
STATUTORY INSTRUMENTS

2007 No. 236

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

PART 2

Assembly franchise and its exercise

Returning officers: correction of procedural errors

21.—(1) A constituency or a regional returning officer at an Assembly election may take such steps as he thinks appropriate to remedy any act or omission on his part, or on the part of a relevant person, which—

- (a) arises in connection with any function the returning officer or relevant person has in relation to the election; and
- (b) is not in accordance with the rules or any other requirements applicable to the election.

(2) But a returning officer may not under paragraph (1) re-count the votes given at an election after the result has been declared.

(3) These are the relevant persons—

- (a) an electoral registration officer;
- (b) in relation to a regional election, a relevant returning officer at that election;
- (c) a presiding officer;
- (d) a person providing goods or services to the returning officer; and
- (e) a deputy of any person mentioned in sub paragraphs (a) to (c) or a person appointed to assist, or in the course of his employment assisting, such a person in connection with any function he has in relation to the election.

(4) In paragraph (3)(b), “a relevant returning officer” means—

- (a) in the case of a regional returning officer taking steps under paragraph (1), a constituency returning officer at that regional election; and
- (b) in the case of a constituency returning officer taking steps under paragraph (1), the regional returning officer at that regional election.

(5) Where the act or omission to be remedied is that of a relevant returning officer, then, before taking steps under paragraph (1)—

- (a) the regional returning officer must consult the constituency returning officer whose act or omission is to be remedied; and
- (b) a constituency returning officer must consult the regional returning officer.