



# Senedd Cymru (Members and Elections) Act 2024

2024 asc 4

## PART 2

### VOTING SYSTEM AT SENEDD GENERAL ELECTIONS AND ALLOCATION OF SEATS

PROSPECTIVE

#### **9 Vacant seats**

- (1) The 2006 Act is amended as follows.
- (2) Omit section 10 (constituency vacancies).
- (3) For section 11 (electoral region vacancies) substitute—

##### **“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

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Senedd Cymru (Members and Elections) Act 2024, Section 9. (See end of Document for details)*

(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.”

**Commencement Information**

**II** S. 9 in force at 24.8.2024, see [s. 25\(2\)\(b\)](#)

**Status:**

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**Changes to legislation:**

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