
STATUTORY INSTRUMENTS

2016 No. 272

The National Assembly for Wales (Representation of the People) (Amendment) Order 2016

PART 1

General

Citation, commencement and interpretation

1.—(1) This Order may be cited as the National Assembly for Wales (Representation of the People) (Amendment) Order 2016.

(2) It comes into force on the day after the day on which it is made.

(3) Articles 2 to 20 apply only in respect of an election the poll for which is on or after 1st May 2016.

(4) In this Order, “the 2007 Order” means the National Assembly for Wales (Representation of the People) Order 2007⁽¹⁾.

Amendment of the 2007 Order

2. The 2007 Order is amended in accordance with articles 3 to 19.

PART 2

Combination of polls at Assembly and police and crime commissioner elections

Amendment of article 2 (interpretation)

3. In article 2(1) (interpretation), in the appropriate places insert—

““2011 Act” means the Police Reform and Social Responsibility Act 2011⁽²⁾”;

““ordinary election of police and crime commissioners” has the meaning given by article 16A (combination of polls at police and crime commissioner elections)⁽³⁾”;

““police area” means a police area in Wales listed in Schedule 1 to the Police Act 1996 (police areas in England and Wales)⁽⁴⁾”;

““police and crime commissioner election” means an election under Chapter 6 of Part 1 of the 2011 Act”.

(1) S.I. 2007/236. This Order has been amended by S.I. 2009/1182; S.I. 2010/1142; S.I. 2010/2931; S.I. 2011/1441; S.I. 2011/2085; S.I. 2012/1479; S.I. 2013/388; S.I. 2013/591; S.I. 2015/664; and section 3 of the Wales Act 2014 (c. 29).

(2) 2011 c. 13.

(3) Article 16A is inserted by article 4 of this Order.

(4) 1996 c. 16.

Combination of polls at Assembly and Police and Crime commissioner elections

4.—(1) After article 16 (combination of polls at Assembly and local government elections), insert—

“Combination of polls at Assembly and police and crime commissioner elections

16A.—(1) Where the polls at an Assembly general election and an ordinary election of police and crime commissioners are to be taken on the same date, they must be taken together.

(2) Where the polls at an Assembly election and a police and crime commissioner election for related areas are to be taken on the same date but are not required by paragraph (1) to be taken together, they may nevertheless be taken together if the returning officer for each election thinks fit.

(3) For the purposes of paragraph (2) two areas are related if one is coterminous with or situated wholly or partly within the other.

(4) Where the polls at any elections are combined under this article the cost of taking the combined polls (excluding any cost solely attributable to one election) and any cost attributable to their combination is to be apportioned equally among the elections.

(5) Schedule 4A (which makes provision in connection with the combination of polls at Assembly and police and crime commissioner elections) has effect.

(6) In this article “ordinary election of police and crime commissioners” has the same meaning as in section 50 of the 2011 Act(5).”

(2) Schedule 1 (which inserts Schedule 4A into the 2007 Order to make provision for the combination of polls at Assembly elections and police and crime commissioner elections) has effect.

Amendment of Schedule 3 (issue and receipt of postal ballot papers)

5.—(1) Amend Schedule 3 (issue and receipt of postal ballot papers) as follows.

(2) In paragraph 2 (combination of polls), after “article 16(1) or (2)”, insert “or (as the case may be) article 16A(1) or (2)”.

(3) In paragraph 3 (form of postal voting statement), after “article 16(1) or (2)”, in each place it occurs, insert “or (as the case may be) article 16A(1) or (2)”.

(4) In paragraph 9(6) (procedure on issue of postal ballot paper), after “article 16(1) or (2)” insert “or (as the case may be) article 16A(1) or (2)”.

(5) In paragraph 11(3) (envelopes), after “article 16(1) or (2)” insert “or (as the case may be) article 16A(1) or (2)”.

(6) After paragraph 31(1) (forwarding of documents), insert—

“(1A) Where the poll at an Assembly election is to be taken together with the poll at a police and crime commissioner election under article 16A, a separate statement in the form described in sub-paragraph (1)(b) must be completed for the Assembly election.”.

Amendment of Schedule 4 (combination of polls)

6. In the heading to Schedule 4 (combination of polls), at the end insert “: Assembly elections and local government elections”.

(5) Section 50 was amended by [S.I. 2015/1526](#) (so as to enable the concurrent exercise of the Secretary of State’s functions with the Chancellor of the Duchy of Lancaster).

PART 3

Other amendments

Article 2 (interpretation)

7. In article 2 (interpretation), in the definition of “valid postal voting statement” omit “22 or”.

Registers of electors

8. Omit article 4 (registers of electors etc).

Registration appeals

9. Omit article 5(7) (registration appeals)(6).

Manner of voting at Assembly elections

10. In article 7 (manner of voting), after paragraph (5) insert—
“(5A) In paragraph (5), the reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for civilian staff)(7).”.

Returning officers' charges

- 11.—(1) In article 23(1) (payments by and to returning officer)(8), at the beginning insert “Subject to article 23A,”.
(2) After article 23 insert—

“Inadequate performance of returning officer: reduction of charges

23A.—(1) This article applies to a service rendered by a returning officer for or in connection with an Assembly election which, in the opinion of the Electoral Commission, was inadequately performed.

(2) The Commission may recommend to the Welsh Ministers that the returning officer is entitled under article 23(1) to no more than a specified amount (which may be nil) in respect of that service.

(3) In making a recommendation under paragraph (2), the Commission must have regard to—

- (a) any report prepared under section 5 of the 2000 Political Parties Act(9) on the administration of the Assembly election concerned,

(6) Article 5(7) applies CCR Order 45 (contained in Part 45 of Schedule 2 to [S.I. 1998/3132](#)) to registration appeals under the 2007 Order. Part 45 was revoked by [S.I. 2007/2204](#).

(7) [2002 c. 30](#); relevant amendments to section 38 have been made by paragraphs 277 and 292 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 ([c. 13](#)) (which amended the heading and subsection (1)). Other amendments have been made to section 38 but they are not relevant to this Order.

(8) Certain functions conferred on the Assembly before the ordinary election in 2007 (including those in article 23) were transferred to the Welsh Ministers at the end of the “initial period” after that election by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 ([c. 32](#)). The initial period is defined in section 161(5) of that Act.

(9) [2000 c. 41](#); relevant amendments were made to section 5 (insertion of subsection (2A)) by section 28 of the Electoral Administration Act 2006 ([c. 22](#)) (“2006 Act”) and further relevant amendments were made to subsection (2A) by [S.I. 2007/1388](#).

- (b) any assessments of the level of performance of the returning officer in relation to that election under section 9B(4) of that Act⁽¹⁰⁾,
- (c) any representations made to the Commission by the returning officer in respect of the performance of the service, and
- (d) any other information relating to the performance of the service by the returning officer that has been provided to the Commission.

(4) Where the Commission makes a recommendation under paragraph (2), the returning officer is entitled under article 23(1) to no more than the amount (which may be nil) determined by the Welsh Ministers, having regard to the recommendation of the Commission.”

(3) In paragraph 3(1) of Schedule 4 (combination of polls: modification of provisions relating to expenses), after paragraph (a) insert—

“(aa) in article 23A (inadequate performance of returning officer: reduction of charges);”.

(4) In article 24 (detailed assessment of returning officer’s account), omit paragraph (4)⁽¹¹⁾.

Timing of nomination of sub-agents

12. In article 38(3), for “second” substitute “fifth”.

Limitation of candidates’ expenses

13.—(1) Amend article 47(3) (constituency and individual candidates: limitation of election expenses) as follows.

(2) In sub-paragraph (a)(i)—

- (a) omit “which is coterminous with a parliamentary constituency”⁽¹²⁾;
- (b) for “£7,150” substitute “£8,700”; and
- (c) for “7p” substitute “9p”.

(3) In sub-paragraph (a)(ii)—

- (a) omit “which is coterminous with a parliamentary constituency”;
- (b) for “£7,150” substitute “£8,700”; and
- (c) for “5p” substitute “6p”.

Electronic communications

14. In article 144 (sending of applications and notices: electronic signatures and related certificates), in paragraphs (1) and (2) after “notice” insert “certificate,”.

Amendment of Schedule 1 (absent voting at Assembly elections)

15.—(1) Amend Schedule 1 (absent voting at Assembly elections) as follows.

(2) After paragraph 2 (the personal identifiers record) insert—

⁽¹⁰⁾ Section 9B was inserted by section 67 of the 2006 Act.

⁽¹¹⁾ This paragraph applies CCR Order 45 to detailed assessments of returning officer’s accounts. CCR Order 45 has been revoked (see above).

⁽¹²⁾ By virtue of section 2 of the Government of Wales Act 2006 (c. 32) Assembly constituencies are the constituencies specified in S.I. 2006/1041 as amended by S.I. 2008/1791 and an Order in Council under the Parliamentary Constituencies Act 1986 (c. 56) giving effect to an order under section 13(4) or (5) of the Parliamentary Voting Systems and Constituencies Act 2011 (c. 1) (such an order, S.I. 2011/2987, has been made). As a result of amendments made to S.I. 2006/1041 by S.I. 2011/2987 Assembly constituencies and Parliamentary constituencies are no longer coterminous. Assembly constituencies continue to be specified however by reference to whether they are county or borough constituencies.

“Notification of rejected postal voting statement

2A.—(1) Where an absent voter (whether an elector or a proxy) appears on the list created under paragraph 27(4) of Schedule 3 (list of rejected postal ballot papers)(**13**) then—

- (a) the registration officer responsible for the personal identifiers record that contains information in respect of the absent voter must notify that person (and the elector if the absent voter is a proxy) that the ballot paper concerned was rejected because the returning officer was not satisfied that the postal voting statement was duly completed;
- (b) the registration officer must send the notification within the period of three months beginning with the date of the poll at which the ballot paper was rejected; and
- (c) the notification must include information as to which of the specified reasons referred to in paragraph 27(5) of Schedule 3 applied to the absent voter’s postal voting statement.

(2) The registration officer is not obliged to send a notification—

- (a) to any person who is no longer shown as voting by post in the relevant record at the time the registration officer proposes to send out the notification, or
- (b) where the returning officer suspects that an offence may have been committed in relation to the ballot paper, postal voting statement or the absent voter’s registration as an elector.

(3) A notification issued under sub-paragraph (1) may also include any other information that the registration officer considers appropriate, but (save for the elector’s or, as the case may be, proxy’s name) a notification must not include information held on the personal identifiers record.”.

(3) In paragraph 6(**14**) (additional requirements for applications to vote by proxy at a particular election)—

(a) after sub-paragraph (3) insert—

“(3A) Where an application under article 9(1)—

- (a) is made on grounds relating to the applicant’s occupation, service or employment; and
- (b) is made after 5pm on the sixth day before the date of the poll at the election for which it is made,

the requirements of paragraph 6A as to the matters to be specified and the attestation apply.”;

(b) in sub-paragraph (4), for “article 7(7)” substitute “article 7(8)”;

(c) in sub-paragraph (5), for “paragraph (4)” substitute “sub-paragraph (4)”.

(4) After paragraph 6 insert—

“Additional requirements for application for an emergency proxy vote in respect of a particular election

6A.—(1) This paragraph sets out the requirements referred to in paragraph 6(3A).

(2) The application must (in addition to providing the information required by paragraph 6(1)) state—

(13) Sub-paragraphs (4) and (5) are inserted by article 16(9) of this Order.

(14) Paragraph 6 has been amended by [S.I. 2010/2931](#).

- (a) where the applicant is employed, the name of the applicant's employer, and in any other case, the nature of the applicant's occupation or service;
 - (b) that the reason provided in accordance with paragraph 6(1) relates to the applicant's occupation, service or employment; and
 - (c) the date on which the applicant became aware of that reason.
- (3) Sub-paragraphs (4), (5) and (6) apply unless the applicant is or will be registered as a service voter.
- (4) The application must be attested and signed—
- (a) where the applicant is employed, by the applicant's employer or by another employee to whom this function is delegated by the employer; and
 - (b) in any other case, by a person who—
 - (i) is aged 18 years or over,
 - (ii) knows the applicant, and
 - (iii) is not related to the applicant.
- (5) The person attesting an application under sub-paragraph (4) ("the attester") must certify that the statements required by sub-paragraph (2) and the information required by paragraph 6(1) are true to the best of the attester's knowledge and belief.
- (6) The attester must also state—
- (a) the attester's name and address; and
 - (b) if the attester is attesting—
 - (i) as or on behalf of the applicant's employer, that the attester is the applicant's employer, or the position the attester holds in the employment of that employer, or
 - (ii) other than as or on behalf of the applicant's employer, that the attester is aged 18 years or over and that the attester knows, but is not related to, the applicant.
- (7) For the purposes of this paragraph, one person ("A") is related to another ("B") if A is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of B."
- (5) In paragraph 7 (closing dates for applications)—
- (a) in sub-paragraph (3)(a)—
 - (i) after "before" insert "the date of"; and
 - (ii) at the end omit "or";
 - (b) after sub-paragraph (3)(a) insert—
 - "(aa) on grounds relating to the applicant's occupation, service or employment and the applicant became aware of those grounds after 5pm on the sixth day before the date of the poll at the election for which it is made; or";
 - (c) after sub-paragraph (5) insert—
 - "(5A) Any application or notice mentioned in this paragraph shall be disregarded for the purposes of a particular Assembly election if, before the application or notice is considered by the registration officer, the elector or proxy has returned a postal ballot paper to the constituency returning officer (except where it has been returned in accordance with paragraph 14 or 15 of Schedule 3 (spoilt or lost postal ballot papers))."
- (6) After paragraph 12 (requirement to provide fresh signatures at five yearly intervals) insert—

“Requirement to provide fresh signatures following rejection of postal voting statement

12A.—(1) Where, in relation to an Assembly election,—

- (a) an absent voter is notified under paragraph 2A that the signature on the absent voter’s postal voting statement does not match the example held on the personal identifiers record; and
- (b) the absent voter continues to be shown in the relevant record as voting by post,

the registration officer may require the absent voter to provide a fresh signature for the personal identifiers record.

(2) In doing so the registration officer must issue a notice (“the notice”) in writing to the absent voter—

- (a) requiring the absent voter to provide a fresh signature; and
- (b) informing the absent voter of the date (six weeks from the date of sending the notice) on which the absent voter would cease to be entitled to vote by post in the event of a failure or refusal to provide a fresh signature.

(3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which it was sent, as soon as practicable send a copy of the notice to the absent voter.

(4) The notice and any copy must be sent by the registration officer to the absent voter’s current or last known address.

(5) Where a notice or a copy of a notice is sent by post, the registration officer may use—

- (a) a universal service provider; or
- (b) a commercial delivery firm,

and postage must be prepaid.

(6) A notice or copy of a notice sent to an absent voter in accordance with sub-paragraph (2) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of a notice or copy of a notice sent to an address in the United Kingdom, the return postage must be prepaid.

(7) As soon as practicable after the date specified in the notice, the registration officer must determine whether the absent voter has failed or refused to provide a fresh signature.

(8) Where the registration officer determines that the absent voter has failed or refused to provide a fresh signature, the registration officer must—

- (a) remove the absent voter’s entry from the relevant record; and
- (b) so far as applicable, remove the absent voter’s entry from the postal voters list or proxy postal voters list (as the case may be) kept under article 10(1) and (2) or 12(8).

(9) Where a registration officer removes an absent voter’s entry from a record or list in the circumstances to which sub-paragraph (8) refers—

- (a) the registration officer must inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to the absent voter under rule 34 of the Assembly election rules;
- (b) article 5(15) and paragraphs 8(4) and 9 apply as if the registration officer were refusing an application under this Schedule; and
- (c) in the case of an entry removed from the record kept under article 12(6) or the proxy postal voters list kept under article 12(8), the registration officer must also notify the elector who appointed the voter that the proxy’s entry has been removed.

(10) The registration officer must include in the notice to be sent to the absent voter regarding the absent voter’s removal from the relevant record and, so far as applicable, the postal voters list or proxy postal voters list (as the case may be) kept pursuant to article 10(1) and (2) or 12(8) information—

- (a) explaining the effect of such removal; and
- (b) reminding the absent voter that he or she may make a fresh application to vote by post or (in the case of an absent voter removed from the record kept under article 8(3) or the postal voters list kept under article 10(1) and (2)) by proxy.

(11) Where an absent voter has provided the registration officer with a fresh signature in response to a notice issued by the registration officer under this paragraph, or in response to a notice issued by the registration officer under any other enactment following the rejection of the absent voter’s postal voting statement at an election or referendum, the registration officer may use that signature and enter it in the records kept in accordance with paragraph 2 of this Schedule and articles 8(9), 9(6) and 12(13).

(12) In this paragraph the “relevant record” means the record kept under article 8(3) or, as the case may be, article 12(6).”.

Amendment of Schedule 3 (issue and receipt of postal ballot papers)

16.—(1) Amend Schedule 3 (issue and receipt of postal ballot papers) as follows.

(2) For paragraph 8 (time when postal ballot papers are to be issued) substitute—

“**8.** Postal ballot papers (and postal voting statements) must be issued by the constituency returning officer as soon as it is practicable to do so.”.

(3) After paragraph 15 (lost postal ballot papers), insert—

“Cancellation of postal ballot papers

15A.—(1) Where after the final nomination day an application under—

- (a) article 8(5)(a) (application to be removed from record of absent voters),
- (b) article 8(6) or 9(3)(b) (application to vote by proxy by person recorded as voting by post),
- (c) article 8(7) (application to vote by post by person recorded as voting by proxy),
- (d) article 9(3)(a) (application for ballot paper to be sent to a different address),
- (e) article 11(6) or (7) (application to vote by proxy),
- (f) article 12(7) (application from postal proxy voter for postal ballot paper to be sent to a different address), or
- (g) article 12(10)(a) (application from postal proxy voter to be removed from the record of postal proxies),

is granted or a notice under article 11(9) (cancellation of proxy appointment) is received, and the application or notice is not to be disregarded for the purposes of the election under paragraph 7 of Schedule 1 (closing dates for absent vote applications)(**16**), the registration officer must notify the constituency returning officer who must immediately cancel any postal ballot paper issued to the elector or proxy and, in the case of an application mentioned in paragraph (d) or (f), must issue a replacement ballot paper.

(16) Paragraph 7 has been amended by [S.I. 2010/2931](#).

(2) Where a person returns a postal ballot paper that has been or is to be cancelled (whether to the registration officer or the returning officer(17)), it must be dealt with as follows—

- (a) the ballot paper, together with any other ballot papers, postal voting statements or covering envelopes which are returned to the registration officer must be given by the registration officer to the constituency returning officer,
- (b) any document returned in accordance with this sub-paragraph but not cancelled in accordance with sub-paragraph (1) must be immediately cancelled,
- (c) the constituency returning officer, as soon as practicable after cancelling those documents, must make up those documents in a separate packet, and must seal the packet, and if on any subsequent occasion documents are returned in accordance with this sub-paragraph, the sealed packet must be opened and the additional cancelled documents included in it and the packet must be again made up and sealed.

(3) The constituency returning officer must enter in a list kept for the purpose of recording postal ballot papers cancelled under this paragraph (“the list of cancelled postal ballot papers”)

- (a) the name and number of the elector as stated in the register,
- (b) the number of the cancelled postal ballot paper,
- (c) the number of any replacement ballot paper issued under sub-paragraph (1), and
- (d) where the postal voter is a proxy, the proxy’s name and address.

(4) Paragraphs 9 (except sub-paragraph (3)), 11, 12 and 13 of Schedule 3 apply to any replacement postal ballot paper issued under sub-paragraph (1).

(5) In this paragraph “the final nomination day” in relation to an election, means the last day on which nomination papers may be delivered to the constituency or (as the case may be) regional returning officer for the purposes of the election.”

(4) In paragraph 20 (opening of covering envelopes)—

- (a) omit sub-paragraphs (2) and (7);
- (b) for sub-paragraph (4) substitute—

“(4) The procedure in paragraph 23 applies where a covering envelope (including an envelope to which paragraph 18(2) applies) contains a postal voting statement.”;

- (c) for sub-paragraph (6) substitute—

“(6) Where a covering envelope does not contain a postal voting statement (whether separately or not) the constituency returning officer shall mark the covering envelope “provisionally rejected”, attach its contents (if any) and place it in the receptacle for rejected votes.”;

- (d) in sub-paragraph (8), for “22” substitute “23”.

(5) Omit paragraph 22 (procedure in relation to postal voting statements)(18).

(6) In paragraph 23 (procedure in relation to postal voting statements: personal identifier verification)—

- (a) for sub-paragraph (1) substitute—

“(1) This paragraph applies in the circumstances described in paragraph 20(4).”;

- (b) in sub-paragraph (3), after “if there is no such envelope” insert “but there is a ballot paper”; and

(17) At a regional election the functions connected with the issue and receipt of postal ballot papers are exercised in relation to Assembly constituencies by the returning officer for that constituency – see paragraph 4 of Schedule 3 to the 2007 Order.

(18) Paragraph 22 was amended by S.I. 2010/2931.

- (c) after sub-paragraph (3) insert—
- “(3A) Where the constituency returning officer is not satisfied as mentioned in sub-paragraph (3) but there is neither a ballot paper envelope nor a ballot paper, he shall, subject to sub-paragraph (4), place the statement as it is in the receptacle for rejected votes (verification procedure).”
- (7) Omit paragraph 24 (postal voting statement: additional personal identifier verification).
- (8) In sub-paragraph (2) of paragraph 26 (retrieval of cancelled postal ballot papers)—
- (a) in paragraph (c), after “postal voting statements” insert “(verification procedure)”; and
- (b) in paragraph (e), after “paragraph 14(7)” insert “or 15A”.
- (9) In paragraph 27 (list of rejected postal ballot papers)—
- (a) in sub-paragraph (1), for “two” substitute “three”;
- (b) after sub-paragraph (3) insert—
- “(4) In the third list, he shall record for every postal voting statement within the receptacle for rejected votes (verification procedure) immediately prior to sealing—
- (a) the elector’s name and address (and the name and address of the proxy if the elector has a proxy),
- (b) the elector’s number on the register of electors (and that of the proxy if the elector has a proxy),
- (c) the specified reason or reasons for the rejection of the postal voting statement, and
- (d) any other information relating to the rejection that the returning officer considers appropriate, but not the ballot paper number.
- (5) The specified reasons that may be given under sub-paragraph (4)(c) for the rejection of a postal voting statement are—
- (a) the signature does not match the example held on the personal identifiers record,
- (b) the date of birth does not match the one held on the personal identifiers record,
- (c) the signature field is blank,
- (d) the date of birth field is blank.”
- (10) In paragraph 29(1) (sealing of receptacles)—
- (a) omit paragraph (b);
- (b) in paragraph (d), for “spoilt and lost” substitute “spoilt, lost and cancelled”.
- (11) In paragraph 31 (forwarding of documents)—
- (a) in sub-paragraph (1), after “15(5)” insert “15A(2),”;
- (b) after sub-paragraph (2) insert—
- “(2A) A constituency returning officer shall, at the same time as forwarding the documents mentioned in paragraph (1),—
- (a) forward the list required to be compiled under paragraph 27(4) to the relevant registration officer, and
- (b) where the Assembly constituency or, as the case may be, the Assembly electoral region, comprises the area of more than one local authority, the constituency returning officer shall also forward a copy of such extracts of the lists required to be compiled under paragraph 27(4) as are relevant to each of the registration officers concerned.”;

- (c) in sub-paragraph (3), at the end, insert “except that in applying those rules to the list compiled under paragraph 27(4), the list and any extracts from it are to be treated in the same manner as a counted ballot paper”.

Amendment of Schedule 4 (combination of polls: Assembly elections and local government elections)

17.—(1) Amend Schedule 4 (combination of polls) as follows.

(2) For paragraph 14 (rule 48 of Schedule 5: voting by person with disabilities) substitute—

“14. At the end of rule 48 of Schedule 5 add—

“(10) Where the poll at an Assembly election is taken together with the poll at a local government election—

- (a) the form of declaration mentioned in paragraph (7)(a) is to be in form CQ1 set out in English and Welsh in Schedule 10; and
- (b) the same list of voters with disabilities assisted by companions may be used for each election and, where it is so used, an entry in that list is to be taken to mean the votes were so given in respect of each election, unless the list identifies the election at which a vote was so given.”

(3) In paragraph 24 (rule 76 of Schedule 5: abandoned poll), in paragraph (11)(a) of rule 76 (as modified) for “Schedule 5” substitute “Schedule 4”.

(4) Omit paragraph 25 (modification of form for direction of voters at an Assembly election).

(5) Omit paragraph 26 (modification of form for declaration to be made by companion of voter with disabilities).

(6) In paragraph 44 (modification of form for direction of voters at a principal area election), for “paragraph 25” substitute “form CP set out in English and Welsh in Schedule 10 to the National Assembly for Wales (Representation of the People) Order 2007”.

(7) In paragraph 45 (modification of form of declaration to be made by the companion of a voter with disabilities at a principal area election), for “substituted the following form—” and the form substituted, substitute “form CQ1 set out in English and Welsh in Schedule 10 to the National Assembly for Wales (Representation of the People) Order 2007.”

(8) In paragraph 62 (modification of form for direction of voters at a parish or community election), for “paragraph 25” substitute “form CP set out in English and Welsh in Schedule 10 to the National Assembly for Wales (Representation of the People) Order 2007”.

(9) In paragraph 63 (substitution of form of declaration to be made by companion of a voter with disabilities at a parish or community election), for “the form set out in paragraph 45” substitute “the form CQ1 set out in English and Welsh in Schedule 10 to the National Assembly for Wales (Representation of the People) Order 2007”.

Amendment of Schedule 5 (Assembly election rules)

18.—(1) Amend Schedule 5 (Assembly election rules) as follows.

(2) In the right-hand column of the table in rule 1 (timetable)—

- (a) for the entry alongside “delivery of nomination papers” substitute “Between the hours of 10 in the morning and 4 in the afternoon on any day after the date of publication of the notice of election but not later than the nineteenth day before the day of the election.”;
- (b) in the entry alongside “delivery of notices of withdrawal of candidature” for “noon” substitute “4 in the afternoon” and for “seventeenth” substitute “nineteenth”;

- (c) in the entry alongside “publication of statement of persons nominated” for “noon” substitute “4 in the afternoon” and for “sixteenth” substitute “eighteenth”.
- (3) In rule 38(5) (appointment of polling and counting agents), for “second” substitute “fifth”.
- (4) In rule 39 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—
- “(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002.”.
- (5) In rule 41 (admission to polling station), after paragraph (6) insert—
- “(7) In this rule a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002.”.
- (6) In rule 46 (voting procedure), after paragraph (7) insert—
- “(8) A voter who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purpose of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter accordingly.”.
- (7) In rule 55 (the count), after paragraph (6) insert—
- “(6A) A postal ballot paper or postal voting statement that reaches the constituency returning officer or a polling station at or after the close of the poll is treated for the purposes of paragraph (6) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.”

Amendment of Schedule 10 (Appendix of forms)

- 19.**—(1) Amend Schedule 10 (appendix of forms) as follows.
- (2) In the appropriate places substitute the following forms in English and Welsh set out in Part 1 of Schedule 2 to this Order—
- (a) form CB: form of certificate of employment;
 - (b) form CC1: form of postal voting statement (where the poll is not taken together with another);
 - (c) form CC2: form of postal voting statement (where proceedings on the issue and receipt of ballot papers are taken together with those at another election);
 - (d) form CC3: form of postal voting statement (where the poll is taken together with the poll at another election, but proceedings on the issue and receipt of postal ballot papers are not taken together);
 - (e) form CD: statement as to postal ballot papers;
 - (f) form CK: form of ballot paper: constituency election;
 - (g) form CK1: directions as to printing the ballot paper: constituency election;
 - (h) form CL: form of ballot paper: regional election;
 - (i) form CL1: directions as to printing the ballot paper: regional election;
 - (j) form CN1: elector’s form of poll card;
 - (k) form CN2: proxy’s form of poll card;
 - (l) form CN3: postal voter’s form of poll card;
 - (m) form CN4: proxy postal voter’s form of poll card;
 - (n) form CP: form of directions for the guidance of voters in voting; and

- (o) form CQ: form of declaration to be made by the companion of a voter with disabilities.
- (3) In the appropriate places insert the following forms in English and Welsh set out in Part 2 of Schedule 2 to this Order—
 - (a) form CM1: form of corresponding number list where proceedings on the issue and receipt of postal ballot papers at an Assembly election and a police and crime commissioner election are taken together;
 - (b) form CO1: form of corresponding number list for use by presiding officers in polling stations where proceedings on the issue and receipt of postal ballot papers at an Assembly election and a police and crime commissioner election have been taken together; and
 - (c) form CQ1: form of declaration to be made by the companion of a voter with disabilities where the poll at an Assembly election is taken together with the poll at another election.

PART 4

Consequential amendments

Amendment of the Representation of the People (England and Wales) Regulations 2001

20. In regulation 126 of the Representation of the People (England and Wales) Regulations 2001 (inspection of documents open to public inspection)(**19**), after paragraph (b)(iii) insert—

“(iv) the list required to be compiled under paragraph 27(4) of the 2007 Order.”.

3rd March 2016

Stephen Crabb
Secretary of State
Wales Office

(19) [S.I. 2001/341](#); regulation 126 was inserted by [S.I. 2007/1368](#).