



Senedd Cymru (Members and Elections) Act 2024

2024 asc 4

PART 2

VOTING SYSTEM AT SENEDD GENERAL ELECTIONS AND ALLOCATION OF SEATS

8 General elections

For sections 6 to 9 of the 2006 Act (voting and seat allocation at general elections) substitute—

“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.

Status: This is the original version (as it was originally enacted).

- (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."