

SCHEDULE 5

Article 15(1)

CONDUCT OF ASSEMBLY ELECTIONS AND RETURN OF ASSEMBLY MEMBERS

ARRANGEMENT OF PARAGRAPHS

PART I

provisions as to time

1. Timetable.
2. Computation of time.

PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

NOTICE OF ELECTION

3. Notice of election: constituency election and regional election.

NOMINATION

4. Nomination of candidates at a constituency election.
5. Nomination paper: name of registered political party.
6. Nomination of individual candidates at a regional election.
7. Nomination of party list candidates at a regional election.
8. Party nomination paper: 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 case of riot.
20. Method of election at a constituency election.
21. Method of election at a regional election.

PART III

CONTESTED ELECTIONS

GENERAL PROVISIONS

22. Poll to be taken by ballot.
23. The ballot paper at a constituency election.
24. The ballot paper at a regional 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.
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.
50. The count.
51. Re-count at a constituency election.
52. Re-count of electoral region votes in an Assembly constituency.
53. Rejected ballot papers.
54. Decisions on ballot papers.
55. Equality of votes at a constituency election.
56. Regional elections: conveying results of count etc. to regional returning officer.

PART IV

final proceedings in contested and uncontested elections

57. Declaration of result at a constituency election.
58. Ascertainment of results at a contested regional election.
59. Declaration of results at a regional election.
60. Return or forfeiture of deposit.

PART V

disposal of documents

61. Sealing up of ballot papers.
62. Delivery of documents to the Assembly.
63. Order for production of documents.

64. Retention and public inspection of documents.

PART VI

death of candidate

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 poll card referred to in paragraph 33(4).
Form of elector's poll card referred to in paragraph 33(5).
Form of proxy's poll card referred to in paragraph 33(6).

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- Form of proxy’s poll card referred to in paragraph 33(7).
- Form of directions for guidance of the voters in voting referred to in paragraph 34(5).
- Form of directions for guidance of the 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).

Signature
 Explanatory Note

PART I

PROVISIONS AS TO TIME

Timetable

1.—(1) The proceedings at an Assembly election shall be conducted in accordance with the following Table—

<i>Proceeding</i>	<i>Time</i>
Publication of notice of election.	Not later than the twenty-fifth day before the day of election.
Delivery of nomination papers.	Between— <ul style="list-style-type: none"> (a) the hours of 10 in the morning and 4 in the afternoon after the date of publication of notice of election but before the nineteenth day before the day of election, and (b) the hours of 10 in the morning and noon on the nineteenth day before the day of election.

<i>Proceeding</i>	<i>Time</i>
The making of objections to nomination papers.	During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following, but— (a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery and, in the case of a nomination paper so delivered, no objection may be so made to the sufficiency or nature of the particulars of a candidate unless made at or immediately after the time of the delivery of the nomination paper, and (b) the foregoing provisions do not apply to objections made under paragraph 18(2).
Delivery of notices of withdrawal of candidature.	Not later than noon on the seventeenth day before the day of election.
Publication of statement of persons nominated.	Not later than noon on the sixteenth day before the day of election.
Polling.	Between the hours of 7 in the morning and 10 at night on the day of election.

(2) In the Table—

- (a) “nomination papers”, in the case of a regional election, refers to individual or party nomination papers, and
- (b) in the case of making an objection to a party nomination paper, making of an objection to a nomination paper refers to the making of an objection—
 - (i) to such a paper, or
 - (ii) to the nomination of any party list candidate or candidates in respect of such a paper.

Computation of time

2. In computing any period of time for the purposes of the Timetable—

- (a) a Saturday or a Sunday,
- (b) Christmas Eve, Christmas Day, Maundy Thursday or Good Friday,
- (c) a day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971(1), or
- (d) a day appointed for public thanksgiving or mourning,

shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll nor shall a constituency returning officer be obliged to proceed with the counting of votes on such a day.

(1) 1971 c. 80.

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PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

NOTICE OF ELECTION

Notice of election: constituency election and regional election

3.—(1) At a constituency election, the constituency returning officer shall publish notice of the election stating—

- (a) the place and times at which individual nomination papers are to be delivered,
- (b) that forms of individual nomination paper may be obtained at that place and at those times, and
- (c) the date of the poll in the event of a contest.

(2) At a regional election, the regional returning officer shall prepare a notice of election stating—

- (a) the place or places and times at which individual or party nomination papers are to be delivered,
- (b) that forms of individual or party nomination papers may be obtained at that place or those places and at those times, and
- (c) the date of the poll in the event of a contest;

and he shall deliver, or cause to be delivered, the notice to each constituency returning officer for an Assembly constituency in the Assembly electoral region.

(3) On receipt of a notice under sub-paragraph (2) a constituency returning officer shall publish it.

(4) A notice of election under sub-paragraph (1) or (2) shall state the date by which—

- (a) applications to vote by post or by proxy, and
- (b) other applications and notices about postal or proxy voting,

must reach the registration officer in order that they may be effective for the election.

NOMINATION

Nomination of candidates at a constituency election

4.—(1) Each candidate at a constituency election shall be nominated by a separate individual nomination paper, in the form set out in English and Welsh in the Appendix delivered—

- (a) by the candidate himself, or
- (b) where in respect of the candidate a certificate issued under paragraph 5(1) is also delivered, by the registered nominating officer of a registered political party,

to the constituency returning officer at the place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by article 32 or are so given at the time the paper is delivered.

(2) The individual nomination paper shall state the candidate's—

- (a) full names,
- (b) home address in full, and
- (c) if desired (and subject to paragraph 5(1)), description,

and the surname shall be placed first in the list of his names.

(3) The description, if any, shall not exceed six words in length, and need not refer to his rank, profession or calling so long as, with the candidate's other particulars, it is sufficient to identify him.

(4) Each nomination paper delivered under this paragraph shall be subscribed by one person who shall also (if he is not the candidate) set out his full name and address.

(5) The constituency returning officer shall supply any person upon request with a form of individual nomination paper at the place, and during the time, for delivery of nomination papers but it is not necessary for a nomination to be on a form supplied by the constituency returning officer.

Nomination paper: name of registered political party

5.—(1) At an Assembly election, an individual nomination paper may not include a description of a candidate which is likely to lead voters to associate the candidate with a registered political party unless, in the case of a constituency election, the description is authorised by a certificate in the form set out in English and Welsh in the Appendix—

- (a) issued by the party's registered nominating officer, and
- (b) received by the constituency returning officer at some time during the period for the delivery of nomination papers set out in the Table in paragraph 1(1).

(2) If it is proposed that the party's registered emblem (or as the case may be, one of the party's registered emblems) is to be shown on the ballot paper against the candidate's particulars, a certificate issued under sub-paragraph (1) shall request that it be so shown.

(3) A certificate issued under sub-paragraph (1) may be combined with an individual nomination paper delivered under paragraph 4(1).

(4) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised by virtue of paragraph 70, to issue a certificate under sub-paragraph (1) on behalf of a party's registered nominating officer.

Nomination of individual candidates at a regional election

6.—(1) Each individual candidate at a regional election shall be nominated by a separate individual nomination paper, in the form set out in English and Welsh in the Appendix delivered by the candidate himself to the regional returning officer at the place or a place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by article 32 or are so given at the time the paper is delivered.

(2) The individual nomination paper shall state the candidate's—

- (a) full names,
- (b) home address in full, and
- (c) if desired (and subject to paragraph 5(1)), description,

and the surname shall be placed first in the list of his names.

(3) The description, if any, shall not exceed six words in length, and need not refer to his rank, profession or calling so long as, with the candidate's other particulars, it is sufficient to identify him.

(4) Each nomination paper delivered under this paragraph shall be subscribed by one person who shall also (if he is not the candidate) set out his full name and address.

(5) The regional returning officer shall supply any person upon request with a form of individual nomination paper at the place or a place, and during the time, for delivery of individual or party nomination papers but it is not necessary for a nomination to be on a form supplied by the regional returning officer.

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Nomination of party list candidates at a regional election

7.—(1) Each group of party list candidates at a regional election shall be nominated by a separate party nomination paper in the form set out in English and Welsh in the Appendix delivered by the registered political party's registered nominating officer to the regional returning officer at the place or a place fixed for the purpose.

(2) Each party nomination paper shall include a description of the party (which shall not exceed six words in length).

(3) In respect of each candidate to be included on a party list, the party nomination paper shall state the candidate's—

- (a) full names, and
- (b) home address in full,

and the surname shall be placed first in the list of his names.

(4) The order in which those persons appear on the party nomination paper shall be the order in which they are included on the party's list.

(5) Subject to sub-paragraph (6), where a party nomination paper has been delivered in accordance with this paragraph, the registered political party shall be regarded as having submitted a party list under section 5 of the 1998 Act.

(6) But where in accordance with this Schedule a party nomination paper is held to be invalid or all the candidates included on the list otherwise cease to stand nominated, the party shall cease to be regarded as having submitted a party list under section 5 of that Act.

(7) Each nomination paper delivered under this paragraph shall be subscribed by one person who shall also (if he is not a candidate) set out his full name and address.

(8) The regional returning officer shall supply any person on request with a form of party nomination paper at the place or a place, and during the time, for delivery of individual or party nomination papers but it is not necessary for nominations included on a party list to be on a form supplied by the regional returning officer.

Party nomination paper: name of registered political party

8.—(1) The description required by paragraph 7(2) to be contained in a party nomination paper shall be authorised by a certificate in the form set out in English and Welsh in the Appendix issued by the registered nominating officer of the registered political party.

(2) If it is proposed that the party's registered emblem (or, as the case may be, one of the party's registered emblems) is to be shown on the ballot paper against the party's name the certificate issued under sub-paragraph (1) shall request that it be so shown.

(3) A certificate issued under sub-paragraph (1) shall be combined with the party nomination paper delivered under paragraph 7(1).

(4) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised by virtue of paragraph 70 to issue a certificate under sub-paragraph (1) on behalf of a party's registered nominating officer.

Consent to nomination

9.—(1) Subject to sub-paragraph (3), at a constituency election a person shall not be validly nominated unless his consent to nomination—

- (a) is given and dated in writing on, or within one month before, the day fixed as the last day for the delivery of nomination papers,
- (b) is attested by one witness, and

- (c) is delivered at the place, and within the time, for the delivery of nomination papers.
- (2) Subject to sub-paragraph (3), at a regional election a person shall not be validly nominated (whether as an individual or a party list candidate) unless his consent to nomination—
 - (a) is given and dated in writing on, or within one month before, the day fixed as the last day for the delivery of individual or party nomination papers,
 - (b) is attested by one witness, and
 - (c) is delivered at the place or a place, and within the time, for the delivery of individual or party nomination papers.
- (3) If the appropriate returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as mentioned above, a facsimile communication (or any similar means of communication) consenting to his nomination and purporting to have been sent by him shall be deemed for the purposes of this paragraph to be consent in writing by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.
- (4) A candidate's consent given under this paragraph—
 - (a) shall state the day, month and year of his birth, and
 - (b) shall state—
 - (i) that he is aware of the provisions of sections 12 to 15 of the 1998 Act (disqualification) and the National Assembly for Wales (Disqualification) Order 1999(2), and
 - (ii) that to the best of his knowledge and belief he is not disqualified for membership of the Assembly.
- (5) A candidate is required to give his consent under this paragraph notwithstanding that he has subscribed the nomination paper by virtue of which he is nominated.

Deposit

10.—(1) In relation to a candidate at a constituency election, a person shall not be validly nominated unless the sum of £500 is deposited by him, or on his behalf, with the constituency returning officer at the place and during the time for delivery of nomination papers.

- (2) In relation to candidates at a regional election—
 - (a) an individual candidate shall not be validly nominated unless the sum of £500 is deposited by him, or on his behalf, or
 - (b) a group or party list candidates shall not be validly nominated unless the sum of £500 is deposited by them, or on their behalf,

with the regional returning officer at the place or a place, and during the time, for delivery of individual or party nomination papers.

- (3) The deposit may be made either—
 - (a) by the deposit of any legal tender,
 - (b) by means of a banker's draft, or
 - (c) with the appropriate returning officer's consent, in any other manner,

but the appropriate returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.

(2) [S.I. 1999/449](#).

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(4) Where the deposit is made on behalf of a candidate at a constituency election or an individual candidate at a regional election, the person making the deposit shall at the time he makes it give his name and address to the appropriate returning officer unless that information has previously been given to him under article 32.

(5) Where the deposit is made on behalf of a group of party list candidates at a regional election the person making the deposit shall at the time he makes it—

- (a) if he is the registered political party's registered nominating officer, state that fact to the regional returning officer, or
- (b) if he is not the party's registered nominating officer, give his name and address to the regional returning officer unless that information has previously been given to him under article 32.

Place for delivery of nomination papers

11.—(1) In relation to a constituency election, the constituency returning officer shall fix the place at which individual nomination papers are to be delivered to him, and shall attend there during the time for their delivery and for making of objections to them.

(2) The place in relation to a constituency election shall be in—

- (a) the Assembly constituency, or
- (b) the registration area which includes the Assembly constituency.

(3) In relation to a regional election, the regional returning officer shall fix the place or places at which individual or party nomination papers are to be delivered to him, and he shall attend there during the time for their delivery and for making objections to them.

(4) A place in relation to a regional election shall be in the Assembly electoral region.

(5) For the purposes of sub-paragraph (2)(b) 'registration area' means the area of two or more Assembly constituencies which have the same registration officer.

Right to attend nomination

12.—(1) In relation to a constituency election, except for the purpose of delivering an individual nomination paper or of assisting the constituency returning officer, and subject to sub-paragraph (5), no person is entitled to attend the proceedings during the time for delivery of individual nomination papers or for making objections to them unless he is—

- (a) a person standing nominated as a candidate,
- (b) the election agent of such a person, or
- (c) the registered nominating officer of a registered political party that has delivered a certificate under paragraph 5(1) in respect of a candidate,

but where a candidate acts as his own election agent he may name one other person who shall be entitled to attend in place of his election agent.

(2) In relation to a regional election, except for the purpose of delivering an individual or party nomination paper or of assisting the regional returning officer, and subject to sub-paragraph (5), no person is entitled to attend the proceedings during the time for delivery of individual or party nomination papers or for making objections to them unless he is—

- (a) a person standing nominated as an individual or party list candidate,
- (b) the election agent of such a person, or
- (c) the registered nominating officer of a registered political party that has submitted a party list,

but where an individual candidate acts as his own election agent, or a party list candidate acts as election agent for a group of party list candidates, he may name one other person who shall be entitled to attend in place of his election agent.

(3) In the case of a constituency election, the right to attend conferred by this paragraph includes the right—

- (a) to inspect, and
- (b) to object to the validity of,

any individual nomination paper.

(4) In the case of a regional election, the right to attend conferred by this paragraph includes the right—

- (a) to inspect, and
- (b) to object to the validity of,

any individual or party nomination paper and, in the case of a party nomination paper, the right to object to the nomination of a party list candidate.

(5) A wife or husband of a candidate is entitled to be present at the delivery of the nomination paper by which that candidate is nominated, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in sub-paragraph (1) or (2), but without any such right as is conferred by sub-paragraph (3) or (4).

Decisions as to validity of individual nomination papers

13.—(1) At an Assembly election an individual candidate shall be deemed to stand nominated where an individual nomination paper by which he is nominated and his consent to nomination are delivered and a deposit is made in accordance with this Schedule; and such candidate shall be deemed to stand nominated unless and until—

- (a) the appropriate returning officer decides that the nomination paper is invalid,
- (b) proof is given to the appropriate returning officer's satisfaction of the candidate's death, or
- (c) the candidate withdraws.

(2) The appropriate returning officer is entitled to hold an individual nomination paper invalid only on one of the following grounds—

- (a) that the particulars of the candidate are not as required by law (including, at a constituency election, that an individual nomination paper breaches paragraph 5(1)),
- (b) that the paper is not subscribed as so required,
- (c) that the candidate is disqualified by the Representation of the People Act 1981(3) (as applied by the 1998 Act), and
- (d) in the case of an individual candidate at a regional election, that he falls within section 5(6) of the 1998 Act.

(3) Subject to sub-paragraph (4), the appropriate returning officer shall give his decision on any objection to an individual nomination paper as soon as practicable after it is made.

(4) If in the constituency returning officer's opinion an individual nomination paper breaches paragraph 5(1), he shall give a decision to that effect as soon as practicable after the close of the period for delivery of nomination papers set out in the Table in paragraph 1(1).

(5) Where the appropriate returning officer decides that an individual nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.

(3) 1981 c. 34.

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(6) The appropriate returning officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.

(7) Subject to sub-paragraph (6), nothing in this paragraph prevents the validity of a nomination being questioned on an election petition.

Decisions as to validity of party nomination papers and as to the validity of nominations included on a party list

14.—(1) At a regional election a party list candidate shall be deemed to stand nominated where a party nomination paper by which he is nominated and his consent to nomination are delivered and a deposit is made in accordance with this Schedule; and such candidate shall be deemed to stand nominated unless and until—

- (a) the regional returning officer decides that the nomination paper is invalid,
- (b) proof is given to the regional returning officer's satisfaction of the candidate's death, or
- (c) the candidate withdraws.

(2) The regional returning officer is entitled to hold a party nomination paper invalid only on one of the following grounds—

- (a) that it breaches paragraph 7(2),
- (b) that it breaches paragraph 8(1) or 8(3),
- (c) that it is not subscribed as so required,
- (d) that the party list includes more than twelve persons, or
- (e) each candidate included on the party list has ceased to stand nominated.

(3) Where, in respect of a party list candidate—

- (a) proof is given to the regional returning officer's satisfaction of his death, or
- (b) he withdraws,

he shall cease to stand nominated, or

- (i) his particulars are not as required by law,
- (ii) he is disqualified by the Representation of the People Act 1981 (as applied by the 1998 Act), or
- (iii) he falls within section 5(5) of the 1998 Act,

the regional returning officer is entitled to hold that the candidate shall cease to stand nominated.

(4) Where a candidate ceases to stand nominated by virtue of sub-paragraph (3) it shall not of itself prevent any other candidate included on the party list from continuing to stand nominated.

(5) Subject to sub-paragraph (6), the regional returning officer shall give his decision on any objection to a party nomination paper or to a party list candidate as soon as practicable after it is made.

(6) If in the regional returning officer's opinion a party nomination paper breaches paragraph 7(2), 8(1) or 8(3), he shall give a decision to that effect as soon as practicable after the close of the period for delivery of nomination papers set out in the Table in paragraph 1(1).

(7) Where the regional returning officer decides that—

- (a) a party nomination paper is invalid, or
- (b) a party list candidate shall cease to stand nominated,

he shall endorse and sign on the paper the fact and reasons for his decision.

(8) The regional returning officer's decision that—

- (a) a party nomination paper is valid, or

(b) a party list candidate shall continue to stand nominated, shall be final and shall not be questioned in any proceeding whatsoever.

(9) Subject to sub-paragraph (8), nothing in this paragraph prevents the validity of a nomination being questioned on an election petition.

Withdrawal of candidates

15.—(1) Subject to sub-paragraph (3), a candidate at a constituency election may withdraw his candidature by notice of withdrawal—

- (a) signed by him and attested by one witness, and
- (b) delivered to the constituency returning officer at the place for delivery of nomination papers.

(2) Subject to sub-paragraph (3), a candidate at a regional election may withdraw his candidature by notice of withdrawal—

- (a) signed by him and attested by one witness, and
- (b) delivered to the regional returning officer at the place or a place for delivery of individual or party nomination papers.

(3) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by a person and accompanied—

- (a) by a written declaration also so signed of the candidate's absence from the United Kingdom, and
- (b) by a written statement signed by the candidate that the person giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom,

shall be of the same effect as a notice of withdrawal signed by the candidate.

(4) At a regional election a registered political party may withdraw the candidature of any or all of a group of party list candidates for the party by notice of withdrawal—

- (a) signed by the party's registered nominating officer, and
- (b) delivered to the regional returning officer at the place or a place for the delivery of individual or party nomination papers.

Constituency election: publication of statement of persons nominated

16.—(1) At a constituency election the constituency returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their individual nomination papers.

(3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames and, if there are two or more of them with the same surname, of their other names.

(4) In the case of a person nominated by more than one individual nomination paper, the constituency returning officer shall take the particulars required by the foregoing provisions of this paragraph from such one of the papers as the candidate (or the returning officer in default of the candidate) may select.

Regional election: publication of statement of persons nominated and registered political parties which have submitted a party list

17.—(1) At a regional election the regional returning officer shall prepare a statement showing—

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- (a) the persons who have been and stand nominated as individual candidates and any other persons who have been so nominated, with the reason why they no longer stand nominated, and
- (b) the registered political parties which have submitted a party list and, in respect of such parties, the persons who have been and stand nominated and any other persons who have been nominated with the reason why they are no longer nominated,

and he shall deliver, or cause to be delivered the statement to each constituency returning officer for an Assembly constituency in the Assembly electoral region.

(2) On receipt of a statement under sub-paragraph (1) a constituency returning officer shall publish it.

(3) The statement shall show—

- (a) in respect of individual candidates, the names, addresses and descriptions of the persons nominated as given in their individual nomination papers, and
- (b) in respect of the registered political parties who have submitted a party list, the names of those parties together with, in respect each such party—
 - (i) the description referred to in paragraph 7(2), and
 - (ii) the names and addresses of the persons nominated as given in their party nomination papers.

(4) The statement shall show—

- (a) the individual candidates standing nominated arranged together alphabetically, and
- (b) the registered political parties which have submitted a party list arranged together alphabetically together with (in respect of each such party) the candidates standing nominated arranged in the order that they appear on the party list.

(5) The arrangement of registered political parties referred to in sub-paragraph (4)(b) is to be shown in the statement before the arrangement of individual candidates referred to in sub-paragraph (4)(a) is so shown.

(6) For the purposes of sub-paragraph (4)(a) alphabetical order is to be determined by reference to the surnames of the individual candidates and, if there are two or more of them with the same surname, of their other names.

(7) For the purposes of sub-paragraph (4)(b)—

- (a) a registered political party is to be shown in the statement by reference to the description referred to in paragraph 7(2) in respect of the party, and
- (b) alphabetical order is to be determined by disregarding the definite or indefinite article and, where there are two or more words in the description (having disregarded the definite or indefinite article), by reference to the first of those words and, if there are two or more parties with the same first word in the description, of the other words in the description.

(8) In the case of a person nominated by more than one individual nomination paper, the regional returning officer shall take the particulars required by the foregoing provisions of this paragraph from such one of the papers as the candidate (or the returning officer in default of the candidate) may select.

(9) In the case of a registered political party which has delivered more than one party nomination paper (and where candidates stand nominated by more than one of those papers), the regional returning officer shall take the particulars required by the foregoing provisions of this paragraph from such one of the papers as the registered nominating officer of the party may select; and if any candidate is shown standing nominated by a paper not so selected but is not so shown in the selected paper he shall no longer stand nominated.

(10) Other than in paragraph 18 the statement required by this paragraph is referred to in this Order as a statement of persons nominated.

Disqualification by Representation of the People Act 1981

18.—(1) In relation to an Assembly election, if it appears to the appropriate returning officer that any of the persons nominated might be disqualified by the Representation of the People Act 1981 (as applied by the 1998 Act) he shall, as soon as practicable after the expiry of the time allowed for the delivery of—

- (a) nomination papers, in the case of a constituency election, or
- (b) individual or party nomination papers, in the case of a regional election,

prepare and publish a draft of the statement required by paragraph 16 or 17.

(2) The draft shall be headed—

- (a) in the case of a constituency election—

“Draft statement of persons nominated

Datganiad drafft o'r personau a enwebwyd, or”

- (b) in the case of a regional election—

“Draft statement of persons nominated and registered political parties which have submitted a party list

Datganiad drafft o'r personau a enwebwyd a'r pleidiau gwleidyddol cofrestredig sydd wedi cyflwyno rhestr blaid.”

and shall contain a notice stating that any person who wishes to object to the nomination of any candidate on the ground that he is disqualified for nomination under the Representation of the People Act 1981 (as applied by the 1998 Act) may do so between the hours of 10 in the morning and 4 in the afternoon on the day and at the place specified in the notice; and the day so specified shall be the day next after the last day for the delivery of individual or party nomination papers.

Adjournment of nomination proceedings in the case of riot

19.—(1) Where, at an Assembly election, the proceedings for, or in connection with, nomination are on any day interrupted or obstructed by riot or open violence—

- (a) the proceedings shall be abandoned for that day, and
- (b) if that day is the last day for the delivery of—
 - (i) nomination papers, in the case of a constituency election, or
 - (ii) individual or party nomination papers, in the case of a regional election,

the proceedings shall be continued on the next day as if that were the last day of such delivery, and that day shall be treated for the purposes of this Schedule as being the last day for such delivery (subject to any further application of this paragraph in the event of interruption or obstruction on that day).

(2) Where proceedings are abandoned by virtue of this paragraph nothing—

- (a) may be done after they are continued if the time for doing it had passed at the time of the abandonment, or
- (b) done before the abandonment shall be invalidated by reason of the abandonment.

Method of election at a constituency election

20. At a constituency election—

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- (a) if the statement of persons nominated shows more than one person standing nominated, a poll shall be taken in accordance with Part III of this Schedule, or
- (b) if the statement of persons nominated shows only one person standing nominated, that person shall be declared to be elected in accordance with Part IV of this Schedule.

Method of election at a regional election

21.—(1) If the statement of persons standing nominated at a regional election shows more persons standing nominated than the number of seats for that Assembly electoral region—

- (a) a poll shall be taken in accordance with Part III of this Schedule, or
- (b) where each person is included on the same party list (subject to sub-paragraph (4) in the case of an ordinary election), those persons shall be declared to be elected in accordance with Part IV of this Schedule in the order that they are included on that list (starting with the highest) up to the number of seats for the Assembly electoral region.

(2) But if the statement of persons standing nominated shows the same number of persons standing nominated as, or fewer such persons than, the number of seats for the Assembly electoral region (subject to sub-paragraph (4) in the case of an ordinary election), those persons standing nominated shall be declared to be elected in accordance with Part IV of this Schedule.

(3) Sub-paragraph (1)(b) or, as the case may be, (2) shall also apply where notice of poll at a regional election is countermanded or the poll is abandoned under paragraph 65(5) (election becomes uncontested through death of candidate).

(4) No person at an ordinary election shall be declared to be elected in the circumstances described in sub-paragraph (1)(b) or (2) until the regional returning officer has—

- (a) received from each constituency returning officer for an Assembly constituency in the Assembly electoral region the notification required by paragraph 57(3) (unless in any case a poll at a constituency election has been postponed under paragraph 65(1)), and
- (b) disregarded any party list candidate who has been returned as a member for an Assembly constituency in the Assembly electoral region.

PART III

CONTESTED ELECTIONS

GENERAL PROVISIONS

Poll to be taken by ballot

22.—(1) At a constituency election the votes at the poll shall be given by ballot and the result shall be ascertained, after counting the votes given to each candidate, in accordance with section 4(4) of the 1998 Act; and the candidate to whom the majority of votes has been given shall be declared to have been elected.

(2) At a regional election the votes at the poll shall be given by ballot and the results shall be ascertained, after counting the votes given to each individual candidate or registered political party, in accordance with sections 4(5) and (6) and 5 to 7 of the 1998 Act; and the candidates who, in accordance with those provisions, are returned as Assembly members shall be declared to have been elected.

The ballot paper at a constituency election

23.—(1) At a constituency election, the ballot of every voter shall consist of a ballot paper.

(2) The persons shown in the statement of persons nominated as standing nominated, and no others, shall be entitled to have their names inserted in the ballot paper.

(3) Every ballot paper shall be in the form in the Appendix, and shall be printed in accordance with the directions in that Appendix and—

- (a) shall contain the names and other particulars of the candidates shown in the statement of persons nominated,
- (b) shall be capable of being folded up,
- (c) shall have a number printed on the back, and
- (d) shall have attached a counterfoil with the same number printed on it.

(4) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.

(5) If a certificate received by the constituency returning officer under paragraph 5(1) has requested that the registered political party's registered emblem (or, as the case may be, one of the party's registered emblems) is to be shown on the ballot paper against the candidate's particulars, the ballot paper shall contain that emblem in that way.

The ballot paper at a regional election

24.—(1) At a regional election, the ballot of every voter shall consist of a ballot paper.

(2) The following, namely—

- (a) persons shown in the statement of persons nominated as standing nominated (whether as individual or party list candidates), and no others, shall be entitled to have their names, and
- (b) the registered political parties which have submitted a party list shown in the statement of persons nominated, and no others, shall be entitled to have their descriptions referred to in paragraph 7(2),

inserted in the ballot paper.

(3) Every ballot paper shall be in the form in the Appendix, and shall be printed in accordance with the directions in that Appendix, and—

- (a) shall contain the names and descriptions of the individual candidates shown in the statement of persons nominated,
- (b) shall contain the descriptions of the registered political parties referred to in sub-paragraph (2)(b) together with the names of the candidates included on those parties' lists,
- (c) shall be capable of being folded up,
- (d) shall have a number printed on the back (together with a mark or other distinguishing feature by which the Assembly constituency can be identified in which the vote is to be given in relation to the ballot paper), and
- (e) shall have attached a counterfoil with the same number printed on it.

(4) The order—

- (a) of names of the individual candidates, and
- (b) of the descriptions referred to in sub-paragraph (2)(b) (together with, in respect of each such description of a registered political party, the names of the party list candidates),

in the ballot paper shall be the same order as in the statement of persons nominated.

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(5) If a certificate received by the regional returning officer under paragraph 8(1) has requested that the registered political party's registered emblem (or, as the case may be, one of the party's registered emblems) is to be shown on the ballot paper against the party's description, the ballot paper shall contain that emblem in that way.

Colour of ballot papers at an ordinary election

25. Where at an ordinary election, a voter is entitled to give two votes, the ballot paper for each vote shall be of a different colour.

The official mark

26.—(1) At an Assembly election every ballot paper shall be marked with an official mark, which shall perforate the ballot paper.

(2) The official mark shall be kept secret, and an interval of not less than seven years shall intervene between the use of the same official mark—

- (a) at elections for the same Assembly constituency, or
- (b) in relation to the same Assembly constituency, at elections in the same Assembly electoral region.

(3) At—

- (a) a constituency election, or
- (b) a regional election, in relation to an Assembly constituency within the Assembly electoral region,

the official mark used for ballot papers issued for the purpose of voting by post shall not be used at the same election for ballot papers issued for the purpose of voting in person.

(4) At a regional election a different official mark may be used in Assembly constituencies in an Assembly electoral region (but only one such mark may be used in an Assembly constituency at a regional election).

(5) At an ordinary election the same official mark may be used at a constituency election and a regional election (in relation to regional votes given in the same Assembly constituency).

Prohibition of disclosure of vote

27. No person who has voted at an Assembly election shall, in any legal proceeding to question the election or return, be required to state how he voted.

Use of schools and public rooms

28.—(1) At an Assembly election the constituency returning officer may use, free of charge, for the purpose of taking the poll—

- (a) a room in a school to which this paragraph applies, or
- (b) a room the expense of maintaining which is payable wholly or mainly out of public funds.

(2) This paragraph applies to a school maintained or assisted by a local education authority, or a school in respect of which grants are made out of money provided by the Assembly or by Parliament to the person or body of persons responsible for the management of the school.

(3) The constituency returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll.

(4) Sub-paragraph (2) shall have effect as if it included a reference to a grant-maintained school.

ACTION TO BE TAKEN BEFORE THE POLL

Notice of poll

29.—(1) At an Assembly election, the appropriate returning officer shall in the statement of persons nominated include a notice of the poll, stating the day on which and the hours during which the poll will be taken.

(2) In the case of a constituency election, the constituency returning officer shall also prepare and publish a notice (which may be combined with the statement of persons nominated) setting out—

- (a) the situation of each polling station, and
- (b) the description of voters entitled to vote there,

and he shall as soon as practicable after giving such notice give a copy of it to each of the election agents.

(3) In the case of a regional election, the constituency returning officer for each Assembly constituency in the Assembly electoral region shall prepare and publish a notice (which may be combined with the statement of persons nominated) setting out—

- (a) the situation of each polling station in the Assembly constituency for which he is returning officer, and
- (b) the description of voters entitled to vote there,

and he shall as soon as practicable after publishing such notice—

- (i) give a copy of it to each of the election agents, and
- (ii) deliver, or cause to be delivered, a copy of it to the regional returning officer.

(4) At an ordinary election the notice prepared by a constituency returning officer under sub-paragraphs (2) and (3) may be combined.

Postal ballot papers

30.—(1) Subject to sub-paragraph (2), at an Assembly election the constituency returning officer shall as soon as practicable send to those entitled to vote by post, at the address shown in the absent voters list or the list kept under article 12(9) (list of postal proxies), a ballot paper and a declaration of identity in the appropriate form set out in the Appendix to Schedule 3, together with an envelope for their return.

(2) In the case of a person who at an ordinary election is entitled to give two votes by post the provisions of sub-paragraph (1) shall apply save that “a ballot paper” shall be construed as a reference to both ballot papers.

Provision of polling stations

31.—(1) At an Assembly election the constituency returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this paragraph, shall allot the electors to the polling stations in such manner as he thinks most convenient.

(2) One or more polling stations may be provided in the same room.

(3) The polling station allotted to electors from any polling district shall be in the polling place for that district.

(4) The constituency returning officer shall provide each polling station with such number of compartments as may be necessary for an Assembly election in which the voters can mark their votes screened from observation.

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Appointment of presiding officers and clerks

32.—(1) At an Assembly election the constituency returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed—

- (a) by, or on behalf of, an individual or party list candidate, or
- (b) by a registered political party,

in or about the election.

(2) At a regional election the regional returning officer shall appoint and pay such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed in the circumstances described in sub-paragraph (1)(a) or (b).

(3) The constituency returning officer may, if he thinks fit, preside at a polling station and the provisions of this Schedule relating to a presiding officer shall apply to a constituency returning officer so presiding with the necessary modifications as to things to be done by the constituency returning officer to the presiding officer or by the presiding officer to the constituency returning officer.

(4) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by this Schedule to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

Issue of official poll cards

33.—(1) At—

- (a) an ordinary election where an elector is entitled to give two votes, or
- (b) an Assembly election (other than one at an ordinary election where paragraph (a) applies),

the constituency returning officer shall as soon as practicable send to electors and their proxies an official poll card, but a card need not be sent to any person—

- (i) as an elector if he is placed on the absent voters list for the ordinary or Assembly election, or
- (ii) as a proxy if he is entitled to vote by post as proxy at such election.

(2) An elector's official poll card shall be sent or be delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.

(3) The official poll card shall set out—

- (a) the name of the Assembly constituency or electoral region for which the election is to be held, or, in the case of an ordinary election where there are contested elections for an Assembly constituency and electoral region, both such areas,
- (b) the elector's name, qualifying address and number on the register,
- (c) the date and hours of the poll and the situation of the elector's polling station, and
- (d) such other information, not relating to any candidate or registered political party, as the constituency returning officer considers appropriate.

(4) At an ordinary election where an elector is entitled to give two votes, the official poll card issued to an elector shall be in the form set out in English and Welsh in the Appendix.

(5) At an Assembly election where sub-paragraph (4) does not apply, the official poll card issued to an elector shall be in the form set out in English and Welsh in the Appendix.

(6) At an ordinary election where an elector is entitled to give two votes, the official poll card issued to the proxy of an elector shall be in the form set out in English and Welsh in the Appendix.

(7) At an Assembly election where sub-paragraph (6) does not apply, the official poll card issued to the proxy of an elector shall be in the form set out in English and Welsh in the Appendix.

(8) In this paragraph—

“elector” means a person—

(a) who is registered as a local government elector—

(i) in relation to a constituency election, in the Assembly constituency in a register to be used at the election, or

(ii) in relation to a regional election, in the Assembly electoral region in a register to be used at the election, or

(b) who, pending the publication of a register mentioned in paragraph (a)(i) or (ii), appears from the electors lists for that register as corrected by the registration officer to be entitled to be so registered,

and accordingly includes a person shown in the register or electors lists as below voting age if it appears from it that he will be of voting age on the day fixed for the poll, but not otherwise, and

“electoral number” means—

(i) a person’s number in that register, or

(ii) pending the publication of the register, his number (if any) in the electors lists for that register.

Equipment of polling stations

34.—(1) At an Assembly election the constituency returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the constituency returning officer’s opinion may be necessary.

(2) Where at an ordinary election electors are entitled to give two votes the same ballot box shall be used for the receipt of ballot papers in respect of votes given at each election.

(3) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being opened.

(4) The constituency returning officer shall provide each polling station with—

(a) materials to enable voters to mark the ballot papers,

(b) instruments for stamping on them the official mark,

(c) copies of the register of electors or such part of it as contains the names of electors allotted to the station, and

(d) the parts of any special lists prepared for the election corresponding to the register of electors or the part of it provided under paragraph (c).

(5) At an ordinary election where there are contested elections for an Assembly constituency and for the Assembly electoral region in which the constituency is situated, the notice in the form set out in English and Welsh in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.

(6) Where there is a contested election for an Assembly constituency but there is no such election for the Assembly electoral region in which the constituency is situated, the notice in the form set out in English and Welsh in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.

(7) Where there is a contested election for an Assembly electoral region but there is no such election for an Assembly constituency in the Assembly electoral region, the notice in the form set out in English and Welsh in the Appendix, giving directions for the guidance of the voters in voting,

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shall be printed in conspicuous characters and exhibited inside and outside every polling station in the Assembly constituency.

(8) Where there is a contested constituency election, in every compartment of every polling station there shall be exhibited the notice—

(a) in the case where votes are also given at the polling station in respect of a contested regional election—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”, or

(b) in any other case—

“Vote for one candidate only on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch dros un ymgeisydd yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”.

(9) Where there is a contested regional election, in every compartment of every polling station there shall be exhibited the notice—

(a) in the case where votes are also given at the polling station in respect of a contested constituency election—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”, or

(b) in any other case—

“Vote once only on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch unwaith yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”.

(10) At an Assembly election the statement of persons nominated shall be printed in conspicuous characters and exhibited inside and outside every polling station.

Appointment of polling and counting agents

35.—(1) Subject to sub-paragraph (2), at a constituency election each candidate may, before the commencement of the poll, appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation, and
- (b) counting agents to attend at the counting of the votes.

(2) In the case of a constituency election, the constituency returning officer may limit the number of counting agents, so that—

- (a) the number shall be the same in the case of each candidate, and

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- (b) the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.
- (3) Subject to sub-paragraph (4), at a regional election each—
 - (a) individual candidate, and
 - (b) election agent for a group of party list candidates,may, before the commencement of the poll, in relation to each Assembly constituency in the Assembly electoral region, appoint—
 - (i) polling agents to attend at polling stations for the purpose of detecting personation, and
 - (ii) counting agents to attend at the counting of the votes.
- (4) In the case of a regional election the constituency returning officer may, in relation to the Assembly constituency for which he is the returning officer, limit the number of counting agents, so that—
 - (a) the number shall be the same in the case of each individual candidate or election agent for a group of party list candidates, and
 - (b) the number allowed to an individual candidate or election agent shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the total of the number of individual candidates and registered political parties which have submitted to a party list.
- (5) Notice in writing of an appointment under sub-paragraph (1) or (3), stating the names and addresses of the persons appointed, shall be given by the person making the appointment to the constituency returning officer and shall be so given not later than the second day (computed like any period of time set out in the Table in paragraph 1(1)) before the day of the poll.
- (6) If an agent dies, the person who appointed him may appoint another agent in his place, and shall forthwith give to the constituency returning officer notice in writing of the name and address of the agent appointed.
- (7) The foregoing provisions of this paragraph shall be without prejudice to the requirements of article 36(1) as to the appointment of paid polling agents, and any appointment authorised by this paragraph to be made by a candidate may be made and the notice of appointment given to the constituency returning officer by the election agent instead.
- (8) In the following provisions of this Schedule references to polling and counting agents shall be taken as references to agents—
 - (a) whose appointments have been duly made and notified, and
 - (b) where the number of agents is restricted, who are within the permitted number.
- (9) Any notice required to be given to a counting agent by the constituency returning officer may be delivered at or sent by post to the address stated in the notice of appointment.
- (10) Any candidate may himself do any act or thing which any polling or counting agent, if appointed by him or on his behalf, would have been authorised to do, or may assist such agent in doing any such act or thing.
- (11) An election agent for an individual candidate or a group of party list candidates may do or assist in doing anything which a polling or counting agent of the candidate or candidates is authorised to do; and anything required or authorised by this Schedule to be done in the presence of the polling or counting agents may be done in the presence of such an election agent instead of such polling or counting agents.
- (12) Where by this Schedule any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent at the time and place

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appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

36. At an Assembly election the constituency returning officer shall make such arrangements as he thinks fit to ensure that—

- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a blind voter to vote or as a constable on duty there) has been given a copy in writing of the provisions of article 31(1), (3) and (6), and
- (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of article 31(2) and (6).

THE POLL

Admission to polling station

37.—(1) At an Assembly election the presiding officer shall regulate the number of voters to be admitted to the polling station at the same time, and (subject to sub-paragraphs (2) and (3)) shall exclude all other persons except—

- (a) the candidates and their election agents,
- (b) the polling agents appointed to attend at the polling station,
- (c) the clerks appointed to attend at the polling station,
- (d) the constables on duty,
- (e) the companions of blind voters,
- (f) in the case of a constituency election, the constituency returning officer, and
- (g) in the case of a regional election, the regional returning officer or the constituency returning officer for the Assembly constituency in which the polling station is situated.

(2) At a regional election not more than one party list candidate shall be admitted at the same time to a polling station on behalf of the same group of party list candidates.

(3) At an Assembly election not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same individual candidate or, at a regional election, on behalf of the same group of party list candidates.

(4) A constable or person employed by a constituency or regional returning officer shall not be admitted to vote in person elsewhere than at his own polling station under the relevant provision of this Order, except on production and surrender of a certificate as to his employment, which shall be in the form set out in the Appendix to Schedule 2 and signed by an officer of police of the rank of inspector or above or by the returning officer, as the case may be.

(5) Any certificate surrendered under this paragraph shall forthwith be cancelled.

Keeping of order in the polling station

38.—(1) It is the presiding officer's duty at an Assembly election to keep order at his polling station.

(2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—

- (a) by a constable in or near that station, or

- (b) by any other person authorised in writing by the constituency returning officer to remove him,

and the person so removed shall not, without the presiding officer's permission, again enter the polling station during the day.

(3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this paragraph shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

39. At an Assembly election, immediately before the commencement of the poll, the presiding officer shall—

- (a) show each ballot box proposed to be used for the purposes of the poll empty to such persons, if any, as are present in the polling station, so that they may see that each box is empty,
- (b) place his seal on it in such a manner as to prevent it being opened without breaking the seal,
- (c) place each box in his view for the receipt of ballot papers, and
- (d) keep it so sealed.

Questions to be put to voters

40.—(1) In the case of a person applying as an elector at an Assembly election, the presiding officer may and, if required by a candidate or his election or polling agent, shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, the following questions, or either of them—

- (a) in the case of the questions (or one of them) being asked in English—
 - (i) “Are you the person registered in the register of local government electors for this election as follows?” (*Read the whole entry from the register*),
 - (ii) “Have you already voted, here or elsewhere, at this election otherwise than as proxy for some other person?”, or
- (b) in the case of the questions (or one of them) being asked in Welsh—
 - (i) “Ai chi yw'r person a gofrestrwyd yn y gofrestr etholwyr llywodraeth leol ar gyfer yr etholiad hwn fel hyn?”. (*Darllenwch y cofnod llawn yn y gofrestr*),
 - (ii) “A ydych eisoes wedi pleidleisio, yma neu rywle arall, yn yr etholiad hwn, heblaw fel dirprwy ar ran rhyw berson arall?”.

(2) Where at an ordinary election a voter is entitled to give two votes at the polling station and, where the presiding officer has asked both or either of the questions set out in sub-paragraph (1), he may then ask the following question—

- (a) in the case of the question being asked in English—

“Have you already cast a constituency vote and an electoral region vote at this election, here or elsewhere, otherwise than as proxy for some other person?”, or
- (b) in the case of the question being asked in Welsh—

“A ydych eisoes wedi bwrw pleidlais etholaeth a phleidlais rhanbarth etholiadol yn yr etholiad hwn, yma neu rywle arall, heblaw fel dirprwy ar ran rhyw berson arall?”.

(3) In the case of an elector applying to vote as proxy at an Assembly election, the presiding officer may and, if required by a candidate or his election or polling agent, shall, put to any person

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applying for a ballot paper at the time of his application, but not afterwards, the following questions, or either of them—

- (a) in the case of the questions (or one of the questions) being asked in English—
 - (i) “Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?”,
 - (ii) “Have you already voted here or elsewhere at this election as proxy on behalf of C.D.?”,
- (b) in the case of the questions (or one of the questions) being asked in Welsh—
 - (i) “Ai chi yw'r person y gwelir ei enw fel A.B. yn y rhestr ddirprwyon ar gyfer yr etholiad hwn, fel un sydd â hawl i bleidleisio fel dirprwy ar ran C.D.?”,
 - (ii) “A ydych eisoes wedi pleidleisio, yma neu rywle arall yn yr etholiad hwn fel dirprwy ar ran C.D.?”.

(4) Where at an ordinary election a voter is entitled to give two votes at the polling station and, where the presiding officer has asked both or either of the questions set out in sub-paragraph (3), he may then ask the following question—

- (a) in the case of the question being asked in English—

“Have you already cast a constituency vote and an electoral region vote at this election, here or elsewhere, on behalf of C.D.?”,
- (b) in the case of the question being asked in Welsh—

“A ydych eisoes wedi bwrw pleidlais etholaeth a phleidlais rhanbarth etholiadol yn yr etholiad hwn, yma neu rywle arall, ar ran C.D.?”.

(5) In the case of a person applying as proxy, the presiding officer may and, if required as mentioned above, shall put the following additional question—

- (a) in the case of the question being asked in English—

“Are you the husband [wife], parent, grandparent, brother [sister], child or grandchild of C.D.?”,
- (b) in the case of the question being asked in Welsh—

“Ai chi yw gŵr [gwraig], rhiant, tad-cu (taid) [mam-gu (nain)], brawd [chwaer], plentyn, neu ŵyr [wyres] C.D.?”.

(6) If the question set out in sub-paragraph (5) is not answered in the affirmative the presiding officer may and, if required as mentioned above, shall put the following additional question—

- (a) in the case of the question being asked in English—

“Have you already voted in this [Assembly constituency] [*and in the case of an ordinary election* or in any other Assembly constituency within this Assembly electoral region and in this] [Assembly electoral region] at this election on behalf of two persons of whom you are not the husband [wife], parent, grandparent, brother [sister], child or grandchild?”,
- (b) in the case of the question being asked in Welsh—

“A ydych eisoes wedi pleidleisio, yn [yr etholaeth Gynulliad hon] [*ac yn achos etholiad cyffredin* neu mewn unrhyw etholaeth Gynulliad arall o fewn y rhanbarth etholiadol Cynulliad hwn ac yn] [y rhanbarth etholiadol Cynulliad hwn] yn yr etholiad hwn ar ran dau berson nad ydych yn ŵr [wraig], rhiant, tad-cu (taid) [mam-gu (nain)], brawd [chwaer], plentyn neu ŵyr [wyres] iddynt?”.

(7) A ballot paper shall not be delivered to any person required to answer the above questions or any of them unless he has answered the questions or question satisfactorily.

(8) Save as by this paragraph authorised, no inquiry shall be permitted as to the right of any person to vote.

Challenge of voter

41.—(1) If at the time a person applies for a ballot paper at an Assembly election for the purpose of voting in person, or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate or his election or polling agent—

- (a) declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation, and
- (b) undertakes to substantiate the charge in a court of law,

the presiding officer may order a constable to arrest the applicant, and the order of the presiding officer shall be sufficient authority for the constable so to do.

(2) A person against whom a declaration is made under this paragraph shall not by reason of it be prevented from voting.

(3) A person arrested under the provisions of this paragraph shall be dealt with as a person taken into custody by a constable for an offence without a warrant.

Voting procedure

42.—(1) Subject to sub-paragraph (4), at an Assembly election a ballot paper shall be delivered to a voter who applies for one, and immediately before delivery—

- (a) the ballot paper shall be stamped with the official mark,
- (b) the number and name of the elector as stated in the copy of the register of electors shall be called out,
- (c) the number of the elector shall be marked on the counterfoil,
- (d) a mark shall be placed in the register of electors against the number of the elector to denote that a ballot paper has been received but without showing the particular ballot paper which has been received, and
- (e) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

(2) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper, so as to disclose the official mark, and put the ballot paper so folded up into the ballot box in the presiding officer's presence.

(3) The voter shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

(4) At an ordinary election the same copy of the register of electors may be used under sub-paragraph (1) for a constituency election and a regional election and one mark may be placed in that register under sub-paragraph (1)(d) or in the list of proxies under sub-paragraph (1)(e) to denote that a ballot paper has been received in respect of each election except that, where a ballot paper has been issued in respect of one election only, a different mark shall be placed in the register or, as the case may be, list so as to identify the election in respect of which the ballot paper was issued.

Votes marked by presiding officer

43.—(1) The presiding officer at an Assembly election on the application of a voter—

- (a) who is incapacitated by blindness or other physical cause from voting in a manner directed by this Schedule, or

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(b) who declares orally that he is unable to read, shall, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in a manner directed by the voter, and the ballot paper to be placed in the ballot box.

(2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this paragraph, and the reason why it is so marked, shall be entered on a list (in this Schedule called "the list of votes marked by the presiding officer").

(3) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

(4) At an ordinary election where voters are entitled to give two votes at the polling station, the same list of votes marked by the presiding officer may be used for the constituency and regional elections at which the voters are entitled to vote and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which the ballot paper was so marked.

Voting by blind persons

44.—(1) If a voter makes an application to the presiding officer at an Assembly election to be allowed on the ground of blindness to vote with the assistance of another person by whom he is accompanied (in this Schedule referred to as 'the companion'); the presiding officer shall require the voter to declare orally whether he is so incapacitated by his blindness as to be unable to vote without assistance.

(2) If the presiding officer—

- (a) is satisfied that the voter is so incapacitated, and
- (b) is also satisfied by a written declaration made by the companion (in this Schedule referred to as "the declaration made by the companion of a blind voter") that the companion—
 - (i) is a qualified person within the meaning of this paragraph, and
 - (ii) has not previously assisted more than one blind person to vote at the Assembly election,

the presiding officer shall grant the application, and then anything which is by this Schedule required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

(3) For the purposes of this paragraph, a person shall be qualified to assist a blind voter to vote, if that person is either—

- (a) a person who is entitled to vote as an elector at the Assembly election, or
- (b) the father, mother, brother, sister, husband, wife, son or daughter of the blind voter and has attained the age of 18 years.

(4) The name and number in the register of electors of every voter whose vote is given in accordance with this paragraph and the name and address of the companion shall be entered on a list (in this Schedule referred to as "the list of blind voters assisted by companions").

(5) For the purposes of sub-paragraph (4), in the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

(6) The declaration made by the companion—

- (a) shall be in the form set out in English and Welsh in the Appendix,
- (b) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

(7) No fee or other payment shall be charged in respect of the declaration.

(8) At an ordinary election where voters are entitled to give two votes at the polling station, the same list of blind voters assisted by companions may be used for the constituency and regional elections at which the voters are entitled to vote and, where it is so used, an entry in that list shall be taken to mean that the votes were so given in respect of each election, unless the list identifies the election at which a vote was so given.

Tendered ballot papers

- 45.—(1) If a person, at an Assembly election, representing himself to be—
- (a) a particular elector named on the register and not named in the absent voters list, or
 - (b) a particular person named in the list of proxies as proxy for an elector and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this paragraph, to mark a ballot paper (in this Schedule referred to as “a tendered ballot paper”) in the same manner as any other voter.

- (2) A tendered ballot paper shall—
- (a) be of a colour different from the other ballot papers, and
 - (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.

(3) The name of the voter and his number on the register of electors shall be entered on a list (in this Schedule referred to as the “tendered votes list”).

(4) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter’s name shall be the number of that elector.

(5) At an ordinary election where voters are entitled to give two votes at the polling station, the same tendered votes list for the constituency and regional elections at which the voters are entitled to vote may be used and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.

Spoilt ballot papers

46. A voter who has inadvertently dealt with his ballot paper at an Assembly election in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered (in this Schedule referred to as “a spoilt ballot paper”), and the spoilt ballot paper shall be immediately cancelled.

Adjournment of poll in case of riot

47.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and shall forthwith give notice—

- (a) in the case of an ordinary election where voters are entitled to give two votes at the polling station, to the constituency and to the regional returning officer, but otherwise
- (b) in the case of constituency election, to the constituency returning officer, or
- (c) in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the polling station is situated and to the regional returning officer.

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- (2) Where the poll is adjourned at any polling station—
 - (a) the hours of polling on the day to which it is adjourned shall be the same as for the original day, and
 - (b) references in this Order to the close of the poll shall be construed accordingly.

Procedure on close of poll

48.—(1) As soon as practicable after the close of the poll at an ordinary election where electors have been entitled to give two votes at the polling station, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened,
- (b) the unused and spoilt ballot papers placed together relating to the constituency election,
- (c) the unused and spoilt ballot papers placed together relating to the regional election,
- (d) the tendered ballot papers relating to the constituency election,
- (e) the tendered ballot papers relating to the regional election,
- (f) the marked copies of the register of electors and of the list of proxies,
- (g) the counterfoils of the used ballot papers relating to the constituency election,
- (h) the counterfoils of the used ballot papers relating to the regional election,
- (i) the certificates as to employment on duty on the day of the poll, and
- (j) the tendered votes list, the list of the blind voters assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “physical incapacity” and “unable to read”, and the declarations made by the companions of blind voters.

(2) Where sub-paragraph (1) does not apply at an Assembly election, as soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened,
- (b) the unused and spoilt ballot papers placed together,
- (c) the tendered ballot papers,
- (d) the marked copies of the register of electors and of the list of proxies,
- (e) the counterfoils of the used ballot papers,
- (f) the certificates as to employment on duty on the day of the poll, and
- (g) the tendered votes list, the list of blind voters assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “physical incapacity” and “unable to read”, and the declarations made by the companions of blind voters.

(3) The presiding officer shall deliver the packets made up under sub-paragraph (1) or (2), or cause them to be delivered, to the constituency returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the constituency returning officer, the arrangements for their delivery shall require the constituency returning officer’s approval.

- (4) The packets at an Assembly election shall be accompanied by—

- (a) a separate statement relating to each Assembly election where sub-paragraph (1) applies, or
 - (b) a statement relating to the Assembly election where sub-paragraph (2) applies,
- (in this Schedule referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

COUNTING OF VOTES

Time of, and attendance at, counting of votes

49.—(1) The constituency returning officer at an Assembly election shall—

- (a) (subject to sub-paragraph (4)) make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and
- (b) give to the counting agents notice in writing—
 - (i) of the time and place (or places, if the exercise of the power conferred by paragraph 50(2) means that there is more than one place) at which the proceedings described in paragraph 50(1) will begin,
 - (ii) in the case where the power conferred by paragraph 50(2) is exercised, of the time and the place at which he will count the votes following completion of the proceedings described in paragraph 50(1), and
 - (iii) in the case of a direction under sub-paragraph (4), of the time and the place at which he will count the votes following completion of the proceedings described in paragraph 50(1),

and a notice under this sub-paragraph may be combined with another such notice.

(2) At a regional election a notice under sub-paragraph (1)(b) shall also be given to the regional returning officer.

(3) At an ordinary election a notice required under sub-paragraph (1)(b) in respect of a constituency or a regional election may be combined with such a notice in respect of the other election.

(4) At an ordinary election where there are polls at—

- (a) a regional election, and
- (b) constituency elections in the Assembly electoral region for which the regional election is held,

the Secretary of State may direct that the count (excluding the proceedings described in paragraph 50(1)) in respect of each such election shall not begin before such time as is specified in the direction between the hours of 9 in the morning and noon on the day following the close of polls for those elections (disregarding any day mentioned in paragraph 2).

(5) A direction given under sub-paragraph (4) shall be given not later than 28 days before the date of the ordinary election in question.

(6) Where a direction is given under sub-paragraph (4), during the period beginning with the conclusion of the proceedings described in paragraph 50(1) and ending with the time specified in the direction, the constituency returning officer shall—

- (a) place the ballot papers and other documents relating to each election under his own seal and the seals of such of the counting agents as desire to affix their seals, and
- (b) otherwise take proper precautions for the security of the papers and documents.

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(7) No person other than—

- (a) the constituency returning officer and his clerks,
- (b) the candidates and their wives or husbands,
- (c) the election agents,
- (d) the counting agents, or
- (f) in the case of a regional election, the regional returning officer,

may be present at the proceedings described in paragraph 50(1) or at the counting of the votes, unless permitted by the constituency returning officer.

(8) A person not entitled to attend at the proceedings described in paragraph 50(1) or at the counting of the votes shall not be permitted to do so by the constituency returning officer unless he—

- (a) is satisfied that the efficient counting of the votes will not be impeded, and
- (b) has either consulted the election agents or thought it impracticable to do so.

(9) The constituency returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

(10) In particular, where the votes are counted by sorting the ballot papers according to—

- (a) a candidate for whom a vote is given in the case of a constituency election, or
- (b) an individual candidate or a registered political party for which a vote is given in the case of a regional election,

and then counting the number of ballot papers for each such candidate or party, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

The count

50.—(1) Where voters have been entitled at an ordinary election to give two votes in an Assembly constituency, the constituency returning officer shall—

- (a) in the presence of the counting agents appointed for the purposes of each election open each ballot box and count and record separately the number of ballot papers in those boxes for each election,
- (b) in the presence of the election agents appointed for the purposes of each election verify each ballot paper account,
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted for each election, and
- (d) separate the ballot papers relating to each election.

(2) The proceedings described in sub-paragraph (1) may be undertaken at a different place (or at different places) than a place at which the votes given on ballot papers are counted.

(3) But if the power is so exercised, during the period beginning with the conclusion of the proceedings described in sub-paragraph (1) and ending with the commencement of proceedings described in sub-paragraph (4), the constituency returning officer shall—

- (a) place the ballot papers and other documents relating to each election under his own seal and the seals of such of the counting agents as desire to affix their seals, and
- (b) otherwise take proper precautions for the security of the papers and documents.

(4) Subject to sub-paragraphs (2) and (3), following completion of the proceedings described in sub-paragraph (1) the constituency returning officer shall in respect of the ballot papers relating

to each election mix together all the ballot papers used at that election and count the votes given on them.

(5) A postal ballot paper shall not be deemed to be duly returned unless it is returned in the proper envelope so as to reach the constituency returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.

(6) The constituency returning officer shall not count any tendered ballot paper.

(7) The constituency returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.

(8) The constituency returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoiled ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoiled ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any election agent appointed for the purposes of that election may copy; but where the power conferred by sub-paragraph (2) is exercised in respect of more than one place a statement shall be drawn up in respect of each such place.

(9) The constituency returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that he may, in so far as he and the agents appointed for the purpose of that election agree, exclude the hours between 7 in the evening and 9 on the following morning.

For the purposes of this exception the agreement of—

- (a) in the case of a constituency election, a candidate or his election agent, or
- (b) in the case of a regional election, an individual candidate or his election agent or the election agent for a group of party list candidates,

shall be as effective as the agreement of his counting agents.

(10) During the time so excluded the constituency returning officer shall—

- (a) place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals, and
- (b) otherwise take proper precautions for the security of the papers and documents.

(11) Where sub-paragraph (1) does not apply—

- (a) sub-paragraph (12) shall apply in its place,
- (b) the references in sub-paragraphs (2) and (3) and in paragraph 49(1), (7) and (8) to sub-paragraph (1) shall be construed as references to sub-paragraph (12),
- (c) “each election” in sub-paragraph (3)(a) shall be construed as “the election”, and
- (d) sub-paragraph (13) shall apply in place of sub-paragraph (4) and the reference to sub-paragraph (4) in sub-paragraph (3) shall be construed as a reference to sub-paragraph (13).

(12) The constituency returning officer shall—

- (a) in the presence of the counting agents open each ballot box and count and record the number of ballot papers in those boxes,
- (b) in the presence of the election agents verify each ballot paper account, and
- (c) count such of the postal ballot papers as have been duly returned and record the number counted.

(13) Subject to sub-paragraphs (2) and (3), following completion of the proceedings described in sub-paragraph (12) the constituency returning officer shall count the votes given on the ballot papers after—

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- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

Re-count at a constituency election

51.—(1) At a constituency election a candidate or his election agent may, if present when the counting or any re-count of the votes is completed, require the constituency returning officer to have the votes re-counted or again re-counted but the constituency returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates and election agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this paragraph.

Re-count of electoral region votes in an Assembly constituency

52.—(1) At a regional election and prior to the certification required by paragraph 56(1)—

- (a) an individual candidate or his election agent,
- (b) a party list candidate or an election agent for a group of party list candidates, or
- (c) subject to sub-paragraphs (3) and (4), a counting agent for an individual candidate or a group of party list candidates,

may, if present when the counting or any re-count of the votes is completed in a constituency, require the constituency returning officer to have the votes re-counted or again re-counted but the constituency returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates, election agents and counting agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this paragraph.

(3) Where no candidate or election agent is present on the completion of the counting or any re-count of votes, the right conferred on that person by this paragraph (if he had been present) may be exercised by a counting agent referred to in sub-paragraph (1)(c) so present provided that the counting agent has been appointed for the purposes of this paragraph by a person who also has the right to appoint a counting agent and the requirements of sub-paragraph (4) are met; but not more than one such counting agent for the same individual candidate or group of party list candidates may be appointed for the purposes of this paragraph in relation to the same Assembly constituency.

(4) Notice in writing of an appointment under sub-paragraph (3), stating the name and address of the person appointed, shall be given by the person making the appointment to the constituency returning officer and shall be so given at the same time as notice is given to that returning officer of that person's appointment as counting agent under paragraph 35(5) or (6).

Rejected ballot papers

53.—(1) Any ballot paper at an Assembly election—

- (a) which does not bear the official mark,
- (b) on which more than one vote is given,
- (c) on which anything is written or marked by which the voter can be identified except the printed number on the back, or
- (d) which is unmarked or void for uncertainty,

shall, subject to the provisions of sub-paragraph (2), be void and not counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place,
- (b) otherwise than by means of a cross, or
- (c) by more than one mark,

shall not for such reason be deemed to be void if an intention how the vote is to be given clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified by it.

(3) At a regional election, a ballot paper on which a vote is marked for a particular party list candidate on the party list of a registered political party shall, if otherwise valid, be treated as a vote for that party, whether or not there is also a vote marked for that party.

(4) The constituency returning officer shall endorse the word “rejected” on any ballot paper which under this paragraph is not to be counted, and shall add to the endorsement the words “rejection objected to” if an objection is made by a counting agent to his decision.

(5) The constituency returning officer shall draw up a statement showing the number of ballot papers rejected under the several heads of—

- (a) want of official mark,
- (b) giving more than one vote,
- (c) writing or mark by which voter could be identified, and
- (d) unmarked or void for uncertainty.

Decisions on ballot papers

54. The decision of the constituency returning officer at an Assembly election on any question arising in respect of a ballot paper shall be final, but shall be subject to review on an election petition.

Equality of votes at a constituency election

55. At a constituency election, where, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the constituency returning officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

Regional election: conveying results of count etc. to regional returning officer

56.—(1) At the conclusion of the count of ballot papers in an Assembly constituency at a regional election the constituency returning officer shall, in accordance with any directions given by the regional returning officer, certify—

- (a) the number of ballot papers counted by him and the total number of votes given for each individual candidate or registered political party, and
- (b) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers, and

forthwith convey that information to the regional returning officer.

(2) Where the regional returning officer has received the information required to be conveyed to him under sub-paragraph (1) from each constituency returning officer for an Assembly constituency in the Assembly electoral region, he shall certify the totals of the numbers referred to in sub-paragraph (1) for the electoral region.

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(3) After a constituency returning officer has conveyed to the regional returning officer the information required to be conveyed under sub-paragraph (1) he may give public notice of the information so conveyed (in such manner as he considers appropriate) unless sub-paragraph (4) applies.

(4) The regional returning officer may direct that the constituency returning officer may only give the notice referred to in sub-paragraph (3) after the regional returning officer has given the notice that he is required to give under paragraph 59(1)(d).

PART IV

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Declaration of result at a constituency election

57.—(1) At a contested constituency election, when the result of the poll has been ascertained, the constituency returning officer shall forthwith—

- (a) declare to be elected the candidate to whom the majority of votes has been given,
- (b) return his name and, if a certificate has been received by the constituency returning officer issued by the registered nominating officer of a registered political party under paragraph 5(1) in respect of the candidate, the name of the party to the Assembly in accordance with sub-paragraph (4),
- (c) give public notice of—
 - (i) his name and, if applicable, the registered political party referred to in sub-paragraph (1)(b), and
 - (ii) the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

(2) At an uncontested constituency election, the statement of persons nominated, in addition to showing the person standing nominated, shall also declare that person elected, and the constituency returning officer shall forthwith return his name and, if applicable, the name of the registered political party referred to in sub-paragraph (1)(b) to the Assembly in accordance with sub-paragraph (4).

(3) Where sub-paragraph (1) or (2) applies at an ordinary election, the constituency returning officer shall forthwith also notify the regional returning officer for the Assembly electoral region in which the Assembly constituency is situated as to the name of the candidate who has been returned and, if applicable, the name of the registered political party referred to in sub-paragraph (1)(b); and where the name of a candidate and registered political party is so notified, the candidate is to be treated for the purposes of section 6(1)(b) of the 1998 Act as a candidate of the party.

(4) For the purposes of sub-paragraph (1)(b) and (2) the constituency returning officer shall return those names required to be returned, by—

- (a) completing a certificate in the form set out in English and Welsh in the Appendix, and
- (b) delivering it, or causing it to be delivered, to the Assembly,

and a candidate shall be treated as having been returned as an Assembly member when his name is returned in accordance with this sub-paragraph.

(5) But in relation to the first ordinary election the references in sub-paragraphs (1)(b), (2) and (4)(b) to the Assembly shall be construed as references to the Secretary of State.

Ascertainment of results at a contested regional election

58.—(1) At a contested regional election, the regional returning officer shall make arrangements for ascertaining the results of the poll in accordance with sections 5 to 7 of the 1998 Act as soon as practicable after he has—

- (a) given the certification required by paragraph 56(2), and
- (b) subject to paragraph 65(3), received the notification required by paragraph 57(3) from each constituency returning officer for an Assembly constituency in the Assembly electoral region.

(2) At a contested regional election the regional returning officer shall give notice in writing to the election agents and to each constituency returning officer for an Assembly constituency in the Assembly electoral region for which the election is held of the place at which he will begin to ascertain the results of the poll (together with such other information as he considers appropriate).

(3) No person other than—

- (a) the regional returning officer and his clerks,
- (b) the candidates,
- (c) the election agents, or
- (d) the constituency returning officer for any Assembly constituency in the Assembly electoral region for which the election is held,

may be present at the ascertainment of the results, unless permitted by the regional returning officer to attend.

(4) A person not entitled to attend at the proceedings shall not be permitted to do so by the regional returning officer unless he—

- (a) is satisfied that the efficient ascertainment of the results will not be impeded, and
- (b) has either consulted the election agents or thought it impracticable to do so.

(5) The regional returning officer shall give the election agents and candidates all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

(6) The regional returning officer shall provisionally ascertain the results of the poll and notify that provisional ascertainment to such of the following persons who are present, namely—

- (a) an individual candidate or his election agent, and
- (b) the election agent for a group of party list candidates or (in his absence) one of those candidates.

(7) Where notification under sub-paragraph (6) has been given to any person, having been given a reasonable opportunity to do so, he may require the regional returning officer to provisionally ascertain those results again but the regional returning officer may refuse to do so if in his opinion the request is unreasonable.

(8) Where the regional returning officer has provisionally ascertained the results again under sub-paragraph (7), sub-paragraphs (6) and (7) and this sub-paragraph shall apply to the further provisional ascertainment.

(9) If in ascertaining the results of the poll the regional returning officer draws lots in the circumstances referred to in section 7(9) of the 1998 Act, he shall proceed as if the individual candidate or registered political party on whom the lot falls had received an additional vote.

(10) Subject to sub-paragraphs (6) to (8), the regional returning officer shall be treated as having ascertained the results of the poll following a provisional ascertainment—

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- (a) if there is no further provisional ascertainment, after the first one, or
- (b) if there is more than one provisional ascertainment, after the final one.

Declaration of results at a regional election

59.—(1) After the regional returning officer has ascertained the results of the poll, he shall forthwith—

- (a) announce the individual candidates or the registered political parties to whom seats have been allocated (together with the names of the party list candidates who are to fill such seats),
- (b) declare those individual or party list candidates to have been elected,
- (c) return the names of those persons to the Assembly (and, in respect of any party list candidate, the name of the registered political party for which he was such a candidate) in accordance with sub-paragraph (4), and
- (d) give public notice—
 - (i) of the name of any individual candidate elected,
 - (ii) of the name of any party list candidate elected (and the name of the registered political party for which he was such a candidate),
 - (iii) of the total number of votes given for each individual candidate or registered political party together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers, and
 - (iv) in respect of the number of votes referred to in paragraph (iii), a breakdown of the number of votes given for each such candidate or party in each Assembly constituency in the Assembly electoral region.

(2) At an ordinary election sub-paragraph (1)(a) to (c) and (d)(i) and (ii) shall also apply at an uncontested regional election after completion of the requirements imposed by paragraph 21(4).

(3) At an uncontested regional election other than at an ordinary election, the statement of persons nominated, in addition to showing the persons standing nominated and the registered political parties which have submitted a party list shall also—

- (a) set out the individual candidates or the registered political parties to whom seats have been allocated (together with the names of the party list candidates who are to fill such seats), and
- (b) declare those individual or party list candidates to have been elected,

and the regional returning officer shall forthwith return the names of those persons to the Assembly (and, in respect of any party list candidate, the name of the registered political party for which he was such a candidate) in accordance with sub-paragraph (4).

(4) For the purposes of sub-paragraphs (1)(c) and (3) the regional returning officer shall return those names required to be returned, by—

- (a) completing a certificate in the form set out in English and Welsh in the Appendix, and
- (b) delivering it, or causing it to be delivered, to the Assembly,

and a candidate shall be treated as having been returned as an Assembly member when his name is returned in accordance with this sub-paragraph.

(5) But in relation to the first ordinary election of the Assembly the references in sub-paragraphs (1)(c), (3) and (4)(b) to the Assembly shall be construed as references to the Secretary of State.

Return or forfeiture of deposit

- 60.**—(1) The deposit made at an Assembly election under paragraph 10 shall either be—
- (a) returned to the person making it or his personal representatives, in the case of a candidate at a constituency election or an individual candidate at a regional election,
 - (b) returned to the registered nominating officer of a registered political party which has submitted a party list, in the case of regional election, or
 - (c) forfeited to the Secretary of State.
- (2) Except in the cases mentioned below in this paragraph, the deposit shall be returned not later than the next day after that on which the result or results of the election are declared.
- (3) For the purposes of sub-paragraph (2)—
- (a) a day shall be disregarded if it would be disregarded under paragraph 2 in computing any period of time for the purposes of the timetable for the election, and
 - (b) the deposit shall be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.
- (4) If—
- (a) a candidate at a constituency election, or
 - (b) an individual candidate or each and every candidate included on a party list at a regional election,

is not shown as standing nominated in the statement of persons nominated, or if notice of poll is countermanded or the poll is abandoned by reason of a candidate's death, the deposit shall be returned as soon as practicable after the publication of the statement or after his death.

(5) Subject to sub-paragraph (4), the deposit shall be forfeited if a poll is taken and after the counting of the votes (including any re-count)—

- (a) a candidate in the case of a constituency election, or
- (b) an individual candidate or a registered political party in the case of a regional election,

is found not to have polled more than one-twentieth of the total number of votes polled by all the candidates or, as the case may be, all the individual candidates and registered political parties.

(6) Notwithstanding anything in sub-paragraphs (2) to (5), if at an Assembly election a person is shown as standing nominated as—

- (a) a candidate at a constituency election, or
- (b) an individual or party list candidate at a regional election,

and by virtue of such nomination he is in breach of section 5(5) or (6) of the 1998 Act—

- (i) his deposit, or
- (ii) the deposit paid in respect of the group of party list candidates of which he is such a candidate, shall be forfeited.

PART V

DISPOSAL OF DOCUMENTS

Sealing up of ballot papers

61.—(1) On the completion of the counting at a contested Assembly election the constituency returning officer shall seal up in separate packets the counted and rejected ballot papers.

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(2) At an ordinary election packets sealed up under sub-paragraph (1) shall not contain ballot papers relating to different elections.

- (3) The constituency returning officer shall not open the sealed packets—
- (a) of tendered ballot papers,
 - (b) of counterfoils,
 - (c) of certificates as to employment on duty on the day of the poll, or
 - (d) of marked copies of the register of electors and lists of proxies.

Delivery of documents to the Assembly

62.—(1) Where a constituency returning officer has conducted a count at an ordinary election for both a constituency and a regional election, he shall then forward to the Assembly the following documents—

- (a) the packets of ballot papers in his possession relating to the constituency election,
- (b) the packets of ballot papers in his possession relating to the regional election,
- (c) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts relating to the constituency election,
- (d) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts relating to the regional election,
- (e) the tendered votes lists, the lists of blind voters assisted by companions, the lists of votes marked by the presiding officer and the related statements, and the declarations made by the companions of blind voters relating to those elections,
- (f) the packets of counterfoils relating to the constituency election,
- (g) the packets of counterfoils relating to the regional election,
- (h) the packets of the certificates as to employment on duty on the day of the poll relating to those elections, and
- (i) the packets containing marked copies of registers and of lists of proxies relating to those elections,

endorsing on each packet—

- (i) a description of its contents,
- (ii) the date of the election or elections to which they relate,
- (iii) where the packet relates to the constituency election, the name of the Assembly constituency for which the election was held,
- (iv) where the packet relates to a regional election, the name of the Assembly electoral region for which the election was held and the name of the Assembly constituency in which the electoral region votes were given, and
- (v) where the packet relates to both elections, the name of the Assembly constituency and electoral region for which the elections were held.

(2) Where a constituency returning officer has conducted a count at an Assembly election and sub-paragraph (1) does not apply, he shall then forward to the Assembly the following documents—

- (a) the packets of ballot papers in his possession,
- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,

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- (c) the tendered votes lists, the lists of blind voters assisted by companions, the lists of votes marked by the presiding officer and the related statements, and the declarations made by the companions of blind voters,
 - (d) the packets of counterfoils,
 - (e) the packets of the certificates as to employment on duty on the day of the poll, and
 - (f) the packets containing marked copies of registers and of lists of proxies,
- endorsing on each packet—
- (i) a description of its contents,
 - (ii) the date of the election to which they relate,
 - (iii) the name of the Assembly constituency or electoral region for which the election was held, and
 - (iv) in the case of a regional election, the name of the Assembly constituency in which the electoral region votes were given.
- (3) The constituency returning officer may forward the documents either by delivering them himself or by his agent to the Assembly or by sending them by post.
- (4) If the constituency returning officer sends them by post—
- (a) he shall deliver the documents to the postmaster (or his deputy) of the principal post office of the Assembly constituency for which he is the returning officer,
 - (b) the postmaster or his deputy shall—
 - (i) give a receipt in respect of those documents to the constituency returning officer, and
 - (ii) send the documents by the first post to the Assembly,
 - (c) he shall send a letter to the Assembly by the same post, specifying the number and description of the documents so sent, and
 - (d) a copy of the receipt given him by the postmaster or deputy postmaster shall be signed by him and retained by the postmaster or deputy postmaster.
- (5) On receipt of the documents by the Assembly a receipt shall be given to the person delivering them, and the receipt of those documents shall be registered in books kept for the purpose by the Assembly specifying the date and time of receipt.
- (6) Any receipt to be given for the documents shall show the date and time of their receipt.

Order for production of documents

- 63.**—(1) An order—
- (a) for the inspection or production of any rejected ballot papers in the custody of the Assembly, or
 - (b) for the opening of a sealed packet of counterfoils, a sealed packet of certificates as to employment on duty on the day of the poll or the inspection of any counted ballot papers in the custody of the Assembly,
- may be made—
- (i) by the Assembly, or
 - (ii) if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an election petition, by the High Court or a county court.
- (2) An order for the opening of a sealed packet referred to in sub-paragraph (1)(b) or for the inspection of any counted ballot papers in the Assembly's custody may be made by an election court.
- (3) An order under this paragraph may be made subject to such conditions as to—

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- (a) persons,
- (b) time,
- (c) place and mode of inspection, or
- (d) production or opening,

as the Assembly or court making the order may think expedient; but in making and carrying into effect an order for the opening of a sealed packet referred to in sub-paragraph (1)(b) or for the inspection of counted ballot papers, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—

- (i) that his vote was given, and
- (ii) that the vote has been declared by a competent court to be invalid.

(4) An appeal lies to the High Court from any order of a county court under this paragraph.

(5) Any power given under this paragraph to the High Court or to a county court, may be exercised by any judge of the court otherwise than in open court.

(6) Where an order is made for the production by the Assembly of any document in its possession relating to any specified election—

(a) the production by the Assembly of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election, and

(b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(7) The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked on it in writing, shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his name in the register of electors the same number as the number written on the counterfoil.

(8) Save as by this paragraph provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the Assembly or to open any sealed packets referred to in sub-paragraph (1)(b).

Retention and public inspection of documents

64.—(1) The Assembly shall retain for a year all documents relating to an election forwarded to it in pursuance of this Schedule by a constituency returning officer and then, unless otherwise directed by order of the High Court, may cause them to be destroyed.

(2) Those documents, except ballot papers, counterfoils and certificates as to employment on duty on the day of the poll, shall be open to public inspection at such time and subject to such conditions as may be sanctioned by the Assembly.

(3) The Assembly shall, on request, supply copies of or extracts from the documents open to public inspection on payment of such fees and subject to such conditions as it may sanction.

PART VI

DEATH OF CANDIDATE

Countermand or abandonment of poll etc. on death of candidate

65.—(1) If at a contested constituency election proof is given to the constituency returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named as candidate in the ballot papers has died, then the constituency returning officer shall—

- (a) countermand notice of the poll, or
- (b) if polling has begun, direct that the poll be abandoned, and
- (c) in the case of an ordinary election, forthwith notify the regional returning officer for the Assembly electoral region in which the Assembly constituency is situated of the action that he has taken,

and all proceedings with reference to the election shall be commenced afresh in all respects as if publication of notice of election had been given 28 days after the day on which proof was given to the returning officer of the death.

(2) Where sub-paragraph (1) applies, no fresh nominations shall be necessary in the case of a person shown in the statement of persons nominated as standing nominated.

(3) Where at an ordinary election there is a contested regional election and the poll at a constituency election for an Assembly constituency in the Assembly electoral region is postponed in accordance with sub-paragraph (1), paragraph 58(1)(b) shall be satisfied when the regional returning officer has received the notification required by paragraph 57(3) in respect of each of the other Assembly constituencies in the Assembly electoral region (other than in respect of an Assembly constituency to which this sub-paragraph also applies).

(4) Where sub-paragraph (3) applies, the subsequent election of a candidate for the Assembly constituency shall have no effect upon the validity of the election and return of any candidate at the regional election.

(5) If at a contested regional election proof is given to the regional returning officer's satisfaction before the results of the election are declared that one of the persons named or to be named as a candidate on the ballot paper (whether as an individual or party list candidate) has died and as a result of that death the election becomes uncontested, then the regional returning officer shall—

- (a) countermand notice of the poll, or
- (b) if polling has begun, direct that the poll be abandoned, and
- (c) in either case, forthwith notify each constituency returning officer in the Assembly electoral region of the action that he has taken.

(6) If at a contested regional election proof is given to the regional returning officer's satisfaction before the results of the election are declared that one of the persons named or to be named as a candidate on the ballot paper (whether as an individual or party list candidate) has died, but as a result of that death the election continues to remain contested, the notice of poll shall not be countermanded nor shall the poll be abandoned; and in the event of such a death it shall have no effect upon the validity of the election and return of any candidate at the regional election.

(7) But where sub-paragraph (6) applies, the regional returning officer shall take such steps as he considers reasonable to publicise in the Assembly electoral region for which the election is held—

- (a) the name of that candidate and the fact of his death,
- (b) whether that candidate was an individual or party list candidate, and
- (c) if he was a party list candidate, the name of the registered political party for which that person was such a candidate,

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and the regional returning officer shall, in particular, consider whether he should publicise as required by this sub-paragraph by causing notices to be placed outside polling stations.

(8) Subject to sub-paragraph (9), where a poll is abandoned by reason of a candidate's death the proceedings at or consequent on that poll shall be interrupted, and the presiding officer at any polling station shall take the like steps (so far as not already taken) for the delivery to the constituency returning officer of ballot boxes and of ballot papers and other documents as he is required to take on the close of the poll in due course, and the constituency returning officer shall dispose of ballot papers and other documents in his possession as he is required to do on the completion in due course of the counting of the votes, but—

- (a) it shall not be necessary for any ballot paper account to be prepared or verified, and
- (b) the constituency returning officer, shall take no step or further step for the counting of the ballot papers or of the votes and shall seal up all the ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.

(9) Where at an ordinary election a voter is entitled to give two votes at a polling station but the poll in respect of which the voter is entitled to give one of those votes is abandoned as a result of a candidate's death—

- (a) the steps required to be taken by the presiding officer at such a polling station by sub-paragraph (8) shall take place on the close of the poll, and
- (b) sub-paragraph (8) shall have effect as if after “the constituency returning officer,” in paragraph (b) there was inserted “having separated the ballot papers relating to the other Assembly election,”.

(10) The provisions of this Schedule as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply to any such documents relating to a poll abandoned by reason of a candidate's death, with the following modifications—

- (a) ballot papers on which the votes were neither counted nor rejected shall be treated as counted ballot papers, and
- (b) no order shall be made for the production or inspection of any ballot papers or for the opening of a sealed packet of counterfoils or certificates as to employment on duty on the day of the poll unless the order is made by a court with reference to a prosecution.

PART VII

MISCELLANEOUS

Vacancies: Assembly constituency seats

66.—(1) Where the date of the poll to fill a vacant seat for an Assembly constituency is fixed by the presiding officer of the Assembly under section 8 of the 1998 Act, he shall forthwith send a notice to the returning officer for the Assembly constituency stating—

- (a) that the vacancy exists, and
- (b) the date fixed for the poll to fill that vacancy.

Vacancies: return of electoral region members

67.—(1) Other than where article 107 applies, where it comes to the notice of the presiding officer of the Assembly that the seat of an Assembly member returned from a party list for an Assembly

electoral region is vacant, he shall forthwith send a notice in accordance with sub-paragraph (2) to the returning officer for the Assembly electoral region.

- (2) A notice under sub-paragraph (1) shall—
 - (a) state that a vacancy exists, and
 - (b) set out the name of the person who had been returned to fill that seat, together with the name of the registered political party on whose list he was included.

(3) Where a regional returning officer receives a notice under sub-paragraph (1), he shall ascertain from the list submitted at the previous ordinary election by the registered political party named in the notice the name and address of the person whose name appears highest on that list (“the prospective member”).

- (4) The regional returning officer shall take such steps as appear to him to be reasonable—
 - (a) to contact the prospective member to ask whether he will state that he is willing to serve as an Assembly member for the Assembly electoral region, and
 - (b) to contact the registered nominating officer of the registered political party on whose list that person is included and notify that officer of the action he is taking under paragraph (a).

- (5) Where—
 - (a) within such period as the regional returning officer considers reasonable—
 - (i) he decides that the steps he has taken to contact the prospective member have been unsuccessful, or
 - (ii) he has not received from the prospective member a statement that he is willing to serve as an Assembly member for the Assembly electoral region,
 - (b) the prospective member has stated he is not willing to so serve as an Assembly member, or
 - (c) the regional returning officer—
 - (i) is satisfied that the prospective member is not a member of the registered political party on whose list he is included, and
 - (ii) receives notice from that party under section 9(4)(b) of the 1998 Act (the prospective member’s name is not to be notified to the presiding officer of the Assembly as the name of the person who is to fill the vacancy),

the prospective member shall be treated as ceasing to be included on that list.

(6) Where a person is so treated, the regional returning officer shall repeat the procedure required by sub-paragraph (4) in respect of the person (if any) whose name and address appears next highest on that list: and sub-paragraph (5) and this sub-paragraph shall also apply with respect to that person.

(7) The regional returning officer shall continue to repeat the procedure until the seat is filled or the names on that list are exhausted.

(8) Subject to sub-paragraph (5)(c), where a prospective member states in writing in response to the question from the regional returning officer under sub-paragraph (4)(a) (including that sub-paragraph as applied by sub-paragraph (6)) that he is willing to serve as an Assembly member for the Assembly electoral region, the regional returning officer shall forthwith declare that person to be returned as a member for the Assembly electoral region; but the date (in accordance with section 9(6) of the 1998 Act) on which he shall be treated as declared to be returned shall be the day on which notification of his name is received by the presiding officer of the Assembly under section 9(2) of the 1998 Act.

- (9) The regional returning officer shall forthwith give public notice of the name—
 - (a) of the member declared to be returned, and
 - (b) of the registered political party for which such a member was a party list candidate.

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(10) The regional returning officer (as well as notifying to the presiding officer of the Assembly the name of the person who is to fill that vacancy under section 9(2) of the 1998 Act) shall also forthwith return the names referred to in sub-paragraph (9) by—

- (a) completing a certificate in the form set out in English and Welsh in the Appendix, and
- (b) delivering it, or causing it to be delivered, to the Assembly.

(11) Where following the application of this paragraph the seat continues to be vacant the regional returning officer shall forthwith—

- (a) give public notice that the vacancy cannot be filled and that the seat (in accordance with section 9(7)(b) of the 1998 Act) is to remain vacant until the next ordinary election,
- (b) complete a certificate in the form set out in English and Welsh in the Appendix, and
- (c) deliver it, or cause it to be delivered, to the Assembly.

Return of Assembly members and record of returns etc.

68.—(1) The Assembly shall on receipt of a certificate delivered under paragraphs 57(4), 59(4) or, 67(10) or 67(11) enter the information contained in the certificate in a book kept for that purpose at the Assembly (in this paragraph referred to as ‘the returns book’).

(2) Where the presiding officer of the Assembly sends a notice under paragraph 66 or 67(1), he shall record in the returns book the fact of the vacancy in the Assembly constituency or electoral region concerned.

(3) Where the presiding officer of the Assembly concludes that an election to fill a casual vacancy in an Assembly constituency shall not be held because section 8(6) of the 1998 Act applies (date of poll not to be within three months preceeding an ordinary election), he shall—

- (a) record in the returns book the fact of the vacancy in the Assembly constituency concerned, and
- (b) that no election shall be held to fill the vacancy because section 8(6) of that Act applies.

(4) Where it comes to the notice of the presiding officer of the Assembly that—

- (a) the seat of an Assembly member returned for an Assembly electoral region is vacant, and
- (b) the person was returned as an individual candidate,

he shall record—

- (i) in the returns book the fact of that vacancy in the Assembly electoral region concerned, and
- (ii) that the seat (in accordance with section 9(7)(a) of the 1998 Act) is to remain vacant until the next ordinary election.

(5) The returns book shall be open to public inspection at reasonable times and any person may, on payment of a reasonable fee, obtain copies from the book.

(6) In relation to the first ordinary election, those certificates which by virtue of paragraphs 57(4) and 59(4) are required to be delivered to the Secretary of State shall be forwarded by him to the Assembly as soon as reasonably practicable; and on receipt of those certificates sub-paragraph (1) shall apply as if they had been delivered by, or caused to be delivered by, a constituency or regional returning officer (as the case may be) to the Assembly.

Registered political parties

69. References in this Schedule to a registered political party are references to a party registered under the Registration of Political Parties Act 1998⁽⁴⁾ at the time by which notice of election is required to be published in accordance with the Table in paragraph 1(1).

Party's registered nominating officer: discharge of functions

70.—(1) A registered nominating officer for a registered political party may, in writing, appoint one or more persons to discharge all or any of his functions conferred or imposed by this Schedule.

(2) Where an appointment is made under sub-paragraph (1), a copy of the document which records the writing required by that sub-paragraph shall be delivered—

- (a) to the constituency returning officer, in the case of a constituency election,
- (b) to the regional returning officer, in the case of a regional election, and
- (c) to each constituency returning officer for an Assembly constituency in the Assembly electoral region, in the case of a regional election.

(3) Where a returning officer does not receive a copy of the document required to be delivered to him under sub-paragraph (2), he shall be entitled to treat any function of the registered nominating officer purportedly exercised (or to be exercised) on his behalf by another person as not so exercised (or exercisable).

(4) 1998 c. 48.

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ETHOL AELOD

i wasanaethu yng Nghynulliad Cenedlaethol Cymru

Etholaeth

Dyddiad yr etholiad:

Enwbeir drwy hyn y person a grybwyllir isod i fod yn ymgeisydd yn yr etholiad uchod.

(*Deiroluadllywch briflythronnau wrth llenwi'r hlysterau*)

Cyfenw'r ymgeisydd	Enw arall/auwau eraill yn llawn	Disgrifiad (ar gyfer y papur pleidleisio)	Cyfeiriad cartref yn llawn (cynllwyswch y rhi, ffôn helyd)

Llofnodwyd:

Pw.....

Cyfeiriad:

.....

.....

Dyddiad:

Nodiadau

1. Tynnir sylw personau at y darpariaethau ynglŷn â llenwi papurau enwebu a darpariaethau eraill sy'n ymwneud ag enwebu a gynhwysir yn Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 1999.

2. Lle'r adnabyddir ymgeisydd yn arferol wrth ryw deil, gellir ei ddisgrilio wrth ei deil fel pe bai'n gylchwr iddo.

Paragraph 5(1)

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

Form of certificate referred to in paragraph 5(1)

In accordance with paragraph 5(1) of Schedule 5 to the National Assembly for Wales (Representation of the People) Order 1999, I hereby certify

that is the official candidate of (name of registered political party) at the election in the Assembly Constituency on and

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

that the description of the candidate appearing in the nomination paper by which he is nominated as a candidate is authorised by the party.

Signed (registered nominating officer)

Date

*I also request that the party's registered emblem *or if there is more than one registered emblem***, specify which one appear on the ballot paper against the candidate's name.

Signed (registered nominating officer)

Date

Notes

*If this paragraph is not completed a registered emblem of the party will not appear on the ballot paper against the party's name.

**Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

Yn unol â pharagraff 5(1) o Amodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 1999, yr wyf drwy hyn yn arlystio

mai yw ymgeisydd swyddogol (enw'r blaid

wkidyddol cofrestredig) yn yr etholiad yn Etholaeth Gynulliad.....

ar bod y disgrifiad o'r ymgeisydd sy'n ymddangos ar y papur enwebu y mae wedi'i enwebu drwyddo fel

ymgeisydd wedi'i awtdurdodi gan y blaid.

Llofnodwyd (swyddog enwebu cofrestredig)

Dyddiad:.....

*Yr wyf yn gofyn hefyd i arwyddlun cofrestredig y blaid *(neu os oes mwy nag un arwyddlun cofrestredig**)*, nodi'r blaen ymddangos ar y papur pleidleisio gyferbyn ag enw'r ymgeisydd.

Llofnodwyd (swyddog enwebu cofrestredig)

Dyddiad:.....

Nodiadau

*Os na chaff y paragraff hwn ei lenwi, ni fydd un o arwyddluniau cofrestredig y blaid yn ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

**Lle bo mwy nag un arwyddlun cofrestredig, byddai o gymorth pe bai'r arwyddlun y gofynnid iddo ymddangos ar y papur pleidleisio yn cael ei nodi drwy gyfeirio at ddiagramiad o'r arwyddlun a amgac'r gyda'r dystysgrif hon.

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

Paragraph 6(1)

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

Form of individual nomination paper: regional election

ELECTION OF A MEMBER

to serve in the National Assembly for Wales

..... Electoral Region

Date of election:

The undermentioned person is hereby nominated as an individual candidate at the above election.

(Please complete in capitals.)

Candidate's surname	Other name(s) in full	Description (for ballot paper)	Home address in full (please also include telephone number)

Signed:

Name:

Address:

.....

.....

Date:

Notes

1. The attention of persons is drawn to the provisions concerning completion of nomination papers and other provisions relating to nomination contained in Schedule 5 to the National Assembly for Wales (Representation of the People) Order 1999.

2. Where a candidate is commonly known by some title he may be described by his title as if it were his surname.

ETHOL AELOD

i wasanaethu yng Nghyullid Cenedlaethol Cymru

Rhanbarth Etholiadol:

Dyddiad yr etholiad:53.....

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

Enwebir drwy lyn y person a grybwyllir isod i fod yn ymgeisydd unigol yu yr etholiad uchod.

(Defnyddiwch briffystremau wrth lenwi'r blychau)

Cyfenw'r ymgeisydd	Enw arallfenwau eraill yn llawn	Disgrifiad (ar gyfer y papur pleidleisti)	Cyfeiriad cartref yn llawn (eynhwysedh y rhif llôn helyd)

Llofnodwyd
.....

Llaw:
.....

Cyfeiriad:
.....
.....

Dyddiad:

Notadau

1. Tynnir sylw personau ar y datpariaethau ynglŷn â llenwi papurau enwebu a datpariaethau eraill sy'n ymwneud ag enwebu a gynhwysir yn Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cyrychiolaeth y Bobl) 1999.

2. Ie'r adnabyddir ymgeisydd yn anferol wrth ryw deitl, gellir ei ddisgrifio wrth ei deitl fel pe bai'n gyfenw iddo.

Paragraph 7(1)

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

Form of party nomination paper: regional election

ELECTION OF MEMBERS

to serve in the National Assembly for Wales

..... Electoral Region

Date of election:.....

Name(s) of registered political party:.....

The undermentioned person(s) is/are hereby nominated as (a) party list candidate(s) at the above election.

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

(Please complete in capitals)

Description of registered political party (for ballot paper)	Candidate's surname	Other names in full	Home address in full (please also include telephone number)
	1.	1.	1.
	2.	2.	2.
	3.	3.	3.
	4.	4.	4.
	5.	5.	5.
	6.	6.	6.
	7.	7.	7.
	8.	8.	8.
	9.	9.	9.
	10.	10.	10.
	11.	11.	11.
	12.	12.	12.

Signed:

Name:

Address:

.....

.....

Date:

Notes

1. The attention of persons is drawn to the provisions concerning completion of nomination papers and other provisions relating to nomination contained in Schedule 5 to the National Assembly for Wales (Representation of the People) Order 1999.

2. Where a candidate is commonly known by some title he may be described by his title as if it were his surname.

ETHOL AETHLODAU

i wasanaethu yng Nghyulliad Cenedlaethol Cymru

Rhanbarth Etholiadol

Dyddiad yr etholiad:

Llew(au)fr blaidd wleidyddol golfrestredig:

Llewelbir drwy len y person(au) a grebwyllir isod i fod yn ymgeisydd(yngaiswyr) yr yr etholiad uchod.

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

(Deddfyddwch briffylltremau wrth lenwi'r blychau)

Disgrifiad o'r blaidd wleidyddol zofrestredig (ar gyfer y papur pleidleisio)	Cyfenw'r ymgeisydd	Tnwau eraill yn llawn	Cyfeiriad cartref yn llawn (synhwysoch y rhif llan hatyd)
	1.	1.	1.
	2.	2.	2.
	3.	3.	3.
	4.	4.	4.
	5.	5.	5.
	6.	6.	6.
	7.	7.	7.
	8.	8.	8.
	9.	9.	9.
	10.	10.	10.
	11.	11.	11.
	12.	12.	12.

Llofnodwyd:

Taw:

Cyfeniad:

.....

.....

Dyckhad:

Nodiadau

1. Tynnir sylw personau at y darpariaethau ynglŷn â llenwi papurau enwebu a darpariaethau eraill sy'n ymwneud ag enwebu a gynhwysir yn Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cyurychiolaeth y Bobl) 1999.

2. Lle'r adnabyddir ymgeisydd yn arferol wrth ryw ddiwl, gellir ei ddisgrifio wrth ei ddiwl fel pe bai'n gylenw iddo.

Paragraph 8(1)

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

Form of certificate referred to in paragraph 8(1)

In accordance with paragraph 8(1) of Schedule 5 to the National Assembly for Wales (Representation of the People) Order 1999, I hereby certify

That are the official candidate(s) of (name of registered political party) at the election in the Electoral Region on and

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

that the description of the party appearing in the nomination paper by which the candidate(s) is/are nominated is authorised by the party.

Signed..... (registered nominating officer)

Date.....

*I also request that the party's registered emblem [or if there is more than one registered emblem **, specify which one] appear on the ballot paper against the party's name.

Signed..... (registered nominating officer)

Date.....

Notes

*If this paragraph is not completed a registered emblem of the party will not appear on the ballot paper against the party's name.

**Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

Yn unol â pharagraff 8(1) o Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cyrychiolaeth y Bobl) 1999, yr wyf drwy hyn yn ardstyio

mai.....yw ymgeisydd/ymgeiswyr swydddogol.....(enw'r blaid

wleidyddol cofrestredig) yn yr etholad yn Rhanbarth Etholiadau.....

ET.....a

bed y disgrifiad o'r blaid sy'n ymddangos yn y papur enwebu y mae'r ymgeisydd wedi'i enwebu/ymgeiswyr wedi'u henwebu drwyddo wedi'i awdurdodi gan y blaid.

Llofnodwyd.....(swydddog enwebu cofrestredig)

Dyddiad:.....

*Yr wyf yn gofyn belyd i arwyddlun cofrestredig y blaid [neu, os oes mwy nag un arwyddlun cofrestredig**, nodwch ba un] ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

Llofnodwyd.....(swydddog enwebu cofrestredig)

Dyddiad:.....

Nodiadau

*Os na chaiff y paragraff hon ei lenwi, ni fydd un o arwyddluniau cofrestredig y blaid yn ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

**Lle bo mwy nag un arwyddlun cofrestredig byddai o gymorth pe bai'r arwyddlun y gofynnid iddo ymddangos ar y papur pleidleisio yn cael ei nodi drwy gyfeirio at ddarluniad o'r arwyddlun a amgacir gyda'r dystysgrif hon.

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

Paragraph 23(3)






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

Form of ballot paper: constituency election

Front of ballot paper

NATIONAL ASSEMBLY FOR WALES
CONSTITUENCY BALLOT
Vote for one candidate only
Mark an in one box.

CYNULLIAD GENEDI-ATHOL CYMRU
PLEIDIOLAIS ETHOLAETH
Pleidleisiwch dros un ymgeisydd yn unig
Marciwch mewn un blwch.

1	<p>DAVIES Rachel Louise 1 Spa Road, Smithfield, Carmo W31 8BA</p> <p>Labour Party/Y Blaid Lafur</p>	
2	<p>HENDY Paul John 18 Lakeside Road, Parkfield, Caersŵs W24 7L1</p> <p>Independent/Annibynnol</p>	
3	<p>PARRY Geraint Andrew 20 Sni. Field Road, Dyllfryn, Nr Welshpool W10 9JG</p> <p>Liberal Democrat/Democratiaid Rhyddfrydol</p>	
4	<p>SAMUAL Julie Anne 4 Craig Road, Hampton, Meifod W32 6PY</p> <p>Green Party/Y Blaid Werdd</p>	
5	<p>THOMAS Phillip David 2 Long Road, Clatter, Berriew P78 6BD</p> <p>Conservative Party/Y Blaid Geidwadol</p>	
6	<p>WILLIAMS David Andrew 19 Uhen Road, Western, Llandinam W64 9LY</p> <p>Plaid Cymru—The Party of Wales</p>	

Back of ballot paper

No/Rhif

Election for the

Constituency on

Etholaeth dros Etholaeth

ar

Note: The number on the ballot paper is to correspond with that on the counterfoil.

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

Paragraph 23(3)

Directions as to printing the ballot paper: constituency election

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as practicable, the arrangements set down below shall be observed in the printing of the ballot paper.
3. (1) This paragraph makes provision in respect of that part of the ballot paper appearing above the highest horizontal rule.
(2) The group of words in English to the left and the group of words in Welsh to the right are each referred to in these directions as a block (and a block also includes the rectangle and representation in that rectangle of how a vote is to be marked).
(3) The blocks may be reversed so that the block with the Welsh words is to the left and the block with the English words is to the right.
(4) The first two lines of each block shall be printed in large capitals.
(5) The lines of each rectangle in a block are not to be regarded as rules for the purposes of these directions.
4. No word shall be printed on the face of the ballot paper except the words set out in the form of constituency ballot paper appearing in each block, the particulars of the candidates and words forming part of emblems.
5. The blocks, the numbers and the particulars of the candidates (except their addresses) shall be printed in bold form on the ballot paper.
6. No rule shall be printed on the face of the ballot paper except—
 - (a) the first horizontal rule below the blocks, the horizontal rules separating the particulars of the candidates from one another and the horizontal rule appearing beneath the candidate whose particulars appear last, and
 - (b) the vertical rules separating those particulars from the numbers on the left hand side and the spaces on the right where the vote is to be marked (together with the vertical rule to the left of the numbers so mentioned and the vertical rule to the right of the spaces so mentioned)
7. The whole space on the ballot paper between the highest and lowest horizontal rules shall be equally divided by each of the other horizontal rules.
8. On the ballot paper the surname of each candidate shall in all cases be printed by itself in large capitals, and his full particulars (except his surname) shall be set out below it and shall be printed in ordinary type except that small capitals shall be used.
 - (a) if his surname is the same as another candidate's, for his other names, and
 - (b) if his other names are also the same as the other candidate's, either for his home address or for his description unless each of them is the same as that of another candidate with the same surname and other names.
9. Where a registered emblem is to be printed against a candidate's particulars on the ballot paper
 - (a) it shall be printed between the candidate's particulars and the vertical rule separating the candidate's particulars from the space where the vote may be marked, and
 - (b) its size as printed shall not exceed 2 centimetres square.
10. The number on the back of the ballot paper shall be printed in small characters.

Paragraph 24(3)

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

Form of ballot paper: regional election

Front of ballot paper









NATIONAL ASSEMBLY FOR WALES
 CYNULLIAD GENEIDI AETHOL CYMRU
 REGIONAL BALLOT
 PLEIDLAIS RANBARTHOL

Vote once only

Mark an in one box.

Pleidleiswch unwaith yn unig

Marciwch mewn un bwrch.

							
Conservative Party/Y Bland Gŵedwadol	Democratiaid Rhyddfrydol Cymru/Welsh Liberal Democrats	Hfermwyr Cymru/ Farmers of Wales	Green Party/ Y Bland Werdd	Labour Party/ Y Bland Lalur	Pembrokeshire Party/Plaid Sir Benfro	Plaid Cymru - The Party of Wales	Independent Anrhyngud
<ol style="list-style-type: none"> 1. Jacco Williams 2. Ross Davies 3. Sheila Smith 4. Derek Jones 5. Louise Davies 6. David Brown 7. Jerry Smith 8. Roger Edwards 9. Anne White 10. Tarmac Black 11. Mark Thomas 12. Sarah Rafer 	<ol style="list-style-type: none"> 1. David Murphy 2. Anamach Owen 3. John Wallace 4. Alison Pyster 5. Rughair Singh 6. Robert Griffiths 7. Louise Davies 8. Stephen Gray 9. Deben Smith 10. David Williams 11. Alison Jones 12. Geraint Perry 	<ol style="list-style-type: none"> 1. Anne Black 2. Paulo Viera 3. Sandra Smith 4. Jack Roberts 5. Rebecca Davies 6. Glyn Hughes 7. Rachel Owen 8. Fingy Williams 9. Karen White 10. Mike Christie 11. Hayley Jones 12. Daniel Bakayoko 	<ol style="list-style-type: none"> 1. Ross Davies 2. Mervyn Jones 3. Rhodri Lewis 4. Megan Davies 5. Richard Lewis 6. Pat Jones 7. Anni Ali 8. Jason Talbot 9. Barbara Williams 10. Wyn Lewis 11. Sian Jones 12. Ben Francis 	<ol style="list-style-type: none"> 1. Lorna Harris 2. Robert Jones 3. Hlyn Rodgers 4. Walter Nicholas 5. Margaret Davies 6. Giles Levy 7. Janice Thomas 8. Justin Phillips 9. Alan Lewis 10. Phillip Williams 11. Jacky Long 12. David Davies 	<ol style="list-style-type: none"> 1. Andrew Smith 2. Kathy Jackson 3. Dafydd Robertson 4. David Butler 5. Kathy Dafis 6. William Williams 7. Liz Davies 8. Peter Jones 9. Jackie Reeser 10. Ann David 11. Angus Lighthody 12. Jay Young 	<ol style="list-style-type: none"> 1. Julie Jones 2. Derek Davies 3. Pauline Cooke 4. Dafydd Llewellyn 5. Mary Phillips 6. David Carter 7. Christine Mason 8. Andrew Wilson 9. Clare Smith 10. Ryan Jones 11. Joan Thompson 12. Tony Jones 	

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

Back of ballot paper

No. REif

Election for the

Electoral Region on

Etholiad dros Rambarth Etholiadol

ar

Note: The number on the ballot paper is to correspond with that on the counterfoil. The back is also to include a mark or other distinguishing feature (which may be part of the number) to identify the Assembly constituency in which the ballot paper is to be used

Paragraph 24(3)

Directions as to printing the ballot paper: regional election

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as practicable, the arrangements set down below shall be observed in the printing of the ballot paper.
 3. (1) This paragraph makes provision in respect of that part of the ballot paper appearing above the higher horizontal rule.
 - (2) The group of words in English to the left and the group of words in Welsh to the right are each referred to in these directions as a block (and a block also includes the rectangle and representation in that rectangle of how a vote is to be marked).
 - (3) The blocks may be reversed so that the block with the Welsh words is to the left and the block with the English words is to the right.
 - (4) The first two lines of each block shall be printed in large capitals.
 - (5) The lines of each rectangle in a block are not to be regarded as rules for the purposes of these directions.
 4. No word shall be printed on the face of the ballot paper except the words set out in the form of regional ballot paper appearing in each block, the descriptions of registered political parties, the names and descriptions of individual candidates, the names of party list candidates and words forming part of registered emblems.
 5. The blocks, the descriptions of registered political parties, the names and descriptions of individual candidates and the sides of the rectangles in which a vote is to be marked shall be printed in bold form on the ballot paper.
 6. No horizontal rule shall be printed on the face of a ballot paper except the higher horizontal rule immediately below the blocks and the lower horizontal rule at the foot of the ballot paper.
 7. No vertical rule shall be printed on the face of a ballot paper except
 - (a) the vertical rules separating descriptions of registered political parties (and the names of party list candidates),
 - (b) the vertical rules separating the names and descriptions of individual candidates,
 - (c) the vertical rule separating the description of a registered political party (and the names of party list candidates) from the name and description of an individual candidate,
 - (d) the vertical rule nearest to the left edge of the ballot paper, and
 - (e) the vertical rule nearest to the right edge of the ballot paper.
 8. The lines of each rectangle in which a vote may be marked are not to be regarded as rules for the purposes of these directions.
 9. The whole space on the ballot paper between the vertical rules referred to in paragraph 7(d) and (e) shall be equally divided by each of the other vertical rules.
 10. On the ballot paper the surname of each individual and party list candidate shall be printed so that his surname is placed after his other name or names.
 11. Where a registered emblem is to be printed against a registered political party's description on the ballot paper
 - (a) it shall be printed between the party's description and the rectangle in which a vote may be marked, and
 - (b) its size as printed shall not exceed 2 centimetres square.
 12. The number on the back of the ballot paper shall be printed in small characters.

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

Form of elector’s pollcard referred to in paragraph 33(4)

Front of form

OFFICIAL POLL CARD/CERDYN PLEIDLEISIO SWYDDOGOL

Polling Day/Dyddiad Pleidleisio:

Electoral Region
Rhanbarth Etholiadol

Number on register:
Rhif ar y gofrestr:

Constituency
Etholaeth

Your Polling Station will be:
Yr Orsaf Pleidleisio i chi fydd:

Name:
Enw:

Address:
Cyfeiriad:

Polling Hours 7 a.m. to 10 p.m.
Oriau Pleidleisio 7 a.m. hyd 10 p.m.

If undelivered return to the Returning Officer

Os nad â i ben ei daith dychweler i'r Swyddog
Canlyniadau

Back of form

NATIONAL ASSEMBLY FOR WALES

This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.

When you go to the polling station, tell the clerk your number on the register, your name and address, as shown on the front of the card. The presiding officer will give you your ballot papers: see that he stamps the official mark on them, before he gives them to you.

Go to one of the compartments. You may vote *once* only on each ballot paper. Do not vote more than once. **Mark** your choice with a cross (X). Put no other mark on the ballot paper, or your vote may not be counted.

Fold the ballot papers in two. Show the official mark to the presiding officer, but do not let anyone see your vote. Put the ballot papers on the ballot box and leave the polling station.

If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

If you have appointed a proxy to vote in person for you, you may nevertheless vote at the election if you do so before your proxy has voted on your behalf.

If you have been granted a postal vote, you will *not* be entitled to vote in person at the election, so please ignore this poll card.

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

**ISSUED BY THE RETURNING OFFICER
CYNULLIAD CENEDLAETHOL CYMRU**

Cerdyn ar gefn gwybodaeth yn unig yw hwn. Gallwch bleidleisio hebldo, ond bydd yn arbed anser os ewch ag ef i'r orsaf bleidleisio a'i ddangos i'r clerc yno.

Pan ewch i'r orsaf bleidleisio, rhwch eich rhif ar y gofrestr, eich enw a'ch cyfeiriad i'r clerc, fel y'n gwelir ar du blaen y cerdyn. Bydd y swyddog llywyddu yr thro papurau pleidleisio i chi, gwnewch yn siŵr ei fod yn rhoi'r stamp swyddogol arnynt cyn eu rhoi i chi.

Ewch i un o'r cabanau. Ewch bleidleisio unwaith yn unig ar bob papur pleidleisio. Peidiwch â phleidleisio fwy nag unwaith. Marciwch eich dewis â chroes (X). Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.

Plygwch y papurau pleidleisio yn dda. Dangoswch y marc swyddogol i'r swyddog llywyddu, ond peidiwch â gaael i neb weld eich pleidlais. Rhwch y papurau pleidleisio yr y blwch pleidleisiau ac ewch allan o'r orsaf bleidleisio.

Os bydd i chi ddifetha papur pleidleisio drwy gangymeriad, dangoswch y papur pleidleisio i'r swyddog llywyddu a gofyn am un arall.

Os edych wedi penderfynu i bleidleisio'n bersonol ar eich rhan, gallwch fodd bynnag bleidleisio yn yr etholiad hwn yr un foth os gwnewch hynny cyn i'ch dirprwy bleidleisio ar eich rhan.

Os rhoddwyd pleidlais drwy'r post i chi, ni fydd gennych hawl i bleidleisio'n bersonol yn yr etholiad, felly anwybyddwch y cerdyn pleidleisio hwn.

CYHOEDDWDYD GAN Y SWYDDOG CANLYNIADAU

Paragraph 33(5)

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

Form of elector’s pollcard referred to in paragraph 33(5)

Front of form

OFFICIAL POLL CARD/CERDYN PLFIDLEISIO SWYDDOGOL

Polling Day/Dyddiad Pleidleisio:

Constituency/Electoral Region
Etholaeth/Rhanbarth Etholiadol

Your Polling Station will be:
Yr Orsaf Bleidleisio i chi fydd:

Polling Hours 7 a.m. to 10 p.m.
Oriau Pleidleisio 7 a.m. hyd 10 p.m.

If undelivered return to the Returning Officer

Os nad â i hen ei daith dyehweler i'r Swyddog
Canlyniadau

Number on register:
Rhif ar y gofrestr:

Name:
Enw:

Address:
Cytfeiriad:

Back of form

NATIONAL ASSEMBLY FOR WALES

This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.

When you go to the polling station, tell the clerk your number on the register, your name and address, as shown on the front of the card. The presiding officer will give you your ballot paper; see that he stamps the official mark on it, before he gives it to you.

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

Go to one of the compartments. You may vote once only on the ballot paper. Do not vote more than once. Mark your choice with a cross (X). Put no other mark on the ballot paper, or your vote may not be counted.

Fold the ballot paper in two. Show the official mark to the presiding officer, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.

If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

If you have appointed a proxy to vote in person for you, you may nevertheless vote at the election if you do so before your proxy has voted on your behalf.

If you have been granted a postal vote, you will not be entitled to vote in person at the election, so please ignore this poll card.

ISSUED BY THE RETURNING OFFICER

CYNULLIAD CENEDLAETHIOL CYMRU

Cerdyn ar gyfer gwybodaeth yn unig yw hwn. Gallwch bleidleisio hebdo, ond bydd yn arbed anrser os ewch ag efi i'r orsaf bleidleisio a'i ddangos i'r clerwr yno.

Pan ewch i'r orsaf bleidleisio, rhown eich rhif ar y gofrestr, eich enw a'ch cyfeiriad i'r clerwr, fel y'n gwelwch ar du blaen y cerdyn. Bydd y swyddog llywyddu yn rhoi papur pleidleisio i chi; gwnewch yn siŵr ei fod yn rhoi'r stamp swyddogol arno cyn ei roi i chi.

Lwch i un o'r cabanau. Ewch bleidleisio unwaith yn unig ar y papur pleidleisio. Peidiwch â phleidleisio iwy nag unwaith. Marciwch eich dewis â croes (X). Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, na'n fe all na chaff eich pleidlais ei chyfrif.

Plygwech y papur pleidleisio yn ddau. Dangoswch y marc swyddogol i'r swyddog llywyddu ond peidiwch â gadael i neb weld eich pleidlais. Rhown y papur pleidleisio yn y blwch pleidleisiau ac ewch allan o'r orsaf bleidleisio.

Os bydd i chi ddifethu papur pleidleisio drwy ga ngymeriad, dangoswch y papur pleidleisio i'r swyddog llywyddu a gofyn am un arall.

Os ydych wedi penodi dirprwy i bleidleisio'n bersonol ar eich rhan, gallwch fodd bynnag bleidleisio yn yr etholiad hwn yr un fath os gwnewch hynny cyn i'ch dirprwy bleidleisio ar eich rhan.

Os rhoddwyd pleidlais drwy'r post i chi, ni fydd gennych naw i bleidleisio'n bersonol yn yr etholiad, felly anwybyddwch y cerdyn pleidleisio hwn.

CYHOEDDWDYD GAN Y SWYDDOG CANLYNIADAU

Paragraph 33(6)

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

Form of proxy's pollcard referred to in paragraph 33(6)

Front of form

PROXY'S OFFICIAL POLL CARD

CERDYN PLEIDLEISIO SWYDDOGOL DIRPRWY

Polling Day:

Dyddiad Pleidleisio:

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

If undelivered, return to the Returning Officer at:—

Os nad â i ben ei daith dychweler i'r Swyddog Canlyniadau yn:

Back of form

<p>(i) Electoral Region/ Rhanbarth Etholiadol (ii) Constituency/Etholaeth</p>	<p>To vote as proxy you must go to the named polling station. Tell the clerk that you wish to vote as proxy; give the number on the register, name and qualifying address of the elector, as follows:</p> <p>I bleidleisio fel dirprwy, rhaid i chi fynd i'r orsaf bleidleisio a enwir. Dywedwch wrth y clerc eich bod am bleidleisio fel dirprwy; rhwch y rhif ar y gofrestr, enw a chyfeiriad cymhwyso'r etholwr, fel hyn:</p> <p>Number on register: Rhif ar y gofrestr:</p> <p>Name: Enw: Address: Cyfeiriad:</p> <p>The presiding officer will give you the elector's ballot papers. The method of voting as proxy is the same as for casting your own vote. It is an offence to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote, eg if that person has been convicted and is detained in a penal institution in pursuance of his sentence. It is also an offence to vote for more than 2 persons of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild. The person who appointed you as proxy may himself vote in person at this election if he is able, and wishes to do so and if he votes before you vote on his behalf.</p> <p>Bydd y swyddog llywyddu yn rhoi papurau pleidleisio'r etholwr i chi. Mae'r dull o bleidleisio fel dirprwy yr un fath â'r dull o fwrw eich pleidlais eich hun. Mae'n drosedd i chi bleidleisio fel dirprwy ar ran rhyw berson arall os gwyddoch fod y person hwnnw wedi'i anghymwysu yn ôl y gyfraith rhag pleidleisio, ee os cafwyd y person hwnnw'n euog a'i fod yn cael ei gadw mewn sefydliad cosbi yn unol â'r ddedfryd a gawsai. Trosedd hefyd yw pleidleisio ar ran mwy na 2 berson heb eich bod yn wŷr, gwraig, rhiant, tadeu (taid), mangu (nain), brawd, chwaer, plentyn neu wŷr neu wyres iiddyn. Gall y person a'eh penododd chi i weithredu fel dirprwy bleidleisio'n bersonol yn yr etholiad hwn os bydd yn gallu ac yn dymuno gwneud hynny ac yn pleidleisio cyn i chi bleidleisio yn ei le.</p>
<p>The elector named, whose proxy you are, is entitled to vote at the polling station</p>	
<p>Mae gan yr etholwr a enwir, yr ydych yn ddirprwy drosto, hawl i bleidleisio yn yr orsaf bleidleisio</p>	
<p>Polling Hours 7 a.m. to 10 p.m.</p>	
<p>Oriau Pleidleisio 7 a.m. hyd 10 p.m.</p>	

ISSUED BY THE RETURNING OFFICER
CYHOEDDWDYD GAN Y SWYDDOG CANLYNADAU

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

Paragraph 33(7)

Form of proxy's pollcard referred to in paragraph 33(7)

Front of form

PROXY'S OFFICIAL POLL CARD

CERDYN PLEIDLEISIO SWYDDOGOL DIRPRWY

Polling Day:

Dyddiad Pleidleisio:

If undelivered, return to the Returning Officer at:—

Os nad â i ben ei daith, dychweler i'r Swyddog Canlyniadau yn:—

Back of form

Constituency/Electoral Region

Etholaeth/Rhanbarth
Etholiadol

The elector named, whose proxy you are, is entitled to vote at the polling station

Mae gan yr etholwr a enwir, yr ydych yn ddirpwy drosto, hawl i bleidleisio yn yr orsaf bleidleisio

Polling Hours 7 a.m. to 10 p.m.

Oriau Pleidleisio 7 a.m. hyd 10 p.m.

To vote as proxy you must go to the named polling station. Tell the clerk that you wish to vote as proxy; give the number on the register, name and qualifying address of the elector, as follows:

I bleidleisio fel dirpwy, rhaid i chi fynd i'r orsaf bleidleisio a enwir. Dywedwch wrth y clere eich bod am bleidleisio fel dirpwy; rhoewch y rhif ar y gofrestr, enw a chyfeiriad cymhwyso'r etholwr, fel hyn:

Number on register:

Rhif ar y gofrestr:

Name:

Enw:

Address:

Cyfeiriad:

The presiding officer will give you the elector's ballot paper. The method of voting as proxy is the same as for casting your own vote. It is an offence to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote, eg if that person has been convicted and is detained in a penal institution in pursuance of his sentence. It is also an offence to vote for more than 2 persons of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild. The person who appointed you as proxy may himself vote in person at

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this election if he is able, and wishes to do so and if he votes before you vote on his behalf.

Bydd y swyddog llywyddu yn rhoi papur pleidleisio'r etholwr i chi. Mae'r dull o bleidleisio fel dirprwy yr un fath â'r dull o fwrw eich pleidlais eich hun. Mae'n drosedd i chi bleidleisio fel dirprwy ar ran rhyw berson arall os gwyddoch fod y person hwnnw wedi'i anghymwysu yn ôl y gyfraith rhag pleidleisio, os cafwyd y person hwnnw'n euog a'i fod yn cael ei gadw mewn sefydliad cosbi yn unol â'r ddeddfyd a gawsai. Trosedd hefyd yw pleidleisio ar ran mwy na 2 berson heb eich bod yn wr, gwraig, rhiant, tadu (tad), mangu (mair), brawd, chwaer, plentyn neu wŷr neu wyres iddynt. Gall y person a'ch penododd chi i weithredu fel dirprwy bleidleisio'n bersonol yn yr etholiad hwn os bydd yn gallu ac yn dymuno gwneud hynny ac yn pleidleisio cyn i chi bleidleisio yn ei le.

ISSUED BY THE RETURNING OFFICER
CYTIOEDDWDYD GAN Y SWYDDOG CANTYNIADAU

Paragraph 34(5)

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

Form of directions for the guidance of voters in voting referred to in paragraph 34(5)

GUIDANCE FOR VOTERS

1. When you are given a ballot paper make sure it is stamped with the official mark.
2. Go to one of the compartments. You may vote once only on each ballot paper. Do not vote more than once. Mark your choice with a cross(x). Put no other mark on the ballot paper, or your vote may not be counted.
3. Fold the ballot papers in two. Show the official mark to the presiding officer, but do not let anyone see your vote. Put the ballot papers in the ballot box and leave the polling station.
4. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

CYFARWYDDYD I BLEIDLEISWYR

1. Pau roir i chi papur pleidleisio gwetweh yn siŵr iddo gael ei stampio â'r marc swyddogol.
2. Lwch i un o'r cabanau. Cewch bleidleisio unwaith yn unig ar bob papur pleidleisio. Peidiwch â phleidleisio fwy nag unwaith. Marciwch eich dewis â chress (X). Peidiwch â throi unrhyw farc arall ar y papur pleidleisio, neu fe all na chyfrin eich pleidlais.
3. Plygwch y papurau pleidleisio yn dda. Dangoswch y marc swyddogol i'r swyddog llywyddu, ond peidiwch â gadael i neb weld eich pleidlais. Rhwch y papurau pleidleisio yn y bŵch pleidleisiau a mynd allan o'r orsaf bleidleisio.
4. Os bydd i chi drwy gangymeriad ddifetba papur pleidleisio, dangoswch ef i'r swyddog llywyddu a gofyn am un arall.

Paragraph 34(6) and (7)

Form of directions for the guidance of voters in voting referred to in paragraph 34(6) and (7)

GUIDANCE FOR VOTERS

1. When you are given a ballot paper make sure it is stamped with the official mark.

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

2. Go to one of the compartments. You may vote once only on the ballot paper. Do not vote more than once. Mark your choice with a cross(x). Put no other mark on the ballot paper, or your vote may not be counted.
3. Fold the ballot paper in two. Show the official mark to the presiding officer, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.
4. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

CYFARWYDDIYD I BLEIDLEISWYR

1. Pan roni chi bapur pleidleisio gwnewch yn siŵr iddo gael ei stampio â'r mare swyddogol.
2. Tych i un o'r caparau. Cewch bleidleisio unwaith yn unig ar y papur pleidleisio. Peidiwch â phleidleisio fwy nag unwaith. Marewch eich dewis â chroes (X). Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fo all na chyfrifir eich pleidlais.
3. Plygwch y papur pleidleisio yn ddau. Dangoswch y mare swyddogol i'r swyddog llywyddu, ond peidiwch â gadael i neb weld eich pleidlais. Rhoswch y papur pleidleisio yn y blwch pleidleisiau a mynd allan o'r orsaf bleidleisio.
4. Os bydd i chi dewy gamgymeriad ddifetha papur pleidleisio, dangoswch ef i'r swyddog llywyddu a golyu am un arall.

Paragraph 44(6)

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

Form of declaration to be made by the companion of a blind voter NATIONAL ASSEMBLY FOR WALES

I, A.B., of having been requested to assist C.D.,
(in the case of a blind person voting as proxy add voting as proxy for M.N.) whose number on the register is..... to record his vote at the Assembly election now being held in this [constituency] [and] [electoral region], hereby declare that [I am entitled to vote as an elector at the said election(s)] [I am the [father] [mother] [brother] [sister] [husband] [wife] [son] [daughter] of the said voter and have attained the age of 18 years], and that I have not previously assisted any blind person [except E.F. of.....] to vote at the said election(s).

(Signed) A.B.,
.....day of.....

I, the undersigned, being the presiding officer for the..... polling station for the [Constituency] [and] [Electoral Region], hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence

(Signed) G.H.,
.....day of.....

at minutes past o'clock (am) (pm)

NOTE—If the person making the above declaration knowingly and willfully makes therein a statement false in a material particular, he will be guilty of an offence.

CYNULLIAD CENEDLAETHOL CYMRU

Yr wyf I, A.B., o....., ar ôl cael enis i gysorthwyo C.D., *(yn achos person dall sy'n gwethredu fel dirprwy ychwaneg sy'n pleidleisio fel dirprwy ar ran M.N.)*, sef rhif..... ar y gofrestr, i gofnodi ei bleidlais yn yr etholiad i'r Cynulliad a gynhelir yn awr yn yr [etholaeth hon] [a'r] [rhanbarth etholaadol hwn], yn datgan drwy hyn [fod gennyf hawl i bleidleisio fel etholwr yn yr etholiad(au) a enwyd] [mafi yw [tad] [mam] [brawd] [chwaer] [gŵr] [gwraig] [mab] [merch]] y pleidleiswr a enwyd ac wedi cyrraedd fy 18 m wydd oed), ac na fu i mi o'r blaen gysorthwyo unrhyw bleidleisiwr dall [ac eithrio E.F. o.....] i bleidleisio yn yr etholiad(au) a enwyd.

(Llofnodwyd) A.B.,
y..... dydd o fis.....

Yr wyf i, y gwelir fy llofnod iod, sef swyddog llywyddu gorsaf bleidleisio..... ar gyfer [Etholaeth] [a] [Rhanbarth Etholaadol]....., yn datgan drwy hyn fad y datganiad uchod wedi ei ddarl en i ddechrau yng nghlyw'r datganydd a enwir uchod, a bod y datganydd wedi ei lofnodi wedyn yn fy ngwydd.

(Llofnodwyd) G.H.,
y..... dydd o fis.....

am..... munud wedi..... o'r gloch (a.m.) (p.m.)

NODYN —Os bydd y person sy'n gwneud y datganiad uchod yn ymwybodol ac yn fwriadol yn dweud rhywbeth ffug ynddo yng yn ag unrhyw fater o bwys, bydd yn euog o drosedd.

Paragraph 57(4)(a)

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

Form of certificate referred to in paragraph 57(4)(a)

NATIONAL ASSEMBLY FOR WALES

Certification by the constituency returning officer in respect of the election of a member for an Assembly constituency

I hereby certify that the Member elected to the National Assembly for Wales for the ... Constituency at the election on [date of poll] is:

..... (Full name of member)

..... (name of registered political party, if applicable)

Address of Member:

.....

.....

.....

.....

(Signed)

Constituency Returning Officer

Date:

CYNULLIAD CENEDLAETHOL CYMRU

Ardystiad gan swyddog canlyniadau'r etholaeth mewn perthynas ag ethol aelod ar gyfer un o etholaethau'r Cynulliad

Yr wyf i drwy hyn yn ar dystio mai:

..... (Enw'r aelod yn llawn)

..... (enw'r blaid wleidyddol gofrestredig, os yw'n gymwys)

Cyfeiriad yr Aelod

.....

.....

.....

.....

yw'r Aelod a etholwyd i Gynulliad Cenedlaethol Cymru dros Etholaeth

..... yn yr etholiad ar [dyddiad y bleidlais].

(T.lofnodwyd).....

Swyddog Canlyniadau'r Etholaeth

Dyddiad:

Paragraph 59(4)(a)

Form of certificate referred to in paragraph 59(4)(a)

NATIONAL ASSEMBLY FOR WALES

Certification by the regional returning officer in respect of the election of members for an Assembly electoral region

I hereby certify that the persons elected to the National Assembly for Wales to serve as Members for the ... Electoral Region at the election held on [date of poll] are:

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1..... (Full name of member)
..... (name of registered political party, if applicable)

Address of Member:
.....
.....
.....

2..... (Full name of member)
..... (name of registered political party, if applicable)

Address of Member:
.....
.....
.....

3..... (Full name of member)
..... (name of registered political party, if applicable)

Address of Member:
.....
.....
.....

4..... (Full name of member)
..... (name of registered political party, if applicable)

Address of Member:
.....
.....
.....

(Signed)
Regional Returning Officer

Date:

CYNULLIAD CENEDLAETHIOL CYMRU

Ardystiad gan y swyddog canlyniadau rhanbarthol mewn perthynas ag ethol aelodau yn un o ranbarthau etholiadol y Cynulliad

Yr wyf drwy hyn yn ardystio mai:

1..... (Enw'r aelod yn llawn)
..... (enw'r blaidd wleidyddol gofrestrdedig, os yw'n gymwys)

Cyfeiriad yr Aelod:
.....
.....
.....

2..... (Enw'r aelod yn llawn)
..... (enw'r blaidd wleidyddol gofrestrdedig, os yw'n gymwys)

Cyfeiriad yr Aelod:
.....
.....
.....

3..... (Enw'r aelod yn llawn)
..... (enw'r blaidd wleidyddol gofrestrdedig, os yw'n gymwys)

Cyfeiriad yr Aelod:
.....
.....
.....

4..... (Enw'r aelod yn llawn)
..... (enw'r blaidd wleidyddol gofrestrdedig, os yw'n gymwys)

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

Cyfeiriad yr Aelxi:

.....
.....
.....
.....

yw'r personau a etholwyd i Gynulliad Cenedlaethol Cymru i wrsodwch yn

Aelodau dros Rhanbarth Etholiadol..... yn yr etholiad a gynhaliwyd ar [dyddiad y bleidlais]:

(Llofnodwyd)
Swyddog Canlyniadau Rhanbarthol

Dyddiad:

Paragraph 67(10)(a)

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

Form of certificate referred to in paragraph 67(10)(a)

NATIONAL ASSEMBLY FOR WALES

Certification by the regional returning officer in respect of the return of a member to fill a casual vacancy in an Assembly electoral region under section 9 of the Government of Wales Act 1998

I hereby certify that in accordance with the provisions of section 9(1) to (5) of the Government of Wales Act 1998 the following person is declared returned to serve as Member in the National Assembly for Wales for the Electoral Region

..... (full name of member)
..... (name of registered political party)

Address of Member:
.....
.....
.....

(Signed)
Regional Returning Officer

Date:

CYNULLIAD CENEDLAETHOL CYMRU

Ardystiad gan y swyddog canlyniadau rhanbarthol mewn perthynas ag ethol aelod i lenwi sedd wag achlysurol yn un o ranbarthau etholiadol y Cynulliad o dan adran 9 o Ddeddf Llywodraeth Cymru 1998

Yn unol â darpariaethau adran 9(1) i (6) o Ddeddf Llywodraeth Cymru 1998 yr wyf drwy hyn yn ardystio y darganwyd bod y person canlynol wedi'i ethol i wasanaethu fel Aelod yng Nghynulliad Cenedlaethol Cymru dros Ranbarth Etholiadol:

..... (Enw llawn yr aelod)
..... (enw'r blaidd wleidyddol gotrestredig)

Cyfeiriad yr eilect:
.....
.....
.....

(Llofnodwyd)
Swyddog Canlyniadau Rhanbarthol

Dyddiad:

Paragraph 67(11)(b)

Form of certificate referred to in paragraph 67(11)(b)

NATIONAL ASSEMBLY FOR WALES

Certification by the regional returning officer that by virtue of section 9(7)(b) of the Government of Wales Act 1998 a vacancy in an Assembly electoral region shall remain vacant until the next ordinary election

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

I hereby certify that in accordance with the provisions of section 9(7)(b) of the Government of Wales Act 1998 the seat which is vacant in the under-mentioned electoral region shall remain vacant until the next ordinary election for the National Assembly for Wales.

..... Electoral Region

(Signed)
Regional Returning Officer

Date:

CYNULLIAD CENEDLAETHOL CYMRU

Ardystiad gan y swyddog canlyniadau rhanbarthol y bydd sedd wag yn un o ranbarthau etholiadol y Cynulliad yn aros yn wag tan yr etholiad cyffredin nesaf, yn rhinwedd adran 9(7)(b) o Ddeddf Llywodraeth Cymru 1998

Yn unol â darpariaethau adran 9(7)(b) o Ddeddf Llywodraeth Cymru 1998 yr wyf drwy hyn yn ardystio y bydd y sedd sy'n wag yn y rhanbarth etholiadol a enwir isod yn aros yn wag tan etholiad cyffredin nesaf Cynulliad Cenedlaethol Cymru.

.....Rhanbarth Etholiadol

(Llofnodwyd).....
Swyddog Canlyniadau Rhanbarthol

Dyddiad: