
STATUTORY INSTRUMENTS

2007 No. 236

The National Assembly for Wales
(Representation of the People) Order 2007

PART 2

Assembly franchise and its exercise

Absent vote at a particular Assembly election

9.—(1) Where a person applies to the registration officer to vote by post, or to vote by proxy, at a particular Assembly election, the registration officer shall grant the application if—

- (a) he is satisfied in the case of an application to vote by proxy, that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to him under this Order;
- (b) he is satisfied that the applicant is or will be registered in the register; and
- (c) the application contains the applicant's signature and date of birth and meets the requirements set out in Schedule 1.

(2) Where a person who has an anonymous entry in the register applies to the registration officer to vote by proxy at a particular Assembly election, the registration officer shall grant the application if it meets the requirements set out in Schedule 1.

(3) Paragraph (1) does not apply to a person who is included in the record kept under article 8 but such a person may, in respect of a particular Assembly election, apply to the registration officer—

- (a) for his ballot paper to be sent to a different address from that shown in the record; or
- (b) to vote by proxy,

if he is shown in the record as voting by post at Assembly elections.

(4) The registration officer shall grant an application under paragraph (3) if—

- (a) in the case of any application, it meets the requirements set out in Schedule 1; and
- (b) in the case of an application to vote by proxy, he is satisfied that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to him under this Order.

(5) The registration officer may dispense with the requirement under paragraph (1)(c) for the applicant to provide a signature if he is satisfied that the applicant is unable—

- (a) to provide a signature because of any disability the applicant has; or
- (b) to provide a signature because the applicant is unable to read or write; or
- (c) to sign in a consistent and distinctive way because of any such disability or inability.

(6) The registration officer shall also keep a record in relation to those whose applications under this article have been granted showing—

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- (a) their dates of birth; and
 - (b) except in cases where the registration officer in pursuance of paragraph (5) has dispensed with the requirement to provide a signature, their signatures.
- (7) The record kept under paragraph (6) must be retained by the registration officer for the period prescribed in paragraph 2 of Schedule 1.
- (8) For the purposes of this article, articles 11 and 12 and Schedule 1, “particular election”, shall, where a person (whether as elector or as proxy) is entitled to give two votes, refer to both elections at which he is entitled to so vote; and references to an absent vote at a particular Assembly election shall be construed accordingly.