
STATUTORY INSTRUMENTS

1999 No. 450

**CONSTITUTIONAL LAW
DEVOLUTION, WALES
REPRESENTATION OF THE PEOPLE**

The National Assembly for Wales
(Representation of the People) Order 1999

Made - - - - 10th March 1999

Coming into force in accordance with article 1

**THE NATIONAL ASSEMBLY FOR WALES
(REPRESENTATION OF THE PEOPLE) ORDER 1999**

PART I
GENERAL

1. Citation and commencement
2. Interpretation

PART II

ASSEMBLY FRANCHISE AND ITS EXERCISE

3. Voting at Assembly elections
4. Registers of electors etc.
5. Registration appeals
6. Polling districts and places at Assembly elections
7. Manner of voting at Assembly elections
8. Absent vote at Assembly elections for an indefinite period
9. Absent vote at a particular Assembly election
10. Absent voters list at Assembly elections
11. Proxies at Assembly elections
12. Voting as proxy at Assembly elections
13. Absent voting at Assembly elections: miscellaneous
14. Combination of polls at Assembly and local government elections
15. Conduct of Assembly elections etc.
16. Returning officers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

17. Officers of councils to be placed at disposal of returning officers
18. Returning officers: discharge of functions
19. Returning officers: general
20. Payments by and to returning officer
21. Taxation of returning officer's account
22. Loan of equipment for Assembly elections
23. Effect of registers
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25. Discharge of registration duties
26. Payment of expenses of registration
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28. Other voting offences
29. Breach of official duty
30. Tampering with nomination papers, ballot papers etc.
31. Requirement of secrecy

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32. Appointment of election agent
33. Nomination of sub-agent
34. Office of election agent and sub-agent
35. Effect of default in election agent's appointment
36. Making of contracts through election agent
37. Expenses of a registered political party
38. Individual candidate: payment of expenses by or through election agent
39. Registered political party at an ordinary election: payment of expenses by or through election agent, registered nominating officer, etc.
40. Registered political party at a regional election other than at an ordinary election: payment of expenses by or through election agent, registered nominating officer etc.
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42. Individual candidates: prohibition of expenses not authorised by election agent etc.
43. Registered political party at an ordinary election: prohibition of expenses not authorised by election agent, registered nominating officer etc.
44. Registered political party at regional elections other than at an ordinary election: prohibition of expenses not authorised by election agent, registered nominating officer etc.
45. Provisions supplemental to articles 43 and 44
46. Individual candidate: limitation of election expenses
47. Registered political party at an ordinary election: limitation of election expenses
48. Registered political party at a regional election other than at an ordinary election: limitation of election expenses.
49. Provisions supplemental to articles 47 and 48
50. Power to vary provisions concerning election expenses
51. Time for sending in and paying claims
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53. Election agent's claim
54. Individual candidate at an Assembly election: return as to election expenses
55. Registered political party: return as to election expenses

56. Individual candidate at Assembly elections: declarations as to election expenses
57. Registered political party: declarations as to election expenses
58. Where no return and declarations are needed at Assembly election
59. Penalty for failure as respects return of declarations
60. Penalty for sitting or voting where no return and declarations are delivered etc.
61. Authorised excuses for failures as to return and declarations
62. Court's power to require information from election agent or sub-agent
63. Publication of time and place of inspection of returns and declarations
64. Individual candidate: inspection of returns and declarations
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66. Right to send election address post free
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76. "Carriage" in articles 73 to 75
77. Access to polling place by sea
78. False statements as to candidates
79. Corrupt withdrawal from candidature
80. Premises not to be used as committee rooms
81. Payments for exhibition of election notices
82. Printer's name and address on election publications
83. Prohibition of paid canvassers
84. Providing money for illegal purposes
85. Bribery
86. Treating
87. Undue influence
88. Rights of creditors
89. Savings as to Assembly elections
90. Interpretation of Part III
91. Computation of time for purposes of Part III

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92. Method of questioning Assembly election
93. Presentation and service of Assembly election petition
94. Time for presentation or amendment of Assembly election petition
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97. Attendance of shorthand writer
98. Security for costs
99. Petition at issue
100. List of petitions
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102. Witnesses

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103. Duty to answer relevant questions
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107. Regional election determined to be void by election court
108. Special case for determination of High Court
109. Withdrawal of petition
110. Evidence required for withdrawal of petition
111. Penalty for corrupt withdrawal and breach of article 110
112. Substitution of new petitioner
113. Report on withdrawal
114. Abatement of petition
115. Withdrawal and substitution of respondents before trial
116. Costs of petition
117. Neglect or refusal to pay costs
118. Further provision as to costs
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120. Report as to candidate guilty of a corrupt or illegal practice
121. Candidate reported guilty of corrupt or illegal practice
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123. Persons reported personally guilty of corrupt or illegal practices at parliamentary elections or local government elections
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128. Avoidance of election for general corruption etc.
129. Avoidance of election for employing corrupt agent
130. Votes to be struck off for corrupt or illegal practices
131. Application for relief
132. Prosecutions for corrupt practices
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134. Conviction of illegal practice on charge of corrupt practice etc.
135. Incapacities on conviction of corrupt or illegal practice
136. Incapacities on conviction of corrupt or illegal practice at parliamentary elections or local government elections
137. Incapacities on conviction of corrupt or illegal practice at European Parliamentary elections
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139. Illegal payments etc.
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154. Public notices, and declarations
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2. Free copies of register etc.
3. Sale of lists and register
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6. Alterations to published register
7. Interpretation

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6. Additional requirements for applications for appointment of a proxy
7. Additional requirements for applications by proxies to vote by post at a particular Assembly election
8. Closing dates for applications
9. Grant or refusal of applications
10. Notice of appeal
11. Cancellation of proxy appointment
12. Inquiries by registration officer
13. Records and lists kept under articles 8, 10 and 12
14. Marked register for polling stations
15. Certificate of employment at an Assembly election
16. Notification by registration officer
17. Transitional provision for absent voters

APPENDIX OF —
FORMS

Form of proxy paper

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Form of certificate of
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SCHEDULE 3 — ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

1. Interpretation
 - issue of postal ballot papers
2. Combination of polls
3. Form of declaration of identity
4. Regional elections
5. Persons entitled to be present at issue and receipt of postal ballot papers
6. Notification of requirement of secrecy
7. Notice of issue of postal ballot papers
8. Marking of postal ballot papers etc.
9. Refusal to issue postal ballot paper
10. Envelopes
11. Delivery of postal ballot papers to post office
12. Provision of postal voters' ballot box
13. Sealing up of special lists and counterfoils
14. Spoilt postal ballot paper
 - receipt of postal ballot papers
15. Receipt of covering envelope
16. Opening of postal voters' ballot box
17. Opening of covering envelopes
18. Sealing up of rejected votes and declarations of identity
19. Opening of ballot paper envelopes
20. Abandoned poll
21. Forwarding of documents

APPENDIX OF —
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- Form of declaration of
identity referred to in
paragraph 3(a)
- Form of declaration of
identity referred to in
paragraph 3(b)
- Form of declaration of
identity referred to in
paragraph 3(c)
- Form of declaration of
identity referred to in
paragraph 3(d)
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identity referred to in
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- Statement as to postal
ballot papers

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1. Returning officers and polling stations
- (4) Where the polls at an ordinary Assembly election and a...
2. Functions at combined polls
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PART II — MODIFICATIONS TO SCHEDULE 5 TO APPLY WHERE THE POLL AT AN ASSEMBLY ELECTION IS TAKEN TOGETHER WITH A POLL AT A LOCAL GOVERNMENT ELECTION UNDER ARTICLE 14(1) OR (2)

4. Modifications to Schedule 5: general provision
5. Paragraph 25 of Schedule 5 (colour of ballot papers)
6. Paragraph 29 of Schedule 5 (notice of poll)
7. Paragraph 33 of Schedule 5 (issue of official poll cards)
8. Paragraph 34 of Schedule 5 (equipment of polling stations)
9. Paragraph 35 of Schedule 5 (appointment of polling and counting agents)
10. Paragraph 40 of Schedule 5 (questions to be put to voters)
11. Paragraph 42 of Schedule 5 (voting procedure)
12. Paragraph 43 of Schedule 5 (votes marked by presiding officer)
13. Paragraph 44 of Schedule 5 (voting by blind persons)
14. Paragraph 45 of Schedule 5 (tendered ballot papers)
15. Paragraph 47 of Schedule 5 (adjournment of poll in case of riot)
16. Paragraph 48 of Schedule 5 (procedure on close of poll)
17. Paragraph 49 of Schedule 5 (time of, and attendance at, counting of votes)
18. Paragraph 50 of Schedule 5 (the count)
19. Paragraph 62 of Schedule 5 (delivery of documents to the Assembly)
20. Paragraph 65 of Schedule 5 (countermand or abandonment of poll etc. on death of candidate)
21. Appendix of forms in Schedule 5 (form of directions for the guidance of the voters in voting)
22. Appendix of forms in Schedule 5 (form of declaration to be made by the companion of a blind voter)

PART III — MODIFICATIONS TO ELECTION RULES TO APPLY WHERE THE POLL AT AN ELECTION OF COUNTY OR COUNTY BOROUGH COUNCILLORS IS TAKEN TOGETHER WITH A POLL AT AN ASSEMBLY ELECTION UNDER ARTICLE 14(1) OR (2)

23. Modifications to principal area election rules: general provision
24. Rule 1 of principal area election rules (timetable)
25. Rule 14 of principal area election rules (the ballot papers)
26. Rule 18 of principal area election rules (notice of poll)
27. Rule 22 of principal area election rules (issue of official poll cards)
28. Rule 23 of principal area election rules (equipment of polling stations)
29. Rule 24 of principal area election rules (appointment of polling and counting agents)
30. Rule 29 of principal area election rules (questions to be put to voters)
31. Rule 31 of principal area election rules (voting procedure)
32. Rule 32 of principal area election rules (votes marked by presiding officer)
33. Rule 33 of principal area election rules (voting by blind persons)
34. Rule 34 of principal area election rules (tendered ballot papers)
35. Rule 36 of principal area election rules (adjournment of poll in case of riot)
36. Rule 37 of principal area election rules (procedure on close of poll)
37. Rules 38 of principal area election rules (attendance at counting of votes)
38. Rule 39 of principal area election rules (the count)
39. Rule 46 of principal area election rules (delivery of documents)
40. Rule 49 of principal area election rules (countermand or abandonment of poll on death of candidate)
41. Appendix of forms to principal area election rules (declaration of identity)

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42. Appendix of forms to principal area election rules (directions for the guidance of the voters in voting)
43. Appendix of forms to principal area election rules (declaration to be made by the companion of a blind voter)
 - PART IV — MODIFICATIONS TO ELECTION RULES TO APPLY WHERE THE POLL AT AN ELECTION OF COMMUNITY COUNCILLORS IS TAKEN TOGETHER WITH THE POLL AT AN ASSEMBLY ELECTION UNDER ARTICLE 14(1) OR (2)
44. Modifications to community election rules: general provision
45. Rule 1 of community election rules (timetable)
46. Rule 14 of community election rules (the ballot papers)
47. Rule 18 of community election rules (notice of poll)
48. Rule 22 of community election rules (issue of official poll cards)
49. Rule 23 of community election rules (equipment of polling stations)
50. Rule 24 of community election rules (appointment of polling and counting agents)
51. Rule 29 of community election rules (questions to be put to voters)
52. Rule 31 of community election rules (voting procedure)
53. Rule 32 of community election rules (votes marked by presiding officer)
54. Rule 33 of community election rules (voting by blind persons)
55. Rule 34 of community election rules (tendered ballot papers)
56. Rule 36 of community election rules (adjournment of poll in case of riot)
57. Rule 37 of community election rules (procedure on close of poll)
58. Rule 38 of community election rules (attendance at counting of votes)
59. Rule 39 of community election rules (the count)
60. Rule 46 of community election rules (delivery of documents)
61. Rule 49 of community election rules (countermand or abandonment of poll on death of candidate)
62. Appendix of forms to community election rules (declaration of identity)
63. Appendix of forms to community election rules (directions for the guidance of the voters in voting)
64. Appendix of forms to community election rules (declaration to be made by the companion of a blind voter)

SCHEDULE 5 — CONDUCT OF ASSEMBLY ELECTIONS AND RETURN OF ASSEMBLY MEMBERS

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2. Computation of time

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5. Nomination paper: name of registered political party
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7. Nomination of party list candidates at a regional election
8. Party nomination paper: name of registered political party
9. Consent to nomination

10. Deposit
11. Place for delivery of nomination papers
12. Right to attend nomination
13. Decisions as to validity of individual nomination papers
14. Decisions as to validity of party nomination papers and as to the validity of nominations included on a party list
15. Withdrawal of candidates
16. Constituency election: publication of statement of persons nominated
17. Regional election: publication of statement of persons nominated and registered political parties which have submitted a party list
18. Disqualification by Representation of the People Act 1981
19. Adjournment of nomination proceedings in the case of riot
20. Method of election at a constituency election
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PART III — CONTESTED ELECTIONS

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23. The ballot paper at a constituency election
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25. Colour of ballot papers at an ordinary election
26. The official mark
27. Prohibition of disclosure of vote
28. Use of schools and public rooms

ACTION TO BE TAKEN BEFORE THE POLL

29. Notice of poll
30. Postal ballot papers
31. Provision of polling stations
32. Appointment of presiding officers and clerks
33. Issue of official poll cards
34. Equipment of polling stations
35. Appointment of polling and counting agents
36. Notification of requirement of secrecy

THE POLL

37. Admission to polling station
38. Keeping of order in the polling station
39. Sealing of ballot boxes
40. Questions to be put to voters
41. Challenge of voter
42. Voting procedure
43. Votes marked by presiding officer
44. Voting by blind persons
45. Tendered ballot papers
46. Spoilt ballot papers
47. Adjournment of poll in case of riot
48. Procedure on close of poll

COUNTING OF VOTES

49. Time of, and attendance at, counting of votes

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50. The count
51. Re-count at a constituency election
52. Re-count of electoral region votes in an Assembly constituency
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55. Equality of votes at a constituency election
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PART IV — FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

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59. Declaration of results at a regional election
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PART V — DISPOSAL OF DOCUMENTS

61. Sealing up of ballot papers
62. Delivery of documents to the Assembly
63. Order for production of documents
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65. Countermand or abandonment of poll etc. on death of candidate

PART VII — MISCELLANEOUS

66. Vacancies: Assembly constituency seats
67. Vacancies: return of electoral region members
68. Return of Assembly members and record of returns etc.
69. Registered political parties
70. Party's registered nominating officer: discharge of functions

APPENDIX OF —
FORMS

- Form of individual nomination paper: constituency election
- Form of certificate referred to in paragraph 5(1)
- Form of individual nomination paper: regional election
- Form of party nomination paper: regional election
- Form of certificate referred to in paragraph 8(1)
- Form of ballot paper: constituency election
- Directions as to printing the ballot paper: constituency election
- Form of ballot paper: regional election

Directions as to printing
the ballot paper:
regional election
Form of elector's
pollcard referred to in
paragraph 33(4)
Form of elector's
pollcard referred to in
paragraph 33(5)
Form of proxy's
pollcard referred to in
paragraph 33(6)
Form of proxy's
pollcard referred to in
paragraph 33(7)
Form of directions for
the guidance of voters
in voting referred to in
paragraph 34(5)
Form of directions for
the guidance of voters
in voting referred to in
paragraph 34(6) and (7)
Form of declaration
to be made by the
companion of a blind
voter
Form of certificate
referred to in paragraph
57(4)(a)
Form of certificate
referred to in paragraph
59(4)(a)
Form of certificate
referred to in paragraph
67(10)(a)
Form of certificate
referred to in paragraph
67(11)(b)

SCHEDULE 6 — RETURNS AND DECLARATIONS AS TO ELECTION
EXPENSES

- **Form of return referred to in article 42(4)**
- **Form of declaration referred to in article 42(4)**
- **Form of return referred to in article 45(2)**
- **Form of declaration referred to in article 45(2)**
- **Form of return referred to in article 54(1)**
- **Form of return referred to in article 55(1)**
- **Form of declarations referred to in article 56(1), (2) and (5)**
- **Form of declaration referred to in article 57(1)**
- **Form of declarations referred to in article 57(2)**

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SCHEDULE 7 — USE FOR ASSEMBLY ELECTION MEETINGS OF ROOMS IN SCHOOL PREMISES AND OF MEETING ROOMS

1. Use of rooms in school premises
2. Lists of rooms in school premises
3. Lists of meeting rooms
4. Lists to be kept by registration officer etc.
5. Inspection etc. of lists

SCHEDULE 8 — MODIFICATION OF ELECTION PETITION RULES 1960

1. Assembly election petition: modification of the Election Petition Rules 1960
2. Rule 2(2) of the 1960 Rules (definitions)
3. Rule 2(3) of the 1960 Rules (prescribed officer)
4. Rule 4(1) of the 1960 Rules (form of petition)
5. Rule 9(3) of the 1960 Rules (display etc. of notice of time and place of trial)
6. Rule 10(1) of the 1960 Rules (identifying votes at issue)
7. References to “election” in the 1960 Rules
8. Form of election petition in the 1960 Rules

Explanatory Note