subsection (4), the seat remains vacant until the next general election.
- (8) A person whose name is notified under subsection (3) is to be treated as having been declared to be returned as a Member of the Senedd on the day on which notification of the person’s name is received by the Presiding Officer.
- (9) For the purposes of this section, a person included on the list mentioned in subsection (3)—
 - (a) who was returned as a Member of the Senedd at the election for which the list was submitted (even if the return was void), or
 - (b) who was subsequently returned as a Member of the Senedd under this section (even if the return was void),
 is treated on and after their return as not having been included on the list.”

10 Diwygiadau cysylltiedig

- (1) Mae Deddf 2006 wedi ei diwygio yn unol ag is-adrannau (2) i (8).
- (2) Yn adran 12 (hawlogaeth i bleidleisio)—
 - (a) yn is-adran (1), hepgorer “(or of a Member of the Senedd)”;
 - (b) yn is-adran (2)—
 - (i) ym mharagraff (a), yn lle “constituency vote, or more than one electoral region vote,” rhodder “vote”;

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

- (ii) ar ôl paragraff (a) mewnosoder “or”;
 - (iii) hepgorer paragraff (c), a’r “or” o’i flaen.
- (3) Yn adran 13 (pŵer Gweinidogion Cymru i wneud darpariaeth ynghylch etholiadau etc.)—
- (a) yn is-adran (2)—
 - (i) hepgorer paragraff (e) (ond nid yr “and” ar ei ôl);
 - (ii) ym mharagraff (f), yn lle “region” rhodder “constituency”;
 - (b) yn is-adran (3), yn lle “11(3) to (5)” rhodder “11(4) to (6)”.
- (4) Yn adran 13A (pŵer yr Ysgrifennydd Gwladol i wneud darpariaeth ynghylch cyfuno cynnal pleidleisiau), yn is-adran (1)(b) hepgorer “, and by-elections for the return of Members of the Senedd.”.
- (5) Yn adran 18 (effaith anghymhwysu), yn is-adran (A1) hepgorer “or an election to fill a vacancy under section 10”.
- (6) Yn adran 36 (uniondeb)—
- (a) hepgorer is-adran (6);
 - (b) yn is-adran (11)(a) hepgorer “(apart from those in subsection (6))”.
- (7) Yn adran 159 (mynegai o ymadroddion wedi eu diffinio), hepgorer y cofnodion ar gyfer yr ymadroddion a ganlyn—
- (a) “constituency vote”;
 - (b) “electoral region figure”;
 - (c) “electoral region vote”;
 - (d) “regional returning officer”;
 - (e) “Senedd constituency member”;
 - (f) “Senedd electoral region”;
 - (g) “Senedd regional member”.
- (8) Yn y tabl yn Rhan 2 o Atodlen 1A (swyddi sy’n anghymhwysu’r deiliad), yn y cofnod ar gyfer swyddogion canlyniadau ar gyfer etholiadau’r Senedd, yn yr ail golofn hepgorer “or Senedd electoral region”.
- (9) Yn adran 7B(6) o [Ddeddf Cynrychiolaeth y Bobl 1983 \(p. 2\)](#) (preswylfa dybiannol: datganiadau o gysylltiad lleol)—
- (a) ym mharagraff (a)(ii), hepgorer “or National Assembly for Wales constituency”;
 - (b) ym mharagraff (b), hepgorer “or section 10 of the Government of Wales Act 2006”.
- (10) Yn [Neddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 \(p. 41\)](#)—
- (a) hepgorer adran 4A(8)(b)(ii) (swyddogaethau Cymreig datganoledig);
 - (b) hepgorer adran 5(2A)(c) (adroddiadau ar is-etholiadau) (ond nid yr “or” ar ei hôl);
 - (c) o’r adran 6ZA a fewnosodwyd gan [Ddeddf Senedd ac Etholiadau \(Cymru\) 2020 \(dccc 1\)](#), hepgorer is-adran (2)(b) (adolygiadau o faterion etholiadol datganoledig yng Nghymru);
 - (d) hepgorer adran 6A(5)(d) (presenoldeb cynrychiolwyr y Comisiwn Etholiadol mewn etholiadau);

- (e) o'r adran 6G a fewnosodwyd gan Ddeddf Senedd ac Etholiadau (Cymru) 2020 (cod ymarfer ar bresenoldeb sylwedyddion mewn etholiadau datganoledig yng Nghymru), hepgorer is-adran (2)(b);
 - (f) o'r adran 9AA a fewnosodwyd gan Ddeddf Senedd ac Etholiadau (Cymru) 2020 (safonau perfformiad ar gyfer etholiadau datganoledig a refferenda datganoledig yng Nghymru), hepgorer is-adran (6)(b);
 - (g) ym mharagraff 25 o Atodlen 1, yn yr is-baragraff (2) a fewnosodwyd gan Ddeddf Senedd ac Etholiadau (Cymru) 2020 (dehongli), o'r diffiniad o "devolved Welsh election" hepgorer paragraff (b);
 - (h) ym mharagraff 6 o Atodlen 9 (terfynau ar wariant ymgyrch)—
 - (i) yn is-baragraff (1), hepgorer "or regions";
 - (ii) yn is-baragraff (2), hepgorer paragraff (b) a'r "plus" o'i flaen.
- (11) Yn adran 44(7) o [Ddeddf Gweinyddu Etholiadol 2006 \(p. 22\)](#) (ardal etholiadol mewn perthynas ag etholiad i'r Senedd), yn lle paragraff (b) rhodder—
- “(b) in relation to an election to Senedd Cymru, a Senedd constituency within the meaning of section 2 of the Government of Wales Act 2006 (Senedd constituencies);”.
- (12) Yn adran 6(3) o [Fesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009 \(mccc 4\)](#) (swyddogaethau'r Comisiynydd)—
- (a) ar ôl paragraff (c) mewnosoder “a”;
 - (b) hepgorer paragraff (e), a'r “ac” o'i flaen.
- (13) Yn Atodlen 1 i [Fesur Cynulliad Cenedlaethol Cymru \(Taliadau\) 2010 \(mccc 4\)](#) (anghymhwyso rhag bod yn aelod o'r Bwrdd Taliadau Annibynnol)—
- (a) ym mharagraff (1)(d)—
 - (i) hepgorer “rhanbarthol”;
 - (ii) hepgorer “mewn rhanbarthau etholiadol”;
 - (b) ym mharagraff 3, yn lle “is-adran (3)” rhodder “is-adran (4)”.
- (14) Yn [Neddf Cymru 2014 \(p. 29\)](#), hepgorer adran 2 (diwygiadau i Ran 1 o Ddeddf 2006).
- (15) Yn Atodlen 1 i [Ddeddf Senedd ac Etholiadau \(Cymru\) 2020 \(dccc 1\)](#), ym mharagraff 2(8)(c) hepgorer y cofnodion ar gyfer yr ymadroddion a ganlyn—
- (a) “Senedd constituency member”;
 - (b) “Senedd electoral region”;
 - (c) “Senedd regional member”.