



# Government of Wales Act 2006

## 2006 CHAPTER 32

### PART 1

#### [<sup>F1</sup>SENEDD CYMRU]

#### *Vacancies*

#### 10 Constituency vacancies

- (1) This section applies if the seat of [<sup>F1</sup>a Senedd ] constituency member returned for [<sup>F1</sup>a Senedd] constituency is vacant.
- (2) Subject to subsection (7), an election must be held in the [<sup>F2</sup>Senedd] constituency to fill the vacancy.
- (3) At the election, each person entitled to vote only has a constituency vote; and the [<sup>F2</sup>Senedd] constituency member for the [<sup>F2</sup>Senedd] constituency is to be returned under the simple majority system.
- (4) The date of the poll at the election must be fixed by the Presiding Officer.
- (5) The date must fall within the period of three months beginning with the occurrence of the vacancy.
- (6) But if the vacancy does not come to the Presiding Officer's notice within the period of one month beginning with its occurrence, the date must fall within the period of three months beginning when it does come to the Presiding Officer's notice.
- (7) The election must not be held if it appears to the Presiding Officer that the latest date which may be fixed for the poll would fall within the period of three months ending with the day on which the poll at the next ordinary general election would be held (disregarding section 4).
- (8) The standing orders must make provision for determining the date on which a vacancy occurs for the purposes of this section.

---

**Changes to legislation:** Government of Wales Act 2006, Section 10 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (9) A person may not be a candidate in an election to fill a vacancy if the person is—
- (a) [<sup>F3</sup>a Member of the Senedd], or
  - (b) a candidate in another such election.

---

**Textual Amendments**

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 2(18)** (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F2** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 2(19)** (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 2(15)** (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))
- 

**Modifications etc. (not altering text)**

- C1** [S. 10](#) modified (17.3.2021) by [Welsh Elections \(Coronavirus\) Act 2021 \(asc 2\)](#), **ss. 2(4)**, 10, 18 (with s. 13)
- 

**Commencement Information**

- I1** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

**Changes to legislation:**

Government of Wales Act 2006, Section 10 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 155A inserted by [2014 c. 29 s. 10](#)
- Sch. 7A Section C15 para. 92 omitted by [2017 c. 4 s. 48\(1\)\(a\)](#)
- Sch. 7A Section C15 para. 93 words omitted by [2017 c. 4 s. 48\(1\)\(b\)](#)
- Sch. 7B para. 10(2)(o) inserted by [2022 c. 30 s. 143](#)
- Sch. 7B para. 11(6)(b)(x) repealed by [2023 c. 54 Sch. 11 para. 1\(b\)](#)
- Sch. 7B para. 11(6)(b)(x) word omitted by [2023 c. 54 s. 118\(c\)](#)