



# Government of Wales Act 2006

## 2006 CHAPTER 32

### PART 1

#### [<sup>F1</sup>SENEDD CYMRU]

##### *Franchise and conduct of elections*

#### [<sup>F13</sup> Power of the Welsh Ministers to make provision about elections etc

- (1) The Welsh Ministers may by order make provision that would be within the legislative competence of the [<sup>F2</sup>Senedd], if included in an Act of the [<sup>F2</sup>Senedd], as to—
  - (a) the conduct of elections of [<sup>F3</sup>Members of the Senedd],
  - (b) the questioning of an election of [<sup>F3</sup>Members of the Senedd] and the consequences of irregularities, and
  - (c) the return of [<sup>F4</sup>a Member of the Senedd] otherwise than at an election.
- (2) The provision that may be made under subsection (1)(a) includes, in particular, provision—
  - (a) about the registration of electors,
  - (b) for disregarding alterations in a register of electors,
  - (c) about the limitation of the election expenses of candidates (and the creation of criminal offences in connection with the limitation of such expenses),
  - (d) for the combination of polls,
  - (e) for modifying the application of sections 6 and 8(2) where the poll at an election for the return of [<sup>F5</sup>a Senedd] constituency member is abandoned (or notice of it is countermanded), and
  - (f) for modifying section 9(7) to ensure the allocation of the correct number of seats for the region.
- (3) The provision that may be made under subsection (1)(c) includes, in particular, provision modifying section 11(3) to (5).
- (4) An order under this section may—

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**Changes to legislation:** Government of Wales Act 2006, Section 13 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (a) apply or incorporate, with or without modifications or exceptions, any provision of or made under the election enactments, and
  - (b) so far as may be necessary in consequence of any provision made by an order under this section, make modifications of any provision made by or under any enactment relating to the registration of parliamentary electors or local government electors.
- (5) In subsection (4)(a) “the election enactments” means—
- (a) the Representation of the People Acts,
  - (b) the Political Parties, Elections and Referendums Act 2000,
  - (c) <sup>F6</sup>... and
  - (d) any other enactments relating to parliamentary elections <sup>F7</sup>... or local government elections.
- (6) No return of [<sup>F4</sup>a Member of the Senedd] at an election may be questioned except by an election petition under the provisions of Part 3 of the Representation of the People Act 1983 as applied or incorporated in an order under this section.
- (7) No order is to be made under this section unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the [<sup>F2</sup>Senedd].]

#### Textual Amendments

- F1** Ss. 13, 13A substituted for s. 13 (1.4.2018) by Wales Act 2017 (c. 4), **ss. 5(1), 71(4)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F2** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(19)** (with Sch. 1 para. 2(11)-(14))
- F3** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(17)** (with Sch. 1 para. 2(11)(12)(14))
- F4** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(15)** (with Sch. 1 para. 2(11)(12)(14))
- F5** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(18)** (with Sch. 1 para. 2(11)-(14))
- F6** S. 13(5)(c) omitted (31.12.2020) by virtue of European Union (Withdrawal) Act 2018 (c. 16), s. 25(4), **Sch. 3 para. 29(a)** (with s. 19, Sch. 8 para. 37); S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)
- F7** Words in s. 13(5)(d) omitted (31.12.2020) by virtue of European Union (Withdrawal) Act 2018 (c. 16), s. 25(4), **Sch. 3 para. 29(b)** (with s. 19, Sch. 8 para. 37); S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 13(2)(e) omitted by [2024 asc 4 s. 10\(3\)\(a\)\(i\)](#)
- s. 13(2)(f) word substituted by [2024 asc 4 s. 10\(3\)\(a\)\(ii\)](#)
- s. 13(3) words substituted by [2024 asc 4 s. 10\(3\)\(b\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 25(1A)(1B) inserted by [2024 asc 4 s. 4\(1\)\(b\)](#)
- s. 25(7A) inserted by [2024 asc 4 s. 4\(1\)\(h\)](#)
- s. 155A inserted by [2014 c. 29 s. 10](#)
- Sch. 1A para. 8 and cross-heading inserted by [2024 asc 4 s. 6](#)
- Sch. 7A Section C15 para. 92 omitted by [2017 c. 4 s. 48\(1\)\(a\)](#)
- Sch. 7A Section C15 para. 93 words omitted by [2017 c. 4 s. 48\(1\)\(b\)](#)
- Sch. 7B para. 10(2)(o) inserted by [2022 c. 30 s. 143](#)
- Sch. 7B para. 11(6)(b)(x) repealed by [2023 c. 54 Sch. 11 para. 1\(b\)](#)
- Sch. 7B para. 11(6)(b)(x) word omitted by [2023 c. 54 s. 118\(c\)](#)