
WELSH STATUTORY INSTRUMENTS

2022 No. 263

The Local Elections (Miscellaneous and Consequential Amendments) (Wales) Regulations 2022

Amendment of sections 67, 69 and 70 of the Representation of the People Act 1983

6.—(1) The Representation of the People Act 1983 is amended as follows.

(2) In section 67 (appointment of election agent)(1), after subsection (6) insert—

“(6A) Where a candidate at an election of councillors to a county or county borough council in Wales has named themselves as election agent and the home address form accompanying the candidate’s nomination paper contains a statement under rule 9(6) of Schedule 1 or 2 to the Local Elections (Principal Areas) (Wales) Rules 2021 that the candidate’s home address must not be made public—

- (a) the candidate’s home address must not be included in the public notice under subsection (6), and
- (b) the information given in the candidate’s home address form under rule 9(7) of Schedule 1 or 2 to the Local Elections (Principal Areas) (Wales) Rules 2021 must be included in the public notice instead.”

(3) In section 69 (office of election agent and sub-agent)(2), after subsection (1) insert—

“(1A) Subsection (1B) applies where—

- (a) a candidate at an election of councillors to a county or county borough council in Wales has named themselves as election agent,
- (b) the home address form accompanying the candidate’s nomination paper contains a statement under rule 9(6) of Schedule 1 or 2 to the Local Elections (Principal Areas) (Wales) Rules 2021 that the candidate’s home address must not be made public, and
- (c) the office address that is required to be declared under subsection (1) is also the candidate’s home address.

(1B) If the candidate (in their capacity as election agent) does not want the office address to be included in the public notice under section 67(6), the candidate must, in addition to declaring the office address, provide the appropriate officer with another address in England or Wales to be used for correspondence (“a correspondence address”).

(1C) Where the candidate (in their capacity as election agent) provides a correspondence address under subsection (1B)—

- (a) the office address must not be included in the public notice under section 67(6), and
- (b) the correspondence address must be included instead.”

(1) Section 67 was amended by paragraph 20 of Schedule 4 to the Representation of the People Act 1985 and by paragraph 12 of Schedule 3 to the Greater London Authority Act 1999 (c. 29).

(2) Section 69 was amended by paragraph 22 of Schedule 4 to the Representation of the People Act 1985, by paragraph 68 of Schedule 16 to the Local Government (Wales) Act 1994 (c. 19), by paragraph 14 of Schedule 3 to the Greater London Authority Act 1999 and by paragraph 19 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c. 41).

- (4) In that section, in subsection (3)—
- (a) after “or sub-agent”, where it first occurs, insert “, or delivered to a correspondence address provided under subsection (1C),”;
 - (b) for “addressed to him” substitute “addressed to the agent”.
- (5) In section 70 (effect of default in election agent’s appointment)(3), after subsection (4) insert—
- “(4A) In relation to a candidate who is deemed by virtue of this section to be their own election agent at an election of councillors to a county or county borough in Wales, subsection (4) does not apply and the candidate’s office is instead deemed to be—
- (a) in a case where the candidate’s home address given under rule 9(2)(b) of Schedule 1 or 2 to the Local Elections (Principal Areas) (Wales) Rules 2021 is in England or Wales, at that address, and
 - (b) otherwise, at the candidate’s qualifying address as stated under rule 9(2)(c) of Schedule 1 or 2 to those Rules or, where more than one qualifying address is stated, at the first of those addresses.”
- (6) In that section, after subsection (7) insert—
- “(8) In relation to a candidate who is deemed by virtue of this section to be their own election agent at an election of councillors to a county or county borough in Wales, subsection (6) does not apply and instead sections 67 and 69 apply with the following modifications.
- (9) Section 67 applies as if the name and address of the candidate had been declared in writing to the appropriate officer under subsection (1) of that section.
- (10) Section 69 applies as if—
- (a) the address at which the candidate’s office is deemed to be had been declared to the appropriate officer under subsection (1)(a) of that section, and
 - (b) subsections (1A) to (1C) and (2) of that section were omitted.”

(3) Section 70 was amended by paragraph 23 of Schedule 4 to the Representation of the People Act 1985 and by paragraph 5 of Schedule 6 to the Political Parties and Elections Act 2009 (c. 12).