

SCHEDULE 1

Article 15(2)

Absent voting at Assembly elections

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General requirements for applications

- 1.—(1) Applications under article 8, 9, 11 or 12 must state—
 - (a) the applicant’s full name;
 - (b) the address in respect of which the applicant is registered or has applied to be (or is treated as having applied to be) registered in the register except in the case of an application under article 12(4) and (7);
 - (c) in the case of such an application, the proxy’s address together with the name of the elector for whom he will act as proxy and the elector’s address for the purposes of subparagraph (b);
 - (d) in the case of a person applying to vote by post, the address to which the ballot paper should be sent;
 - (e) in the case of an application to vote by proxy, the grounds on which the elector claims to be entitled to an absent vote;
 - (f) in the case of a person who is unable to provide a signature, the reasons for his request for a waiver of any requirement under article 8, 9 or 12 to provide a signature and the name and address of any person who has assisted him to complete his application; and
 - (g) where the applicant has, or has applied for, an anonymous entry, that fact.

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(2) The application shall be made in writing and be dated.

(3) Where an application is required to contain a signature and date of birth, the information must be set out in a manner that is sufficiently clear and unambiguous as to be capable of electronic scanning into the record by configuring the information as follows—

- (a) the signature shall appear against a background of white unlined paper of at least five centimetres long and two centimetres high; and
- (b) the applicant's date of birth shall be set out numerically configured in the sequence of date, month, year namely [d][d] [m][m] [y][y][y][y].

(4) Where the application contains a request that the registration officer dispense with a requirement for a signature, sub-paragraph (3)(a) shall not apply.

- (a) (5) (a) An application under article 8(1), 11(6) or 12(4)(a) which is made for an indefinite period or the period specified in the application must state that it is so made;
- (b) an application under article 9(1), (2), (3), 11(7) or 12(7) which is made for a particular Assembly election must state that it is so made,

but, where the poll for an Assembly election falls on the same day as the poll at another election, the same application may be used for both elections.

(6) The registration officer may satisfy himself—

- (a) that an application under articles 8, 9, 11 or 12 meets any requirements that it has been signed by the applicant and states his date of birth by referring to any signature and date of birth—
 - (i) previously provided by the applicant to the registration officer or the returning officer; or
 - (ii) previously provided by the applicant to the county or county borough council, or registrar of births and deaths which the registration officer is authorised to inspect for the purposes of his registration duties; and
- (b) as to whether the applicant is unable to provide a signature or a consistent signature due to disability or inability to read or write.

(a) (7) (a) Where—

- (i) in the case of an application to vote by post under articles 8(1), (7) or 9(1) the addresses stated in accordance with sub-paragraph (1)(b) and (d) are different; or
- (ii) in the case of an application by a proxy to vote by post under article 12(4), the proxy's address stated in accordance with sub-paragraph (1)(c) and the address stated in accordance with sub-paragraph (1)(d) are different,

the application must set out why the applicant's circumstances will be or are likely to be such that he requires the ballot paper to be sent to the address stated in accordance with sub-paragraph (1)(d).

(b) This sub-paragraph does not apply where an applicant has, or has applied for, an anonymous entry.

(a) (8) (a) An application under—

- (i) article 9(3)(a) by a person shown as voting by post in the record kept under Article 8; or
- (ii) article 12(7) by a person shown as voting by post in the record kept under Article 12 (6),

for his ballot paper to be sent to a different address from that shown in the record shall set out why the applicant's circumstances will be or are likely to be such that he requires his ballot paper to be sent to that address.

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- (b) this paragraph does not apply where the applicant has, or has applied for, an anonymous entry.
- (9) For the purposes of sub-paragraph (1)(b), the address in respect of which the applicant is or has applied to be (or is treated as having applied to be) registered includes—
 - (a) in the case of a service voter, the address given in the service declaration in accordance with section 16(d) of the 1983 Act;
 - (b) in the case of a person to whom section 7 of the 1983 Act applies (mental patients who are not detained offenders), the address of the mental hospital or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act;
 - (c) in the case of a person to whom section 7A of the 1983 Act applies (person remanded in custody), the address of the place at which he is detained or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act; and
 - (d) in the case of a homeless person, the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act.

The personal identifiers record

- 2.—(1) The registration officer shall maintain a record (“the personal identifiers record”) apart from the other records and lists which he is required to keep under this Order, of the signatures and dates of birth provided by persons whose applications under article 8(1), 9(1) or 12(4)(a) or (b) were granted, until the expiry of twelve months from—
- (a) the date on which a person is removed from the record kept pursuant to article 8(5) or article 12(10); or
 - (b) the date of the poll for the purposes of which the person’s application for an absent vote was granted under article 9(1) or 12(4)(b).
- (2) The personal identifiers record shall contain the following information in respect of each absent voter on the postal voters list, list of proxies or proxy postal voters list—
- (a) his name;
 - (b) his date of birth; and
 - (c) his signature, or a record of waiver by the registration officer of the requirement for his signature.
- (3) The registration officer may disclose information held in the personal identifiers record to—
- (a) any candidate or agent attending proceedings on receipt of postal ballot papers, in accordance with and for the purposes referred to in paragraph 23 and 24 of Schedule 3;
 - (b) any person attending proceedings on receipt of postal ballot papers, who is entitled to do so by virtue of any of sections 6A to 6D of the 2000 Political Parties Act but only to the extent required to permit them to observe the proceedings.

Additional requirements for applications for appointment of a proxy

3. An application for the appointment of a proxy under article 8 or 9 shall state the full name and address of the person whom the applicant wishes to appoint as his proxy, together with his family relationship, if any, with the applicant, and—
- (a) if it is signed only by the applicant, shall contain a statement by him that he has consulted the person so named and that that person is capable of being and willing to be appointed to vote as his proxy; or
 - (b) if it is also signed by the person to be appointed, shall contain a statement by that person that he is capable of being and willing to be appointed to vote as the applicant’s proxy.

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Additional requirements for applications on grounds of blindness or other disability

4.—(1) An application to vote by proxy for a particular or indefinite period under article 8(2)(c) shall specify the disability by reason of which the application is made.

- (2) Subject to sub-paragraph (3) such an application shall be attested and signed by—
- (a) a registered medical practitioner;
 - (b) a nurse registered on the register maintained by the Nursing and Midwifery Council under article 5 of the Nursing and Midwifery Order 2001(1) by virtue of qualifications in nursing;
 - (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984(2);
 - (d) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989(3);
 - (e) a registered pharmaceutical chemist as defined by section 24(1) of the Pharmacy Act 1954(4);
 - (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993(5);
 - (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994(6);
 - (h) a Christian Science practitioner;
 - (i) a person for the time being listed in the British Psychological Society’s Register of Chartered Psychologists;
 - (j) a person registered as a member of a profession to which the Health Professions Order 2001(7) for the time being extends;
 - (k) the person carrying on a care home registered under Part 2 of the Care Standards Act 2000(8);
 - (l) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant states that he resides in such premises;
 - (m) a manager within the meaning of section 145(1) of the Mental Health Act 1983(9) or on behalf of such a manager; or
 - (n) a person registered in a register for social workers maintained in accordance with section 56 of the Care Standards Act 2000.
- (3) A person who qualifies—
- (a) by virtue of any of sub-paragraph (a) to (j) of paragraph (2), may not attest an application for these purposes unless—
 - (i) he is treating the applicant for the disability specified in the application; or
 - (ii) the applicant is receiving care from him in respect of that disability; or
 - (b) by virtue of sub-paragraph (2)(n), may not attest an application for these purposes unless—

(1) S.I. 2002/253.

(2) 1984 c. 24.

(3) 1989 c. 44.

(4) 1954 c. 61.

(5) 1993 c. 21.

(6) 1994 c. 17.

(7) S.I. 2002/254.

(8) 2000 c. 14.

(9) 1983 c. 20. The interpretation of “managers” in section 145(1) has been amended by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), Schedule 2 Part 2 paragraph 49; S.I. 2001/2469; the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 107(14); Health Act 1999(c. 8), sections 41(2) and 65; the National Health Service and Community Care Act 1990 (c. 19), Schedule 9 paragraph 16; the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 4 paragraph 57; the Care Standards Act 2000 (c. 14), Schedule 4 paragraph 9.

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- (i) he is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from him in respect of that disability; or
 - (iii) he has arranged care or assistance for the person in respect of his disability.
- (4) The person attesting the application shall state—
 - (a) his name and address and the qualification by virtue of which he attests the application,
 - (b) where the person who attests the application is a person referred to in paragraph (3)(a), that—
 - (i) he is treating the applicant for the disability specified in the application; or
 - (ii) the applicant is receiving care from him in respect of that disability;
 - (c) where the person who attests the application is a person referred to in paragraph (3)(b), that—
 - (i) he is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from him in respect of that disability; or
 - (iii) he has arranged care or assistance for the applicant in respect of that disability;
 - (d) that, to the best of his knowledge and belief, the applicant has the disability specified in the application and that he cannot reasonably be expected to go in person to his allotted polling station or to vote unaided there by reason of that disability; and
 - (e) that, to the best of his knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.
- (5) Sub-paragraphs (2) to (4) shall not apply where—
 - (a) the application is based on the applicant’s blindness and the applicant is registered as a blind person by a local authority, which is specified in the application, under section 29(4)(g) of the National Assistance Act 1948⁽¹⁰⁾; or
 - (b) the application states that the applicant is in receipt of the higher rate of the mobility component of a disability living allowance (payable under section 73 of the Social Security Contributions and Benefits Act 1992⁽¹¹⁾) because of the disability specified in the application.
- (6) A person who qualifies by virtue of sub-paragraph (3)(m) shall, instead of the matters specified in sub-paragraph (4)(a), state in the attestation—
 - (a) his name;
 - (b) his position in the hospital at which the applicant is liable to be detained or at which he is receiving treatment;
 - (c) that he is a person authorised to make the attestation; and
 - (d) in the case of an applicant who is liable to be detained in hospital, the statutory provision under which the applicant is liable to be so detained.
- (7) The fact that an applicant is registered with a local authority under section 29(4)(g) of the National Assistance Act 1948 shall be deemed sufficient evidence that he is eligible for an absent vote on the grounds set out in article 8(2)(c).
- (8) In this paragraph and paragraphs 3 and 4, “his allotted polling station”, in relation to an elector, means the polling station allotted or likely to be allotted to him under this Order.

(10) 1948 c. 29.

(11) 1992 c. 4.

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Additional requirements for applications for a proxy vote based on occupation, service, employment or attendance on a course

5.—(1) An application to vote by proxy for a particular or indefinite period under article 8(2) (d) shall state—

- (a) whether the occupation, service or employment, in respect of which it is made, is that of the applicant or his spouse or civil partner or, as the case may be, whether it is the applicant or his spouse or civil partner who is attending the course provided by an educational institution in respect of which the application is made;
- (b) the nature of the occupation, service, employment or course provided by an educational institution giving rise to the application;
- (c) where the person in respect of whose occupation, service or employment it is made (in this paragraph referred to as “the employed person”) is self-employed, that fact; and, in any other case, the name of that person’s employer; and
- (d) the reason relevant to the general nature of the occupation, service or employment in question or the course provided by an educational institution, why the applicant cannot reasonably be expected to go in person to his allotted polling station.

(2) Such an application shall be attested and signed—

- (a) where the employed person is self-employed, by a person who—
 - (i) is aged 18 years or over;
 - (ii) knows the employed person; and
 - (iii) is not related to him;
- (b) by the employer of the employed person or by another employee to whom this function is delegated by the employer; or
- (c) in the case of a course provided by an educational institution, by the director or tutor of that course or by the principal or head of that institution or an employee to whom this function is delegated by the principal or head.

(3) The person attesting an application under sub-paragraph (2) shall—

- (a) where the applicant is the employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraph (1)(a) to (d) are true; or
- (b) where the applicant is the spouse or civil partner of the employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraph (1)(a) to (c) are true.

(4) The person attesting an application under sub-paragraph (2) shall also state—

- (a) in the case of a person who attests an application under sub-paragraph (2)(a), his name and address, and that he is aged 18 years or over, knows the employed person, but is not related to him; or
- (b) in the case of a person who attests an application under sub-paragraph (2)(b), either that he is the employer of the employed person or the position he holds in the employment of that employer; or
- (c) in the case of a person who attests under sub-paragraph (2)(c), the post he holds at the institution.

(5) For the purpose of sub-paragraphs (2)(a) and (4)(a), one person is related to another if he is the spouse, civil partner, parent, grand-parent, brother, sister, child or grandchild of the other.

Additional requirements for applications to vote by proxy in respect of a particular Assembly election

6.—(1) An application under article 9(1) to vote by proxy at a particular election shall set out why the applicant's circumstances on the date of the poll for that election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at his allotted polling station.

(2) Where an application under article 9—

- (a) is made on the grounds of the applicant's disability; and
- (b) is made after 5 pm on the sixth day before the date of the poll at the election for which it is made,

the requirements of paragraphs 1 and 3 of this Schedule as to the matters to be specified and the attestation shall apply.

(3) Where an application mentioned in sub-paragraph (2) is made, the person who attests the application shall state, in addition to those matters specified in paragraph 3, to the best of his knowledge and belief, the date upon which the applicant became disabled.

(4) Where an application under article 9(1) is made by a person to whom article 7(7) applies after 5 pm on the sixth day before the date of the poll at the election for which it is made, the requirements of sub-paragraph (5) as to the matters to be specified and as to attestation shall apply.

(5) Where an application mentioned in paragraph (4) is made—

- (a) the application shall additionally state the name and address of the hospital at which the applicant is liable to be detained;
- (b) the application shall be attested by or on behalf of the managers responsible for the administration of the hospital within the meaning of section 145(1) of the Mental Health Act 1983 at which the applicant is liable to be detained, and the attestation shall state—
 - (i) the name of the person attesting the application;
 - (ii) his position in the hospital at which the applicant is liable to be detained;
 - (iii) that he is a person authorised to make the attestation; and
 - (iv) the statutory provision under which the applicant is liable to be detained in the hospital.

(6) This paragraph does not apply where the applicant has an anonymous entry.

Closing dates for applications

7.—(1) An application—

- (a) to vote by post under article 8(1) or 9(1); or
- (b) from a proxy to vote by post under article 12(4),

shall be disregarded for the purposes of any particular Assembly election if it is received by the registration officer after 5pm on the eleventh day before the date of the poll at that election.

(2) Subject to sub-paragraph (3) an application—

- (a) to vote by proxy under article 8(1) or 9(1); or
- (b) for the appointment of a proxy under article 11(6) or (7),

shall be disregarded for the purposes of any particular Assembly election if it is received by the registration officer after 5pm on the sixth day before the date of the poll at that election.

(3) Where an application under article 9(1) is made—

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- (a) on the grounds of the applicant's disability and the applicant became disabled after 5pm on the sixth day before the poll at the election for which it is made; or
- (b) by a person to whom article 7(7) applies,

the application, or an application under article 11(7) made by virtue of that application, shall be refused if it is received after 5pm on the day of the poll at the election for which it is made.

(4) Subject to sub-paragraph (3), an application—

- (a) by an absent voter to alter his choice as to the manner of absent voting under article 8(6) or (7);
- (b) by a postal voter for his ballot paper to be sent to a different address or to vote instead by proxy at a particular election under article 9(3); or
- (c) from a postal proxy for his ballot paper to be sent to a different address at a particular election under article 12(7),

shall be refused for the purposes of any particular Assembly election if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll at that election.

(5) The following, namely—

- (a) an application under article 8(5)(a) by an elector to be removed from the record kept under article 8(3);
- (b) an application under article 12(10)(a) by a proxy to be removed from the record kept under article 12(6); and
- (c) a notice under article 11(9) of the cancellation of a proxy's appointment,

shall be disregarded for the purposes of any particular Assembly election if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll at that election for which it is made.

(6) In computing a period of days for the purposes of this paragraph, Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, or a bank holiday shall be disregarded.

(7) In paragraph (6) "bank holiday" means a day which is a bank holiday under the Banking and Financial Dealings Act 1971(12) in Wales.

Grant or refusal of applications

8.—(1) Where the registration officer grants an application to vote by post he shall notify the applicant of his decision.

(2) Where the registration officer grants an application for the appointment of a proxy, he shall confirm in writing to the elector that the proxy has been appointed, his name and address and the duration of the appointment.

(3) The proxy paper to be issued by the registration officer on the appointment of a proxy shall be in form CA set out in English and Welsh in Schedule 10 (but this may be combined with another form of proxy paper if the registration officer is issuing a proxy paper appointing that person as proxy for the same elector in respect of another election or other elections).

(4) Where the registration officer refuses an application for an absent vote he shall notify the applicant of his decision and the reason for it.

(5) Where the registration officer grants an application made under —

- (a) article 9(3)(a) by a person shown as voting by post in the record kept under article 8(3); or
- (b) article 12(7) by a person shown as voting by post in the record kept under article 12(6),

(12) 1971 c. 80.

he shall notify the applicant of this.

(6) Where a person is removed from the record kept pursuant to article 8(3), the registration officer shall, where practicable notify him of this and the reason for it.

(7) Where the appointment of a proxy is cancelled by the elector or otherwise ceases to be in force, the registration officer shall, where practicable notify the elector that the appointment has been cancelled or, as the case may be, notify him that the appointment has ceased and the reason for it.

(8) Where under paragraph 7 of this Schedule the registration officer refuses or disregards an application for the purposes of any Assembly election, he shall notify the applicant of this.

(9) At an Assembly election where the registration officer is not the returning officer for any constituency or part of a constituency in the area for which he is the registration officer, he shall send to that returning officer details of any application to vote by post which he has granted as soon as practicable after doing so.

Notice of appeal

9.—(1) A person desiring to appeal under article 5(1) against the decision of a registration officer must give notice of the appeal to the registration officer within 14 days of the receipt of the notice given under paragraph 8(4) of this Schedule specifying the grounds of the appeal.

(2) The registration officer shall forward any such notice to the county court in the manner directed by rules of court together in each case with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

Cancellation of proxy appointment

10. Where the appointment of a proxy is cancelled by notice given to the registration officer under article 11(9) or ceases to be in force under that provision or is no longer in force under article 11(10)(b), the registration officer shall—

- (a) notify the person whose appointment as proxy has been cancelled, expired or ceases to be or is no longer in force, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy; and
- (b) remove his name from the record kept under article 8(3).

Inquiries by registration officer

11.—(1) The registration officer may, at such times as he thinks fit, make inquiries of a person—

- (a) who is shown as voting by proxy in the record kept under article 8(3) in pursuance of an application granted on the grounds set out in article 8(2)(c) or (d); or
- (b) who immediately before 11th March 1999⁽¹³⁾ was entitled to vote by proxy at parliamentary elections or local government elections or both in pursuance of an application granted on grounds corresponding to those set out in article 8(2)(c) or (d) (disability, blindness, occupation, service or employment),

for the purpose of determining whether there has been a material change of circumstances.

(13) Proxies at Assembly elections were introduced by The National Assembly for Wales (Representation of the People) Order 1999 (S.I. 1999/450) which came into force on 11th March 1999.

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(2) Where the grant of an application for a proxy vote for an indefinite or particular period was based on grounds referred to in article 8(2)(d) (or grounds corresponding to those grounds), the registration officer shall make the inquiries referred to not later than three years after the granting of the application or the last such inquiries as the case may be.

(3) The registration officer may treat the failure by a person of whom inquiries have been made under sub-paragraph (1) or (2) to respond to such inquiries within one month of the date on which they were made as sufficient evidence of a material change in circumstances.

Requirement to provide fresh signatures at five yearly intervals

12.—(1) — The registration officer shall, every year by 31st January send to every person who remains an absent voter and whose signature held on the personal identifiers record is more than five years old a notice in writing—

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

(2) The notice must be sent by the registration officer to the current or last known address of the absent voter.

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

(4) Where a notice or 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 shall be prepaid.

(5) A notice or copy of a notice sent to an absent voter in accordance with sub-paragraph (1) or (3) must be accompanied by a pre-addressed reply paid envelope and, in the case of a notice or copy of a notice sent to an address in the United Kingdom, return postage must be prepaid.

(6) Upon the expiration of the period specified in the notice sent to the absent voter the registration officer shall determine whether the absent voter has failed or refused to provide a fresh signature.

(7) Where the registration officer determines that the absent voter has refused or failed to provide a fresh signature within the specified period, he must remove that person's entry from the records kept pursuant to article 8(3) or 12(6) and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under article 10(2), 10(3) or 12(8).

(8) Where the registration officer removes an absent voter's entry in the circumstances to which sub-paragraph (4) refers—

- (a) the registration officer shall inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to him under this Order;
- (b) paragraphs 8(4), 8(6), 8(7) and 9 of this Schedule shall apply as if the registration officer were refusing an application in accordance with this Schedule;
- (c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy whose entry has been removed.

(9) The registration officer shall include in the notice to be sent to an absent voter regarding his removal from the records kept pursuant to article 8(3) or 12(6) and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept pursuant to articles 10(2), 10(3) or 12(8), information—

- (a) explaining the effect of such removal; and
- (b) reminding the absent voter that he may make a fresh application under article 8(1), 9(1) or 12(4) to vote by post or proxy (as the case may be).

Records and lists kept under articles 8, 10 and 12

13.—(1) Any of the persons listed in sub-paragraph (2) entitled to copies of the full register in accordance with the provisions of regulations 103, 105, 106 and 108 of the 2001 Regulations are also entitled, subject to this paragraph and paragraph 14 of this Schedule, to request that the registration officer supply free of charge the relevant parts (within the meaning of the 2001 Regulations) of a copy of any of the following information which he keeps—

- (a) the current version of the information which would, in the event of a particular Assembly election, be included in the postal voters lists, the list of proxies or the proxy postal voters lists which he is required to keep under article 10 or 12(6);
- (b) the current or final version of the postal voters list, the list of proxies or the proxy postal voters list kept under article 10 or 12(6).

(2) The persons are—

- (a) each member of the National Assembly for Wales for any constituency or Assembly electoral region wholly or partly within the registration area;
- (b) a candidate or his agent for an Assembly constituency election;
- (c) an individual candidate or the candidates or election agent for a registered political party standing nominated in an Assembly electoral region; or
- (d) any person nominated to act for the purposes of this paragraph by the registered nominating officer of a registered political party provided that not more than one person may be nominated in respect of the same registered political party and registration area.

(3) A request under sub-paragraph (1) shall be made in writing and shall—

- (a) specify which records or lists (or the relevant parts of such records or lists) are requested;
- (b) state whether the request is made only in respect of current lists or whether it includes a request for the supply of any final list; and
- (c) state whether a printed copy of the records or lists is requested or a copy in data form⁽¹⁴⁾.

(4) A person who obtains a copy of a list under this paragraph may use it only for the permitted purposes specified in paragraph 14 of this Schedule, and any restrictions—

- (a) specified in that paragraph; or
- (b) which would apply to the use of the full register under whichever of regulations 103, 105, 106 and 108 of the 2001 Regulations entitled that person to obtain that document,

shall apply to such use.

(5) The registration officer shall supply a current copy of relevant information requested under sub-paragraph (1)(a) or (b) as soon as practicable after receipt of a request duly made.

(6) The registration officer shall supply a final copy of the postal voters list kept under article 10(2)(a) as soon as practicable after 5pm on the eleventh day before the day of the poll, in response to a request that has been duly made under sub-paragraph (1).

(7) As soon as practicable after 5pm on the sixth day before the day of the poll the registration officer shall—

⁽¹⁴⁾ “data form” means information which is in a form which is being capable of being processed by means of equipment operating automatically in response to instructions given for that purpose.

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- (a) make a copy of the lists kept under articles 10 and 12(6) available for inspection at his office in accordance with sub-paragraphs (11) to (16); and
- (b) supply a final copy of the postal voters list or the list of proxies in response to every request that has been duly made under sub-paragraph (1).

(8) The registration officer shall supply a final copy of the list of proxies kept under article 10(3), updated to include any additions to those lists made in consequence of any applications granted in accordance with paragraph 6 of this Schedule, as soon as practicable after 5pm on the day of the poll, to every person who received that list in accordance with sub-paragraph 7(b).

(9) Any person who has obtained or is entitled to obtain a copy of information covered by sub-paragraph (1) may—

- (a) supply a copy of the information to a processor for the purpose of processing the information contained in the information; or
- (b) procure that a processor processes and supplies to them any copy of the information which the processor has obtained under this paragraph,

for use in respect of the purposes for which that person is entitled to obtain such information.

(10) The provisions contained in paragraphs (2), (3) and (9) of regulation 92 of the 2001 Regulations shall be taken to apply to the supply and processing of information or lists supplied under this paragraph as they apply to the supply and processing of the full register.

(11) Any person is entitled to request that the registration officer make available for inspection a copy of any of the information specified in (a) and (b) of sub-paragraph (1).

(12) A request under sub-paragraph (11) shall be made in writing and shall specify—

- (a) the information (or relevant parts of the information) requested;
- (b) whether the request is made only in respect of the current lists or whether it includes a request for the inspection of any final list;
- (c) who will be inspecting the information;
- (d) the date on which he wishes to inspect the information; and
- (e) whether he would prefer to inspect the information in a printed or data form.

(13) The registration officer shall make a copy of the information available for inspection under supervision as soon as practicable after the date of receipt of a request that has been duly made.

(14) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(15) A person who inspects a copy of the information, whether a printed copy or in data form, may not—

- (a) make copies of any part of it; nor
- (b) record any particulars in it,

otherwise than by means of hand-written notes.

(16) Subject to any direction by the Secretary of State under section 52(1) of the 1983 Act, any duty on a registration officer to supply a copy or make information available for inspection under this paragraph, imposes only a duty to provide that information in the form in which he holds it.

(17) For the purposes of this paragraph—

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- (a) a “current copy” of records or lists is a copy of the records or lists as kept by the registration officer at 9am on the date it is supplied; and
- (b) any period of days shall be calculated in accordance with paragraph 7.
- (a) (18) (a) The registration officer shall ensure that where he supplies or discloses information covered by sub-paragraph (1)(a) in accordance with this paragraph, he does not supply or disclose any record relating to a person specified in (b).
- (b) The persons specified in this sub-paragraph are—
 - (i) a person who has an anonymous entry; and
 - (ii) the proxy of a person who has an anonymous entry.

Conditions on the use, supply and inspection of absent voter records or lists

14. The provisions of regulations 94 and 96 of the 2001 Regulations shall apply to information covered by paragraph 13(1)(a) and (b) of this Schedule as they apply to restrictions on the supply, disclosure and use of the full register, except that permitted purposes for the purpose of paragraph 13(1)(a) and (b) means either—

- (a) research purposes within the meaning of that term in section 33 of the Data Protection Act 1998⁽¹⁵⁾; or
- (b) electoral purposes.

Marked register for polling stations

15. To indicate that an elector or his proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” shall be placed against the entry for that elector in any copy of the register, or part of it, provided for a polling station.

Certificate of employment at an Assembly election

16. The certificate as to the employment of constables and persons employed by a returning officer on the date of the poll at an Assembly election (to enable such a constable or person to vote elsewhere than at his own polling station) shall be in form CB set out in English and Welsh in Schedule 10 and shall be signed, in the case of a constable, by an officer of a police force of or above the rank of inspector⁽¹⁶⁾.

Notification by registration officer

17. Where a registration officer is required by this Schedule to notify any person, such notification shall be in writing and may be sent by post—

- (a) in the case of a person other than a service voter, to the address provided by that person for the purpose of such notification or of any record or, if there is no such address, to the last known place of abode of that person;
- (b) in the case of a service voter, to any address provided by him for the purpose of such notification or of any record or to the address provided for the purpose by the appropriate government department (as defined by section 59(3B) of the 1983 Act⁽¹⁷⁾) or, as the case may be, the British Council.

⁽¹⁵⁾ 1998 c. 29.

⁽¹⁶⁾ See rule 41(5) of Schedule 5.

⁽¹⁷⁾ As amended by section 13 of the Electoral Administration Act 2006 (c. 22).

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SCHEDULE 2

Article 15(3)

Absent voting (transitional provisions)

CONTENTS

1. Requiring personal identifiers from existing absent voters
 2. Required information to be provided to existing absent voters
 3. Additional steps and determination by registration officer
 4. Removal from absent voting records
 5. Pending applications
- Signature
Explanatory Note

Requiring personal identifiers from existing absent voters

1.—(1) A registration officer must, by 7th February 2007, send a notice in writing to every person who has on 1st February 2007 an entry as an absent elector or postal proxy in his absent voting records kept in accordance with the National Assembly for Wales (Representation of the People) Order 2003.

(2) The notice must require the absent elector or postal proxy (as the case may be) to provide the registration officer within 42 days with a specimen of his signature and his date of birth (“the required personal identifiers”) in accordance with this Schedule.

(3) The notice must be sent by the registration officer to the current or last known address of the absent elector or postal proxy (as the case may be).

(4) Where a notice is sent by post, the registration officer may use—

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

and postage shall be prepaid on any such notice sent by post.

(5) Any notice must be accompanied by a reply envelope addressed to the registration officer and, in the case of any notice sent to an address within the United Kingdom, return postage shall be prepaid.

(6) Where a registration officer has been provided with the required personal identifiers by an applicant for an absent vote under the Representation of the People (England and Wales) (Amendment)(No. 2) Regulations 2006⁽¹⁸⁾ or the Absent Voting (Transitional Provisions)(England and Wales) Regulations 2006⁽¹⁹⁾ before the date specified in the notice in accordance with paragraph 2(2)(d), he may use them for the purposes of Assembly elections and enter them in his records kept in accordance with article 12(13)⁽²⁰⁾.

⁽¹⁸⁾ S.I. 2006/2910.

⁽¹⁹⁾ S.I. 2006/2973

⁽²⁰⁾ The Representation of the People (England and Wales)(Amendment)(No. 2) Regulations 2006 apply to new applicants for absent votes, and the Absent Voting (Transitional Provisions)(England and Wales) Regulations 2006 to existing absent voters for parliamentary and local government elections after 1st January 2007.

Required information to be provided to existing absent voters

2.—(1) Where a registration officer sends a notice pursuant to paragraph 1, he must also provide information—

- (a) explaining how the required personal identifiers will be used and how the personal identifiers will assist in deterring misuse of the entitlement to vote;
 - (b) explaining that, in the event of a failure or refusal to provide the required personal identifiers, the absent elector will lose his entitlement to vote by post or by proxy, and a postal proxy will cease to be entitled to vote by post as proxy;
 - (c) explaining the circumstances in which a registration officer may dispense with the requirement to provide a signature; and
 - (d) explaining that loss of the entitlement to vote by post or by proxy or as a postal proxy under this Order does not prevent him from making a fresh application under articles 8, 9 or 12 to be entitled to vote by post or by proxy or to act as a postal proxy.
- (2) The notice must specify the following matters—
- (a) that the absent elector or postal proxy would cease to be entitled to vote by post or by proxy, or to act as a postal proxy in Assembly elections if he does not provide the required personal identifiers;
 - (b) whether the person has an entry in the absent voting records as voting by post, by proxy or as a postal proxy or in more than one capacity;
 - (c) as regards a postal proxy, the names and addresses of each absent elector for whom he is entitled to vote;
 - (d) in the case of an absent elector, the date (not less than 49 days from the sending of the initial notice) from which he will cease to be entitled to vote by post or by proxy in the event of his failure or refusal to provide the required personal identifiers; and
 - (e) in the case of a postal proxy, the date (not less than 49 days from the sending of the initial notice) from which he will cease to be entitled to act as a postal proxy in the event of his failure or refusal to provide the required personal identifiers.

Additional steps and determination by registration officer

3.—(1) The registration officer must, if the absent elector or postal proxy has not responded to the notice within 21 days from the date on which the notice was sent, send a second copy of the notice.

(2) The registration officer must, no later than the date specified in the notice sent to the absent elector or postal proxy in accordance with paragraph 2(2)(d) or (e), determine whether the absent elector or postal proxy has refused or failed to provide the required personal identifiers.

Removal from absent voting records

4.—(1) Where the registration officer determines that there has been a refusal or failure to provide the required personal identifiers, he shall forthwith remove the entry relating to the absent voter or the postal proxy (as the case may be) from his records and special lists kept under articles 10(2), (3) and 12(8).

(2) Paragraph 8(4), (6) and (7) of Schedule 1 shall apply upon the removal of an absent elector from the absent voting records as if the registration officer had refused an application by an elector to vote by post.

(3) The registration officer shall include in the written notice to be sent to the elector, to any person appointed as his proxy and to any postal proxy regarding his removal from the absent voting records, information—

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- (a) explaining the effect of removal from the absent voting records;
- (b) reminding the elector that he may make a fresh application under article 8, 9 or 11 to vote by post or proxy;
- (c) reminding a person who was a postal proxy that he may make a fresh application under article 12 to act as postal proxy; and
- (d) informing the elector or the proxy, where appropriate, of the location of the polling station allotted or likely to be allotted to him under rule 34 of Schedule 5.

Pending applications

5. Where a person has made an application under article 8(1), 9(1), or 12(4) of the National Assembly for Wales (Representation of the People) Order 2003 prior to 31st January 2007 that has not been determined on or before 31st January 2007, the registration officer must not grant the application unless the applicant has provided to the registration officer a specimen of their signature and their date of birth.

SCHEDULE 3

Article 15(4)

Issue and receipt of postal ballot papers

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Explanatory Note

Interpretation

1. For the purposes of this Schedule, unless the context requires otherwise—
 - “agent” includes an election agent and a person appointed to attend in the election agent’s place;
 - “ballot paper envelope” and “covering envelope” mean the envelopes referred to in paragraph 11;
 - “issue” includes the original and any subsequent issue;
 - “postal ballot box” means the ballot box referred to in paragraph 17(1)(b);
 - “postal voters' ballot box” means the ballot box referred to in paragraph 17(1)(a);
 - “receptacle for ballot paper envelopes”, and other references to specified receptacles, means the receptacles referred to in paragraph 17(5); and
 - “spoilt postal ballot paper” means a ballot paper referred to in paragraph 14(1);

Issue of postal ballot papers

Combination of polls

2. Where the polls at elections are taken together under article 16(1) or (2) the proceedings on the issue and receipt of postal ballot papers in respect of each election may, if the returning officers agree, be taken together.

Form of postal voting statement

3. The form of the postal voting statement sent with the postal ballot paper (prescribed in Rule 33 of Schedule 5) to a postal voter shall be—
 - (a) in form CC1 set out in English and Welsh in Schedule 10 at an Assembly election the poll at which is not taken together with another election under article 16(1) or (2);
 - (b) in form CC2 set out in English and Welsh in Schedule 10 at an Assembly election where the proceedings on the issue and receipt of postal ballot papers are taken together under paragraph 2 with those proceedings at another election;

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- (c) in form CC3 set out in English and Welsh in Schedule 10 at an Assembly election, the polls at which are taken together with the poll at another election under article 16(1) or (2) in any part of an Assembly constituency, but where the proceedings on the issue and receipt of postal ballot papers are not taken together under paragraph 2, for use in that part of the constituency in which polls at more than one election are taken together under article 16(1) or (2).

Regional elections

4. At a regional election the functions connected with the issue and receipt of postal ballot papers are to be exercised in relation to each Assembly constituency in an Assembly electoral region by the returning officer for such a constituency.

Persons entitled to be present at proceedings on issue of postal ballot papers.

5. Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the 2000 Political Parties Act, no person may be present at the proceedings on the issue of postal ballot papers other than the constituency returning officer and his clerks.

Persons entitled to be present at proceedings on receipt of postal ballot papers

6.—(1) Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the 2000 Political Parties Act, no person may be present at the proceedings on the receipt of postal ballot papers other than—

- (a) the constituency returning officer and his clerks;
- (b) the regional returning officer in the case of a regional election;
- (c) a candidate;
- (d) an election agent or any person appointed by—
 - (i) a candidate to attend in his election agent's place in the case of a constituency election;
 - (ii) an individual candidate to attend in his election agent's place in the case of a regional election; or
 - (iii) the election agent of a registered political party standing nominated or by the registered nominating officer of that party to attend in the place of that party's election agent in the case of a regional election; or
- (e) any agents appointed under sub-paragraph (2).

(2) Each—

- (a) candidate in the case of a constituency election; and
- (b) individual candidate and election agent for a registered political party standing nominated, in the case of a regional election,

may appoint one or more agents up to the number as may be authorised by the constituency returning officer to appoint; provided, however, that the number authorised shall be the same in the case of each candidate or, as the case may be, election agent for a registered political party standing nominated.

(3) Notice in writing of the appointment stating the names and addresses of the persons appointed shall be given by the candidate or election agent to the constituency returning officer before the time fixed for the opening of the postal voters' ballot boxes.

(4) Where the postal ballot papers for more than one election are issued together under paragraph 2, the constituency returning officer to whom notice shall be given under sub-paragraphs (3), (5) and (6) is the returning officer who issues the postal ballot papers.

(5) If an agent dies or becomes incapable of acting, the candidate or election agent for a registered political party, as the case may be, may appoint another agent in his place and shall forthwith give to the constituency returning officer notice in writing of the name and address of the agent appointed.

(6) Agents may be appointed and notice of appointment given to the constituency returning officer by the election agent for a candidate who is otherwise authorised to make an appointment under sub-paragraph (2).

(7) In this Schedule references to agents shall be taken as references to agents whose appointments have been duly made and notified and, in the case of agents appointed under sub-paragraph (2), who are within the number authorised by the constituency returning officer.

(8) Any of the following persons, namely—

- (a) a candidate in a constituency election;
- (b) an individual candidate in a regional election; or
- (c) the election agent of a registered political party standing nominated,

may himself do any act or thing which any agent of his or of the registered political party on whose list he is a candidate, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

(9) Where in this Schedule any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any such person at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

7. The constituency returning officer shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue or receipt of postal ballot papers has been given a copy in writing of the provisions of article 35(4) and (6).

Time when postal ballot papers are to be issued

8.—(1) In the case of a person shown in the record kept under—

- (a) article 8(3); or
- (b) article 12(6),

no postal ballot paper and postal voting statement shall be issued until after 5 pm on the eleventh day before the date of the poll (computed in accordance with paragraph 7(6) of Schedule 1).

(2) In the case of any other person, the postal ballot paper and postal voting statement shall be issued by the constituency returning officer as soon as practicable after the registration officer has granted the application to vote by post.

Procedure on issue of postal ballot paper

9.—(1) The number of the elector as stated in the register shall be marked on the corresponding number list, next to the number and unique identifying mark of the ballot paper issued to that elector.

(2) Where an elector is entitled to give two votes, the constituency ballot paper and the regional ballot paper shall have the same number.

(3) A mark shall be placed in the postal voters list or the proxy postal voters list against the number of the elector to denote that a ballot paper has been issued to the elector or his proxy but without showing the particular ballot paper issued.

(4) The number of a postal ballot paper shall be marked on the postal voting statement sent with that paper.

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- (5) Where postal ballot papers for more than one election are issued together—
- (a) one mark shall be placed in the postal voters list or the proxy postal voters list under sub-paragraph (3) to denote that ballot papers have been issued in respect of all of those elections; except that, where ballot papers are not so issued a different mark shall be placed in the postal voters list or proxy postal voters list to identify the election in respect of which the ballot paper was issued; and
 - (b) the number of each ballot paper shall be marked on the postal voting statement under sub-paragraph (4).
- (6) Where the poll at an Assembly election is taken with the poll at another election under article 16(1) or (2) but the proceedings on the issue and receipt of postal ballot papers are not taken together under paragraph 2, the colour of the postal ballot paper (or colours of the postal ballot papers) shall also be marked on the postal voting statement sent with that paper.
- (7) Subject to sub-paragraph (8), the address to which the postal ballot paper, postal voting statement and the envelopes referred to in paragraph 11 are to be sent is—
- (a) in the case of an elector, the address shown in the postal voters list;
 - (b) in the case of a proxy, the address shown in the proxy postal voters list.
- (8) Where a person has an anonymous entry in the register, the items specified in sub-paragraph (7) must be sent (as the case may be) to the address to which postal ballot papers should be sent—
- (a) as shown in the record kept under article 8(3) or 12(6); or
 - (b) as given in pursuance of an application made under article 9(1) or 12(4)(b).

Refusal to issue postal ballot papers

10. Where a constituency returning officer is satisfied that two or more entries in either the postal voters list, or the proxy postal voters list or in each of those lists relate to the same elector he shall not issue more than one ballot paper in respect of the same elector for the same Assembly election.

Envelopes

11.—(1) The envelope which the constituency returning officer is required by rule 33 of Schedule 5 to send to a postal voter for the return of the postal ballot paper or, as the case may be, ballot papers and the postal voting statement (referred to as a “covering envelope”) shall be marked with the letter “B”.

(2) In addition to the documents referred to in sub-paragraph (1), the constituency returning officer shall send to a postal voter a smaller envelope (referred to as a “ballot paper envelope”) which shall be marked with—

- (a) the letter “A”;
- (b) the words—
 - (i) “Ballot paper envelope”;
 - (ii) “Amlen papur pleidleisio”; and
- (c) the number of the ballot paper or, as the case may be, ballot papers.

(3) Where the poll at an Assembly election is taken together with the poll at another election under article 16(1) or (2) but the proceedings on the issue and receipt of postal ballot papers are not to be taken together under paragraph 2—

- (a) the envelope referred to in sub-paragraph (1) shall also be marked—

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- (i) “Covering envelope for the [*insert colour of ballot paper(s)*] coloured ballot paper(s)”;
 - (ii) “Prif amlen ar gyfer y papur(au) pleidleisio lliw [*nodwch liw'r papur(au) pleidleisio*]”; and
- (b) on the envelope referred to in sub-paragraph (2), after the words—
- (i) “Ballot paper envelope” there shall be added the words “for the [*insert colour of ballot paper(s)*] coloured ballot paper(s)”;
 - (ii) “Amlen papur pleidleisio” there shall be added “ar gyfer y papur(au) pleidleisio lliw [*nodwch liw'r papur(au) pleidleisio*]”.

Sealing up of completed corresponding number lists and security of special lists

12.—(1) As soon as practicable after the issue of each batch of postal ballot papers, the constituency returning officer shall make up into a packet the completed corresponding number lists⁽²¹⁾ of those ballot papers which have been issued and shall seal such a packet.

(2) Until the time referred to in paragraph 20(11), the returning officer shall take all proper precautions for the security of the marked copy of the postal voters list and the proxy postal voters list.

Delivery of postal ballot papers

13.—(1) For the purposes of delivering postal ballot papers, the constituency returning officer may use—

- (a) a universal service provider;
- (b) a commercial delivery firm; or
- (c) persons appointed under rule 35(1) of Schedule 5.

(2) Where the services of a universal service provider or commercial delivery firm are to be used, envelopes addressed to postal voters shall be counted and delivered by the constituency returning officer with such form of receipt to be endorsed by that provider or firm as may be arranged.

(3) Postage shall be prepaid on envelopes addressed to the postal voters (except where sub-paragraph (1)(c) applies).

(4) Return postage shall be prepaid on all covering envelopes where the address provided by the postal voter for the receipt of the postal ballot paper is within the United Kingdom.

Spoilt postal ballot paper

14.—(1) If a postal voter has inadvertently dealt with his ballot paper or postal voting statement in such a manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt ballot paper”) or, as the case may be, a postal voting statement (referred to as “a spoilt postal voting statement”) he may return (either by hand or by post) to the constituency returning officer the spoilt ballot paper or, as the case may be, the spoilt postal voting statement.

(2) Where the postal voter exercises the entitlement conferred by sub-paragraph (1), he shall also return—

- (a) the postal ballot paper or, as the case may be, the postal voting statement, whether spoilt or not;

(21) “Completed corresponding number lists” is defined in rule 53(1)(g) of Schedule 5.

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- (b) where postal ballot papers for more than one election have been issued together (including under paragraph 2 of this Schedule), all other ballot papers so issued, whether spoilt or not; and
 - (c) the envelopes supplied for the return of the documents mentioned in sub-paragraph (1) and paragraphs (a) and (b) of this sub-paragraph.
- (3) Subject to sub-paragraph (4) on receipt of the documents referred to in sub-paragraphs (1) and, where applicable, (2) the constituency returning officer shall issue another postal ballot paper or, as the case may be, ballot papers except where those documents are received after 5 pm on the day of the poll.
- (4) Where the constituency returning officer receives the documents referred to in sub-paragraph (1) and, where applicable sub-paragraph (2), after 5pm on the day before the day of the poll, he shall only issue another postal ballot paper or, as the case may be, ballot papers if the postal voter returned the documents by hand.
- (5) Paragraphs 9 (except sub-paragraph(3))to 12 and, subject to sub-paragraph (8), 13 shall apply to the issue of a replacement postal ballot paper under sub-paragraph (3).
- (6) Any postal ballot paper or postal voting statement, whether spoilt or not, returned in accordance with paragraph (1) or (2) shall be immediately cancelled.
- (7) The constituency returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall then be again made up and sealed.
- (8) Where a postal voter applies in person—
- (a) by 5pm on the day before the day of the poll, the constituency returning officer may hand a replacement postal ballot paper to him; or
 - (b) after 5pm on the day before the day of the poll, the constituency returning officer may only hand a replacement postal ballot paper to him,
- instead of delivering it in accordance with paragraph 13.
- (9) The constituency returning officer shall enter in a list kept for the purpose (“the list of spoilt postal ballot papers”)—
- (a) the name and number of the elector as stated in the register (or, in the case of an elector who has an anonymous entry, his electoral number alone);
 - (b) the number of the postal ballot paper (or papers) issued under this paragraph; and
 - (c) where the postal voter whose ballot paper is spoilt is a proxy, his name and address.

Lost postal ballot papers

- 15.**—(1) Where a postal voter claims either to have lost or not to have received
- (a) his postal ballot paper; or
 - (b) the postal voting statement; or
 - (c) one or more of the envelopes supplied for their return,
- by the fourth day before the day of the poll, he may apply (whether or not in person) to the constituency returning officer for a replacement ballot paper.
- (2) Such an application shall include evidence of the voter’s identity.
- (3) Where a postal voter exercises the entitlement conferred by sub-paragraph (1), he shall return—
- (a) the documents referred to in sub-paragraph (1)(a), (b) and (c); and

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(b) where postal ballot papers for more than one election have been issued together (including under paragraph 2 of this Schedule), all other ballot papers so issued, which he has received and which have not been lost.

(4) Any postal ballot paper or postal voting statement returned in accordance with sub-paragraph (3) shall be immediately cancelled.

(5) The constituency returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.

(6) Subject to sub-paragraph (7) where the application is received by the constituency returning officer before 5 pm on the day of the poll and the constituency returning officer—

- (a) is satisfied as to the voter's identity; and
- (b) has no reason to doubt that the postal voter has lost or did not receive the original postal ballot paper or the postal voting statement or one or more of the envelopes provided for their return,

he shall issue another postal ballot paper or, as the case may be, postal ballot papers.

(7) Where the application is received by the constituency returning officer after 5pm on the day before the day of the poll, he shall only issue another postal ballot paper or, as the case may be, other ballot papers if the postal voter applied in person.

(8) The constituency returning officer shall enter in a list kept for the purpose ("the list of lost postal ballot papers")—

- (a) the name and number of the elector as stated in the register (or, in the case of an elector who has an anonymous entry, his electoral number alone);
- (b) the number of the postal ballot paper which has been lost or not received and of its replacement issued under this paragraph; and
- (c) where the postal voter is a proxy, his name and address.

(9) Paragraphs 9 (except sub-paragraph (3)) to 12, and subject to sub-paragraph (10), 13 of this Schedule shall apply to the issue of a replacement postal ballot papers under sub-paragraph (6).

(10) Where the postal voter applies in person—

- (a) by 5pm on the day before the day of the poll, the constituency returning officer may hand a replacement paper to him; or
- (b) after 5pm on the day before the day of the poll, the constituency returning officer may only hand a replacement postal ballot paper to him,

instead of delivering it in accordance with paragraph 13 of this Schedule.

(11) Where the constituency returning officer issues another postal ballot paper, or as the case may be, postal ballot papers under sub-paragraph (6), the ballot paper which has been lost or not received shall be cancelled and of no effect.

Receipt of postal ballot papers

Notice of opening of postal ballot paper envelopes

16.—(1) The constituency returning officer shall give not less than 48 hours' notice in writing of each occasion on which a postal voters' ballot box and the envelopes contained in it are to be opened to—

- (a) each candidate in a constituency election; and

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- (b) in the case of an election for an Assembly electoral region, each individual candidate and the election agent for each registered party standing nominated.
- (2) Such a notice shall specify—
 - (a) the time and place at which such an opening is to take place; and
 - (b) the number of agents a candidate or registered political party may appoint under paragraph 6(2) to attend each opening.

Postal ballot boxes and receptacles

17.—(1) The constituency returning officer shall provide a separate ballot box for the reception of—

- (a) the covering envelopes when returned by the postal voters (“postal voters' ballot box”); and
- (b) postal ballot papers (“postal ballot box”).

(2) Each such ballot box shall be marked “postal voters' ballot box” or “postal ballot box”, as the case may be, and with the name of the constituency or electoral region for which the election is, or elections are, held.

(3) The postal ballot box shall be shown to the agents present on the occasion of opening the first postal voters' ballot box as being empty.

(4) The constituency returning officer shall then apply his seal in such manner as to prevent its being opened without breaking the seal; any of the agents present who wish to add their seals may then do likewise.

(5) The constituency returning officer shall provide the following receptacles—

- (a) the receptacle for rejected votes;
- (b) the receptacle for postal voting statements;
- (c) the receptacle for ballot paper envelopes;
- (d) the receptacle for rejected ballot paper envelopes;
- (e) the receptacle for rejected votes (verification procedure); and
- (f) the receptacle for postal voting statements (verification procedure).

(6) The constituency returning officer shall take proper precautions for the safe custody of every ballot box and receptacle referred to in this paragraph.

Receipt of covering envelope

18.—(1) The constituency returning officer shall, immediately on receipt (whether by hand or by post) of a covering envelope (or an envelope which is stated to include a postal vote) before the close of the poll, place it unopened in a postal voters' ballot box.

(2) Where an envelope, other than a covering envelope issued by the constituency returning officer—

- (a) has been opened; and
- (b) contains a ballot paper envelope, postal voting statement or ballot paper,

the first-mentioned envelope together with its contents, shall be placed in a postal voters' ballot box.

Opening of postal voters' ballot box

19.—(1) Each postal voters' ballot box shall be opened by the constituency returning officer in the presence of any agents, if in attendance.

(2) So long as the constituency returning officer ensures that there is at least one sealed postal voters' ballot box for the reception of covering envelopes up to the time of the close of the poll, the other postal voters' ballot boxes may previously be opened by him.

(3) The last postal voters' ballot box and the postal ballot box shall be opened at the counting of the votes under rule 55 of Schedule 5.

Opening of covering envelopes

20.—(1) When a postal voters' ballot box is opened, the constituency returning officer shall count and record the number of covering envelopes (including any envelope which is stated to include a postal vote and any envelope described in paragraph 18).

(2) He shall set aside for personal identifier verification a percentage, not less than 20%, of the envelopes recorded on that occasion.

(3) He shall open separately each covering envelope (including an envelope described in paragraph 18(2)).

(4) The procedure in paragraph 22 or 23 applies where a covering envelope (including an envelope to which paragraph 18 applies) contains both—

- (a) a postal voting statement; and
- (b) a ballot paper envelope, or if there is no ballot paper envelope, a ballot paper (or ballot papers).

(5) Where the covering envelope does not contain the postal voting statement separately, the constituency returning officer shall open the ballot paper envelope to ascertain whether the postal voting statement is inside.

(6) Where a covering envelope does not contain both—

- (a) a postal voting statement (whether separately or not); and
- (b) a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper, (or ballot papers),

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.

(7) Where—

- (a) an envelope contains the postal voting statement of an elector with an anonymous entry; and
- (b) sub-paragraph (6) does not apply,

the constituency returning officer shall set aside that envelope and its contents for personal identifier verification in accordance with paragraph 23.

(8) In carrying out the procedures in this paragraph and paragraphs 22 to 28 the returning officer—

- (a) shall keep the ballot papers face downwards and shall take all proper precautions for preventing any person from seeing the votes made on the ballot papers; and
- (b) shall not be permitted to view the corresponding number list used at the issue of postal ballot papers.

(9) Where an envelope opened in accordance with sub-paragraph (3) contains a postal voting statement, the constituency returning officer shall place a mark in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(10) A mark made under sub-paragraph (9) shall be distinguishable from and shall not obscure the mark made under paragraph 9 of this schedule.

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(11) As soon as practicable after the last covering envelope has been opened, the constituency returning officer shall make up into a packet the copies of the marked postal voters list and proxy postal voters list that have been marked in accordance with sub-paragraph (9) and shall seal such a packet.

Confirming receipt of postal voting statements

21.—(1) An elector or a proxy voter who is shown in the postal voters list or proxy postal voters list may make a request, at any time between the first issue of postal ballots under paragraph 9 of this Schedule and the close of poll, that the constituency returning officer confirm—

- (a) whether a mark is shown in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned; and
- (b) whether the number of the ballot paper issued to the elector or his proxy has been recorded on either of the lists of provisionally rejected votes kept by the constituency returning officer under paragraph 27.

(2) A request under sub-paragraph (1) shall—

- (a) be made by any method specified by the returning officer; and
- (b) include any evidence of the voter’s identity requested by the constituency returning officer.

(3) Where a request is received in accordance with sub-paragraph (2) the constituency returning officer shall satisfy himself that the request has been made by the elector or his proxy and where he is so satisfied provide confirmation of the matters under sub-paragraph (1).

Procedure in relation to postal voting statements

22.—(1) This paragraph applies to any postal voting statement contained in an envelope that has not been set aside for personal identifier verification in accordance with paragraph 20(2) or (7).

(2) The constituency returning officer must satisfy himself that the postal voting statement is duly completed.

(3) Where the constituency returning officer is not so satisfied, he shall mark the statement “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper (or ballot papers), and, subject to sub-paragraph (4), place it in the receptacle for rejected votes.

(4) The constituency returning officer shall then examine the number (or numbers) on the postal voting statement against the number (or numbers) on the ballot paper envelope and, where they are the same, he shall place the statement and the ballot paper envelope respectively in the receptacle for postal voting statements and the receptacle for ballot paper envelopes.

(5) Where—

- (a) the number (or numbers) on a valid postal voting statement is not the same as the number (or numbers) on the ballot paper envelope; or
- (b) the envelope has no number on it (or only one number when the postal voting statement has more than one),

the constituency returning officer shall open the envelope.

(6) Sub-paragraph (7) applies where—

- (a) there is a valid postal voting statement but no ballot paper envelope; or
- (b) the ballot paper envelope has been opened under paragraph 20(4) or sub-paragraph (7).

(7) In the circumstances described in sub-paragraph (6), the constituency returning officer shall place—

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- (a) in the postal ballot box any ballot paper the number on which is the same as the number (or one of the numbers) on the valid postal voting statement;
- (b) in the receptacle for rejected votes any other ballot paper, with the postal voting statement attached and marked “provisionally rejected”;
- (c) in the receptacle for rejected votes any valid postal voting statement marked “provisionally rejected” where—
 - (i) there is no ballot paper; or
 - (ii) in the case of a statement on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, shall mark the statement to indicate which ballot paper is missing;
- (d) in the receptacle for postal voting statements, any valid statement not disposed of under sub-paragraph (b) or (c).

Procedure in relation to postal voting statements: personal identifier verification

23.—(1) This paragraph applies to any postal voting statement contained in an envelope that is set aside for personal identifier verification in accordance with paragraph 20(2) or (7).

(2) The constituency returning officer must satisfy himself that the postal voting statement is duly completed and as part of that process must compare the date of birth and the signature on the postal voting statement against the date of birth and signature contained in the personal identifier record relating to the person to whom the postal ballot paper was addressed.

(3) Where the constituency returning officer is not so satisfied, he shall mark the statement “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper, and subject to sub-paragraph (4), place it in the receptacle for rejected votes (verification procedure).

(4) Before placing any postal voting statement in the receptacle for rejected votes (verification procedure), the constituency returning officer must show it to the agents and, must permit them to view the entries in the personal identifiers record which relate to the person to whom the postal voting statement was addressed, and if any of them object to his decision, he shall add the words “rejection objected to”.

(5) The constituency returning officer shall then examine the number (or numbers) on the postal voting statement against the number (or numbers) on the ballot paper envelope and, where they are the same, he shall place the statement and the ballot paper envelope respectively in the receptacle for postal voting statements (verification procedure) and the receptacle for ballot paper envelopes.

(6) Where—

- (a) the number on a valid postal voting statement is not the same as the number on the ballot paper envelope; or
- (b) the envelope has no number on it (or only one number when the postal voting statement has more than one),

the constituency returning officer shall open the envelope.

(7) Sub-paragraph (8) applies where—

- (a) there is a valid postal voting statement but no ballot paper envelope; or
- (b) the ballot paper envelope has been opened under paragraph 20(5) or sub-paragraph (6).

(8) In the circumstances described in sub-paragraph (7), the constituency returning officer shall place—

- (a) in the postal ballot box any ballot paper the number on which is the same as the number on the valid postal voting statement;

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- (b) in the receptacle for rejected votes (verification procedure), any other ballot paper, with the postal voting statement attached and marked “provisionally rejected”;
- (c) in the receptacle for rejected votes (verification procedure) any valid postal voting statement marked “provisionally rejected” where—
 - (i) there is no ballot paper; or
 - (ii) in the case of a statement on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, shall mark the statement to indicate which ballot paper is missing; and
- (d) in the receptacle for postal voting statements (verification procedure), any valid statement not disposed of under sub-paragraph (b) or (c).

Postal voting statements: additional personal identifier verification

24.—(1) The constituency returning officer may on any occasion at which a postal voters' ballot box is opened in accordance with paragraph 19 undertake verification of the personal identifiers on any postal voting statement that has on a prior occasion been placed in the receptacle for postal voting statements.

(2) Where the returning officer undertakes additional verification of personal identifiers, he must—

- (a) remove as many postal voting statements from the receptacle for postal voting statements as he wishes to subject to additional verification; and
- (b) compare the date of birth and the signature on each such postal voting statement against the date of birth and signature contained in the personal identifiers record relating to the person to whom the postal ballot paper was addressed.

(3) Where the constituency returning officer is no longer satisfied that the postal voting statement has been duly completed he must mark the statement “rejected”, and before placing the postal voting statement in the receptacle for rejected votes (verification procedure) he must—

- (a) show it to the agents and must permit them to view the entries in the personal identifiers record which relate to the person to whom the postal ballot paper was addressed, and if any of them object to his decision, he must add the words “rejection objected to”;
- (b) open any postal ballot box and retrieve the ballot paper corresponding to the ballot paper on the postal voting statement;
- (c) show the ballot paper number on the retrieved ballot paper to the agents; and
- (d) attach the ballot paper to the postal voting statement.

(4) Following the removal of a postal ballot paper from a postal ballot box the constituency returning officer must reseal the postal ballot box in the presence of the agents.

Opening of ballot paper envelopes

25.—(1) The constituency returning officer shall open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

(2) He shall place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number (or one of the numbers) on the ballot paper envelope;
- (b) in the receptacle for rejected votes, any other ballot paper which shall be marked “provisionally rejected” and to which shall be attached the ballot paper envelope; and

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- (c) in the receptacle for rejected ballot paper envelopes, any ballot paper envelope which shall be marked “provisionally rejected” because it does not contain either a ballot paper or, where more than one number appears on the ballot paper envelope, a sufficient number of ballot papers (and indicating, in such a case, the missing ballot paper).

Retrieval of cancelled postal ballot papers

26.—(1) Where it appears to the constituency returning officer that a cancelled postal ballot paper has been placed—

- (a) in a postal voters' ballot box; or
- (b) in the receptacle for ballot paper envelopes; or
- (c) a postal ballot box,

he shall proceed as follows.

(2) He shall, on at least one occasion on which a postal voters ballot box is opened in accordance with paragraph 19 of this Schedule, also open any postal ballot box and the receptacle for ballot paper envelopes and—

- (a) retrieve the cancelled ballot paper;
- (b) show the ballot paper number on the cancelled ballot paper to the agents;
- (c) retrieve the postal voting statement that relates to a cancelled ballot paper from the receptacle for postal voting statements;
- (d) attach any cancelled postal ballot paper to the postal voting statement to which it relates;
- (e) place the cancelled documents in a separate packet and deal with that packet in the manner provided for by paragraph 14(7) of this Schedule; and
- (f) unless the postal ballot box has been opened for the purposes of counting the votes under rule 55 of Schedule 5 reseal the postal ballot box in the presence of the agents.

Lists of rejected postal ballot papers

27.—(1) In respect of any Assembly election, the constituency returning officer shall keep two separate lists of rejected postal ballot papers.

(2) In the first list, he shall record the ballot paper number of any postal ballot paper for which no valid postal voting statement was received with it.

(3) In the second list, he shall record the ballot paper number of any postal ballot paper which is entered on a valid postal voting statement where that ballot paper is not received with the postal voting statement.

Checking of lists kept under paragraph 27

28.—(1) Where the constituency returning officer receives a valid postal voting statement without the postal ballot paper (or papers or, as the case may be, all of the papers) to which it relates, he may, at any time prior to the close of the poll, check the list referred to in paragraph 27(2) to see whether the number (or numbers) of a postal ballot paper to which the statement relates is entered in that list.

(2) Where the constituency returning officer receives a postal ballot paper without the postal voting statement to which it relates, he may, at any time prior to the close of the poll, check the list referred to in paragraph 27(3) to see whether the number of that ballot paper is entered in that list.

(3) The constituency returning officer shall conduct the checks required by sub-paragraphs (1) and (2) as soon as practicable after the receipt of packets from every polling station in the constituency or, as the case may be, electoral area under rule 53 of Schedule 5.

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(4) Where the ballot paper number in the list matches that number on a valid postal voting statement or, as the case may be, the postal ballot paper, the constituency returning officer shall retrieve that statement or paper.

(5) The constituency returning officer shall then take the appropriate steps under this Schedule as though any document earlier marked “provisionally rejected” had not been so marked and shall amend the document accordingly.

Sealing of receptacles

29.—(1) As soon as practicable after the completion of the procedure under paragraph 28(3) and (4), the constituency returning officer shall make up into separate packets the contents of—

- (a) the receptacle of rejected votes;
- (b) the receptacle of postal voting statements;
- (c) the receptacle of rejected ballot paper envelopes;
- (d) the lists of spoilt and lost postal ballot papers; and
- (e) the receptacle of rejected votes (verification procedure); and
- (f) the receptacle of postal voting statements (verification procedure),

and shall seal up such packets.

(2) Any document in those packets marked “provisionally rejected” shall be deemed to be marked “rejected”.

Abandoned poll

30.—(1) Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the constituency returning officer—

- (a) shall not take any step or further step to open covering envelopes or deal with the contents in accordance with the provisions of this Schedule; and
- (b) shall, notwithstanding paragraphs 20 to 26, treat all unopened covering envelopes and the contents of those that have been opened as if they were counted ballot papers.

(2) Sub-paragraph (1) shall not apply where postal ballot papers for more than one election have been issued together under paragraph 2.

Forwarding of documents

31.—(1) The constituency returning officer shall forward to the relevant registration officer at the same time as he forwards the documents mentioned in rule 67 of Schedule 5—

- (a) any packets referred to in paragraphs 12, 14(7), 15(5), 20(11) and 29, subject to paragraph 30, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency or electoral area for which the election (or elections) was (or were) held; and
- (b) a completed statement in the form CD “Statement as to postal ballot papers” set out in English and Welsh in Schedule 10, of the number of postal ballot papers issued.

(2) Where—

- (a) any covering envelopes are received by the constituency returning officer after the close of the poll (apart from those delivered in accordance with rule 55(7) of Schedule 5);
- (b) any envelopes addressed to postal voters are returned as undelivered too late to be readdressed; or

(c) any spoiled postal ballot papers are returned too late to enable other postal ballot papers to be issued,

the constituency returning officer shall put them unopened in a separate packet, seal up such packet and endorse and forward it at a subsequent date in the manner described in sub-paragraph (1).

(3) Rules 68 and 69 of Schedule 5 shall apply to any packet or document forwarded under this paragraph.

(4) A copy of the statement referred to in sub-paragraph (1)(b) shall be provided by the constituency returning officer to the Commission in the period which starts 10 days after the day of the poll and ends 15 days after that day.

SCHEDULE 4

Article 16(7)

Combination of polls

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Explanatory Note

PART 1

General

Returning officers and polling stations

1.—(1) Where the polls at an Assembly general election and an ordinary local government election are taken together under article 16(1)—

- (a) those functions of the returning officer at the local government election which are specified in paragraph 2 shall be discharged by the constituency returning officer for an Assembly constituency for such part of the local government area as is situated in the constituency; and
- (b) only polling stations used for the Assembly general election shall be used for the local government election.

(2) Subject to sub-paragraph (4) where the polls at an Assembly and a local government election for related areas (within the meaning of article 16(3)) are taken together under article 16(2)—

- (a) the returning officers for those elections shall decide which returning officer shall discharge in the area in which the polls are combined (“the combined area”) those functions of the other which are specified in paragraph 2; and
- (b) the only polling stations which shall be used in the combined area at such elections are the polling stations used at the election for which the returning officer who discharges the functions referred to in paragraph (a) acts as returning officer.

(3) Where by virtue of sub-paragraph (2)(a) functions in respect of another election fall to be discharged by a regional returning officer, he in turn shall delegate the discharge of those functions to the constituency returning officer for an Assembly constituency that is wholly or partly situated in the combined area in relation to such part of the combined area as is situated in the Assembly constituency; and where functions are so delegated subsequent references in this Part to the returning officer who discharges the functions specified in paragraph 2 are to be treated as references to such a constituency returning officer.

(4) Where the polls at an Assembly general election and a local government election for related areas are taken together under article 16(2), sub-paragraphs (1)(a) and (b) shall apply.

Functions at combined polls

2.—(1) The functions referred to in paragraph 1 are the functions conferred—

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- (a) in the case of an Assembly election, by Schedule 5 and which are specified in sub-paragraph (2);
- (b) in the case of a local government election which is not a mayoral election, by those of the rules made under section 36 of the 1983 Act which correspond to the provisions specified in sub-paragraph (2); and
- (c) in the case of a local government election which is a mayoral election, by those rules made under section 44 of the Local Government Act 2000⁽²²⁾ which correspond to the provisions specified in sub-paragraph (2),

and where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 3, the functions conferred by that Schedule and by Part 5 of the 2001 Regulations⁽²³⁾.

(2) The functions referred to in sub-paragraph (1) are those functions in Schedule 5 conferred or by—

- (a) rule 27 (corresponding number list);
- (b) rule 32(2) and (3) (notice of situation of polling stations etc);
- (c) rule 33 (postal ballot papers) where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 3 and rule 55 (the count) of Schedule 5;
- (d) rule 34 (provision of polling stations);
- (e) rule 35(1) and (3) (appointment of presiding officers and clerks) to the extent that the paragraph concerns the appointment of presiding officers and clerks to assist them;
- (f) rule 37 (equipment of polling stations);
- (g) rule 39(a) (notification of requirement of secrecy at polling station);
- (h) rule 40 (return of postal ballot papers) where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 3;
- (i) rule 41(5) (signature of certificate as to employment);
- (j) rule 42(2)(b) (authorisation to order removal from polling station); and
- (k) paragraphs (1)(as substituted by paragraph 20 of this Schedule) and paragraph (8) of rule 55 (the count).

Modification of provisions about expenses in this Order and the 1983 Act

3.—(1) Where those functions of a returning officer at an election which are specified in paragraph 2 are discharged by the returning officer at another election under paragraph 1, references to the returning officer or his charges or expenditure—

- (a) in article 23(1) to (4), (7), (9) and (10) (payments by and to returning officer);
- (b) in article 24 (detailed assessment of returning officer's account); and
- (c) in section 36(4) and (5A) of the 1983 Act⁽²⁴⁾ (expenses at local elections),

shall, to the extent that such functions are so discharged, be construed as references to the returning officer who discharges those functions and his charges or expenditure in respect of those functions.

⁽²²⁾ 2000 c. 22.

⁽²³⁾ In part 5 Regulation 72 was amended by Regulation 12 of S.I. 2002/1871, Regulation 77 was amended by Regulation 13(1), (2) and (3) of S.I. 2002/1871 and Regulation 85 by Regulation 2(1) of S.I. 2002/1871. Regulation 64 was amended by regulation 48, regulations 72 and 73 by regulation 49, regulation 75 by regulation 50, regulation 84 by regulations 51 and 52 and regulation 91 by regulation 53 all of S.I. 2006/2910.

⁽²⁴⁾ Sub-section (5A) was added by Schedule 16 to the Local Government (Wales) Act 1994 c. 19.

(2) The reference in section 36(6) of the 1983 Act to the returning officer or person acting as returning officer requesting an advance in respect of his expenses shall, to the extent that those expenses relate to the functions specified in paragraph 2, include a reference to the returning officer who under paragraph 1 discharges those functions at the local government election.

(3) In relation to elections the polls at which are taken together under article 16(1) or (2), the Assembly may under article 23(1) include special provision for services properly rendered, or expenses properly incurred, in respect of the discharge of functions specified in paragraph 2, and in respect of the remuneration of presiding officers and clerks, by the returning officer who discharges those functions by virtue of paragraph 1.

(4) In relation to elections the polls at which are taken together under article 16(1) or (2), a county or county borough council may, in fixing a scale under—

- (a) section 36(4) of the 1983 Act (fixing a scale at an election to the council etc); or
- (b) section 36(5A) of that Act (fixing a scale at an election for a community within the area of the council etc),

include special provision for expenses incurred in respect of the discharge of functions specified in paragraph 2, and in respect of the remuneration of presiding officers and clerks, by the returning officer who discharges those functions by virtue of paragraph 1.

PART 2

Modifications to Schedule 5 to apply where the poll at an Assembly election is taken together with a poll at a local government election under Article 16 (1) or (2)

Modifications to Schedule 5: general provision

4. Where the poll at an Assembly election is taken with the poll at a local government election under article 16(1) or (2), Schedule 5 shall have effect subject to the modifications set out in the remaining paragraphs of this Part.

Rule 28 of Schedule 5 (colour of ballot papers)

5. At the end of rule 28 of Schedule 5 add—

“And the ballot paper to be used at an Assembly election shall be of a different colour from that of any ballot paper to be used at a local government election the poll for which is taken together with the poll for the Assembly election.”.

Rule 32 of Schedule 5 (notice of poll)

6. At the end of rule 32 of Schedule 5 add—

“(5) Where the poll at an Assembly election is taken together with a poll at a local government election the notice published under paragraph (2) or (3) shall—

- (a) state that the poll at the Assembly election is to be taken together with the poll at a local government election;
- (b) specify the relevant local authority and, in the case of a local government election to fill a casual vacancy, the electoral area for which the election is held; and
- (c) where the polls are to be taken together in part of an Assembly constituency only, specify that part.”.

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Rule 36 of Schedule 5 (issue of official poll cards)

7. At the end of rule 36 of Schedule 5 add—

“(10) Where a poll at an Assembly election is taken together with a poll at a local government election an official poll card issued under this paragraph may be combined with an official poll card issued at the local government election.”.

Rule 37 of Schedule 5 (equipment of polling stations)

8.—(1) After rule 37(4) of Schedule 5 insert—

“(4A) The same ballot box may be used for the poll at the Assembly election and for the poll at the local government election.

(4B) Where the same ballot box is not used under paragraph (4A) each ballot box shall be clearly marked with—

- (a) the election to which it relates, as shown on the ballot papers for that election; and
- (b) the words “Place the [*specify the colour of the ballot papers in question*] ballot paper here, Rhewch y papur pleidleisio [*nodwch liw'r papurau pleidleisio dan sylw*] yma.”.

(2) For rules 37(14) to (15) of Schedule 5 substitute—

“(14) Where a poll at an Assembly election is taken together with a poll at a local government election, the notice in form CP set out in English and Welsh in Schedule 10, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.

(15) Where the poll at an Assembly election is taken together with a poll at a local government election in every compartment of every polling station there shall be exhibited the notice—

(a) in respect of a constituency election—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”;

(b) in respect of a regional election—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”;

(c) in respect of a local government election—

(i) where there is more than one candidate to be returned for an electoral area—

“Vote for no more than . . . candidates on the local government ballot paper coloured [*colour of ballot paper*]. Put no other marks on the ballot paper or your votes may not be counted.

Peidiwch â phleidleisio dros fwy na(g) . . . o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi

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unrhyw farciau eraill ar y papur pleidleisio, neu fe all na chaiff eich pleidleisiau eu cyfrif.”; or

(ii) where there is one candidate to be returned for an electoral area—

“Vote for no more than one candidate on the local government ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [*Iliw' papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; and

(d) in respect of a local government election which is a mayoral election —

“[*Vote for one candidate only*] [*Vote once for your first choice and once for your second choice*] on the mayoral ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.”

“[Pleidleisiwch dros un ymgeisydd yn unig] [Pleidleisiwch unwaith dros eich dewisiad cyntaf ac unwaith dros eich ail ddewisiad] ar y papur pleidleisio maerol lliw [*Iliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”,

and paragraph (16) does not apply.”.

Rule 38 of Schedule 5 (appointment of polling and counting agents)

9. After rule 38(7) of Schedule 5 insert—

“(7A) Where the poll at an Assembly election is taken together with a poll at a local government election notices of the appointment of polling agents which are required by paragraphs (5), (6) and (7) to be given to the returning officer shall be given to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4.”.

Rule 41 of Schedule 5 (admission to polling station)

10. After paragraph (1)(h) of rule 41 insert—

“(i) persons entitled to be admitted to the polling station at the local government election.”.

Rule 44 of Schedule 5 (questions to be put to voters)

11.—(1) In questions 1(b), 2, 3(a) and (b), 4, 5(b), 6 and 7 in column (2) of the Table to rule 44 of Schedule 5, before “election” insert “Assembly”.

(2) In questions 1(b), 2, 3(a) and (b), 4, 5(b), 6 and 7 in column (2) of the Table to rule 44 of Schedule 5, after “yr etholiad hwn” insert “i'r Cynulliad”.

Rule 46 of Schedule 5 (voting procedure)

12. At the end of rule 46 of Schedule 5 add—

“(8) Where the poll at an Assembly election is taken together with a poll at a local government election the same copy of the register of electors or where paragraph (3) applies, the same copy of the notice may be used under paragraph (1) for each election and—

(a) one mark may be placed in that register or on that notice under paragraph (1)(c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been received in respect of each election; and

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- (b) where a ballot paper has not been issued in respect of each election, a different mark shall be placed in the register, on the notice or list so as to identify the election in respect of which the ballot paper was issued.”.

Rule 47 of Schedule 5 (votes marked by presiding officer)

13. At the end of rule 47 of Schedule 5 add—

“(6) Where the poll at an Assembly election is taken together with a poll at a local government election the same list of votes marked by the presiding officer may be used for each election and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which a ballot paper was so marked.”.

Rule 48 of Schedule 5 (voting by persons with disabilities)

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

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

Rule 49 of Schedule 5 (tendered ballot papers)

15. At the end of rule 49 of Schedule 5 add—

“(13) Where the poll at an Assembly election is taken together with a poll at a local government election the same tendered votes list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.”.

Rule 51 of Schedule 5 (correction of errors on the day of poll)

16. At the end of rule 51 of Schedule 5 add—

“Where the poll at an Assembly election is taken together with a poll at a local government election the same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that ballot papers were issued in respect of each election, unless the list identifies the election for which a ballot paper was issued”.

Rule 52 of Schedule 5 (adjournment of poll in case of riot)

17. After rule 52(1) of Schedule 5 insert—

“(1A) Where the poll at an Assembly election is taken together with a poll at a local government election, and the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 is not a constituency returning officer, the notice required to be given under paragraph (1)(b) or (c) shall also be given to the first mentioned returning officer.”.

Rule 53 of Schedule 5 (procedure on close of poll)

- 18.—(1) After rule 53(1) of Schedule 5 insert—

“(1A) Where paragraph (1) applies and the poll is taken together with a poll at a local government election the contents of the packets referred to in paragraph (1)(b) to (e), (g) and (h) shall not be combined with the contents of packets made under the corresponding rule that applies at a local government election; nor shall the statement prepared under paragraph (4) be so combined.”

(2) After rule 53(2) of Schedule 5 insert—

“(2A) Where paragraph (2) applies and the poll is taken together with a poll at a local government election—

- (a) the contents of the packets referred to in paragraph (2)(b), (c), (e) and (f) shall not be combined with the contents of packets made under the corresponding rule that applies at a local government election; nor shall the statement prepared under paragraph (4) be so combined; and
- (b) references to the constituency returning officer in paragraph (3) are references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4.”

Rule 54 of Schedule 5 (time of, and attendance at, counting of votes)

19.—(1) After rule 54(2) of Schedule 5 insert—

“(2A) Where the poll at an Assembly election is taken together with a poll at a local government election and a constituency returning officer at the Assembly election does not discharge the functions specified in paragraph 2 of Schedule 4 (so that sub-paragraph (1) does not apply), the constituency returning officer shall make arrangements for counting the votes in the presence of the counting agents after the delivery of the ballot papers to him by the returning officer who does discharge those functions, and he shall also give to the counting agents notice in writing of the time and place he will begin to count the votes if he has by then received the ballot papers.

(2B) At a regional election notice under paragraph (2A) shall also be given to the regional returning officer.”

(2) In rule 54(6), before “the efficient” insert “the efficient separating of the ballot papers or, as the case may be,”

Rule 55 of Schedule 5 (the count)

20.—(1) For rules 55(1) to (3) of Schedule 5 substitute—

“(1) Where the poll at an Assembly election is taken together with the poll at a local government election and if the constituency returning officer for the Assembly constituency discharges the functions specified in paragraph 2 of Schedule 4, he must—

- (a) in the presence of the counting agents appointed for the purposes of the Assembly and local government elections open each ballot box and record separately the number of ballot papers in each box for each election;
- (b) in the presence of the election agents appointed for the purposes of the Assembly and local government elections verify each ballot paper account;
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election;
- (d) separate the ballot papers relating to each election;
- (e) make up into packets the ballot papers for each election other than the Assembly elections and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate;

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- (f) deliver, or cause to be delivered, to the returning officer at the election to which the ballot papers relate—
 - (i) those containers, together with a list of them and of the contents of each; and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election; and
- (g) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing,—
 - (i) the unused and spoiled ballot papers;
 - (ii) the tendered ballot papers; and
 - (iii) the completed corresponding number lists and the certificates as to employment on duty on the day of the poll.

(2) Where separate ballot boxes have been used, no vote shall be rendered invalid solely by the ballot paper being placed in the wrong ballot box.

(2A) After the completion of the proceedings under paragraph (1) the returning officer shall separately mix together all the ballot papers used at the Assembly constituency election and those used at the Assembly regional election (or if only one poll is held in respect of an Assembly election, the ballot papers used at that election) and count the votes given on them.

(2B) Where the poll at an Assembly election is taken together with a poll at a local government election and a constituency returning officer does not discharge the functions specified in paragraph 2 of Schedule 4 he must—

- (a) on receipt of containers from the returning officer who does discharge those functions, and after the time specified in the notice given under rule 54(2A), in the presence of the counting agents open each container;
- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under paragraph 2 of Schedule 3, count such of the postal ballot papers as have been duly returned and record the number counted; and
- (c) in respect of each Assembly election, mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them;

and paragraph (12) shall not apply to these proceedings

(3) The proceedings described in paragraph (1) may be undertaken at a different place (or at different places) than a place at which the votes at an Assembly election are counted; but if the power is so exercised paragraph (4) does not apply with respect to the ballot papers and other documents relating to the local government election.”

(2) Paragraphs (16) to (18) of rule 55 shall not apply to these proceedings.

Rule 67 of Schedule 5 (delivery of documents to relevant registration officer)

21. After rule 67(2) of Schedule 5 insert—

“(3) Where the poll at an Assembly election is taken together with a poll at a local government election and a constituency returning officer does not discharge the functions specified in paragraph 2 of Schedule 4, paragraph (2) shall have effect as if paragraphs (c) and (f) were omitted.”

Rule 70 of Schedule 5 (constituency election: death of independent candidate)

22. After rule 70(5) of Schedule 5 insert—

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“(6) neither the countermand of the notice of poll at the Assembly election nor the direction that the poll be abandoned shall affect the poll at the local government election.”.

Rule 73 of Schedule 5 (constituency election: death of party candidate)

23.—(1) After rule 73(2) of Schedule 5 insert—

“(2A) Neither the countermand of the notice of poll at the Assembly election nor the direction that the poll be abandoned shall affect the poll at the local government election.”.

(2) In paragraph (4) after “with reference to the” insert “Assembly”.

Rule 76 of Schedule 5 (abandoned poll)

24. After rule 76(10) of Schedule 5 insert—

“(11) Where the poll at an Assembly election is taken together with a poll at a local government election and the poll at the Assembly election is abandoned by reason of a candidate’s death (and paragraph (10) does not apply) the steps required by the presiding officer at such a polling station by paragraph (2) shall take place at the close of poll; and in paragraph (3)—

- (a) references to the constituency returning officer shall be construed as references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 5; and
- (b) “having separated the ballot papers relating to the local government election,” shall be construed as having been inserted after “constituency returning officer”.

Schedule 10 (appendix of forms)(form CP)

25. In Schedule 10, after form CP insert—

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Form CPI Form of directions for the guidance of voters in voting

Rule 37(14) of Schedule 5 as substituted by paragraph 8(2) of Schedule 4

Guidance for Voters

1. When you are given the ballot papers go to one of the compartments.
2. At an Assembly election you may vote once on *[each][the]* ballot paper. Mark your choice with a cross (X) in the box on the right hand side of the paper opposite the name of the candidate or party for whom you are voting.
3. At the local government election*[s]*, *[each][the]* ballot paper*[s]* state*[s]* how many times you may vote. Mark your choice*[s]* with a cross (X) in the box on the right hand side of the paper*[s]* opposite the name*[s]* of the candidate*[s]* for whom you are voting.
4. Vote only for the number of candidates specified on *[each][the]* ballot paper. Put no other mark on the ballot paper or your vote may not be counted.
5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.
6. Fold the ballot papers so as to conceal your vote and to show the back of the ballot paper to disclose the number and unique identifying mark to the presiding officer. Do not let anyone see your vote. Put each ballot paper in the *[appropriate]* ballot box and leave the polling station.

Cyfarwyddyd i Bleidleiswyr

1. Pan gewch chi'r papurau pleidleisio, ewch i un o'r bythau.
2. Mewn etholiad ar gyfer y Cynulliad, gallwch bleidleisio unwaith ar *[bob]* *[y]* papur pleidleisio. Marciwch eich dewis â chroes (X) yn y blwch ar ochr dde y papur gyferbyn ag enw'r ymgeisydd neu'r blaid yr ydych yn pleidleisio drosto/drosti.
3. Yn yr etholiad *[au]* llywodraeth leol, mae *[pob]* *[y]* papur*[au]* pleidleisio yn datgan faint o weithiau y cewch chi bleidleisio. Marciwch eich dewis*[iadau]* â chroes (X) yn y blwch ar ochr dde y papur*[au]* gyferbyn ag enw*[au]*'r ymgeisydd*[ymgeiswyr]* yr ydych yn pleidleisio drosto/drostynt.
4. Pleidleisiwch dros nifer yr ymgeiswyr a bennir ar *[bob][y]* papur pleidleisio – dim mwy, dim llai. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
5. Os byddwch chi'n difetha papur pleidleisio trwy gamgymeriad, dangoswch ef i'r swyddog llywyddu a gofyn am un arall.
6. Plygwch y papurau pleidleisio fel eich bod yn cuddio eich pleidlais ac yn dangos cefn y papur pleidleisio i ddangos y rhif a'r marc adnabod unigryw i'r swyddog llywyddu. Peidiwch â gadael i newb weld eich pleidlais. Rhowch bob papur pleidleisio yn y blwch pleidleisio *[priodol]* a gadael ye orsaf pleidleisio.
* delete as appropriate..

Schedule 10 (appendix of forms) (form CQ)

26.—(1) In Schedule 10, the form CQ shall be amended in accordance with sub-paragraphs (2) and (3).

(2) In that part of the form in English for “the Assembly election now being held in this *[constituency]* *[and]* *[electoral region]*” substitute “the elections now being held in this Assembly constituency *[, Assembly electoral region]* and, in the case of a local government election which is not a mayoral election, *[name of electoral area for which election is held and name of local government area]* or, in the case of a local government election which is a mayoral election, *[name of local government area]*”.

(3) In that part of the form in Welsh for “yn etholiad y Cynulliad a gynhelir yn awr yn yr [etholaeth hon] [a'r] [rhanbarth etholiadol hwn]” substitute “yr etholiadau a gynhelir yn awr yn yr etholaeth y cynulliad hon [, y rhanbarth etholiadol Cynulliad hwn] ac, yn achos etholiad llywodraeth leol nad yw yn etholiad maerol, [enw'r ardal etholiadol y cynhelir yr etholiad hwn ar ei chyfer ac enw'r ardal llywodraeth leol] neu, yn achos etholiad llywodraeth leol sydd yn etholiad maerol, [enw'r ardal llywodraeth leol]”.

PART 3

Modifications to election rules to apply where the poll at an election of county or county borough councillors is taken together with a poll at an Assembly election under Article 16(1) or (2)

Modifications to principal area election rules: general provision

27.—(1) Where the poll at an election of county or county borough councillors is taken together with the poll at an Assembly election under article 16(1) or (2), Schedule 3 to the Local Elections (Principal Areas)(England and Wales) Rules 2006(25) (rules for conduct of an election of councillors of a principal area) shall have effect subject to the modifications set out in the remaining paragraphs of this Part.

(2) In this Part the rules in that Schedule referred to in sub-paragraph (1) are referred to as the principal area election rules.

Rule 16 of principal area election rules (the ballot papers)

28.—(1) After rule 16(2)(d) of the principal area election rules insert—

“(e) must be of a different colour from that of any ballot papers used at an Assembly election and at any local government election the polls of which are taken together with the poll at the principal area election.”.

(2) At the end of rule 16 of the principal area election rules add—

“(6) References to an Assembly election in paragraph (2)(e) and elsewhere in these rules refer to an election to the National Assembly for Wales; and references to an Assembly election (and to a poll at such an election) include a reference to Assembly elections (and to polls at such elections) where the context so requires.”.

Rule 21 of principal area election rules (notice of poll)

29. In rule 21 of the principal area election rules for paragraph (4) substitute—

“(4) The notice published under paragraph (3) must:

- (a) state that the poll at the principal area election is to be taken together with the poll at an Assembly election and any other local government election;
- (b) specify the Assembly constituency or electoral region and any relevant local authority and, in the case of an election to fill a casual vacancy, the electoral area for which the other election is held; and
- (c) where the polls are to be taken together in part of the local government area only, specify that part.”.

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Rule 25 of principal area election rules (issue of official poll cards)

30. At the end of rule 25 add—

“(7) An official poll card issued under this rule may be combined with the official poll card issued at an Assembly election and any other local government election.”

Rule 26 of principal area election rules (equipment of polling stations)

31.—(1) For rule 26(2) of the principal area election rules substitute—

“(2) The same ballot box may be used for the poll at the principal area election and for the polls at the Assembly election and any other local government election if the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007 so decides and a decision may make different provision for different polling stations.”

(2) For rule 26(7) of the principal area election rules substitute—

“(7) Where the same ballot box is not used under paragraph (2) each ballot box shall be clearly marked with—

- (a) the election to which it relates, as shown on the ballot papers for that election; and
- (b) the words “Place the [*specify the colour of the ballot papers in question*] ballot paper here, Rhowch y papur pleidleisio [*nodwch liw'r papurau pleidleisio dan sylw*] yma.”

(3) For rule 26(10) of the principal area election rules substitute—

“(10) In every compartment of every polling station there shall be exhibited the notice—

(a) in respect of a local government election—

(i) where there is more than one candidate to be returned for an electoral area—

“Vote for no more than ... candidates on the local government ballot paper coloured [*colour of ballot paper*]. Put no other marks on the ballot paper or your votes may not be counted.

Peidiwch â phleidleisio dros fwy nag ... o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farciau eraill ar y papur pleidleisio, neu fe all na chaiff eich pleidleisiau eu cyfrif.”; or

(ii) where there is one candidate to be returned for an electoral area—

“Vote for no more than one candidate on the local government ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”;

(b) in respect of an Assembly election for an Assembly constituency—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; and

- (c) in respect of an Assembly election for an Assembly electoral region—
- “Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.
- Pleidleisiwch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*Iliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”.

Rule 27 of principal area election rules (appointment of polling and counting agents)

32. For rule 27(6) of the principal area election rules substitute—
- “(6) Notices of the appointment of polling agents which are required by this paragraph and paragraphs (7) and (8) to be given to the returning officer shall be given to that returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007.”.

Rule 35 of principal area election rules (voting procedure)

33. For rule 35(6) of the principal area election rules substitute—
- “(6) The same copy of the register of electors which is used under paragraph (1) for the principal area election or, where paragraph (3) applies, the same copy of the notice issued under section 13(3B) or (3D) of the 1983 Act may be used for the Assembly election—
- (a) and one mark may be placed in that register under paragraph (1)(c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been received in respect of each election;
- (b) but where a ballot paper has been issued in respect of one election only, a different mark must be placed in the register or, as the case may be, on that notice or in that list so as to identify the election in respect of which the ballot paper was issued.”.

Rule 36 of principal area election rules (votes marked by presiding officer)

34. For rule 36(4) of the principal area election rules substitute—
- “The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which the ballot paper was so marked.”.

Rule 37 of principal area election rules (voting by persons with disabilities)

35. For rule 37(6) of the principal area election rules substitute—
- “The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that the votes were so given in respect of each election, unless the list identifies the election at which the vote was so given.”.

Rule 39 of principal area election rules (tendered ballot papers, general provisions)

36. For rule 39(3) of the principal area election rules substitute—
- “(3) The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.”.

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Rule 42 of principal area election rules (adjournment of poll in case of riot)

37. In rule 42(1) of the principal area election rules substitute—

“(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings until the following day and must forthwith give notice—

- (a) to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007; and
- (b) in the case of a regional election, whether or not the poll is taken with the poll at a constituency election, to the regional returning officer.”.

Rule 43 of principal area election rules (procedure on close of poll)

38.—(1) For rule 43(2) of the principal area election rules substitute—

“(2) The contents of the packets referred to in paragraph (1)(b), (c) (e) and (f) shall not be combined with the contents of the packets made under the corresponding provisions that apply to an Assembly election and any other local government election; nor shall the statement prepared under paragraph (3) be so combined.”.

(2) For rule 43(3) of the principal area election rules substitute—

“(3) References to the returning officer in paragraph (1) are references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007.”.

Rule 44 of principal area election rules (attendance at counting of votes)

39. For rule 44(1) and (2) of the principal area election rules substitute—

“(1) Where the returning officer at the principal area election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he must—

- (a) make arrangements for—
 - (i) discharging the functions under rule 45(1) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007) in the presence of the counting agents appointed for the purposes of the principal area election and Assembly election as soon as practicable after the close of the poll; and
 - (ii) thereafter counting the votes at the principal area election in the presence of the agents appointed for the purpose of that election; and
- (b) give to the counting agents appointed for the purpose of those elections notice in writing of the time and place at which he will begin to discharge the functions under rule 45(1) (as so substituted).

(2) Where the returning officer at the principal area election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he shall make arrangements for counting the votes in the presence of the counting agents appointed for the purposes of the principal area election as soon as practicable after the delivery of the ballot papers to him by the returning officer who does discharge those functions, and shall give to the counting agents notice in writing of the time at which he will begin to count the votes if by then he has received the ballot papers and of the place at which that count will take place.”.

Rule 45 of principal area election rules (the count)

40. For rule 45(1) of the principal area election rules substitute—

“(1) Where the returning officer at the principal area election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he shall—

- (a) in the presence of the counting agents appointed for the purposes of the principal area election and Assembly election open each ballot box and record separately the number of ballot papers used in each election;
- (b) in the presence of the election agents appointed for the purposes of the principal area election and Assembly election verify each ballot paper account;
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election;
- (d) separate the ballot papers relating to each election;
- (e) make up into packets the ballot papers for each election other than the principal area election and seal them up in separate containers endorsing on each a description of the election to which the ballot papers relate;
- (f) deliver, or cause to be delivered, to the returning officer for the election to which the ballot papers relate (or, in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the votes were given on those ballot papers)—
 - (i) those containers, together with a list of them and of the contents of each; and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election; and
- (g) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing (as appropriate)—
 - (i) the unused and spoilt ballot papers;
 - (ii) the tendered ballot papers;
 - (iii) the completed corresponding number lists; and
 - (iv) the certificates as to employment on duty on the day of the poll.

(1A) Where the returning officer at the principal area election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he shall—

- (a) on receipt of containers from the returning officer who does discharge those functions, and after the time specified in the notice given under rule 44(2) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007), in the presence of the counting agents open each container;
- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, count such of the postal ballot papers as have been duly returned and record the number counted; and
- (c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them.

Paragraph (11) does not apply to these proceedings.”.

Rule 52 of principal area election rules (delivery of documents to relevant registration officer)

41. At the end of rule 52(1) of the principal area election rules add—

“At an election where the returning officer does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, this paragraph shall have effect as if sub-paragraphs (c) and (f) were omitted.”.

Rule 55 of principal area election rules (countermand or abandonment of poll on death of candidate)

42.—(1) For rule 55(2) of the principal area election rules substitute—

“(2) Neither the countermand of the notice of the poll at the principal area election nor the direction that that poll be abandoned shall affect the poll at the Assembly election and any other local government election.”.

(2) For rule 55(3) of the principal area election rules substitute—

“(3) Where the poll at the principal area election is abandoned by reason of a candidate’s death, no further ballot papers shall be delivered in any polling station and, at the close of the poll for the Assembly election and any other local government election, the presiding officer shall take the like steps for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he would be required to do if the poll at the principal area election had not been abandoned, and the returning officer shall dispose of ballot papers used at the principal area election as he is required to do on the completion in due course of the counting of the votes, but—

- (a) it shall not be necessary for any ballot paper account at that election to be prepared or verified; and
- (b) the returning officer, having separated the ballot papers relating to the Assembly election and any other local government election, shall take no step or further step for the counting of the ballot papers used at the principal area election or of the votes and shall seal up all of those ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.”.

(3) Paragraphs (4) to (8) of rule 53 shall not apply.

Appendix of forms to principal area election rules (postal voting statement)

43.—(1) In the Appendix of forms to the principal area election rules, for the form of postal voting statement substitute—

- (a) the form set out in sub-paragraph (2) where the proceedings on the issue and receipt of postal ballot papers at the principal area election are taken together with those proceedings at an Assembly election under paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007; and
- (b) the form set out in sub-paragraph (3) where those proceedings are not taken together.

(2) Where sub-paragraph (1)(a) applies, substitute form CC2 in English and Welsh referred to in paragraph 3(b) in Schedule 3 and shown in Schedule 10.

(3) The following form shall be substituted where sub-paragraph (1)(b) applies—

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Front of form	
Representation of the People Acts	
Voter's name..... Ballot paper number.....(Colour)	
*(Returning officer to insert name but omit where ballot paper is sent to an elector with anonymous registration).	
You must provide your [# signature and] date of birth. If you do not your postal voting statement will be invalid and your vote will not be counted.	
I AM THE PERSON TO WHOM THE BALLOT PAPERS NUMBERED AS ABOVE WERE SENT.	
date of birth	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Voter's date of birth
# Signature	<div style="border: 1px solid black; width: 200px; height: 40px; margin: 5px 0;"></div> (voter' signature) IMPORTANT – Keep signature within border
#(Returning officer to omit where a person has been granted a waiver)	
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.	
Issued by the returning officer	
Instructions to the Voter	
Complete the ballot paper yourself and in private. If you need help contact the returning officer's staff as shown below. [Contact details for assistance include address as appropriate]	

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Electoral fraud is a crime. You must not vote using a ballot paper which is not addressed to you or interfere with another’s ballot paper.
1.This postal voting statement relates to the ballot paper for the local government election only.
2.You must provide your [# signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of another election to be held on the same day. If you do not, this postal voting statement will be invalid and your vote will not be counted.
3.The ballot paper and postal voting statement must be received by the returning officer by 10pm on [date]. You can deliver your completed postal vote to any polling station in the constituency on polling day.
4.If you need help voting, the person helping you must not tell anyone how you have voted.
5.The local government election ballot paper tells you how many times you may vote on that paper. Mark a cross (X) opposite the candidate[s] you wish to vote for. Put no other mark on the ballot paper or your vote may not be counted.
6.Different colours are used for the ballot papers for each election. Each type of election has its own ballot paper envelope (marked A), postal voting statement and return envelope (marked B).The return envelope and postal voting statement for each election refer to the colour of the relevant ballot paper or papers. It is important that you use the correct envelopes and postal voting statement or your vote may not be counted. You may find it helpful to sort the documents into separate sets.
7.Put the ballot paper in the appropriate small envelope marked A and seal it.
8.Complete the postal voting statement by signing it and providing your date of birth.
9.Then put the envelope marked A together with the postal voting statement in the larger envelope marked B . Return it straightaway.
10.After receiving this postal vote, you cannot vote in person at a polling station in this election.
11.If you accidentally spoil the local government election postal ballot paper, you can apply to the returning officer for a replacement before 5pm on [day/date of poll]. You must return, the spoilt ballot paper, the postal voting statement and the envelopes marked ‘ A ’ and ‘ B ’. Make sure you contact the returning officer as soon as possible.
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter’s ballot paper.
To vote more times than stated on the ballot paper is illegal
<i># (Returning officer to omit where a person has been granted a waiver.)</i>

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Tu blaen y ffurflen	
Cynulliad Cenedlaethol Cymru	
Enw'r pleidleisiwr.....	Rhif y papur pleidleisio(lliw)
<i>*(Y swyddog canlyniadau i nodi'r enw ond ei adael allan pan anfonir y papur pleidleisio at etholwr gyda chofrestriad dienw).</i>	
Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Os na fyddwch yn gwneud hyn, bydd eich datganiad pleidleisio drwy'r post yn annilys ac ni chaiff eich pleidlais ei chyfrif.	
FI YW'R PERSON YR ANFONWYD Y PAPURAU PLEIDLEISIO SYDD WEDI'U RHIFO UCHOD ATO/ATI.	
dyddiad geni	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Dyddiad geni'r pleidleisiwr
#Llofnod	<input type="text"/> (llofnod y pleidleisiwr) PWYSIG – Cadwch y llofnod o fewn y border
<i>*(Y swyddog canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)</i>	
Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall.	
Cyhoeddwyd gan y swyddog canlyniadau	
Cyfarwyddiadau i'r Pleidleisiwr	

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<p>Llenwch y papur pleidleisio eich hun ac mewn preifatrwydd. Os bydd angen cymorth arnoch, cysylltwch â staff y swyddog canlyniadau fel y dangosir isod. [Manylion cyswllt i gael cymorth rhowch y cyfeiriad fel sy'n briodol] Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio rhywun arall.</p>
<p>1. Mae'r datganiad pleidleisio drwy'r post hwn yn berthnasol i'r papur pleidleisio ar gyfer yr etholiad llywodraeth leol yn unig.</p>
<p>2. Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Rhaid i chi wneud hyn hyd yn oed os ydych chi eisoes wedi llofnodi datganiad pleidleisio drwy'r post ar gyfer etholiad arall i'w gynnal ar yr un diwrnod. Os na fyddwch yn gwneud hyn, bydd y datganiad pleidleisio drwy'r post hwn yn annilys ac ni chaiff eich pleidlais ei chyfrif.</p>
<p>3. Rhaid i'r swyddog canlyniadau dderbyn y papur pleidleisio a'r datganiad pleidleisio drwy'r post erbyn 10pm ar [dyddiad]. Gallwch ddychwelyd eich pleidlais drwy'r post wedi'i llenwi i unrhyw orsaf bleidleisio yn yr etholaeth ar ddiwrnod y pleidleisio.</p>
<p>4. Os bydd angen help arnoch i bleidleisio, ni chaiff y sawl sy'n eich cynorthwyo ddweud wrth neb sut rydych chi wedi pleidleisio.</p>
<p>5. Mae papur pleidleisio'r etholiad llywodraeth leol yn datgan faint o weithiau y cewch chi bleidleisio ar y papur hwnnw. Rhowch groes (x) gyferbyn â'r ymgeisydd[ymgeiswyr] yr ydych am bleidleisio drosto/drosti [drostynt]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.</p>
<p>6. Defnyddir gwahanol liwiau ar gyfer y papurau pleidleisio ar gyfer pob etholiad. Mae gan bob etholiad amlen ar gyfer y papur pleidleisio (wedi'i marcio gydag A), datganiad pleidleisio drwy'r post ac amlen ddychwelyd (wedi'i marcio gyda B) ei hun. Mae'r amlen ddychwelyd a'r datganiad pleidleisio drwy'r post ar gyfer pob etholiad yn cyfeirio at liw'r papur neu bapurau pleidleisio perthnasol. Mae'n bwysig eich bod yn defnyddio'r amlenni a'r datganiad pleidleisio drwy'r post cywir, neu mae'n bosibl na fydd eich pleidlais yn cael ei chyfrif. Byddai'n help o bosib rhoi'r dogfennau mewn setiau ar wahân.</p>
<p>7. Rhowch y papur pleidleisio yn yr amlen fach briodol ag A arni a'i selio.</p>
<p>8. Llenwch y datganiad pleidleisio drwy'r post drwy ei lofnodi a rhoi eich dyddiad geni.</p>
<p>9. Yna, rhowch yr amlen ag A arni, ynghyd â'r datganiad pleidleisio drwy'r post, yn yr amlen fwy â B arni a'i dychwelyd yn syth.</p>
<p>10. Ar ôl derbyn y bleidlais drwy'r post hon, chewch chi ddim pleidleisio eich hun mewn gorsaf bleidleisio yn yr etholiad hwn.</p>
<p>11. Os byddwch chi'n difetha'r papur pleidleisio drwy'r post ar gyfer yr etholiad llywodraeth leol drwy gamgymeriad, cewch ofyn i'r swyddog canlyniadau am un arall cyn 5 p.m. ar [diwrnod/dyddiad y pleidleisio]. Rhaid i chi ddychwelyd y papur pleidleisio sydd wedi'i ddifetha, y datganiad pleidleisio drwy'r post a'r amlenni sydd wedi'u marcio ag 'A' a 'B'. Gwnewch yn siŵr eich bod yn cysylltu â'r swyddog canlyniadau cyn gynted â phosib.</p>
<p>Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall.</p>
<p>Mae'n anghyfreithlon pleidleisio'n amlach nag a nodir ar y papur pleidleisio</p>
<p><i> #(Y swyddog canlyniadau i'w adael allan pan fo person wedi cael hepgoriad.)</i></p>

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Appendix of forms to principal area election rules (directions for the guidance of the voters in voting)

44. In the Appendix of forms to the principal area election rules, for the form of directions for the guidance of the voters in voting there shall be substituted the same form of directions as is set out in paragraph 25.

Appendix of forms to principal area election rules (declaration to be made by the companion of a voter with disabilities)

45. In the Appendix of forms in the principal area election rules, for the form of declaration to be made by the companion of a voter with disabilities there shall be substituted the following form—

Elections to [The National Assembly for Wales, **(insert name)* County [Borough] Council and **(insert name)* [Town][Community] Council]

Form of declaration to be made by the companion of a voter with disabilities

I,.....(*name of companion*)
of.....(*address of companion*)
having been requested to assist.....(*name of elector*)
[*in the case of a voter with disabilities voting as proxy, add "voting as proxy for*
.....(*name of elector*)] whose number on the register
isto record their vote at the election now being held in this
[*community][*local government area][*Assembly constituency][*Assembly electoral region]
**(delete as appropriate)*

hereby declare that

- I am entitled to vote as an elector at the said elections.
- I am the (*state relationship of the companion to the voter*) of the said voter and have attained the age of 18 years, and
- I have not previously assisted any voter with disabilities [except, (*name of elector*), of.....(*address of other elector*)] to vote at the said elections.

Signed(*companion*)

Date.....

I, the undersigned, being the presiding officer for(*polling station*) for theelectoral division/ward of hereby certify that the above declaration, having been first read to the above named companion and was signed by the companion in my presence.

Signed(*presiding officer*)

Date.....Time(*am/pm*)

Note

1. If a person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.
2. A voter with disabilities is a voter who has made a declaration under local elections rules that he is so incapacitated by his blindness or other disability, or by his inability to read, as to be unable to vote without assistance.

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Etholiadau i [Gynulliad Cenedlaethol Cymru, Cyngor [Bwrdeistref] Sir *(*rhowch enw*) a
[Chyngor [Tref]][Cymuned] *(*rhowch enw*)]

Form Title

Ffurf ar ddatganiad sydd i'w wneud gan gydymaith pleidleisiwr gydag anableddau
Yr wyf i,.....(*enw'r cydymaith*)
o(*cyfeiriad y cydymaith*)
wedi derbyn cais i gynorthwyo(*enw'r etholwr*)
[*yn achos etholwr gydag anableddau yn pleidleisio fel dirprwy, ychwaneger* "yn pleidleisio fel
dirprwy ar ran
.....(*enw'r etholwr*)] y mae ei rif ar y gofrestr fel a ganlyn
.....i gofnodi eu pleidlais yn yr etholiad a gynhelir yn awr yn y
[*gymuned][*ardal llywodraeth leol][*Etholaeth y Cynulliad][*Rhanbarth etholiadol y Cynulliad]
*(*dileer fel sy'n briodol*)

yn datgan drwy hyn

- Fod gennyf hawl i bleidleisio fel etholwr yn y cyfryw etholiadau.
- Mai fi yw (*nodwch berthynas y cydymaith â'r pleidleisiwr*) y cyfryw bleidleisiwr, fy mod yn 18 oed neu drosodd, ac
- Nad wyf yn flaenorol wedi cynorthwyo unrhyw bleidleisiwr gydag anableddau [ac eithrio (*enw'r etholwr*), o(*cyfeiriad yr etholwr arall*)] i bleidleisio yn y cyfryw etholiadau.

Llofnodwyd.....(*cydymaith*)

Dyddiad:.....

Yr wyf i, sydd wedi llofnodi isod, sef y swyddog llywyddu dros(*gorsaf bleidleisio*) ar gyfer

Ward/ardal etholiadol o drwy hyn yn tystio bod y datganiad uchod, wedi iddo gael ei ddarllen yn gyntaf i'r cydymaith a enwir uchod, wedi'i lofnodi gan y datganydd yn fy ngŵydd.

Llofnod(*swyddog llywyddu*)

DyddiadAmser.....(*am/pm*)

Sylwer

1. Os bydd person sy'n gwneud y datganiad uchod yn datgan anwiredd perthnasol yn fwriadol a chan wybod hynny, bydd yn euog o drosedd.
2. Pleidleisiwr gydag anableddau yw pleidleisiwr sydd wedi gwneud datganiad dan reolau etholiadau lleol ei fod wedi'i analluogi gymaint gan ei ddallineb neu anabledd arall, neu gan ei anallu i ddarllen, fel na all bleidleisio heb gymorth.

PART 4

Modifications to election rules to apply where the poll at an election of community councillors is taken together with the poll at an Assembly election under Article 16(1) or (2)

Modifications to community election rules: general provision

46.—(1) Where the poll at an election of community councillors is taken together with the poll at an Assembly election under article 16(1) or (2), Schedule 3 to the Local Elections (Parishes and Communities)(England and Wales) Rules 2006(**26**) shall have effect subject to the modifications set out in to the remaining paragraphs of this Part.

(2) In this Part the rules in that Schedule referred to in sub-paragraph (1) are referred to as the community election rules.

Rule 16 of community election rules (the ballot papers)

47.—(1) At the end of rule 16(2) of the community election rules add—

“(e) must be of a different colour from that of any ballot papers used at an Assembly election and any local government election the polls at which are taken together with the poll at the community election.”.

(2) At the end of rule 16 of the community election rules add—

“(6) References to an Assembly election in paragraph (2)(e) and elsewhere in these rules refer to an election to the National Assembly for Wales; and references to an Assembly election (and to a poll at such an election) include a reference to Assembly elections (and to polls at such elections) where the context so requires.”.

Rule 21 of community election rules (notice of poll)

48. For rule 21(4) of the community election rules substitute—

“(4) The notice published under paragraph (3) shall:

- (a) state that the poll at the community election is to be taken together with the poll at an Assembly election and any other local government election;
- (b) specify the Assembly constituency or electoral region and any relevant local authority and, in the case of an election to fill a casual vacancy, the electoral area for which the other election is held; and
- (c) where the polls are to be taken together in part of the local government area only, specify that part.”.

Rule 25 of community election rules (issue of official poll cards)

49. At the end of rule 25 to the community election rules add—

“(8) An official poll card issued under this rule may be combined with the official poll card issued at an Assembly election and any other local government election.”.

Rule 26 of community election rules (equipment of polling stations)

50.—(1) For rule 26(2) of the community election rules substitute—

(26) [S.I. 2006/3305](#).

“(2) The same ballot box may be used for the poll at the community election and for the polls at the Assembly election and any other local government election if the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007 so decides and a decision may make different provision for different polling stations.”.

(2) For rule 26(7) of the community election rules substitute—

“(7) Where the same ballot box is not used under paragraph (2) each ballot box shall be clearly marked with—

- (a) the election to which it relates, as shown on the ballot papers for that election; and
- (b) the words “Place the [*specify the colour of the ballot papers in question*] ballot paper here, Rhowch y papur pleidleisio [*nodwch liw'r papurau pleidleisio dan sylw*] yma.”.

(3) For rule 26(10) of the community election rules substitute—

“(10) In every compartment of every polling station there shall be exhibited the notice—

(a) in respect of a local government election—

(i) where there is more than one candidate to be returned for an electoral area—

“Vote for no more than candidates on the local government ballot paper coloured [**colour of ballot paper*]. Put no other marks on the ballot paper or your votes may not be counted.

Peidiwch â phleidleisio dros fwy nag o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farciau eraill ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; or

(ii) where there is one candidate to be returned for an electoral area—

“Vote for no more than one candidate on the local government ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; and

(b) in respect of an Assembly election for an Assembly constituency—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; and

(c) in respect of an Assembly election for an Assembly electoral region—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”.

Rule 27 of community election rules (appointment of polling and counting agents)

51. For rule 27(6) of the community election rules substitute—

“(6) Notices of appointment of polling and election agents which are required by paragraphs (5) and (7) to be given to the returning officer shall be given to that returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007”.

Rule 35 of community election rules (voting procedure)

52. For rule 35(6) of the community election rules substitute—

“(6) The same copy of the register of electors which is used for the community election under paragraph (1), or where paragraph (3) applies, the same copy of the notice issued under section 13(3B) or (3D) of the 1983 Act, may be used for the Assembly election—

- (a) and one mark may be placed in that register or on that notice under paragraph (1) (c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been issued in respect of each election;
- (b) but where a ballot paper has been issued in respect of one election only, a different mark must be placed in the register or, as the case may be, on that notice or in that list so as to identify the election in respect of which a ballot paper was issued.”.

Rule 36 of community election rules (votes marked by presiding officer)

53. For rule 36(4) of the community election rules substitute—

“(4) The same list may be used for the community election and for an Assembly election and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies an election at which a ballot paper was so marked.”.

Rule 37 of community election rules (voting by persons with disabilities)

54. For rule 37(6) of the community election rules substitute—

“(6) The same list may be used for the community election and for an Assembly election, and where it is so used, an entry in that list shall be taken to mean that the votes were so given in respect of each election, unless the list identifies an election at which a vote was so given.”.

Rule 39 of community election rules (tendered ballot papers; general provisions)

55. For rule 39(3) of the community election rules substitute—

“(3) The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of the community election and an Assembly election, unless the list identifies an election at which a tendered ballot paper was so marked.”.

Rule 42 of community election rules (adjournment of poll in case of riot)

56. For rule 42(1) of the community election rules substitute—

“(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings until the following day and must forthwith give notice—

- (a) to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007; and
- (b) in the case of a regional election, whether or not the poll is taken with the poll at a constituency election, to the regional returning officer.”.

Rule 43 of community election rules (procedure on close of poll)

57.—(1) For rule 43(2) of the community election rules substitute—

“(2) The contents of the packets referred to in paragraph (1)(b), (c), (e) and (f) shall not be combined with the contents of the packets made under the corresponding provisions that apply at an Assembly election and any other local government election; nor shall the statement prepared under paragraph (5) be so combined”.

(2) For rule 43(3) substitute—

“(3) References to the returning officer in paragraph (1) are references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007.”.

Rule 44 of community election rules (attendance at counting of votes)

58.—(1) For rule 44(1) and (2) of the community election rules substitute—

“(1) Where the returning officer at the community election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he must—

(a) make arrangements for—

(i) discharging the functions under rule 45(1) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007) in the presence of the counting agents appointed for the purposes of the community election and Assembly election as soon as practicable after the close of the poll; and

(ii) thereafter counting the votes at the community election in the presence of the agents appointed for that election; and

(b) give to those counting agents appointed for the purposes of the community election and Assembly election notice in writing of the time and place at which he will begin to discharge the functions under rule 45(1).

(2) Where the returning officer at the community election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he must—

(a) make arrangements for counting the votes in the presence of the counting agents appointed for the purposes of the community election as soon as practicable after the delivery of the ballot papers to him by the returning officer who does discharge those functions; and

(b) must give to the counting agents notice in writing of the time at which he will begin to count the votes, if by then he has received the ballot papers and the place at which the count will take place.”.

(2) In rule 44(3) of the community election rules after “at the counting of the votes” insert “in accordance with rule 45(1) (as substituted) or”.

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Rule 45 of community election rules (the count)

59.—(1) For rule 45(1) of the community election rules substitute—

“(1) Where the returning officer at the community election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he must—

- (a) in the presence of the counting agents appointed for the purposes of the poll at the community election and Assembly election open each ballot box and count and record separately the number of ballot papers used in each election;
- (b) in the presence of the counting agents appointed for the purposes of the poll at the community election and the election agents appointed for the purposes of the Assembly elections, verify each ballot paper account;
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election;
- (d) separate the ballot papers relating to each election;
- (e) make up into packets the ballot papers for each election other than the community election and seal them up in separate containers endorsing on each a description of the election to which the ballot papers relate;
- (f) deliver, or cause to be delivered, to the returning officer for the election to which the ballot papers relate (or, in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the votes were given on those ballot papers)—
 - (i) those containers, together with a list of them and of the contents of each; and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election; and
- (g) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing (as appropriate)—
 - (i) the unused and spoilt ballot papers;
 - (ii) the tendered ballot papers;
 - (iii) the completed corresponding number lists; and
 - (iv) the certificates as to employment on duty on the day of the poll.”.

(2) For rule 45(2) substitute—

“(2) Where separate ballot boxes are used for the community election and Assembly election no vote for any candidate shall be rendered invalid by the ballot papers being placed in the wrong ballot box.”.

(3) For rule 45(3) and (4) substitute—

“(3) After completion of the proceedings under paragraph (1), the returning officer shall mix together all of the ballot papers used at the community election and count the votes given on them.

(4) Where the returning officer at the community election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007, he shall—

- (a) on receipt of containers from the returning officer who does discharge those functions, and after the time specified in the notice given under rule 44(2) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2007), in the presence of the counting agents open each container;

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- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007, count such of the postal ballot papers as have been duly returned and record the number counted; and
 - (c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them.”.
- (4) Rule 45(10) does not apply to these proceedings.

Rule 55 of community election rules (countermand or abandonment of poll on death of candidate)

- 60.**—(1) For rule 55(2) of the community election rules substitute—
- “(2) Neither the countermand of the notice of the poll at the community election nor the direction that that poll be abandoned shall affect the poll at the Assembly election and any other local government election.”.
- (2) For rule 55(4) of the community election rules substitute—
- “(4) At the close of the poll for the Assembly election and any other local government election, the presiding officer shall take the like steps (so far as not already taken) for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he would be required to do if the poll at the community election had not been abandoned.”.
- (3) For rule 55(7) substitute—
- “(7) Having separated the ballot papers relating to the Assembly election and local government election (as the case may be) the returning officer must take no step or further step for the counting of the ballot papers used at the community election (at which the candidate has died) or of the votes.”.

Appendix of forms to community election rules (postal voting statement)

- 61.** In the Appendix of forms to the community election rules, for the form of postal voting statement substitute—
- (a) the form set out in paragraph 43(2) where the proceedings on the issue and receipt of postal ballot papers at the community election are taken together with those proceedings at an Assembly election under paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007; and
 - (b) the form set out in paragraph 43(3) where those proceedings are not taken together.

Appendix of forms to community election rules (directions for the guidance of the voters in voting)

- 62.** In the Appendix of forms to the community election rules, for the form of directions for the guidance of the voters in voting substitute the same form of directions as is set out in paragraph 25.

Appendix of forms to community election rules (declaration to be made by the companion of a voter with disabilities)

- 63.** In the Appendix of forms to the community election rules, for the form of declaration to be made by the companion of a voter with disabilities, substitute the form set out in paragraph 45.

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SCHEDULE 5

Article 17(1)

Assembly election rules

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PART 1

Provision as to time

Timetable

1.—(1) The proceedings at an Assembly election shall be conducted in accordance with the following Table—

<i>Proceeding</i>	<i>Time</i>
Publication of notice of election.	Not later than the twenty-fifth day before the day of election
Delivery of nomination papers.	Between— (a) the hours of 10 in the morning and 4 in the afternoon on any day after the date of publication of notice of election but before the nineteenth day before the day of election, and

<i>Proceeding</i>	<i>Time</i>
The making of objections to nomination papers.	<p>(b) the hours of 10 in the morning and noon on the nineteenth day before the day of election.</p> <p>During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following, but—</p> <p>(a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery and, in the case of a nomination paper so delivered, no objection may be so made to the sufficiency or nature of the particulars of a candidate unless made at or immediately after the time of the delivery of the nomination paper, and</p> <p>(b) the foregoing provisions do not apply to objections made under rule 19(2).</p>
Delivery of notices of withdrawal of candidature.	Not later than noon on the seventeenth day before the day of election.
Publication of statement of persons nominated.	Not later than noon on the sixteenth day before the day of the election.
Polling.	Between the hours of 7 in the morning and 10 at night on the day of election.

(2) In the Table, “making of objections to nomination papers”, in the case of making of an objection to a party nomination paper includes the making of an objection to the nomination of any party list candidate on the list of candidates accompanying a party nomination paper.

Computation of time

2. In computing any period of time for the purposes of the Timetable—

- (a) a Saturday or a Sunday;
- (b) Christmas Eve, Christmas Day or Good Friday;
- (c) a day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971(27); or
- (d) a day appointed for public thanksgiving or mourning,

shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll nor shall a constituency returning officer be obliged to proceed with the counting of votes on such a day.

(27) 1971 c. 80.

PART 2

Stages common to contested and uncontested elections

Notice of election

Notice of election: constituency election and regional election

3.—(1) At a constituency election, the constituency returning officer shall publish notice of the election stating—

- (a) the place and times at which nomination papers are to be delivered;
- (b) that forms of nomination paper may be obtained at that place and at those times; and
- (c) the date of the poll in the event of a contest.

(2) At a regional election, the regional returning officer shall prepare a notice of election stating—

- (a) the place or places and times at which nomination papers are to be delivered;
- (b) that forms of nomination papers may be obtained at that place or those places and at those times; and
- (c) the date of the poll in the event of a contest,

and he shall deliver, or cause to be delivered, the notice to each constituency returning officer for an Assembly constituency in the Assembly electoral region.

(3) A notice of election under paragraph (1) or (2) must also state—

- (a) the arrangements which apply for the payment of the deposit required by rule 10 to be made by means of electronic transfer of funds; and
- (b) the date by which—
 - (i) applications to vote by post or proxy; and
 - (ii) other applications and notices about postal or proxy voting,

must reach the registration officer in order that they may be effective for the election.

(4) On receipt of a notice under paragraph (2) a constituency returning officer shall publish it.

Nomination

Nomination of candidates at a constituency election

4.—(1) Each candidate at a constituency election shall be nominated by a separate nomination paper (“constituency nomination paper”), in form CE set out in English and Welsh in Schedule 10, delivered—

- (a) by the candidate himself; or
- (b) in a case where in respect of the candidate a certificate issued under rule 5(1) or (3) is also delivered, by the registered nominating officer of a registered political party,

to the constituency returning officer at the place fixed for the purpose, but the paper may be so delivered on the candidate’s behalf by his election agent if the agent’s name and address have been previously given to the returning officer as required by article 37 or are so given at the time the paper is delivered.

(2) The constituency nomination paper shall state the candidate’s—

- (a) full names;

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(b) home address in full; and
(c) if desired (but subject to paragraph (4)), description,
and the surname shall be placed first in the list of his names.

(3) If a candidate commonly uses—

- (a) a surname which is different from any other surname he has; or
- (b) a forename which is different from any other forename he has,

the constituency nomination paper may state the commonly used surname or forename in addition to the other name.

(4) The description, if any, must consist of either—

- (a) a description which is authorised as mentioned in rule 5(1) or (3); or
- (b) the word “Independent” or the word “Annibynnol”(28) or both.

(5) Each constituency nomination paper delivered under this rule shall be subscribed by one person who shall also (if he is not the candidate) set out his full name and address.

(6) The constituency returning officer shall supply any person upon request with a form of constituency nomination paper at the place, and during the time, for delivery of nomination papers but it is not necessary for a nomination to be on a form supplied by the constituency returning officer.

Constituency nomination paper: name or description of registered political party

5.—(1) A constituency nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with a registered political party unless the party is a qualifying party(29) in relation to the constituency and the description is authorised by a certificate in form CF set out in English and Welsh in Schedule 10—

- (a) issued by the party’s registered nominating officer; and
- (b) received by the constituency returning officer at some time during the period for the delivery of nomination papers set out in the Table in rule 1(1).

(2) In paragraph (1) an authorised description may be either—

- (a) the name or names of the party registered under section 28 of the 2000 Political Parties Act(30); or
- (b) a description of the party registered under section 28A of that Act(31).

(3) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with two or more registered political parties unless the parties are each qualifying parties in relation to the constituency and the description is a registered description authorised by a certificate in form CG set out in English and Welsh in Schedule 10—

- (a) issued by the registered nominating officer of each of the parties; and
- (b) received by the constituency returning officer at some time during the period for the delivery of nomination papers set out in the Table in rule 1(1).

(28) The word “independent” is specified by section 23(3)(a)(i) of the Political Parties, Elections and Referendums Act 2000. “Annibynnol” is the Welsh form of “Independent” and is prescribed by the National Assembly for Wales (Elections: Nomination Papers)(Welsh Form) Order 2001 (S.I 2001/2914).

(29) See paragraph 80 of Schedule 5 to this Order as to the meaning of “a qualifying party”

(30) By virtue of section 28 as read with paragraph 2(1)(b) of Schedule 4 to the Political Parties, Elections and Referendums Act 2000, a party registered in the Great Britain register may have a name in Welsh and a name in English to be the party’s registered names. There are amendments to section 28 not relevant for the purposes of this Order.

(31) Section 28A is inserted into the Political Parties, Elections and Referendums Act 2000 by section 49(1) of the Electoral Administration Act 2006 (c. 22) from 1st January 2007.

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(4) For the purposes of paragraph (3), a description is a registered description if it is a description registered for use by the parties under section 28B of the 2000 Political Parties Act⁽³²⁾.

(5) If it is proposed that a party's registered emblem⁽³³⁾ is to be shown on the ballot paper against the candidate's particulars, a certificate issued under paragraph (1) or (3) shall request that it be so shown; but so that—

- (a) in a case in which a party has more than one registered emblem, only one of its emblems may be requested to be shown on the ballot paper; and
- (b) in a case to which paragraph (3) applies, the registered emblem of only one of the parties may be requested to be shown on the ballot paper.

(6) A certificate issued under paragraph (1) or (3) may be combined with a constituency nomination paper delivered under rule 4(1).

(7) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised, by virtue of rule 81, to issue a certificate under paragraph (1) or (3) on behalf of a party's registered nominating officer.

Nomination of individual candidates at a regional election

6.—(1) Each individual candidate at a regional election shall be nominated by a separate nomination paper (“individual nomination paper”), in form CH set out in English and Welsh in Schedule 10, delivered by the candidate himself to the regional returning officer at the place or a place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by article 37 or are so given at the time the paper is delivered.

- (2) The individual nomination paper shall state the candidate's—
 - (a) full names;
 - (b) home address in full; and
 - (c) if desired, a description consisting of the word “Independent” or the word “Annibynno!” or both⁽³⁴⁾,

and the surname shall be placed first in the list of his names.

- (3) If a candidate commonly uses—
 - (a) a surname which is different from any other surname he has; or
 - (b) a forename which is different from any other forename he has,

the nomination paper may state the commonly used surname or forename in addition to the other name.

(4) Each individual nomination paper delivered under this rule shall be subscribed by one person who shall also (if he is not the candidate) set out his full name and address.

(5) The regional returning officer shall supply any person upon request with a form of individual nomination paper at the place or a place, and during the time, for delivery of individual or party nomination papers but it is not necessary for a nomination to be on a form supplied by the regional returning officer.

⁽³²⁾ Section 28B is inserted into the Political Parties, Elections and Referendums Act 2000 by section 49(1) of the Electoral Administration Act 2006 (c. 22) from 1st January 2007.

⁽³³⁾ As to registered emblems of registered political parties, see section 29 of the Political Parties, Elections and Referendums Act 2000 as amended by paragraph 142 of Schedule 1 to the Electoral Administration Act 2006 (c. 22)

⁽³⁴⁾ As to the restriction on such candidates representing a registered political party, see section 5(6) of the Government of Wales Act 1998, as amended by paragraph 5(3) of Schedule 11 to the Government of Wales Act 2006, in relation to the Assembly general election in 2007 held under section 3 of that Act of 1998; and, in respect of a subsequent Assembly election, see section 7(6) of that Act of 2006.

Nomination of parties and party list candidates at a regional election

7.—(1) A registered political party may stand for election at a regional election if it is a qualifying party in relation to that region and is nominated by a separate nomination paper (“party nomination paper”) in form CI set out in English and Welsh in Schedule 10 and delivered by that party’s registered nominating officer to the regional returning officer at the place or a place fixed for the purpose.

(2) A party nomination paper shall, in accordance with rule 8, include either—

(a) the name or names of the party registered under section 28 of the 2000 Political Parties Act; or

(b) a description of the party registered under section 28A of that Act.

(3) A party nomination paper shall include the list (“party list”) of candidates (“party list candidates”) submitted by the party for that regional election and the party nomination paper shall be the nomination paper for each candidate on that list.

(4) In respect of each party list candidate, the party list shall state the candidate’s—

(a) full names; and

(b) home address in full,

and the surname shall be placed first in the list of his names.

(5) If a party list candidate commonly uses—

(a) a surname which is different from any other surname he has; or

(b) a forename which is different from any other forename he has,

the party list may state as regards that candidate the commonly used surname or forename in addition to the other name.

(6) A party nomination paper shall be subscribed by one person who shall also (if he is not a party list candidate) set out his full name and address.

(7) The regional returning officer shall supply any person on request with a form of party nomination paper at the place or a place, and during the time, for delivery of individual or party nomination papers but it is not necessary for a party nomination paper to be on a form supplied by the regional returning officer.

Party nomination paper: name or description of registered political party

8.—(1) The name (or, as the case may be, names) or description required by rule 7(2) to be contained in a party nomination paper shall be authorised by a certificate in form CJ set out in English and Welsh in Schedule 10 issued by the registered nominating officer of the registered political party.

(2) If it is proposed that the party’s registered emblem is to be shown on the ballot paper against the party’s name or description the certificate issued under paragraph (1) shall request that it be so shown; but so that in a case in which a party has more than one registered emblem, only one of its emblems may be requested to be shown on the ballot paper.

(3) A certificate issued under paragraph (1) shall be combined with the party nomination paper delivered under rule 7(1).

(4) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised by virtue of rule 81 to issue a certificate under paragraph (1) on behalf of a party’s registered nominating officer.

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Consent to nomination

9.—(1) Subject to paragraph (3), at a constituency election a person shall not be validly nominated unless his consent to nomination—

- (a) is given and dated in writing on, or within one month before, the day fixed as the last day for the delivery of constituency nomination papers;
- (b) is attested by one witness; and
- (c) is delivered at the place, and within the time, for the delivery of nomination papers.

(2) Subject to paragraph (3), at a regional election a person shall not be validly nominated (whether as an individual or party list candidate) unless his consent to nomination—

- (a) is given and dated in writing on, or within one month before, the day fixed as the last day for the delivery of individual nomination papers or party nomination papers;
- (b) is attested by one witness; and
- (c) is delivered at the place or a place, and within the time, for the delivery of individual nomination papers or party nomination papers.

(3) If the appropriate returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as mentioned, a facsimile communication (or any similar means of communication) consenting to his nomination and purporting to have been sent by him shall be deemed for the purposes of this rule to be consent in writing by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.

(4) Subject to paragraph (7), a candidate's consent given under this rule—

- (a) shall state the day, month and year of his birth;
- (b) shall state an address within the relevant area that shall be deemed to be his office as an election agent for the purposes of article 40(7);
- (c) shall state—
 - (i) that he is aware of the provisions of sections 12 to 15 of the 1998 Act (disqualification)⁽³⁵⁾ and of any Order in Council under section 12(1)(b) of that Act⁽³⁶⁾; and
 - (ii) that to the best of his knowledge and belief he is not disqualified for membership of the Assembly;
- (d) shall, in the case of a candidate at a constituency election, state that he is not a candidate at an election for any other constituency, the poll for which is to be held on the same day as that for the election to which the consent relates or, in the case of an election to fill a casual vacancy, that he is not an Assembly member;
- (e) shall, in the case of an individual candidate at a regional election, state that he is not—
 - (i) a party list candidate in the election for that region; nor
 - (ii) a candidate at a constituency election; nor
 - (iii) an individual or party list candidate at an election for any other region,

⁽³⁵⁾ Section 12 is amended by paragraph 62(a) and (b) of Schedule 6 to the Public Services Ombudsman (Wales) Act 2005, ; and section 13 is amended by paragraph 3 of Schedule 1 to the House of Commons (Removal of Clergy) Disqualification Act 2001, and also by paragraph 63 of Schedule 6 of the said Act of 2005. Sections 12 to 15 are repealed by Schedule 12 to the Government of Wales Act 2006 (see section 161(2) of that Act to the commencement of that repeal).

⁽³⁶⁾ see the National Assembly for Wales (Disqualification) Order 2006 (S.I 2006/3335) which was made on 14 December 2006 and revoked the National Assembly for Wales (Disqualification) Order 2003. Paragraph 10 of Schedule 11 to the Government of Wales Act 1998 makes transitional provision in relation to disqualification orders.

the poll for which is to be held on the same day as that for the election to which the consent relates; and

- (f) shall, in the case of a party list candidate at a regional election, state that he is not—
- (i) an individual candidate or a candidate on any other party list in the election for that region; nor
 - (ii) a candidate at a constituency election; nor
 - (iii) an individual or party list candidate at an election for any other region,

the poll for which is to be held on the same day as that for the election to which the consent relates⁽³⁷⁾.

(5) A candidate is required to give his consent under this rule notwithstanding that he has subscribed the nomination paper by virtue of which he is nominated.

(6) For the purposes of paragraph (4)(b), “the relevant area” shall be construed in accordance with—

- (a) in relation to a constituency election, article 39(2)(a); and
- (b) in relation to a regional election, article 39(2)(b).

(7) In respect of an Assembly election after the 2007 Assembly general election, rule 4(c)(i) shall have effect as if—

- (a) the references to sections 12 to 15 of the 1998 Act were a reference to sections 16 to 19 of the 2006 Act; and
- (b) the reference to any Order in Council under section 12(1)(b) of the 1998 Act included a reference to any Order in Council under section 16(1)(b) of the 2006 Act.

Deposit

10.—(1) A person shall not be validly nominated as a candidate at a constituency election unless the sum of £500 is deposited by him, or on his behalf, with the constituency returning officer at the place and during the time for delivery of constituency nomination papers.

(2) A person shall not be validly nominated as an individual candidate at a regional election unless the sum of £500 is deposited by him, or on his behalf, with the regional returning officer at the place or a place, and during the time, for delivery of individual nomination papers.

(3) A registered political party and each of the party list candidates on the list it has submitted shall not be validly nominated at a regional election unless the sum of £500 is deposited by the party’s registered nominating officer (or by or on behalf of one of the party list candidates) with the regional returning officer at the place or a place, and during the time, for delivery of a party list.

(4) The deposit may be made either—

- (a) by the deposit of any legal tender;
- (b) by means of a banker’s draft; or
- (c) with the appropriate returning officer’s consent, in any other manner (including by means of a debit or credit card or the electronic transfer of funds),

but the appropriate returning officer may refuse to accept a deposit sought to be made by means of a banker’s draft if he does not know that the drawer carries on business as a banker in the United Kingdom.

⁽³⁷⁾ As to rule 9(4)(d) to (f), see in relation to the 2007 Assembly general election sections 4(7), 5(5), (6) and 8(7) of the Government of Wales Act 1998 (section 5(5) and (6) is amended by paragraph 5 of Schedule 11 to the Government of Wales Act 2006); and thereafter see sections 7(1), (5), (6) and 10(9) of that Act of 2006.

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(5) Where the deposit is made on behalf of a candidate at a constituency election or an individual candidate at a regional election, the person making the deposit shall at the time he makes it give his name and address to the appropriate returning officer unless that information has previously been given to him under article 37.

(6) Where the deposit is made on behalf of a registered political party and its party list candidates at a regional election the person making the deposit shall at the time he makes it—

- (a) if he is the registered political party's registered nominating officer, state that fact to the regional returning officer; or
- (b) if he is not the party's registered nominating officer, give his name and address to the regional returning officer unless that information has previously been given to him under article 37.

Place for delivery of nomination papers

11.—(1) In relation to a constituency election, the constituency returning officer shall fix the place at which constituency nomination papers are to be delivered to him, and shall attend there during the time for their delivery and for the making of objections to them.

(2) The place in relation to a constituency election shall be in—

- (a) the Assembly constituency; or
- (b) the registration area which includes the whole or any part of the Assembly constituency.

(3) In relation to a regional election, the regional returning officer shall fix the place or places at which individual nomination papers or party nomination papers are to be delivered to him, and he shall attend there during the time for their delivery and for the making of objections to them.

(4) A place in relation to a regional election shall be in the Assembly electoral region.

(5) For the purposes of paragraph (2)(b) “registration area” means the area of two or more Assembly constituencies which have the same registration officer.

Right to attend nomination

12.—(1) In relation to a constituency election, except for the purpose of delivering a constituency nomination paper or of assisting the constituency returning officer, and subject to paragraph (6), no person is entitled to attend the proceedings during the time for delivery of nomination papers or for making objections to them unless he is—

- (a) a person standing nominated as a candidate;
- (b) the election agent of such a person;
- (c) the registered nominating officer of a registered political party that has delivered a certificate under paragraph 5(1) or (3) in respect of a candidate; or
- (d) a person who is entitled to attend by virtue of section 6A or 6B of the 2000 Political Parties Act⁽³⁸⁾,

but where a candidate acts as his own election agent he may name one other person who shall be entitled to attend in place of his election agent.

(2) In relation to a regional election, except for the purpose of delivering an individual nomination paper or a party nomination paper or of assisting the regional returning officer, and subject to paragraph (6), no person is entitled to attend the proceedings during the time for delivery of

⁽³⁸⁾ Sections 6A and 6B are inserted into the Political Parties, Elections and Referendums Act 2000 by section 29 of the Electoral Administration Act 2006 from 1st January 2007.

individual nomination papers or party nomination papers or for making objections to them unless he is—

- (a) a person standing nominated as an individual candidate;
- (b) the election agent of such a person;
- (c) a party list candidate;
- (d) the registered nominating officer of a registered political party that has submitted a party list, or the election agent of that party in respect of that list;
- (e) a person who is entitled to attend by virtue of section 6A or 6B of the 2000 Political Parties Act,

but where an individual candidate acts as his own election agent, or a party list candidate acts as election agent of that party in relation to that list, he may name one other person who shall be entitled to attend in place of the election agent for that individual candidate or, as the case may be party.

(3) In relation to a constituency election, the right to attend conferred by this rule includes the right—

- (a) to inspect; and
- (b) to object to the validity of,

any constituency nomination paper.

(4) In relation to a regional election, the right to attend conferred by this rule includes the right—

- (a) to inspect; and
- (b) to object to the validity of,

any individual nomination paper or any party nomination paper (including the nomination of any party list candidate on the party list submitted with that party nomination paper).

(5) Paragraphs (3) and (4) do not apply to a person mentioned in paragraph (1)(d) or (2)(e).

(6) One other person chosen by the candidate is entitled to be present at the delivery of the nomination paper by which that candidate is nominated, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in paragraph (1) or, as the case may be, (2), but without any such right as is conferred by paragraph (3) or, as the case may be, (4).

Decisions as to validity of individual and constituency nomination papers

13.—(1) A candidate to whom this rule applies shall be deemed to stand nominated where the nomination paper by which he is nominated and his consent to nomination are delivered and a deposit is made in accordance with these rules; and such candidate shall be deemed to stand nominated unless and until—

- (a) the appropriate returning officer decides that the nomination paper is invalid;
- (b) proof is given to the appropriate returning officer's satisfaction of the candidate's death; or
- (c) the candidate withdraws.

(2) The appropriate returning officer is entitled to hold a nomination paper invalid only on one of the following grounds—

- (a) that the particulars of the candidate are not as required by law (including, at a constituency election, that a nomination paper breaches rule 5(1) or (3));
- (b) that the paper is not subscribed as so required;

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- (c) that the candidate is disqualified by the Representation of the People Act 1981⁽³⁹⁾;
 - (d) in the case of an individual candidate at a regional election, that his candidature is in breach of section 5(6) of the 1998 Act⁽⁴⁰⁾; or
 - (e) in the case of a candidate at a constituency election, that his candidature is in breach of section 4(7) of the 1998 Act.
- (3) Subject to paragraph (4), the appropriate returning officer shall give his decision on any objection to a nomination paper—
- (a) as soon as practicable after it is made; and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of constituency nomination papers set out in the Table in rule 1(1).
- (4) If in the constituency returning officer's opinion a constituency nomination paper breaches rule 5(1) or (3), he shall give a decision to that effect—
- (a) as soon as practicable after the delivery of the nomination paper; and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1(1).
- (5) Where the appropriate returning officer decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.
- (6) The appropriate returning officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceedings whatsoever.
- (7) Subject to paragraph (6), nothing in this rule prevents the validity of a nomination being questioned on an Assembly election petition.
- (8) In respect of an Assembly election held after the 2007 Assembly general election, paragraph (2) shall have effect as if—
- (a) in sub-paragraph (d) the reference to section 5(6) of the 1998 Act were a reference to section 7(6) of the 2006 Act; and
 - (b) in sub-paragraph (e) the reference to section 4(7) of the 1998 Act were a reference to section 7(1), or as the case may be, section 10(9) of the 2006 Act.
- (9) This rule applies to a constituency candidate and an individual candidate.

Decisions as to validity of party nomination papers

14.—(1) Where a party nomination paper, together with its party list and the consent of each candidate in that list, is delivered and a deposit is made in accordance with these rules the party and (subject to paragraphs (3) and (4)) each candidate on its list shall be deemed to stand nominated unless and until the regional returning officer decides that the party nomination paper is invalid.

(2) The regional returning officer is entitled to hold a party nomination paper invalid only on one of the following grounds—

- (a) that it breaches rule 7(2) or (3);
- (b) that it breaches rule 8(1) or (3);
- (c) that it is not subscribed as so required;
- (d) that the party list includes more than twelve persons; or

⁽³⁹⁾ 1981 c. 34. That Act of 1981 is applied to membership of the National Assembly for Wales constituted by the Government of Wales Act 1998 by virtue of section 12(2) of the Government of Wales Act 1998 and to membership of the National Assembly for Wales constituted by the Government of Wales Act 2006 by virtue of section 16(2) of that Act of 2006.

⁽⁴⁰⁾ Section 5(6) of the Government of Wales Act 1998 is amended by paragraph 5(3) of Schedule 11 to the Government of Wales Act 2006.

- (e) that each candidate included on the party list has, in accordance with paragraphs (3) and (4), ceased to stand nominated.
- (3) Where, in respect of a party list candidate—
- (a) proof is given to the regional returning officer's satisfaction of his death; or
 - (b) he withdraws or his candidature is withdrawn in accordance with rule 15(4),
- he shall cease to stand nominated.
- (4) The regional returning officer is entitled to hold that a party list candidate shall cease to stand nominated where—
- (a) his particulars are not as required by law; or
 - (b) he is disqualified by the Representation of the People Act 1981(41); or
 - (c) his candidature is in breach of section 5(5) of the 1998 Act (42).
- (5) Where a candidate ceases to stand nominated by virtue of paragraph (4) it shall not of itself prevent any other candidate included on the party list from continuing to stand nominated.
- (6) Subject to paragraph (7), the regional returning officer shall give his decision on any objection to a party nomination paper or to a party list candidate—
- (a) as soon as practicable after it is made; and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1(1).
- (7) If in the regional returning officer's opinion a party nomination paper breaches rule 7(2), 8(1) or 8(3), he shall give a decision to that effect—
- (a) as soon as practicable after the delivery of the nomination paper; and
 - (b) in any event before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1(1).
- (8) Where the regional returning officer decides that—
- (a) a party nomination paper is invalid; or
 - (b) the name and address of a candidate shall be deleted from a party list,
- he shall endorse and sign on the paper the fact and reasons for his decision.
- (9) The regional returning officer's decision that—
- (a) a party nomination paper is valid; or
 - (b) the name and address of a candidate should not be removed from a party list,
- shall be final and shall not be questioned in any proceedings whatsoever.
- (10) Subject to paragraph (9), nothing in this rule prevents the validity of a nomination being questioned on an Assembly election petition.
- (11) In respect of an Assembly election held after the 2007 Assembly general election, paragraph (4)(c) shall have effect as if the reference to section 5(5) of the 1998 Act were a reference to section 7(5) of the 2006 Act.

Withdrawal of candidates

15.—(1) Subject to paragraph (3), a candidate at a constituency election may withdraw his candidature by notice of withdrawal—

(41) 1981 c. 34.

(42) Section 5(5) of the Government of Wales Act 1998 is amended by paragraph 5(2) of Schedule 11 to the Government of Wales Act 2006

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- (a) signed by him and attested by one witness; and
 - (b) delivered to the constituency returning officer at the place for delivery of constituency nomination papers.
- (2) Subject to paragraph (3), an individual or party list candidate at a regional election may withdraw his candidature by notice of withdrawal—
- (a) signed by him and attested by one witness; and
 - (b) delivered to the regional returning officer at the place or a place for delivery of individual nomination papers or party nomination papers.
- (3) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by a person and accompanied—
- (a) by a written declaration also so signed of the candidate's absence from the United Kingdom; and
 - (b) by a written statement signed by the candidate that the person giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom,
- shall be of the same effect as a notice of withdrawal signed by the candidate.
- (4) At a regional election a registered political party may withdraw the candidature of any or all of the candidates included in a party list of that party by notice of withdrawal—
- (a) signed by the party's registered nominating officer; and
 - (b) delivered to the regional returning officer at the place or a place for the delivery of individual nomination papers or party nomination papers.

Constituency election: publication of statement of persons nominated

16.—(1) At a constituency election the constituency returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their constituency nomination papers.

(3) If a person's constituency nomination paper gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.

(4) Paragraph (3) does not apply if the returning officer thinks—

- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors; or
- (b) that the commonly used name is obscene or offensive.

(5) If paragraph (4) applies, the returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.

(6) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames and, if there are two or more of them with the same surname, of their other names.

(7) In the case of a person nominated by more than one constituency nomination paper, the constituency returning officer shall take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the returning officer in default of the candidate) may select.

(8) The constituency returning officer shall send to the Commission—

- (a) a copy of the statement; and

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- (b) in the case of each candidate standing nominated in respect of whom a certificate has been received by the returning officer in accordance with rule 5(1) or (3), a copy of that certificate as well.

Regional election: publication of statement of parties and other persons nominated

17.—(1) At a regional election the regional returning officer shall prepare a statement showing—

- (a) the names of the persons who have been and stand nominated as individual candidates;
- (b) the registered political parties which have been and stand nominated (together with in respect of each such party the list of candidates it has submitted and who have been and stand nominated as the candidates of that party); and
- (c) any other persons or parties who have been nominated together with the reason why they are no longer nominated,

and he shall deliver, or cause to be delivered, the statement to each constituency returning officer for an Assembly constituency in the Assembly electoral region.

(2) On receipt of a statement under paragraph (1) a constituency returning officer shall publish it.

(3) The statement shall show—

- (a) in respect of individual candidates, the names, addresses and descriptions of the persons nominated as given in their individual nomination papers; and
- (b) in respect of the registered political parties who have submitted a party list, the names of those parties together with, in respect of each such party—
 - (i) the name, names or description referred to in rule 7(2); and
 - (ii) the names and addresses of the persons nominated as appear in that party's list.

(4) If an individual candidate's nomination paper gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.

(5) If as regards a candidate included in a party list, the party list gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.

(6) Paragraph (4) and (5) do not apply if the regional returning officer thinks—

- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
- (b) that the commonly used name is obscene or offensive.

(7) If paragraph (6) applies, the regional returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.

(8) The statement shall show—

- (a) the individual candidates standing nominated arranged together alphabetically; and
- (b) the registered political parties which have submitted a party list arranged together alphabetically and (in respect of each such party) the candidates standing nominated arranged (immediately after the entry for the relevant party) in the order that they appear on the party list.

(9) The arrangement of registered political parties referred to in paragraph (8)(b) is to be shown in the statement before the arrangement of individual candidates referred to in paragraph (8)(a) is so shown.

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(10) For the purposes of paragraph (8)(a) alphabetical order is to be determined by reference to the surnames of the individual candidates and, if there are two or more of them with the same surname, of their other names.

(11) For the purposes of paragraph (8)(b)—

- (a) a registered political party is to be shown in the statement by reference to the name (or names) or, as the case may be, the description referred to in rule 7(2) in respect of the party; and
- (b) alphabetical order is to be determined by disregarding the definite or indefinite article and, where there are two or more words in the name or names or, as the case may be, description (having disregarded the definite or indefinite article), by reference to the first of those words and, if there are two or more parties with the same first word, of the other words.

(12) In the case of a person nominated by more than one individual nomination paper, the regional returning officer shall take the particulars required by the foregoing provisions of this paragraph from such one of the papers as the candidate (or the returning officer in default of the candidate) may select.

(13) In the case of a registered political party which has delivered more than one party nomination paper (and where party list candidates of that party stand nominated by more than one party list submitted with those papers), the regional returning officer shall take the particulars required by the foregoing provisions of this paragraph from such one of the papers and the party list with that paper as the registered nominating officer of the party (or the returning officer in default of that registered nominating officer) may select; and if any candidate is shown standing nominated by a list not so selected but is not so shown in the selected list he shall no longer stand nominated.

(14) The regional returning officer shall send to the Commission a copy of the statement.

(15) Other than in rule 19 the statement required by this paragraph is referred to in this Order as a statement of persons nominated.

Correction of minor errors

18.—(1) A returning officer may, if he thinks fit, at any time before the publication under paragraph 16 or 17 of the statement of persons nominated, correct minor errors in a nomination paper (including in a party list submitted with a party nomination paper).

(2) Errors which may be corrected include obvious errors of spelling in relation to the details of a candidate or of those of a registered political party.

(3) Anything done by a returning officer in pursuance of this rule must not be questioned in any proceedings other than proceedings on an Assembly election petition.

(4) A returning officer must have regard to any guidance issued by the Commission for the purposes of this rule.

Disqualification by Representation of the People Act 1981

19.—(1) If it appears to the appropriate returning officer that any person nominated as a constituency candidate or as an individual candidate or as a party list candidate might be disqualified by the Representation of the People Act 1981 he shall, as soon as practicable after the expiry of the time allowed for the delivery of—

- (a) constituency nomination papers, in the case of a constituency election; or
- (b) individual nomination papers or party nomination papers, in the case of a regional election,

prepare and publish a draft of the statement required by rule 16 or, as the case may be, 17.

(2) The draft shall be headed—

- (a) in the case of a constituency election—

“Draft statement of persons nominated

Datganiad drafft o'r personau a enwebwyd”; or

- (b) in the case of a regional election—

“Draft statement of registered political parties and other persons nominated

Datganiad drafft y pleidiau gwleidyddol cofrestredig a phobl eraill a enwebwyd”,

and shall contain a notice stating that any person who wishes to object to the nomination of any candidate on the ground that he is disqualified for nomination under the Representation of the People Act 1981 may do so between the hours of 10 in the morning and 4 in the afternoon on the day and at the place specified in the notice; and the day so specified shall be the day next after the last day for the delivery of nomination papers.

Adjournment of nomination proceedings in the case of riot

20.—(1) Where, the proceedings for, or in connection with, nomination are on any day interrupted or obstructed by riot or open violence—

- (a) the proceedings shall be abandoned for that day; and

- (b) if that day is the last day for the delivery of—

(i) constituency nomination papers, in the case of a constituency election; or

(ii) individual nomination papers and party nomination papers, in the case of a regional election,

the proceedings shall be continued on the next day as if that were the last day of such delivery, and that day shall be treated for the purposes of these rules as being the last day for such delivery (subject to any further application of this paragraph in the event of interruption or obstruction on that day).

(2) Where proceedings are abandoned by virtue of this rule nothing—

- (a) may be done after they are continued if the time for doing it had passed at the time of the abandonment; or

- (b) done before the abandonment shall be invalidated by reason of the abandonment.

Method of election at a constituency election

21. At a constituency election—

- (a) if the statement of persons nominated shows more than one person standing nominated, a poll shall be taken in accordance with Part 3 of these rules; or

- (b) if the statement of persons nominated shows only one person standing nominated, that person shall be declared to be elected in accordance with Part 4 of these rules.

Method of election at a regional election

22.—(1) Subject to paragraph (2), if the statement of persons standing nominated at a regional election shows more persons standing nominated (whether as individual candidates or party list candidates) than the number of seats for that Assembly electoral region a poll shall be taken in accordance with Part 3 of these rules.

(2) Where each person is included on the same party list, those persons shall be declared to be elected in accordance with Part 4 of these rules in the order that they are included on that list (starting with the highest) up to the number of seats for the Assembly electoral region.

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(3) But if the statement of persons standing nominated shows the number of persons standing nominated (whether as individual candidates or party list candidates) is the same as, or fewer than, the number of seats for the Assembly electoral region, those persons standing nominated shall be declared to be elected in accordance with Part 4 of these rules.

(4) Paragraph (2) or, as the case may be, (3) shall also apply where notice of poll at a regional election is countermanded or the poll is abandoned under rule 75(1) (election becomes uncontested through death of candidate).

PART 3

Contested elections

General provisions

Poll to be taken by ballot

23.—(1) At a constituency election the votes at the poll shall be given by ballot and the result shall be ascertained, after counting the votes given to each candidate, in accordance with section 4(4) of the 1998 Act; and the candidate to whom the majority of votes has been given shall be declared to have been elected.

(2) At a regional election the votes at the poll shall be given by ballot and the results shall be ascertained, after counting the electoral region votes given to each individual candidate or registered political party, in accordance with sections 4(5) and (6) and 5 to 7(43) of the 1998 Act; and the candidates who, in accordance with those provisions, are returned as Assembly members shall be declared to have been elected.

(3) In respect of an Assembly election held after the 2007 Assembly general election—

- (a) paragraph (1) shall have effect as if the reference to section 4(4) of the 1998 Act were a reference to section 6(4) of the 2006 Act; and
- (b) paragraph (2) shall have effect as if the references to sections 4(5) and (6) and 5 to 7 of the 1998 Act were a reference to sections 6(5) and 7 to 9 of the 2006 Act.

The ballot paper at a constituency election

24.—(1) At a constituency election, the ballot of every voter shall consist of a ballot paper.

(2) The persons shown in the statement of persons nominated as standing nominated, and no others, shall be entitled to have their names inserted in the ballot paper.

(3) Every ballot paper shall be in form CK in Schedule 10, and shall be printed in accordance with the directions in form CK1 in that Schedule and—

- (a) shall contain the names and other particulars of the candidates shown in the statement of persons nominated;
- (b) shall be capable of being folded up; and
- (c) shall have a number and other unique identifying mark printed on the back.

(4) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.

(5) If a certificate received by the constituency returning officer under rule 5(1) or (3) has requested that a registered political party's registered emblem (or, as the case may be, one of the

(43) Sections 5 and 7 are amended by respectively paragraphs 5 and 6 of Schedule 11 to the Government of Wales Act 2006

party's registered emblems) is to be shown on the ballot paper against the candidate's particulars, the ballot paper shall contain that emblem in that way.

The ballot paper at a regional election

25.—(1) At a regional election, the ballot of every voter shall consist of a ballot paper.

(2) The following, namely—

- (a) the persons shown in the statement of persons nominated standing nominated as individual candidates; and
- (b) the registered political parties which have submitted a party list and are shown in the statement of persons nominated as standing nominated, together with the party list candidates appearing on the party list of each such party and as standing nominated,

and no others, shall be entitled to have their names and descriptions inserted in the ballot paper.

(3) Every ballot paper shall be in form CL in Schedule 10, and shall be printed in accordance with the directions in form CL1 in that Schedule, and—

- (a) shall contain the names and descriptions of the individual candidates shown in the statement of persons nominated;
- (b) shall contain the names or, as the case may be, descriptions of the registered political parties shown in the statement of persons nominated together with the names of the candidates included on those parties' lists;
- (c) shall be capable of being folded up; and
- (d) shall have a number and other unique identifying mark printed on the back (together with a mark or other distinguishing feature by which the Assembly constituency can be identified in which the vote is to be given in relation to the ballot paper).

(4) The order of—

- (a) the names of the individual candidates; and
- (b) the names or, as the case may be, descriptions of the registered political parties (together with, in respect of each such name (or names) or, as the case may be, description of a registered political party, the names of its party list candidates),

in the ballot paper shall be the same order as in the statement of persons nominated.

(5) If a certificate received by the regional returning officer under rule 8(1) has requested that the registered political party's registered emblem (or, as the case may be, one of the party's registered emblems) is to be shown on the ballot paper against the party's description, the ballot paper shall contain that emblem in that way.

Polls with two ballot papers

26.—(1) Where the poll at a regional election is to be taken together with the poll at a constituency election for a relevant constituency, the constituency returning officer shall ensure that the number on the back of a constituency ballot paper is the same as the number on the back of one (but not more than one) regional ballot paper.

(2) A constituency is a relevant constituency for the purposes of paragraph (1) if it is situated in the region in respect of which the regional election is being held.

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Corresponding number list

27.—(1) The constituency returning officer must prepare a list containing the numbers and other unique identifying marks of all ballot papers to be issued by him in pursuance of rule 33(1) or provided by him in pursuance of rule 37(1).

(2) The list shall be in form CM as set out in English and Welsh in Schedule 10.

Colour of ballot papers

28. Where at Assembly elections, an elector is entitled to give two votes, the ballot paper for each vote shall be of a different colour.

The official mark

29.—(1) Every ballot paper must contain an appropriate security marking (in this rule and in rule 58 referred to as “the official mark”).

(2) The official mark shall be kept secret, and an interval of not less than seven years shall intervene between the use of the same official mark—

- (a) at elections for the same Assembly constituency; or
- (b) in relation to the same Assembly constituency, at elections in the same Assembly electoral region.

(3) The appropriate returning officer may use a different official mark for different purposes at the same election.

Prohibition of disclosure of vote

30. No person who has voted at an Assembly election shall, in any legal proceedings to question the election or return, be required to state how he voted.

Use of schools and public rooms

31.—(1) At an Assembly election the constituency returning officer may use, free of charge, for the purpose of taking the poll—

- (a) a room in a school to which this paragraph applies; or
- (b) a room, the expense of maintaining which is payable wholly or mainly out of public funds.

(2) This rule applies to a school maintained or assisted by a local education authority, or a school in respect of which grants are made out of money provided by the Assembly or by Parliament to the person or body of persons responsible for the management of the school.

(3) The constituency returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned by reason of its being used for the purpose of taking the poll.

Action to be taken before the poll

Notice of poll

32.—(1) The appropriate returning officer shall in the statement of persons nominated include a notice of the poll, stating the day on which and the hours during which the poll will be taken.

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(2) In the case of a constituency election, the constituency returning officer shall also prepare and publish a notice (which may be combined with the statement of persons nominated under paragraph 16) setting out—

- (a) the situation of each polling station; and
- (b) the description of voters entitled to vote there,

and he shall as soon as practicable after publishing such notice give a copy of it to each of the election agents.

(3) In the case of a regional election, the constituency returning officer for each Assembly constituency in the Assembly electoral region shall prepare and publish a notice (which may be combined with the statement of persons nominated under rule 17) setting out—

- (a) the situation of each polling station in the Assembly constituency for which he is returning officer; and
- (b) the description of voters entitled to vote there,

and he shall as soon as practicable after publishing such notice—

- (i) give a copy of it to each of the election agents; and
- (ii) deliver, or cause to be delivered, a copy of it to the regional returning officer.

(4) Where the polls at a constituency election and a regional election are to be taken together the notices prepared by a constituency returning officer under paragraphs (2) and (3) may be combined.

Postal ballot papers

33.—(1) Subject to paragraph (2), at an Assembly election the constituency returning officer shall in accordance with Schedule 3 issue to those entitled to vote by post—

- (a) a ballot paper; and
- (b) a postal voting statement,

in the appropriate forms set out in Schedule 10 together with such envelopes for their return in accordance with paragraph 11 of Schedule 3.

(2) In the case of a person who is entitled to give a constituency vote and an electoral region vote by post the provisions of paragraph (1) shall apply save the reference in paragraph (1) to “a ballot paper” shall be construed as a reference to a constituency ballot paper and a regional ballot paper and following references in this rule to “ballot paper” shall be construed accordingly.

(3) In the case of a ballot paper issued to a person resident in the United Kingdom, the constituency returning officer must ensure that the return of the ballot paper and postal voting statement is free of charge to the voter.

(4) The constituency returning officer must also issue to those entitled to vote by post such information as he thinks appropriate about how to obtain—

- (a) translations into languages other than English and Welsh of any directions to and guidance for voters sent with the ballot paper;
- (b) a translation into Braille of such directions or guidance;
- (c) graphical representations of such directions or guidance; or
- (d) the directions or guidance in any other form (including any audible form).

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Provision of polling stations

34.—(1) At an Assembly election the constituency returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this rule, shall allot the electors to the polling stations in such manner as he thinks most convenient.

(2) One or more polling stations may be provided in the same room.

(3) The polling station allotted to electors from any polling district shall be in the polling place for that district.

(4) The constituency returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.

Appointment of presiding officers and clerks

35.—(1) At an Assembly election the constituency returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed by or on behalf of—

- (a) a candidate; or
- (b) a registered political party,

in or about the election.

(2) At a regional election the regional returning officer shall appoint and pay such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed in the circumstances described in paragraph (1)(a) or (b).

(3) The constituency returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a constituency returning officer so presiding with the necessary modifications as to things to be done by the constituency returning officer to the presiding officer or by the presiding officer to the constituency returning officer.

(4) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

Issue of official poll cards

36.—(1) At an Assembly election the constituency returning officer shall as soon as practicable after the publication of notice of the election send to electors and their proxies an official poll card.

(2) An elector's official poll card shall be sent or delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.

(3) In accordance with the following provisions of this rule, the official poll card shall set out—

- (a) the name of the Assembly constituency or electoral region for which the election is to be held, or, where the polls at a constituency election and a regional election are to be taken together, both such areas;
- (b) the elector's name, qualifying address and number on the register;
- (c) the date and hours of the poll and the situation of the elector's polling station; and
- (d) such other information, not relating to any candidate or registered political party, as the constituency returning officer considers appropriate,

and different information may be provided in pursuance of sub-paragraph (d) to different electors or descriptions of electors.

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(4) In the case of an elector with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(b), the official poll card shall contain such matter as is specified in the appropriate form referred to in paragraph (5), (6), (7) or (8).

(5) The official poll card issued to an elector shall be in form CN1 set out in English and Welsh in Schedule 10.

(6) The official poll card issued to the proxy of an elector shall be in form CN2 set out in English and Welsh in Schedule 10.

(7) The official postal poll card issued to an elector shall be in form CN3 set out in English and Welsh in Schedule 10.

(8) The official postal poll card issued to the proxy of an elector shall be in form CN4 set out in English and Welsh in Schedule 10.

(9) In this rule—

“elector” means a person—

- (a) who is registered in the register for the Assembly constituency or as the case may be, Assembly electoral region on the last day for publication of notice of the election in question; and
- (b) includes a person then shown in that register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.

Equipment of polling stations

37.—(1) At an Assembly election the constituency returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the constituency returning officer’s opinion may be necessary.

(2) Where the polls at a constituency election and a regional election are to be taken together, the same ballot box may be used for the receipt of ballot papers at the regional election and at the constituency election if the constituency returning officer so determines and a determination may make different provision for different polling stations.

(3) Where separate ballot boxes are to be used for the receipt of ballot papers at a constituency election and at a regional election, each ballot box shall be clearly marked with—

- (a) the Assembly election to which it relates; and
- (b) the words “Place the [*specify the colour of the ballot papers in question*] ballot paper here, Rhowch y papur pleidleisio [*nodwch liw'r papurau pleidleisio dan sylw*] yma”.

(4) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it without the seal being broken.

(5) The constituency returning officer shall provide each polling station with—

- (a) materials to enable voters to mark the ballot papers;
- (b) copies of the register or such part of it as contains the entries relating to the electors allotted to the station;
- (c) the parts of any special lists prepared for the election corresponding to the register of electors or the part of it provided under sub-paragraph (b); and
- (d) a list consisting of that part of the list prepared under rule 27 which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station in the form CO set out in Schedule 10.

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(6) The reference in paragraph (5)(b) to the copies of the register of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act in respect of alterations to the register.

(7) The constituency returning officer shall for the assistance of voters who are partially-sighted provide each polling station with—

- (a) at least one large version of the ballot paper which complies with the relevant provision of article 141(6) and which shall be displayed inside the polling station;
- (b) an enlarged hand-held copy of the ballot paper which complies with the relevant provisions of article 141(7) and (8); and
- (c) a device of the description set out in paragraphs (8) and (9), for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 48(1)).

(8) The device referred to in paragraph (7)(c) must be capable of being attached firmly to a ballot paper and of being removed from it after use without damage to the paper.

(9) On one side of the device there shall be tabs of equal size which satisfy the conditions in paragraphs (10) to (13).

(10) The tabs must be capable of being positioned on the ballot paper so that each one is above one of the spaces to the right of—

- (a) in the case of a constituency election, the particulars of a constituency candidate; or,
- (b) in the case of a regional election—
 - (i) the name or names or, as the case may be, description of a registered political party; or
 - (ii) the particulars of an individual candidate,

and on which the vote is to be marked (“the relevant space”).

(11) Each tab shall be numbered so that when the device is positioned over a ballot paper, the number of each tab corresponds to that of the candidate, or as the case may be, registered political party, whose details (as referred to in paragraph (10)) are to the left of the relevant space covered by the tab in question.

(12) Each number on a tab shall be in raised form so that it can be clearly identified by touch.

(13) Each tab shall be capable of being lifted so as to reveal the relevant space and so that there is sufficient room to allow a voter to mark a cross on that space.

(14) A notice in the form of form CP set out in English and Welsh in Schedule 10, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.

(15) Where there is a contested constituency election, in every compartment of every polling station there shall be exhibited the notice—

- (a) in the case where votes are also given at the polling station in respect of a contested regional election—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth Iliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; or
- (b) in any other case—

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“Vote for one candidate only on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch dros un ymgeisydd yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”

(16) Where there is a contested regional election, in every compartment of every polling station there shall be exhibited the notice—

(a) in the case where votes are also given at the polling station in respect of a contested constituency election—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”; or

(b) in any other case—

“Vote once only on the ballot paper. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch unwaith yn unig ar y papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”

(17) The appropriate statement of persons nominated referred to in rule 16 and rule 17 shall be printed in conspicuous characters and exhibited inside and outside every polling station.

Appointment of polling and counting agents

38.—(1) Subject to paragraph (2), at a constituency election each candidate may, before the commencement of the poll, appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation; and
- (b) counting agents to attend at the counting of the votes.

(2) The constituency returning officer may limit the number of counting agents that may be appointed under paragraph (1), so that—

- (a) the number shall be the same in the case of each candidate; and
- (b) the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.

(3) Subject to paragraph (4), at a regional election each—

- (a) individual candidate; and
- (b) election agent for a registered political party standing nominated,

may, before the commencement of the poll, appoint in relation to each Assembly constituency in the Assembly electoral region—

- (i) polling agents to attend at polling stations for the purpose of detecting personation; and
- (ii) counting agents to attend at the counting of the votes.

(4) The constituency returning officer may, in relation to the Assembly constituency for which he is the returning officer, limit the number of counting agents that may be appointed under paragraph (3), so that—

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- (a) the number shall be the same in the case of each individual candidate or registered political party; and
 - (b) the number allowed to an individual candidate or registered political party shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the total of the number of individual candidates and registered political parties standing nominated.
- (5) Notice in writing of an appointment under paragraph (1) or (3), stating the name and address of the person appointed, shall be given by the person making the appointment to the constituency returning officer and shall be so given not later than the second day (computed like any period of time set out in the Table in rule 1(1)) before the day of the poll.
- (6) If an agent dies, or becomes incapable of acting, the person who appointed him may appoint another agent in his place, and shall forthwith give to the constituency returning officer notice in writing of the name and address of the agent appointed.
- (7) Any appointment authorised by this rule to be made by a constituency or an individual candidate may be made, and the notice of appointment given to the constituency returning officer, by the candidate's election agent instead of by the candidate.
- (8) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents—
- (a) whose appointments have been duly made and notified; and
 - (b) where the number of agents is restricted, who are within the permitted number.
- (9) Any notice required to be given to a counting agent by the constituency returning officer may be delivered at or sent by post to the address stated in the notice of appointment.
- (10) Any candidate may do himself any act or thing which any polling or counting agent, if appointed by him or on his behalf, would have been authorised to do, or may assist such agent in doing any such act or thing.
- (11) An election agent for a constituency or an individual candidate or a registered political party standing nominated may do or assist in doing anything which a polling or counting agent of that candidate or party is authorised to do; and anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done in the presence of such an election agent instead of such polling or counting agents.
- (12) Where by these rules any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

39. At an Assembly election the constituency returning officer shall make such arrangements as he thinks fit to ensure that—

- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a voter with disabilities to vote or as a constable on duty there) has been given a copy in writing of the provisions of article 35(1), (3) and (6); and
- (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of article 35(2) and (6).

Return of postal ballot papers

40.—(1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list; or
- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the constituency returning officer must mark the appropriate list accordingly.

(2) Rule 55(6) does not apply for the purposes of determining whether, for the purposes of this paragraph, a postal vote or a proxy postal vote is returned.

The poll

Admission to polling station

41.—(1) The presiding officer shall exclude all persons from the polling station except—

- (a) voters;
- (b) persons under the age of 18 who accompany voters to the polling station;
- (c) the candidates and the election agents of any constituency or individual candidates or in relation to any registered political party standing nominated, the election agent of such party in respect of the list it has submitted;
- (d) the polling agents appointed to attend at the polling station;
- (e) the clerks appointed to attend the polling station;
- (f) persons who are entitled to attend by virtue of any of sections 6A to 6D of the 2000 Political Parties Act⁽⁴⁴⁾;
- (g) the constables on duty; and
- (h) the companions of voters with disabilities.

(2) The presiding officer shall regulate the total number of voters and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.

(3) Not more than one party list candidate from the same party list submitted by a registered political party shall be admitted at the same time to a polling station.

(4) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same constituency or individual candidate or on behalf of the same registered political party.

(5) A constable or person employed by a constituency or regional returning officer shall not be admitted to vote in person elsewhere than at his own polling station under the relevant provision of this Order, except on production and surrender of a certificate as to his employment, which shall be in form CB set out in Schedule 10 and signed by an officer of police of the rank of inspector or above or by the returning officer, as the case may be.

(6) Any certificate surrendered under this rule shall forthwith be cancelled.

Keeping of order in the polling station

42.—(1) It is the presiding officer's duty to keep order at his polling station.

(2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—

⁽⁴⁴⁾ Sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000 were inserted by section 29 of the Electoral Administration Act 2006 (c. 22).

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- (a) by a constable in or near that station; or
- (b) by any other person authorised in writing by the constituency returning officer to remove him,

and the person so removed shall not, without the presiding officer's permission, enter the polling station again during the day.

(3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this rule shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

43. Immediately before the commencement of the poll, the presiding officer shall—

- (a) show each ballot box proposed to be used for the purposes of the poll empty to such persons, if any, as are present in the polling station, so that they may see that each box is empty;
- (b) place his seal on it in such a manner as to prevent it being opened without breaking the seal;
- (c) place each box in his view for the receipt of ballot papers; and
- (d) keep it so sealed.

Questions to be put to voters

44.—(1) At the time that a person described in an entry in column 1 of the Table to this rule (“the Table”) applies for a ballot paper (but not afterwards) the presiding officer may put to that person the appropriate question (or if more than one any of them) set out opposite that entry.

(2) A question may be asked in English (as set out in column (2) of the Table) or Welsh (as set out in column (3) of the Table).

(3) In respect of a person described in entries 2, 4 or 6 of the Table, the questions set out opposite those entries may be asked only where the polls at a constituency election and a regional election are taken together.

(4) Where the letter “R” appears after a question the presiding officer shall put that question to the person described opposite if the candidate or his election or polling agent (including such an agent of a registered political party standing nominated) so requires.

(5) In the case of an elector in respect of whom a notice has been issued under section 13B (3B) or 13B(3D) of the 1983 Act, the references in the questions at 1(a), 5(a), (b) (c) and 6 to reading from the register must be taken as references to reading from the notice issued under section 13B (3B) or 13B (3D)(**45**).

(6) A ballot paper shall not be delivered to any person required to answer any of the questions unless that person has answered each question satisfactorily.

(7) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote.

(45) Section 13B was inserted into the Representation of the People Act 1983 by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c. 2). Subsections (3B) and (3D) were inserted into section 13B by section 11(4) of the Electoral Administration Act 2006 (c. 22).

Table

<i>Column (1)</i>	<i>Column(2)</i>	<i>Column (3)</i>
Person applying for a ballot paper	Question to be asked in English	Question to be asked in Welsh
1. A person applying as an elector	<p>(a) “Are you the person registered in the register of local government electors as follows(<i>read out the whole entry from the register</i>)?”[R]</p> <p>(b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person?”[R]</p>	<p>(a) “Ai chi yw'r person sydd wedi ei gofrestru ar y gofrestr o etholwyr llywodraeth leol fel a ganlyn (<i>darllen allan y cofnod cyfan o'r gofrestr</i>)?”[R]</p> <p>(b) “A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, ar wahân i fel dirprwy dros berson arall?”[R]</p>
2. A person applying as an elector where that person is entitled to give two votes at the polling station and the presiding officer has asked that person one or more of the questions at entry 1(a) and 1(b)	“Have you already cast a constituency vote and an electoral region vote at this election, here or elsewhere, otherwise than as a proxy for some person?”[R]	“A ydych eisoes wedi bwrw pleidlais etholaedol a phleidlais rhanbarth etholiadol yn yr etholiad hwn, yma neu yn rhywle arall, ar wahân i fel dirprwy dros berson arall?”[R]
3. A person applying as proxy	<p>(a) “Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?”[R]</p> <p>(b) “Have you already voted, here or elsewhere, at this election, as proxy on behalf of C.D.?”[R]</p> <p>(c) “Are you the spouse, civil partner, parent, grandparent, brother/ sister, child or grandchild of C.D.?”[R]</p>	<p>(a) “Ai chi yw'r person y mae eich enw yn ymddangos fel A.B. ar y rhestr o ddirprwyon ar gyfer yr etholiad hwn fel rhywun sydd â hawl i fwrw pleidlais ddirprwy ar ran C.D.?”[R]</p> <p>(b) “A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, fel dirprwy ar ran C.D.?”[R]</p> <p>(c) “Ai chi yw priod, partner sifil, rhiant, nain neu daid, brawd / chwaer, plentyn neu wŷr / wyres C.D.?”[R]</p>
4. A person applying as proxy on behalf of an elector who is entitled to give two votes at the polling station if the presiding officer has asked that person one or more of the questions at entry 3(a) and 3(b).	“Have you already cast a constituency vote and an electoral region vote, at this election here or elsewhere, on behalf of C.D.?”[R]	“A ydych eisoes wedi bwrw pleidlais etholiadol a phleidlais rhanbarth etholiadol, yn yr etholiad hwn neu yn rhywle arall, ar ran C.D.?”[R]
5. A person applying as proxy for an elector with an anonymous entry, instead of the questions at entry 3.	(a) “Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is	(a) “Ai chi yw'r person sydd â hawl i bleidleisio fel dirprwy ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr

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Column (1)	Column(2)	Column (3)
	<i>(read out the number from the register)?</i> ”[R]	etholwyr ar ei gyfer (darllen allan y rhif o'r gofrestr)?”[R]
	(b) “Have you already voted, here or elsewhere, at this election, as proxy on behalf of the elector whose number on the register of electors is <i>(read out the number from the register)?</i> ”[R]	(b) “A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, fel dirprwy ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr ar ei gyfer (darllen allan y rhif o'r gofrestr)?”[R]
	(c) “Are you the spouse, civil partner, parent, grandparent, brother/ sister, child or grandchild of the elector whose number on the register of electors is <i>(read out the number from the register)?</i> ”[R]	(c) “ Ai chi yw priod, partner sifil, rhiant, nain neu daid, brawd / chwaer, plentyn neu wŷr / wyres yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr (darllen allan y rhif o'r gofrestr)?”[R]
6. A person applying as proxy on behalf of an elector with an anonymous entry and that elector is entitled to give two votes at the polling station, if the presiding officer has asked the person applying to vote as proxy one or more of the questions at entry 5(a) and 5(b).	“Have you already cast a constituency vote and an electoral region vote, here or elsewhere, at this election, on behalf of the elector whose number on the register of electors is <i>(read out the number from the register)?</i> ”[R]	“A ydych eisoes wedi bwrw pleidlais etholiadol a phleidlais rhanbarth etholiadol, yma neu yn rhywle arall, yn yr etholiad hwn, ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr ar ei gyfer (darllen allan y rhif o'r gofrestr)?”[R]
7. A person applying as proxy, if the question at entry 3(c) or 5(c) is not answered in the affirmative.	“Have you at this election already voted in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother/ sister, child or grandchild?”[R]	“A ydych yn yr etholiad hwn eisoes wedi pleidleisio yn yr etholaeth hon ar ran dau berson a chithau heb fod yn briod, partner sifil, rhiant, nain neu daid, brawd / chwaer, plentyn neu wŷr / wyres iddynt?”[R]
8. A person applying as an elector in relation to whom there is an entry in the postal voters list.	(a) “Did you apply to vote by post?” (b) “ Why have you not voted by post?”	(a) “A wnaethoch wneud cais i bleidleisio drwy'r post?” (b) “ Pam na wnaethoch bleidleisio drwy'r post?”
9. A person applying as proxy who is named in the proxy postal voters list.	(a) “Did you apply to vote by post as proxy?” (b) “Why have you not voted by post as proxy?”	(a) “ A wnaethoch wneud cais i bleidleisio drwy'r post fel dirprwy?” (b) “Pam na wnaethoch bleidleisio drwy'r post fel dirprwy?”

Challenge of voter

45. A person shall not be prevented from voting by reason only that—

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- (a) a candidate or his election or polling agent declares that he has reasonable cause to believe that the person has committed an offence of personation⁽⁴⁶⁾; or
- (b) the person is arrested on the grounds that he is suspected of committing or of being about to commit such an offence.

Voting procedure

46.—(1) A ballot paper shall be delivered to a voter who applies for one, and immediately before delivery—

- (a) the number and (unless paragraph (2) applies) name of the elector as stated in the copy of the register shall be called out;
- (b) the number of the elector shall be marked on the list mentioned in rule 37(5)(d) beside the number of the ballot paper to be issued to him;
- (c) a mark shall be placed in that copy of the register against the number of the elector to note that a ballot paper has been received but without showing the particular ballot paper which has been received; and
- (d) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

(2) In the case of an elector who has an anonymous entry, he must show the presiding officer his official poll card and only his number shall be called out in pursuance of paragraph (1)(a).

(3) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act paragraph (1) is modified as follows—

- (a) in paragraph 1(a), for “copy of the register of electors” substitute “copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act”;
- (b) in paragraph 1(c), for “in the register of electors” substitute “on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act”.

(4) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer’s presence.

(5) The voter shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

(6) Where the polls at a constituency election and a regional election are to be taken together the same copy of the register of electors or copy of the notice may be used under paragraph (1) for a constituency election and a regional election and one mark may be placed in that register or on that copy under paragraph (1)(c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been received in respect of each election except that, where a ballot paper has been issued in respect of one election only, a different mark shall be placed in the register or, as the case may be, on the copy or in the list so as to identify the election in respect of which the ballot paper was issued.

(7) Subject to rule 50(4) where a voter is entitled to two votes, the constituency ballot paper and the regional ballot paper delivered to a voter shall bear the same number.

Votes marked by presiding officer

47.—(1) The presiding officer on the application of a voter—

⁽⁴⁶⁾ Personation is defined in article 30.

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- (a) who is incapacitated by blindness or other disability from voting in a manner directed by these rules; or
- (b) who declares orally that he is unable to read,

shall, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in a manner directed by the voter, and the ballot paper to be placed in the ballot box.

(2) The name and number on the register of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list (in this Schedule called "the list of votes marked by the presiding officer").

(3) For the purposes of paragraph (2) in the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

(4) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (2) applies as if for "on the register of electors of every voter" there were substituted "relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

(5) Where the polls at a constituency election and a regional election are to be taken together, the same list of votes marked by the presiding officer may be used for the constituency and regional elections at which the voters are entitled to vote and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which the ballot paper was so marked.

Voting by persons with disabilities

48.—(1) If a voter makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other disability; or
- (b) inability to read,

to vote with the assistance of another person by whom he is accompanied (in these rules referred to as "the companion"), the presiding officer shall require the voter to declare, orally or in writing, whether he is so incapacitated by his blindness or other disability, or by his inability to read, as to be unable to vote without assistance.

(2) If the presiding officer—

- (a) is satisfied that the voter is so incapacitated; and
- (b) is also satisfied by a written declaration made by the companion (in these rules referred to as "the declaration made by the companion of a voter with disabilities") that the companion—
 - (i) is a qualified person within the meaning of these rules; and
 - (ii) has not previously assisted more than one voter with disabilities to vote at the Assembly election,

the presiding officer shall grant the application, and then anything which is by this Schedule required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

(3) For the purposes of this rule, a person is a voter with disabilities if he has made such a declaration as is mentioned in paragraph (1), and a person shall be qualified to assist a voter with disabilities to vote, if that person is either—

- (a) a person who is entitled to vote as an elector at the Assembly election; or
- (b) the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter with disabilities and has attained the age of 18 years.

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(4) The name and number in the register of every voter whose vote is given in accordance with this paragraph and the name and address of the companion shall be entered on a list (in these rules referred to as “the list of voters with disabilities assisted by companions”).

(5) For the purposes of paragraph (4), in the case of a person voting as proxy for an elector, the number to be entered together with the voter’s name shall be the elector’s number.

(6) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (4) applies as if for “in the register of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act”.

(7) The declaration made by the companion—

- (a) shall be in form CQ set out in English and Welsh in Schedule 10;
- (b) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

(8) No fee or other payment shall be charged in respect of the declaration.

(9) Where the polls at a constituency election and a regional election are to be taken together, the same list of voters with disabilities assisted by companions may be used for the constituency and regional elections at which the voters are entitled to vote and, where it is so used, an entry in that list shall be taken to mean that the votes were so given in respect of each election, unless the list identifies the election at which a vote was so given.

Tendered ballot papers

49.—(1) If a person, representing himself to be—

- (a) a particular elector named on the register and not named in the postal voters list; or
- (b) a particular person named in the list of proxies as proxy for an elector and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.

(2) Paragraph (4) applies if—

- (a) a person applies for a ballot paper representing himself to be a particular elector named on the register;
- (b) he is also named in the postal voters list; and
- (c) he claims that he did not make an application to vote by post at the election.

(3) Paragraph (4) also applies if—

- (a) a person applies for a ballot paper representing himself to be a particular person named as a proxy in the list of proxies;
- (b) he is also named in the proxy postal voters list; and
- (c) he claims that he did not make an application to vote by post as proxy.

(4) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

(5) Paragraph (6) applies if before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself to be—

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- (a) a particular elector named on the register and who is also named in the postal voters list; or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims that he has lost or has not received his postal ballot paper.

(6) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

(7) A tendered ballot paper shall—

- (a) be of a colour different from the other ballot papers; and
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number on the register, and set aside in a separate packet.

(8) The name of the voter and his number on the register shall be entered on a list (in these rules referred to as the “tendered votes list”).

(9) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter’s name shall be the number of that elector.

(10) This rule applies to an elector who has an anonymous entry subject to the following modifications—

- (a) in paragraphs (7)(b) and (8) the references to the name of the voter must be ignored;
- (b) otherwise, a reference to a person named on a register or in a list must be construed as a reference to a person whose number appears on the register or in the list (as the case may be).

(11) This rule applies in the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act as if—

- (a) in paragraphs (1)(a), (2)(a) and (5)(a) for “named on the register” there were substituted “in respect of whom a notice under section 13B(3B) or (3D) of the 1983 Act has been issued”; and
- (b) in paragraphs (7)(b) and (8) for “his number on the register of electors” there were substituted “the number relating to him on a notice issued under section 13B(3B) or (3D) of the 1983 Act”.

(12) Where the polls at a constituency election and a regional election are to be taken together, the same tendered votes list for the constituency and regional elections at which the voters are entitled to vote may be used and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.

Spoilt ballot papers

50.—(1) A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another ballot paper (“the replacement ballot paper”) in the place of the ballot paper so delivered (in these rules referred to as a “spoilt ballot paper”), and the spoilt ballot paper shall be immediately cancelled.

(2) Paragraph (1) shall also apply in a case where a voter is entitled to give two votes at a polling station, but subject to paragraphs (3) and (4).

(3) Subject to paragraph (4), if the voter proves to the satisfaction of the presiding officer that only one ballot paper is spoilt inadvertently—

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- (a) he shall nevertheless deliver both ballot papers (“the surrendered ballot papers”) to the presiding officer;
 - (b) the presiding officer shall deliver to the voter two replacement ballot papers; and
 - (c) the presiding officer shall treat both of the surrendered ballot papers as spoilt ballot papers and shall immediately cancel them.
- (4) If a voter proves to the satisfaction of the presiding officer that one ballot paper is spoilt inadvertently and that the other ballot paper (“the used ballot paper”) has been placed in the ballot box—
- (a) the voter shall deliver the spoilt ballot paper (“the returned ballot paper”) to the presiding officer;
 - (b) the presiding officer shall deliver to the voter a replacement ballot paper in place of the returned ballot paper notwithstanding that the number on the replacement ballot paper is not the same as the number on the used ballot paper previously delivered to the voter; and
 - (c) the presiding officer in addition to cancelling the returned ballot paper shall treat the constituency or, as the case may be, regional ballot paper that has the same number as the replacement ballot paper delivered to the voter as a spoilt ballot paper and shall also immediately cancel it.

Correction of errors on the day of poll

51. The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

Adjournment of poll in case of riot

52.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and shall forthwith give notice—

- (a) in the case where the polls at a constituency election and at a regional election are taken together, to the constituency and to the regional returning officer; but otherwise
 - (b) in the case of a constituency election, to the constituency returning officer; or
 - (c) in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the polling station is situated and to the regional returning officer.
- (2) Where the poll is adjourned at any polling station—
- (a) the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
 - (b) references in this Order to the close of the poll shall be construed accordingly.

Procedure on close of poll

53.—(1) As soon as practicable after the close of the polls where the polls at a constituency election and at a regional election have been taken together, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened;
- (b) the unused and spoilt ballot papers placed together relating to the constituency election;

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- (c) the unused and spoilt ballot papers placed together relating to the regional election;
- (d) the tendered ballot papers relating to the constituency election;
- (e) the tendered ballot papers relating to the regional election;
- (f) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies;
- (g) the lists prepared under rule 27, including the parts which were completed in accordance with rule 46(1)(b) (together referred to in these rules as “the completed corresponding number lists”);
- (h) the certificates as to employment on duty on the day of the poll; and
- (i) the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 51 and the declarations made by the companions of voters with disabilities.

(2) Where paragraph (1) does not apply at an Assembly election, as soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened;
- (b) the unused and spoilt ballot papers placed together;
- (c) the tendered ballot papers;
- (d) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies;
- (e) the completed corresponding number lists;
- (f) the certificates as to employment on duty on the day of the poll; and
- (g) the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 51 and the declarations made by the companions of voters with disabilities.

(3) The presiding officer shall deliver the packets made up under paragraph (1) or (2), or cause them to be delivered, to the constituency returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the constituency returning officer, the arrangements for their delivery shall require the constituency returning officer’s approval.

(4) The packets shall be accompanied by—

- (a) a separate statement relating to each Assembly election where paragraph (1) applies; or
- (b) a statement relating to the Assembly election where paragraph (2) applies,

(in these rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

Counting of votes

Time of, and attendance at, counting of votes

54.—(1) At an Assembly election the constituency returning officer shall—

- (a) (subject to paragraph (2)) make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll; and
- (b) give to the counting agents and, in the case of a regional election, to the regional returning officer, notice in writing—
 - (i) of the time and place at which the proceedings described in rule 55(1) will begin;
 - (ii) in the case where the power conferred by rule 55(3) is exercised, of the time and the place at which he will count the votes following completion of the proceedings described in rule 55(1); and
 - (iii) in the case of a direction under paragraph (2), of the time and the place at which he will count the votes following completion of the proceedings described in rule 55(1),

and a notice under this paragraph may be combined with another such notice.

(2) At an Assembly general election where there are polls at—

- (a) a regional election; and
- (b) constituency elections in the Assembly electoral region for which the regional election is held,

the Secretary of State may direct each constituency returning officer for any constituency within that Assembly electoral region that the counting of votes (as provided for in rule 55(5)) in respect of the regional and each constituency election shall not begin before such time between the hours of 9 in the morning and noon on the day following the close of polls for those elections (disregarding any day mentioned in rule 2) as is specified in the direction.

(3) A direction given under paragraph (2) shall be given not later than 28 days before the date of the poll at the Assembly general election in question.

(4) Where a direction is given under paragraph (2), then during the period beginning with the conclusion of the proceedings described in rule 55(1) and ending with the time specified in the direction, the constituency returning officer shall—

- (a) place the ballot papers and other documents relating to each election under his own seal and the seals of such of the counting agents as desire to affix their seals; and
- (b) otherwise take proper precautions for the security of the papers and documents.

(5) No person other than—

- (a) the constituency returning officer and his clerks;
- (b) the candidates and one other person chosen by each of them;
- (c) the election agents;
- (d) the counting agents;
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the 2000 Political Parties Act; and
- (f) in the case of a regional election, the regional returning officer,

may be present at the proceedings described in rule 55(1) or at the counting of the votes, unless permitted by the constituency returning officer.

(6) A person not entitled to attend at the proceedings described in rule 55(1) or at the counting of the votes shall not be permitted to do so by the constituency returning officer unless he—

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- (a) is satisfied that the efficient counting of the votes will not be impeded; and
- (b) has either consulted the election agents or thought it impracticable to do so.

(7) The constituency returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

- (8) In particular, where the votes are counted by sorting the ballot papers according to—
- (a) a candidate for whom a vote is given in the case of a constituency election; or
 - (b) an individual candidate for whom, or a registered political party for which, a vote is given in the case of a regional election,

and then counting the number of ballot papers for each such candidate or party, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

The count

55.—(1) Subject to paragraph (8) where the polls at a regional election and at a constituency election for a constituency situated in that region are held on the same day, the constituency returning officer shall—

- (a) in the presence of the counting agents appointed for the purposes of each election open each ballot box and count and record separately the number of ballot papers in each box for each election;
- (b) in the presence of the election agents appointed for the purposes of each election verify each ballot paper account;
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted for each election; and
- (d) separate the ballot papers relating to each election.

(2) Where separate ballot boxes are used at polls in respect of a regional election and a constituency election for a constituency situated within that region, no vote shall be rendered invalid solely by the ballot paper being placed in the wrong ballot box.

(3) The proceedings described in paragraph (1) may be undertaken at a different place (or at different places) than a place at which the votes given on ballot papers are counted.

(4) But if the power in paragraph (3) is exercised, during the period beginning with the conclusion of the proceedings described in paragraph (1) and ending with the commencement of proceedings described in paragraph (5), the constituency returning officer shall—

- (a) place the ballot papers and other documents relating to each election under his own seal and the seals of such of the counting agents as desire to affix their seals; and
- (b) otherwise take proper precautions for the security of the papers and documents.

(5) Subject to paragraphs (3) and (4) and any direction under rule 54(2), following completion of the proceedings described in sub-paragraph (1) the constituency returning officer shall in respect of the ballot papers relating to each election mix together all the ballot papers used at that election and count the votes given on them.

- (6) A postal ballot paper shall not be taken to be duly returned unless—
- (a) before the close of the poll—
 - (i) it is returned by hand or post and reaches the constituency returning officer; or
 - (ii) it is returned by hand to a polling station in the same constituency as that for which that returning officer is appointed;

- (b) the postal voting statement duly signed is, before that time also returned either—
 - (i) by hand or post and reaches the constituency returning officer; or
 - (ii) by hand and reaches such a polling station;
 - (c) the postal voting statement also states the date of birth of the elector or, as the case may be, proxy; and
 - (d) in a case where the constituency returning officer takes steps to verify the date of birth and signature of the elector or, as the case may be, proxy in accordance with paragraph 23 or, as the case may be, 24 of Schedule 3, he so verifies the date of birth and signature of that elector or, as the case may be, proxy.
- (7) The presiding officer of the polling station shall deliver or cause to be delivered any postal ballot paper or postal voting statement returned to that polling station to the constituency returning officer in the same manner and at the same time as he delivers, or causes to be delivered, the packets referred to in rule 53.
- (8) The constituency returning officer may collect, or cause to be collected, any postal ballot paper or postal voting statement which by virtue of paragraph (7) the presiding officer of a polling station would otherwise be required to deliver or cause to be delivered to him.
- (9) Where the constituency returning officer collects, or causes to be collected, any postal ballot paper or postal voting statement in accordance with paragraph (8) the presiding officer shall first make it (or them) up into a packet (or packets) sealed with his own seal and the seals of such polling agents as are present and desire to affix their seals.
- (10) The constituency returning officer shall not count any tendered ballot paper.
- (11) The constituency returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (12) The constituency returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoiled ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoiled ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any election agent appointed for the purposes of that election may copy; but where the power conferred by paragraph (3) is exercised in respect of more than one place a statement shall be drawn up in respect of each such place.
- (13) The constituency returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that he may, in so far as he and the agents appointed for the purpose of that election agree, exclude the hours between 7 in the evening and 9 on the following morning.
- (14) For the purposes of the exception in paragraph (13), the agreement of—
 - (a) in the case of a constituency election, a candidate or his election agent; or
 - (b) in the case of a regional election, an individual candidate or his election agent or the election agent for a registered political party,shall be as effective as the agreement of his or its counting agents.
- (15) During the time so excluded the constituency returning officer shall—
 - (a) place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals; and
 - (b) otherwise take proper precautions for the security of the papers and documents.
- (16) In relation to an Assembly election to which paragraph (1) does not apply—

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- (a) paragraph (17) shall apply in its place;
 - (b) the references in paragraphs (3) and (4) and in rule 54(1), (5) and (6) to paragraph (1) shall be construed as references to paragraph (17);
 - (c) “each election” in paragraph (4)(a) shall be construed as a reference to “the election”; and
 - (d) paragraph (18) shall apply in place of paragraph (5) and the reference to paragraph (5) in paragraph (4) shall be construed as a reference to paragraph (18).
- (17) The constituency returning officer shall—
- (a) in the presence of the counting agents open each ballot box and count and record the number of ballot papers in those boxes;
 - (b) in the presence of the election agents verify each ballot paper account; and
 - (c) count such of the postal ballot papers as have been duly returned and record the number counted.
- (18) Subject to paragraphs (3) and (4), following completion of the proceedings described in paragraph (17) the constituency returning officer shall count the votes given on the ballot papers after—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box; and
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

Re-count at a constituency election

56.—(1) At a constituency election a candidate or his election agent may, if present when the counting or any re-count of the votes is completed, require the constituency returning officer to have the votes re-counted or again re-counted but the constituency returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates and election agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

Re-count of electoral region votes in an Assembly constituency

57.—(1) At a regional election and prior to the certification required by rule 61(1)—

- (a) an individual candidate or his election agent;
- (b) a party list candidate or an election agent for a registered political party standing nominated; or
- (c) subject to paragraph (3), a counting agent for an individual candidate or a registered political party standing nominated,

may, if present when the counting or any re-count of the votes is completed in a constituency, require the constituency returning officer to have the votes re-counted or again re-counted but the constituency returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates, election agents and counting agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

(3) Where no candidate or election agent is present on the completion of the counting or any re-count of votes, the right conferred on that person by this rule (if he had been present) may be exercised by a counting agent referred to in paragraph (1)(c) so present provided that in his terms

of appointment as a counting agent he is authorised to exercise the right conferred by this rule; but not more than one such counting agent for the same individual candidate or registered political party standing nominated may be appointed for the purposes of this rule in relation to the same Assembly constituency.

Rejected ballot papers

58.—(1) Any ballot paper—

- (a) which does not bear the official mark;
- (b) on which more than one vote is given;
- (c) on which anything is written or marked by which the voter can be identified except the printed number or other unique identifying mark on the back; or
- (d) which is unmarked or void for uncertainty,

shall, subject to the provisions of paragraph (2), be void and not counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place;
- (b) otherwise than by means of a cross; or
- (c) by more than one mark,

shall not for such reason be deemed to be void if an intention how the vote is to be given clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified by it.

(3) At a regional election, a ballot paper on which a vote is marked for a particular party list candidate on the party list of a registered political party shall, if otherwise valid, be treated as a vote for that party, whether or not there is also a vote marked for that party.

(4) The constituency returning officer shall endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and shall add to the endorsement the words “rejection objected to” if an objection is made by a counting agent to his decision.

(5) The constituency returning officer shall draw up a statement showing the number of ballot papers rejected under the several heads of—

- (a) want of official mark;
- (b) giving more than one vote;
- (c) writing or mark by which voter could be identified; and
- (d) unmarked or void for uncertainty.

Decisions on ballot papers

59. The decision of the constituency returning officer at an Assembly election on any question arising in respect of a ballot paper shall be final, but shall be subject to review on an Assembly election petition.

Equality of votes at a constituency election

60. At a constituency election, where, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the constituency returning officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

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Regional election: conveying results of count etc. to regional returning officer

61.—(1) At the conclusion of the count of ballot papers in an Assembly constituency at a regional election the constituency returning officer shall, in accordance with any directions given by the regional returning officer, certify—

- (a) the number of ballot papers counted by him and the total number of votes given for each individual candidate or registered political party; and
- (b) the number of rejected ballot papers under each head shown in the statement under rule 58(5), and

forthwith convey that information to the regional returning officer.

(2) Where the regional returning officer has received the information required to be conveyed to him under paragraph (1) from each constituency returning officer for an Assembly constituency in the Assembly electoral region, he shall certify the totals of the numbers referred to in paragraph (1) for the electoral region.

(3) After a constituency returning officer has conveyed to the regional returning officer the information required to be conveyed under paragraph (1) he may, subject to paragraph (4) give public notice in such manner as he considers appropriate of the information so conveyed.

(4) The regional returning officer may direct that the constituency returning officer may only give the notice referred to in paragraph (3) after the regional returning officer has given the notice that he is required to give under rule 64(1)(d).

PART 4

Final proceedings in contested and uncontested elections

Declaration of result at a constituency election

62.—(1) At a contested constituency election, when the result of the poll has been ascertained, the constituency returning officer shall forthwith—

- (a) declare to be elected the candidate to whom the majority of votes has been given;
- (b) return his name and, if a certificate has been received by the constituency returning officer issued by the registered nominating officer of one or more registered political parties under rule 5(1) or (3) in respect of the candidate, the name of the party or, as the case may be, parties to the Clerk in accordance with paragraph (4);
- (c) give public notice of—
 - (i) his name and, if applicable, the name of any registered political party referred to in paragraph (1)(b); and
 - (ii) the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers under rule 58(5).

(2) At an uncontested constituency election, the statement of persons nominated, in addition to showing the person standing nominated, shall also declare that person elected, and the constituency returning officer shall forthwith return his name and, if a certificate has been received by the constituency returning officer issued by the registered nominating officer of one or more registered political parties under rule 5(1) or (3) in respect of the candidate, the name of the party or, as the case may be, parties to the Clerk in accordance with paragraph (4).

(3) Where paragraph (1) or (2) applies at an Assembly general election, the constituency returning officer shall forthwith also notify the regional returning officer for the Assembly electoral region in which the Assembly constituency is situated as to—

- (a) the name of the candidate who has been returned; and
- (b) if applicable, the name of the registered political party or parties referred to in paragraph (1) (b), or as the case may be, paragraph (2) and for which party or parties the candidate is, for the purposes of ascertaining the result at that regional election, returned as the Assembly member for that constituency.

(4) For the purposes of paragraph (1)(b) and (2), the constituency returning officer shall return those names required to be returned by—

- (a) completing a certificate in form CR set out in English and Welsh in Schedule 10 declaring the candidate to be returned⁽⁴⁷⁾; and
- (b) delivering it, or causing it to be delivered, to the Clerk.

(5) References to “the Clerk” in paragraphs (1), (2) and (4) and in rule 64 shall, in relation to the 2007 Assembly general election, include the Clerk to the Assembly constituted by the 1998 Act⁽⁴⁸⁾.

(6) In this rule and in rule 63, references to “ascertaining the result” shall in relation to a contested regional election, mean—

- (a) calculating the electoral region figure of each individual candidate and of each registered political party standing nominated at that election; and
- (b) allocating the seats to the electoral region members for that region⁽⁴⁹⁾,

and like terms shall be construed accordingly.

Ascertainment of results at a contested regional election

63.—(1) At a contested regional election, the regional returning officer shall make arrangements for ascertaining the results of the poll as soon as practicable after he has—

- (a) given the certification required by rule 61(2); and
- (b) subject to rule 74(1), received the notification required by rule 62(3) from each constituency returning officer for an Assembly constituency in the Assembly electoral region.

(2) At a contested regional election the regional returning officer shall give notice in writing to the election agents and to each constituency returning officer for an Assembly constituency in the Assembly electoral region for which the election is held of the place and time at which he will begin to ascertain the results of the poll (together with such other information as he considers appropriate).

(3) No person other than—

- (a) the regional returning officer and his clerks;
- (b) the individual and party list candidates and one other person chosen by each of them;
- (c) the election agents;
- (d) persons who are entitled to attend by virtue of any of sections 6A to 6D of the 2000 Political Parties Act; and

⁽⁴⁷⁾ By virtue of section 14(6) of the Government of Wales Act 2006, the term of office of an Assembly member begins when the Assembly member is declared to be returned. Paragraph 9 of Schedule 11 to the Government of Wales Act 2006 contains transitional provision in respect of the 2007 Assembly general election.

⁽⁴⁸⁾ As to the Clerk to the National Assembly for Wales constituted by the Government of Wales Act 1998, see the post with that title held by a member of staff of that Assembly as provided for in its standing orders.

⁽⁴⁹⁾ As to the calculation of electoral region figures and allocation of seats for an Assembly electoral region, see sections 6 and 7 of the Government of Wales Act 1998 as amended by paragraph 6 of Schedule 11 to the Government of Wales Act 2006 in relation to the Assembly general election in 2007.

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(e) the constituency returning officer for any Assembly constituency in the Assembly electoral region for which the election is held,
may be present at the proceedings on the ascertainment of the results, unless permitted by the regional returning officer to attend.

(4) A person not entitled to attend at the proceedings shall not be permitted to do so by the regional returning officer unless he—

- (a) is satisfied that the efficient ascertainment of the results will not be impeded; and
- (b) has either consulted the election agents or thought it impracticable to do so.

(5) The regional returning officer shall give the election agents and candidates all such reasonable facilities for overseeing the proceedings and all such information with respect to them (including for satisfying themselves that the ascertainment of the result that he is required to make is accurate), as he can give them consistent with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

(6) The regional returning officer shall provisionally ascertain the results of the poll and notify that provisional ascertainment to such of the following persons who are present, namely—

- (a) an individual candidate or his election agent; and
- (b) the election agent for a registered political party standing nominated or (in his absence) one of the candidates on the list submitted by that party.

(7) A person to whom notification under paragraph (6) has been given may require the regional returning officer to ascertain provisionally those results again but the regional returning officer may refuse to do so if in his opinion the request is unreasonable.

(8) No step shall be taken to complete the ascertainment of the result until the persons notified under paragraph (6) have been given a reasonable opportunity to exercise the right conferred under paragraph (7).

(9) Where the regional returning officer has provisionally ascertained the results again under paragraph (7), paragraphs (6), (7) and (8) and this paragraph shall apply to the further provisional ascertainment.

(10) If in ascertaining the results of the poll the regional returning officer is required to draw lots⁽⁵⁰⁾, he shall allocate the seat to the individual candidate or party on whom the lot falls.

(11) The regional returning officer shall have completed ascertaining the results of the poll when following a provisional ascertainment—

- (a) there is no request under paragraph (7) for him to make a further provisional ascertainment; or
- (b) if there is such a request, the regional returning officer refuses to make a further provisional ascertainment.

(12) This paragraph applies where the regional returning officer is notified under rule 62(3) that a candidate who is returned as the Assembly member for a constituency is the candidate of more than one registered political party.

(13) In a case to which paragraph (12) applies, the regional returning officer shall, in calculating the electoral region figure of a registered political party named in the notification, include that candidate as a candidate of that party; and in doing so shall disregard the fact that, for the purposes of calculating the electoral region figure of another registered political party named in that notification, the candidate is also included as the candidate of that other registered political party.

⁽⁵⁰⁾ See section 7(9) of the Government of Wales Act 1998 in relation to the Assembly general election in 2007; and see section 9(9) of the Government of Wales Act 2006 in relation to any subsequent Assembly general election.

Declaration of results at a regional election

64.—(1) After the regional returning officer has ascertained the results of the poll, he shall forthwith—

- (a) announce the individual candidates or the registered political parties to whom seats have been allocated (together with the names of the party list candidates who are to fill such seats);
- (b) declare those individual or party list candidates to have been elected;
- (c) return the names of those persons to the Clerk (and, in respect of any party list candidate, the name of the registered political party for which he was such a candidate) in accordance with paragraph (3); and
- (d) give public notice—
 - (i) of the name of any individual candidate elected;
 - (ii) of the name of any party list candidate elected (and the name of the registered political party for which he was such a candidate);
 - (iii) of the total number of votes given for each individual candidate or registered political party together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers; and
 - (iv) in respect of the number of votes referred to in sub-paragraph (iii), a breakdown of the number of votes given for each such candidate or party in each Assembly constituency in the Assembly electoral region.

(2) At an uncontested regional election the statement of persons nominated, in addition to showing the registered political parties and other persons standing nominated, shall also—

- (a) set out the individual candidates or the registered political parties to whom seats have been allocated (together with the names of the party list candidates who are to fill such seats); and
- (b) declare those individual or party list candidates to have been elected and returned,

and the regional returning officer shall forthwith return the names of those persons to the Clerk (and, in respect of any party list candidate, the name of the registered political party for which he was such a candidate) in accordance with paragraph (3).

(3) For the purposes of paragraphs (1)(c) and (2) the regional returning officer shall return those names required to be returned, by—

- (a) completing a certificate in form CS set out in English and Welsh in Schedule 10, (declaring the candidate to be returned); and
- (b) delivering it, or causing it to be delivered, to the Clerk.

Return or forfeiture of deposit

65.—(1) The deposit made at an Assembly election under rule 10 shall either be—

- (a) returned to the person making it or his personal representatives, in the case of a candidate at a constituency election or an individual candidate at a regional election;
- (b) returned to the registered nominating officer of a registered political party which has submitted a party list, in the case of a regional election; or
- (c) forfeited to the Secretary of State.

(2) Except in the cases mentioned in this rule, the deposit shall be returned not later than the next day after that on which the result or results of the election are declared.

(3) For the purposes of paragraph (2)—

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- (a) a day shall be disregarded if it would be disregarded under rule 2 in computing any period of time for the purposes of the timetable for the election; and
- (b) the deposit shall be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.

(4) If, in the case of a constituency election, a candidate is not shown as standing nominated in the statement of persons nominated, or if the poll is countermanded or abandoned by reason of his death, his deposit shall be returned as soon as practicable after the publication of the statement or after his death⁽⁵¹⁾, as the case may be.

(5) If, in the case of a regional election, an individual candidate or a registered political party is not shown as standing nominated in the statement of persons nominated, his or their deposit shall be returned as soon as practicable after publication of the statement.

(6) Subject to paragraph (4) the deposit shall be forfeited if in the case of a candidate for return as a constituency member, a poll is taken and after the counting of the votes by the constituency returning officer (including any re-count) is completed, the candidate is found to have polled not more than one twentieth of the total number of votes polled by all candidates in the constituency.

(7) Subject to paragraph (5), the deposit shall be forfeited if, in the case of a registered political party standing nominated or an individual candidate for return as a regional member, a poll is taken and after the total number of votes given for each registered party and each individual candidate has been counted, the registered political party or individual candidate is found to have polled not more than one twentieth of the total number of votes polled by all registered political parties and individual candidates in the region.

(8) Notwithstanding anything in paragraphs (2) to (7), if at an Assembly election a person is standing nominated as—

- (a) a candidate at a constituency election; or
- (b) an individual or party list candidate at a regional election,

and by virtue of such nomination he is in breach of—

- (i) in relation to a constituency candidate, section 4(7) or section 8(7) of the 1998 Act; or
- (ii) in relation to an individual or party list candidate, section 5(5) or, as the case may be section 5(6) of the 1998 Act⁽⁵²⁾,

then not more than one of the deposits shall be returned and, if necessary, the Secretary of State shall determine which it is to be.

(9) In respect of an Assembly election held after the 2007 Assembly general election, paragraph (8) shall have effect as if—

- (a) in sub-paragraph (i), the references to sections 4(7) and 8(7) of the 1998 Act were respectively a reference to sections 7(1) and 10(9) of the 2006 Act; and
- (b) in sub-paragraph (ii), the references to section 5(5) and section 5(6) of the 1998 Act, were respectively a reference to section 7(5) and section 7(6) of the 2006 Act.

⁽⁵¹⁾ See also Part 6 (Death of candidate) for further provision as to the return of deposits.

⁽⁵²⁾ Section 5(5) and (6) of the Government of Wales Act is amended by paragraph 5 of Schedule 11 to the Government of Wales Act 2006.

PART 5

Disposal of documents

Sealing up of ballot papers

66.—(1) On the completion of the counting at a contested Assembly election the constituency returning officer shall seal up in separate packets the counted and rejected ballot papers.

(2) Where the polls at a constituency election and a regional election are taken together packets sealed up under paragraph (1) shall not contain ballot papers relating to different elections.

(3) The constituency returning officer shall not open the sealed packets of—

- (a) tendered ballot papers;
- (b) the completed corresponding number lists;
- (c) certificates as to employment on duty on the day of the poll; or
- (d) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and lists of proxies.

Delivery of documents to relevant registration officer

67.—(1) Where a constituency returning officer has conducted a count where the poll at a constituency election and a regional election have been taken together, he shall then forward to the relevant registration officer the following documents—

- (a) the packets of ballot papers in his possession relating to a constituency election;
- (b) the packets of ballot papers in his possession relating to a regional election;
- (c) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts relating to a constituency election;
- (d) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts relating to a regional election;
- (e) the tendered votes lists, the lists of voters with disabilities assisted by companions, the lists of votes marked by the presiding officer and the related statements, the lists maintained under rule 51 and the declarations made by the companions of voters with disabilities relating to the election, or as the case may be, elections;
- (f) the packets of the completed corresponding number lists;
- (g) the packets of the certificates as to employment on duty on the day of the poll relating to the election, or as the case may be, elections; and
- (h) the packets containing marked copies of registers (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the postal voters list, of lists of proxies and of the proxy postal voters list relating to the election, or as the case may be elections,

endorsing on each packet—

- (i) a description of its contents;
- (ii) the date of the election or elections to which they relate;
- (iii) where the packet relates to a constituency election, the name of the Assembly constituency for which the election was held;
- (iv) where the packet relates to a regional election, the name of the Assembly electoral region for which the election was held and the name of the Assembly constituency in which the electoral region votes were given; and

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(v) where the packet relates to both a constituency and a regional election, the name of the Assembly constituency and electoral region for which the elections were held.

(2) Where a constituency returning officer has conducted a count at an Assembly election and paragraph (1) does not apply, he shall then forward to the relevant registration officer the following documents—

- (a) the packets of ballot papers in his possession;
- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts;
- (c) the tendered votes lists, the lists of voters with disabilities assisted by companions, the lists of votes marked by the presiding officer and the related statements, the lists maintained under rule 51 and the declarations made by the companions of voters with disabilities;
- (d) the packets of the completed corresponding number lists;
- (e) the packets of the certificates as to employment on duty on the day of the poll; and
- (f) the packets containing marked copies of registers (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the postal voters list, of lists of proxies and of the proxy postal voters list,

endorsing on each packet—

- (i) a description of its contents;
- (ii) the date of the election to which they relate;
- (iii) the name of the Assembly constituency or electoral region for which the election was held; and
- (iv) in the case of a regional election, the name of the Assembly constituency in which the electoral region votes were given.

Order for production of documents

68.—(1) An order—

- (a) for the inspection or production of any rejected ballot papers in the custody of the relevant registration officer; or
- (b) for the opening of a sealed packet of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll or the inspection of any counted ballot papers in his custody,

may be made if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an Assembly election petition, by the High Court or a county court.

(2) An order for the opening of a sealed packet referred to in paragraph (1)(b) or for the inspection of any counted ballot papers in the relevant registration officer's custody may be made by an election court.

(3) An order under this paragraph may be made subject to such conditions as to—

- (a) persons;
- (b) time;
- (c) place and mode of inspection; or
- (d) production or opening,

as the court making the order may think expedient; but in making and carrying into effect an order for the opening of a sealed packet referred to in paragraph (1)(b) or for the inspection of counted ballot papers, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—

- (i) that his vote was given; and
- (ii) that the vote has been declared by a competent court to be invalid.
- (4) An appeal lies to the High Court from any order of a county court under this paragraph.
- (5) Any power given under this rule to the High Court, or to a county court, may be exercised by any judge of the court otherwise than in open court.
- (6) Where an order is made for the production by the relevant registration officer of any document in his possession relating to any specified election—
 - (a) the production by him or his agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and
 - (b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.
- (7) The production from proper custody of—
 - (a) a ballot paper purporting to have been used at any election; and
 - (b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person whose entry in the register of electors or on a notice issued under section 13B(3B) or(3D) of the 1983 Act at the time of the election contained the same number as the number written as mentioned in sub-paragraph (b).

(8) Save as provided by this rule, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the relevant registration officer or to open any sealed packets referred to in paragraph (1)(b).

Retention and public inspection of documents

69.—(1) The relevant registration officer shall retain for a year all documents⁽⁵³⁾ relating to an election forwarded to him in pursuance of these rules by a constituency returning officer and then, unless otherwise directed by order of the High Court, the Crown Court or a magistrates' court, shall cause them to be destroyed.

(2) Notwithstanding the revocation of the National Assembly for Wales (Representation of the People) Order 2003, rule 64 of Schedule 5 to that Order shall, in relation to documents forwarded to the Assembly under that Schedule and to which that paragraph applied, continue to have effect as if incorporated in this Order.

PART 6

Death of candidate

Constituency election: death of independent candidate

70.—(1) This rule applies if at a contested constituency election proof is given to the constituency returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named in the ballot paper as an independent candidate has died.

⁽⁵³⁾ See sections 42 to 44 of the Electoral Administration Act 2006 (c. 22) as to access to and inspection of such documents. These sections commence on 1st January 2007.

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(2) Subject to this rule and rules 71 and 72, these rules apply to the election as if the candidate had not died.

(3) The following provisions of these rules do not apply in relation to the deceased candidate—

- (a) rule 41(1)(c) and (d) (admission to polling station);
- (b) rule 54(5)(b) to (d) (attendance at count); and
- (c) rule 65(6) (forfeiture of deposit).

(4) If only two persons are shown as standing nominated in the statement of persons nominated the returning officer must—

- (a) if polling has not begun, countermand the notice of poll;
- (b) if polling has begun, direct that the poll is abandoned; and
- (c) subject to rule 76, treat the election as an uncontested election.

(5) For the purposes of this rule a person is named or to be named in the ballot paper as an independent candidate if the description (if any) on his nomination paper is not authorised as mentioned in rule 5(1) or (3).

Constituency election: deceased independent candidate wins

71.—(1) This rule applies if at an election mentioned in rule 70(1) the majority of votes is given to the deceased candidate.

(2) Rule 62(1) (declaration of result) does not apply and the constituency returning officer must not complete a certificate under rule 62(4) but must—

- (a) declare that the majority of votes has been given to the deceased candidate;
- (b) declare that no member is returned;
- (c) give public notice of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement under rule 58(5); and
- (d) at an Assembly general election, forthwith notify the regional returning officer for the region containing that constituency that the majority of votes has been given to the deceased candidate and that no member is returned for that constituency.

(3) Rule 65 (return or forfeiture of deposit) does not apply in relation to the remaining candidates.

(4) The proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.

(5) A new notice of the election (“the new notice”) must be published on the first working day after the end of the period of seven days starting on the day of the poll of the election mentioned in rule 70(1).

(6) No fresh nomination is necessary in the case of a person shown in the previous statement of persons nominated, and no other nomination may be made.

(7) The last day on which a notice of withdrawal of candidature by a person who stands nominated by virtue of paragraph (6) may be delivered is the seventh working day after the day on which the new notice is published.

(8) Rule 10 (deposit) does not apply.

(9) Subject to paragraphs (10) and (11), the poll must be held on a day in the period (“the first period”) which starts 15 working days after the day on which the new notice is published and ends 19 working days after that day.

(10) If any of the days within the first period is Maundy Thursday, then—

- (a) the poll must not be held on Maundy Thursday; but
- (b) the constituency returning officer may fix the day of the poll to be held in the period which starts 20 working days after the day on which the new notice is published and ends 24 working days after that day.

(11) If any of the days within the first period is a day in the period which starts with 22nd December and ends with 2nd January following, the constituency returning officer may fix the day of the poll to be held in the period which starts 20 working days after the day on which the new notice is published and ends 24 working days after that day.

(12) For the purposes of this rule—

- (a) a working day is a day which is not a day mentioned in rule 2; and
- (b) “previous statement of persons nominated” means the statement of persons nominated in operation at the time of the death of the deceased candidate.

Constituency election: deceased independent candidate with equality of votes

72. In an election mentioned in rule 70(1), if—

- (a) rule 60 (equality of votes) applies; and
- (b) any of the candidates to whom that paragraph applies is a deceased candidate,

the deceased candidate must be ignored.

Constituency election: death of party candidate

73.—(1) This rule applies if—

- (a) at a contested constituency election proof is given to the constituency returning officer’s satisfaction before the result of the election is declared that one of the persons named or to be named in the ballot paper has died; and
- (b) that person is standing in the name of a registered political party.

(2) The returning officer must—

- (a) countermand notice of the poll; or
- (b) if polling has begun, direct that the poll be abandoned.

(3) At an Assembly general election, the constituency returning officer must forthwith notify the regional returning officer for the region containing that constituency that notice of the poll at that constituency election has been countermanded or, as the case may be, that the poll has been abandoned and that no member is returned for that constituency.

(4) The proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.

(5) A new notice of the election (“the new notice”) must be published on the first working day after the end of the period of seven days starting on the day the proof of death is given to the constituency returning officer.

(6) No fresh nomination is necessary in the case of a person shown in the previous statement of persons nominated as standing nominated.

(7) No other nomination may be made except for a person standing in the name of the same registered political party in whose name the deceased candidate was standing.

(8) The last day on which a nomination mentioned in paragraph (7) may be delivered is the seventh working day after the day on which the new notice of the election is published.

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(9) The last day on which a notice of withdrawal of candidature by a person who stands nominated by virtue of paragraph (6) or in pursuance of paragraph (7) may be delivered is the seventh working day after the day on which the new notice of the election is published.

(10) Subject to paragraphs (11) and (12) the poll must be held on a day in the period (“the first period”) which starts 15 working days after the day on which the new notice is published and ends 19 working days after that day.

(11) If any of the days within the first period is Maundy Thursday, then—

- (a) the poll must not be held on Maundy Thursday; but
- (b) the constituency returning officer may fix the day of the poll to be held in the period which starts 20 working days after the day on which the new notice is published and ends 24 working days after that day.

(12) If any of the days within the first period is a day in the period which starts with 22nd December and ends with 2nd January following, the constituency returning officer may fix the day of the poll to be held in the period which starts 20 working days after the day on which the new notice is published and ends 24 working days after that day.

(13) For the purposes of this rule—

- (a) a person stands in the name of a registered political party if his nomination paper contains a description which is authorised as mentioned in rule 5(1) or (3) and where the description is authorised under rule 5(3), references to “party” shall be construed as referring to each party by whom use of that description is authorised;
- (b) a working day is a day which is not specified in rule 2(a) to (d); and
- (c) “previous statement of person nominated” means the statement of persons nominated in operation at the time of the death of the person standing in the name of the registered political party.

Regional election: effect of countermand or abandonment of constituency poll

74.—(1) Where at an Assembly general election, there is a contested regional election and the poll or declaration of result at a constituency election for an Assembly constituency in the Assembly electoral region is postponed in accordance with rule 71 or 73, rule 63(1)(b) shall be satisfied when the regional returning officer has received the notification required by rule 62(3) in respect of each of the other Assembly constituencies in the Assembly electoral region (other than in respect of an Assembly constituency to which this sub-paragraph also applies).

(2) Where paragraph (1) applies, the subsequent election of a candidate for the Assembly constituency shall have no effect upon the validity of the election and return of any member at the regional election.

Regional election: death of candidate

75.—(1) If at a contested regional election proof is given to the regional returning officer’s satisfaction before the results of the election are declared that one of the persons named or to be named as a candidate on the ballot paper (whether as an individual or party list candidate) has died and as a result of that death the election becomes uncontested, then the regional returning officer shall—

- (a) countermand notice of the poll; or
- (b) if polling has begun, direct that the poll be abandoned; and
- (c) in either case, forthwith notify each constituency returning officer in the Assembly electoral region of the action that he has taken.

(2) If at a contested regional election proof is given to the regional returning officer's satisfaction before the results of the election are declared that one of the persons named or to be named as a candidate on the ballot paper (whether as an individual or party list candidate) has died, but notwithstanding that death the election continues to be contested, the notice of poll shall not be countermanded nor shall the poll be abandoned; and in the event of such a death it shall have no effect upon the validity of the election and return of any other candidate at the regional election.

(3) But where paragraph (2) applies, the regional returning officer shall take such steps as he considers reasonable to publicise in the Assembly electoral region for which the election is held—

- (a) the name of that candidate and the fact of his death;
- (b) whether that candidate was an individual or party list candidate; and
- (c) if he was a party list candidate, the name of the registered political party for which he was such a candidate,

and the regional returning officer shall, in particular, consider whether he should publicise as required by this paragraph by causing notices to be placed outside polling stations.

(4) In respect of an election to which paragraph (1) or (2) applies, rules 41(1)(c) and (d) (admission to polling station) and 54(5)(b) to (d) (attendance at count) do not apply in relation to the deceased candidate; and where the deceased candidate is an individual candidate, rule 65(6) (forfeiture of deposit) also does not apply in relation to that deceased candidate.

Abandoned poll

76.—(1) This rule applies to—

- (a) a poll which is abandoned in pursuance of rule 70(4)(b) or 75(1)(b) as if it were a poll at a contested election; and
- (b) a poll which is abandoned in pursuance of rule 73(2)(b).

(2) Subject to paragraph (10) the presiding officer at a polling station must take the like steps (so far as not already taken) for the delivery to the constituency returning officer of ballot boxes and of ballot papers and other documents as he is required to take on the close of the poll.

(3) The constituency returning officer must dispose of ballot papers and other documents in his possession as he is required to do on the completion of the counting of the votes.

(4) It is not necessary for a ballot paper account to be prepared or verified.

(5) No step or further step is to be taken for the counting of the ballot papers or of the votes.

(6) The constituency returning officer must seal up all the ballot papers (whether the votes on them have been counted or not) and it is not necessary to seal up counted and rejected ballot papers in separate packets.

(7) The provisions of these rules as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply subject to paragraphs (8) and (9).

(8) Ballot papers on which the votes were neither counted nor rejected must be treated as counted ballot papers.

(9) No order is to be made for—

- (a) the production or inspection of any ballot papers; or
- (b) the opening of a sealed packet of the completed corresponding number lists or of certificates as to employment on the day of the poll,

unless the order is made by a court with reference to a prosecution.

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(10) Where the polls at a regional election and at a constituency election for a constituency within that region are held on the same day but the poll at one election is abandoned in any of the circumstances mentioned in paragraph (1)—

- (a) the steps which the presiding officer is required to take at such a polling station by sub-paragraph (2) shall take place at the close of the poll at the other election; and
- (b) sub-paragraph (3) shall have effect as if after “the constituency returning officer”, there was inserted “having separated the ballot papers relating to the other Assembly election”, and

paragraphs (4) to (9) shall apply only to the election at which the poll has been abandoned.

PART 7

Miscellaneous

Vacancies: Assembly constituency seats

77. Where the date of the poll to fill a vacant seat for an Assembly constituency is fixed by the Presiding Officer of the Assembly(54) he shall forthwith send a notice to the returning officer for the Assembly constituency stating—

- (a) that the vacancy exists; and
- (b) the date fixed for the poll to fill that vacancy.

Vacancies: return of electoral region members

78.—(1) Other than where article 101 applies, where it comes to the notice of the Presiding Officer of the Assembly that the seat of an Assembly member returned from a party list for an Assembly electoral region is vacant, he shall forthwith send a notice in accordance with paragraph (2) to the returning officer for the Assembly electoral region(55).

- (2) A notice under paragraph (1) shall—
 - (a) state that a vacancy exists; and
 - (b) set out the name of the person who had been returned to fill that seat, together with the name of the registered political party on whose list he was included.
- (3) Where a regional returning officer receives a notice under paragraph (1), he shall ascertain from the list submitted at the previous Assembly general election by the registered political party named in the notice the name and address of the person whose name now appears highest on that list (“the prospective member”).
- (4) The regional returning officer shall take such steps as appear to him to be reasonable—
 - (a) to contact the prospective member to ask whether he will state that he is willing to serve as an Assembly member for the Assembly electoral region; and
 - (b) to contact the registered nominating officer of the registered political party on whose list that person is included and notify that officer of the action he is taking under sub-paragraph (a).
- (5) Where within such period as the regional returning officer considers reasonable—

(54) See Section 10(4) of the Government of Wales Act 2006. By virtue of section 8(6) of the Government of Wales Act 1998, section 8 of that Act of 1998 is now spent in relation to such vacancies occurring before the Assembly general election in 2007.

(55) In relation to a vacancy occurring before the Assembly general election in 2007, see section 9 of that Act of 1998 and in relation to subsequent vacancies see section 11 of that Act of 2006 as modified by paragraph 7 of Schedule 11 to that Act of 2006.

- (a) he decides that the steps he has taken to contact the prospective member have been unsuccessful; or
- (b) he has not received from the prospective member a statement in writing that he is willing to serve as an Assembly member for the Assembly electoral region; or
- (c) the prospective member has stated in writing he is not willing to so serve as an Assembly member; or
- (d) the regional returning officer—
 - (i) is satisfied that the prospective member is not a member of the registered political party on whose list he is included; and
 - (ii) receives notice signed by the registered nominating officer of that party that the prospective member's name is not to be notified to the Presiding Officer of the Assembly as the name of the person who is to fill the vacancy⁽⁵⁶⁾,

the prospective member shall be treated as ceasing to be included on that list for the purposes of filling that vacancy.

(6) Where a person is so treated, the regional returning officer shall repeat the procedure required by paragraph (4) in respect of the person (if any) whose name and address appears next highest on that list; and paragraph (5) and this paragraph shall also apply with respect to that person.

(7) The regional returning officer shall continue to repeat the procedure until he has notified to the Presiding Officer of the Assembly the name of the person who is to fill the vacancy or the names on that list are exhausted.

(8) Subject to paragraph (5)(d), where a prospective member states in writing in response to the question from the regional returning officer under paragraph (4)(a) (including that sub-paragraph as applied by paragraph (6)) that he is willing to serve as an Assembly member for the Assembly electoral region, the regional returning officer shall forthwith notify to the Presiding Officer of the Assembly the name of that person as the person to fill the vacancy⁽⁵⁷⁾.

(9) The regional returning officer shall forthwith give public notice of the name—

- (a) of the member to be returned; and
- (b) of the registered political party for which such a member was a party list candidate.

(10) Where following the application of this rule the seat continues to be vacant the regional returning officer shall forthwith—

- (a) give public notice that the vacancy cannot be filled and that the seat will remain vacant until the next Assembly general election by virtue of the relevant enactment;
- (b) complete a certificate in form CT set out in English and Welsh in Schedule 10; and
- (c) deliver it, or cause it to be delivered, to the Clerk.

(11) In paragraph (10) “the relevant enactment” means, in respect of a vacancy occurring before the 2007 Assembly general election, section 9(7)(b) of the 1998 Act and in respect of vacancies occurring after that election, section 11(7)(b) of the 2006 Act.

(12) References to “the Clerk” in paragraph (10)(c) and in rule 79(1) shall, in relation to any vacancy in an Assembly electoral region occurring before the 2007 Assembly general election, be construed as references to the Clerk to the Assembly constituted by the 1998 Act.

⁽⁵⁶⁾ See section 9(4) of the Government of Wales Act 1998 in relation to a vacancy occurring before the Assembly general election in 2007; for subsequent elections see section 11(4) of the Government of Wales Act 2006.

⁽⁵⁷⁾ That person is treated as having been declared to be returned as an Assembly regional member on the day the notification is received by the Presiding Officer of the Assembly, see section 9(6) of the Government of Wales Act 1998 in relation to a vacancy occurring before the 2007 Assembly general election; and section 11(6) of the Government of Wales Act 2006 in relation to subsequent vacancies.

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Return of Assembly members and record of returns etc

79.—(1) The Clerk shall on receipt of a certificate delivered under rule 62(4), 64(3) or 78(10) enter the information contained in the certificate in a book kept for that purpose at the Assembly (in this paragraph referred to as “the returns book”).

(2) Where the Presiding Officer of the Assembly sends a notice under rule 77 or 78(1), he shall record in the returns book the fact of the vacancy in the Assembly constituency or electoral region concerned.

(3) Where the Presiding Officer of the Assembly is notified under rule 78(8) of the name of the person who is to fill an Assembly electoral region vacancy, he shall record in the returns book the name of that person, the name of the relevant Assembly electoral region and also the date on which he received that notification.

(4) Where a vacancy in an Assembly constituency can not be filled because, under the relevant enactment, an election to fill that vacancy must not be held⁽⁵⁸⁾, the Presiding Officer of the Assembly shall record in the returns book that—

- (a) there is a vacancy in the Assembly constituency concerned; and
- (b) under the relevant enactment, the seat is to remain vacant until the next Assembly general election.

(5) Where it comes to the notice of the Presiding Officer of the Assembly that—

- (a) the seat of an Assembly member returned for an Assembly electoral region is vacant; and
- (b) the person was returned as an individual candidate,

he shall record in the returns book that—

- (i) there is a vacancy in the Assembly electoral region concerned; and
- (ii) under the relevant enactment, the seat is to remain vacant until the next Assembly general election.

(6) The returns book shall be open to public inspection at reasonable times and any person may, on payment of a reasonable fee, obtain copies from the book.

(7) “The relevant enactment” means in relation to—

- (a) a vacancy in an Assembly constituency, section 8(6) of the 1998 Act, in respect of a vacancy occurring before the 2007 Assembly general election and section 10(7) of the 2006 Act in relation to a vacancy occurring after that election; and
- (b) a vacancy in an Assembly electoral region for which an individual candidate was the member, section 9(7)(a) of the 1998 Act, in respect of a vacancy occurring before the 2007 Assembly general election and section 11(7)(a) of the 2006 Act in relation to a vacancy occurring after that election.

Registered political parties

80.—(1) For the purposes of the application of these rules in relation to an Assembly election “registered political party” means a party which was registered under Part 2 of the 2000 Political Parties Act on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at the election in accordance with the Table in rule 1(1).

(2) A registered political party is a qualifying party in relation to an Assembly constituency or electoral region if the party was on the relevant day registered in respect of Wales in the Great Britain register maintained under that Part of that Act.

⁽⁵⁸⁾ As to the circumstances in which elections to fill vacancies in Assembly constituencies must be held and when they must not, see section 8 of the Government of Wales Act 1998 in respect of vacancies occurring before the Assembly general election to be held in 2007; and section 10 of the Government of Wales Act 2006 in respect of vacancies occurring after that election.

(3) For the purposes of paragraph (1) any day as mentioned in rule 2 should be disregarded.

Party's registered nominating officer: discharge of functions

81.—(1) A registered nominating officer for a registered political party may, in writing, appoint one or more persons to discharge all or any of his functions conferred or imposed by these rules.

(2) Where an appointment is made under paragraph (1), a copy of the document which records the writing required by that paragraph shall be delivered—

- (a) to the constituency returning officer, in the case of a constituency election;
- (b) to the regional returning officer, in the case of a regional election; and
- (c) to each constituency returning officer for an Assembly constituency in the Assembly electoral region, in the case of a regional election.

(3) Where a returning officer does not receive a copy of the document required to be delivered to him under paragraph (2), he shall be entitled to treat any function of the registered nominating officer purportedly exercised (or to be exercised) on his behalf by another person as not so exercised (or exercisable).

SCHEDULE 6

Article 41(4)

Control of donations to candidates

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PART 1

General

Interpretation

1.—(1) This Schedule has effect for controlling donations to constituency and individual candidates at an Assembly election and in the following provisions of this Schedule references to “candidate” shall be construed accordingly.

(2) For the purposes of this Schedule, except where the context otherwise requires—

“relevant donation”, in relation to a candidate at an Assembly election, means a donation to the candidate or his election agent for the purpose of meeting election expenses incurred by or on behalf of the candidate; and

“donation” shall be construed in accordance with paragraphs 2 to 4.

(3) In the definition of “relevant donation”, the reference to a donation for the purpose of meeting election expenses incurred by or on behalf of a candidate includes a reference to a donation for the purpose of securing that any such expenses are not so incurred; and a donation shall be taken to be a donation for either of those purposes if, having regard to all the circumstances, it must reasonably be assumed to be such a donation.

(4) In relation to a donation received by a candidate at an Assembly election, references to a permissible donor falling within section 54(2) of the 2000 Political Parties Act are to be read as if section 54(2) did not include a party registered in the Northern Ireland register maintained by the Commission under Part 2 of that Act of 2000⁽⁵⁹⁾.

Donations: general rules

2.—(1) “Donation”, in relation to a candidate at an Assembly election, means (subject to paragraph 4)—

- (a) any gift to the candidate or his election agent of money or other property;
- (b) any sponsorship provided in relation to a candidate (as defined by paragraph 3);
- (c) any money spent (otherwise than by the candidate, his election agent or any sub-agent) in paying any election expenses incurred by or on behalf of the candidate;
- (d) any money lent to the candidate or his election agent otherwise than on commercial terms; or
- (e) the provision otherwise than on commercial terms of any property, services or facilities for the use or benefit of the candidate (including the services of any person).

(2) Where—

- (a) any money or other property is transferred to a candidate or his election agent pursuant to any transaction or arrangement involving the provision by or on behalf of the candidate of any property, services or facilities or other consideration of monetary value; and

⁽⁵⁹⁾ Section 54(2) was amended by [S.I. 2004/366](#), see article 4(2) and paragraphs 1 and 12(a) of the Schedule to that S.I. Section 11 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33) has extended until 31st October 2007 the disapplication of Part 4 of the Political Parties, Elections and Referendums Act 2000 in respect of a party registered in Northern Ireland and makes specific provisions in respect of section 54.

- (b) the total value in monetary terms of the consideration so provided by or on behalf of the candidate is less than the value of the money or (as the case may be) the market value of the property transferred,

the transfer of the money or property shall (subject to sub-paragraph (4)) constitute a gift to the candidate or (as the case may be) his election agent for the purposes of sub-paragraph (1)(a).

(3) In determining—

- (a) for the purposes of sub-paragraph (1)(d), whether any money lent to a candidate or his election agent is so lent otherwise than on commercial terms; or
- (b) for the purposes of sub-paragraph (1)(e), whether any property, services or facilities provided for the use or benefit of a candidate is or are so provided otherwise than on such terms,

regard shall be had to the total value in monetary terms of the consideration provided by or on behalf of the candidate in respect of the loan or the provision of the property, services or facilities.

(4) Where (apart from this sub-paragraph) anything would be a donation both by virtue of sub-paragraph (1)(b) and by virtue of any other provision of this paragraph, sub-paragraph (1)(b) (together with paragraph 3) shall apply in relation to it to the exclusion of the other provision of this paragraph.

(5) The reference in sub-paragraph (1)(c) to money spent as mentioned in that provision is a reference to money so spent by a person, other than the candidate, his election agent or any sub-agent, out of his own resources (with no right to reimbursement out of the resources of any such other person); and where, by virtue of sub-paragraph (1)(c), money so spent constitutes a donation to the candidate, the candidate shall be treated as receiving an equivalent amount on the date on which the money is paid to the creditor in respect of the expenses in question.

(6) In this paragraph—

- (a) any reference to anything being given or transferred to a candidate or his election agent includes a reference to its being given or transferred either directly or indirectly through any third person; and
- (b) “gift” includes a bequest or any other form of testamentary disposition.

Sponsorship

3.—(1) For the purposes of this Schedule sponsorship is provided in relation to a candidate if—

- (a) any money or other property is transferred to the candidate or to any person for the benefit of the candidate; and
- (b) the purpose (or one of the purposes) of the transfer is (or must, having regard to all the circumstances, reasonably be assumed to be)—
 - (i) to help the candidate with meeting, or to meet, to any extent any defined expenses incurred or to be incurred by or on behalf of the candidate; or
 - (ii) to secure that to any extent any such expenses are not so incurred.

(2) In sub-paragraph (1) “defined expenses” means expenses in connection with—

- (a) any conference, meeting or other event organised by or on behalf of the candidate;
- (b) the preparation, production or dissemination of any publication by or on behalf of the candidate; or
- (c) any study or research organised by or on behalf of the candidate.

(3) The following do not, however, constitute sponsorship by virtue of sub-paragraph (1)—

- (a) the making of any payment in respect of—

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- (i) any charge for admission to any conference, meeting or other event; or
 - (ii) the purchase price of, or any charge for access to, any publication; or
 - (b) the making of any payment in respect of the inclusion of an advertisement in any publication where the payment is made at the commercial rate payable for the inclusion of such an advertisement in any such publication.
- (4) In this paragraph “publication” means a publication made available in whatever form and by whatever means (whether or not to the public at large or any section of the public).

Payments etc. not to be regarded as donations

- 4.—(1) None of the following shall be regarded as a donation—
- (a) the provision of any facilities provided in pursuance of any right conferred on a candidate at an election by this Order;
 - (b) the provision by an individual of his own services which he provides voluntarily in his own time and free of charge; or
 - (c) any interest accruing to a candidate or his election agent in respect of any donation which is dealt with by the candidate or (as the case may be) his election agent in accordance with section 56(2)(a) or (b) of the 2000 Political Parties Act (as applied by paragraph 7).
- (2) There shall also be disregarded any donation whose value (determined in accordance with paragraph 5) is not more than £50.

Value of donations

- 5.—(1) The value of any donation falling within paragraph 2(1)(a) (other than money) shall be taken to be the market value of the property in question.
- (2) Where, however, paragraph 2(1)(a) applies by virtue of paragraph 2(2), the value of the donation shall be taken to be the difference between—
- (a) the value of the money, or the market value of the property, in question; and
 - (b) the total value in monetary terms of the consideration provided by or on behalf of the candidate or his election agent.
- (3) The value of any donation falling within paragraph 2(1)(b) shall be taken to be the value of the money, or (as the case may be) the market value of the property, transferred as mentioned in paragraph 3(1); and accordingly any value in monetary terms of any benefit conferred on the person providing the sponsorship in question shall be disregarded.
- (4) The value of any donation falling within paragraph 2(1)(d) or (e) shall be taken to be the amount representing the difference between—
- (a) the total value in monetary terms of the consideration that would have had to be provided by or on behalf of the candidate or his election agent in respect of the loan or the provision of the property, services or facilities if—
 - (i) the loan had been made; or
 - (ii) the property, services or facilities had been provided, on commercial terms; and
 - (b) the total value in monetary terms of the consideration (if any) actually so provided by or on behalf of the candidate or his election agent.
- (5) Where a donation such as is mentioned in sub-paragraph (4) confers an enduring benefit on the donee over a particular period, the value of the donation—

- (a) shall be determined at the time when it is made; but
 - (b) shall be so determined by reference to the total benefit accruing to the donee over that period.
- (6) In this paragraph “market value” in relation to any property, means the price which might reasonably be expected to be paid for the property on a sale in the open market.

PART 2

Controls on donations

Prohibition on accepting donations from impermissible donors

6.—(1) A relevant donation received by a candidate or his election agent must not be accepted if—

- (a) the person by whom the donation would be made is not, at the time of its receipt by the candidate or (as the case may be) his election agent, a permissible donor falling within section 54(2) of the 2000 Political Parties Act; or
- (b) the candidate or (as the case may be) his election agent is (whether because the donation is given anonymously or by reason of any deception or concealment or otherwise) unable to ascertain the identity of the person offering the donation.

(2) For the purposes of this Schedule any relevant donation received by a candidate or his election agent which is an exempt trust donation shall be regarded as a relevant donation received by the candidate or his election agent from a permissible donor; and section 162 of the 2000 Political Parties Act (interpretation: exempt trust donations) shall apply for the purposes of this Schedule as it applies for the purposes of that Act.

(3) But, for the purposes of this Schedule, any relevant donation received by a candidate or his election agent from a trustee of any property (in his capacity as such) which is not—

- (a) an exempt trust donation; or
- (b) a relevant donation transmitted by the trustee to the candidate or his election agent on behalf of beneficiaries under the trust who are—
 - (i) persons who at the time of its receipt by the candidate or his election agent are permissible donors falling within section 54(2) of the 2000 Political Parties Act; or
 - (ii) the members of an unincorporated association which at that time is such a permissible donor,

shall be regarded as a relevant donation received by the candidate or his election agent from a person who is not such a permissible donor.

(4) Where any person (“the principal donor”) causes an amount (“the principal donation”) to be received by a candidate or his election agent by way of a relevant donation—

- (a) on behalf of himself and one or more other persons; or
- (b) on behalf of two or more other persons,

then for the purposes of this Part each individual contribution by a person falling within paragraph (a) or (b) of more than £50 shall be treated as if it were a separate donation received from that person.

(5) In relation to each such separate donation, the principal donor must ensure that, at the time when the principal donation is received by the candidate or his election agent, the candidate or (as the case may be) his election agent is given—

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- (a) (except in the case of a donation which the principal donor is treated as making) all such details in respect of the person treated as making the donation as are required by virtue of paragraph 11(c); and
 - (b) (in any case) all such details in respect of the donation as are required by virtue of paragraph 11(a).
- (6) Where—
- (a) any person (“the agent”) causes an amount to be received by a candidate or his election agent by way of a donation on behalf of another person (“the donor”); and
 - (b) the amount of the donation is more than £50,

the agent must ensure that, at the time when the donation is received by the candidate or his election agent, the candidate or (as the case may be) his election agent is given all such details in respect of the donor as are required by virtue of paragraph 11(c).

(7) A person commits an offence if, without reasonable excuse, he fails to comply with sub-paragraph (5) or (6).

- (8) A person guilty of an offence under sub-paragraph (7) shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum or to a term of imprisonment not exceeding 6 months (or both);
 - (b) on conviction on indictment, to a fine or to a term of imprisonment not exceeding one year (or both).

(9) In relation to an offence committed after commencement of section 281(5) of the Criminal Justice Act 2003, the reference in sub-paragraph (8)(a) to 6 months must be taken to be a reference to 51 weeks.

Acceptance or return of donations

7.—(1) Sections 56 to 60(60) of the 2000 Political Parties Act shall apply for the purposes of this Schedule in relation to—

- (a) a relevant donation received by a candidate or by his election agent; and
- (b) the candidate or (as the case may be) the election agent,

as they apply in relation to a donation received by a registered party and the registered party.

- (2) In the application of sections 56 to 60 of that Act in accordance with sub-paragraph (1)—
- (a) section 56(1) shall have effect as if the reference to the particulars relating to a donor which would be required to be included in a donation report by virtue of paragraph 2 of Schedule 6 to the 2000 Political Parties Act(61) (if the donation were a recordable donation within the meaning of that Schedule) were construed as a reference to the particulars which are required to be included in a return by virtue of paragraph 11(c);
 - (b) section 56(3) shall have effect as if the reference to the party were omitted and the reference to the treasurer of the party were construed as a reference to the candidate or (as the case may be) his election agent; and
 - (c) section 56(4) shall have effect as if the reference to the treasurer of the party were construed as a reference to the candidate or (as the case may be) his election agent.

(60) Section 57A was inserted and sections 58, 59 and 60 were amended by S.I. 2004/366; see article 4(2) of and paragraphs 14 to 17 of the Schedule to that S.I..

(61) Paragraph 2 of Schedule 6 was amended by S.I. 2004/366 (see article 4(2) of and paragraphs 1 and 33 of the Schedule to that S.I.) and is amended by the Electoral Administration Act 2006 (see section 10(2) of and paragraphs 24 to 26 of Schedule 1 to that Act) from 1st January 2007.

Transfer of donations received by candidate to election agent

8.—(1) Sub-paragraph (2) applies in relation to any relevant donation received by a candidate after the deadline for appointing an election agent (unless the candidate is, or is deemed to be, his own election agent at the time of receipt of the donation).

(2) The candidate shall, on receipt of any such donation as is mentioned in sub-paragraph (1), forthwith deliver to his election agent—

- (a) the donation;
- (b) where paragraph 6(5) or (6) applies in relation to the donation, the information provided to the candidate in pursuance of that provision; and
- (c) any other information which the candidate has about the donation and its donor which might reasonably be expected to assist the election agent in the discharge of any duties imposed on him, in relation to the donation, under this Part or Part 3 of this Schedule.

(3) Where a donation is delivered to an election agent in accordance with sub-paragraph (2), the donation shall be treated for the purposes of paragraph 6(1) to (4) and the provisions applied by paragraph 7 as if it had been—

- (a) originally received by the election agent; and
- (b) so received by him on the date on which it was received by the candidate.

(4) Where a candidate receives a relevant donation before the deadline for appointing an election agent but at a time when an appointment of a person (other than the candidate himself) as election agent is in force he shall either—

- (a) forthwith deliver the donation and the information mentioned in sub-paragraph (2)(b) and (c) to the agent; or
- (b) (if he fails to do so) deal with the donation in accordance with section 56 of the 2000 Political Parties Act.

(5) Sub-paragraph (3) shall have effect in relation to any relevant donation delivered to an election agent in accordance with sub-paragraph (4)(a) as it has effect in relation to a donation delivered to him in accordance with sub-paragraph (2).

(6) Sub-paragraph (7) applies where—

- (a) a relevant donation received by a candidate before the deadline for appointing an election agent has been dealt with by the candidate in accordance with section 56 of the 2000 Political Parties Act either because—
 - (i) it was received by him at a time when no appointment of another person as his election agent was in force; or
 - (ii) although such an appointment was in force, he was by virtue of sub-paragraph (4)(b) required to deal with the donation; and
- (b) an appointment of a person (other than the candidate himself) as election agent is in force at, or at any time after—
 - (i) the deadline for appointing an election agent; or
 - (ii) if later, the time when the candidate has dealt with the donation in accordance with section 56 of the 2000 Political Parties Act.

(7) Subject to sub-paragraph (9), the candidate shall, as soon as reasonably practicable after the relevant time, deliver to the election agent—

- (a) the donation (if it has been accepted by him); and

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- (b) any information which he has about the donation and the donor which might reasonably be expected to assist the election agent in the discharge of any duties imposed on him, in relation to the donation, under Part 3 of this Schedule.
- (8) The relevant time for the purposes of sub-paragraph (7) is—
 - (a) the time mentioned in sub-paragraph (6)(b)(i) or (ii) (as the case may be) if the appointment of another person as election agent is in force at that time; or
 - (b) otherwise, the time when any such appointment subsequently comes into force.
- (9) The duty imposed on a candidate by sub-paragraph (7)(a) does not apply to any relevant donation to the extent to which it has been lawfully used by the candidate for the purpose of paying election expenses.
- (10) In this paragraph—
 - (a) any reference to the deadline for appointing an election agent is a reference to the latest time by which an election agent may in accordance with article 37 of this Order be named as election agent by the candidate; and
 - (b) any reference to any provision of section 56 of the 2000 Political Parties Act is a reference to that provision as applied by paragraph 7.

Evasion of restrictions on donations

- 9. Section 61 of the 2000 Political Parties Act shall apply for the purposes of this Schedule as if—
 - (a) any reference to donations were to relevant donations;
 - (b) any reference to a registered political party were, in relation to a relevant donation, a reference to a candidate or (as the case may be) his election agent; and
 - (c) any reference in subsection (2) to the treasurer of a registered political party were, in relation to a relevant donation, a reference to either the candidate or his election agent (or both).

PART 3

Reporting of donations

Statement of relevant donations

10.—(1) The candidate's election agent must include in any return to be delivered under article 52 of this Order a statement of relevant donations which complies with paragraphs 11 and 12.

(2) If the statement states that the election agent has seen, in relation to an individual donor, a certificate of anonymous registration, the statement must be accompanied by a copy of that certificate.

(3) For the purpose of sub-paragraph (2), “certificate of anonymous registration” means a certificate issued in pursuance of regulation 45G of the 2001 Regulations⁽⁶²⁾.

Donations from permissible donors

11. The statement must record, in relation to each relevant donation accepted by the candidate or his election agent—

⁽⁶²⁾ Regulation 45G was inserted into the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) by regulation 18 of the Representation of the People (England and Wales)(Amendment)(No.2) Regulations 2006 (S.I. 2006/2910).

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- (a) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
- (b) the date when the donation was accepted by the candidate or his election agent;
- (c) the information about the donor which is, in connection with recordable donations to registered political parties, required to be recorded in donation reports by virtue of paragraph 2 of Schedule 6 to the 2000 Political Parties Act; and
- (d) such other information as may be required by regulations made by the Commission⁽⁶³⁾.

Donations from impermissible donors

- 12.**—(1) This paragraph applies to relevant donations falling within paragraph 6(1)(a) or (b).
- (2) Where paragraph 6(1)(a) applies, the statement must record—
- (a) the name and address of the donor;
 - (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
 - (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2)(a) of the 2000 Political Parties Act; and
 - (d) such other information as is required by regulations made by the Commission.
- (3) Where paragraph 6(1)(b) applies, the statement must record—
- (a) details of the manner in which the donation was made;
 - (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
 - (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2)(b) of the 2000 Political Parties Act; and
 - (d) such other information as is required by regulations made by the Commission.
- (4) In this paragraph any reference to any provision of section 56 of the 2000 Political Parties Act is a reference to that provision as applied by paragraph 7.

SCHEDULE 7

Article 63(7)

Election expenses

PART 1

List of matters

1. Advertising of any nature (whatever the medium used).

Expenses in respect of such advertising include agency fees, design costs and other costs in connection with preparing, producing, distributing or otherwise disseminating such advertising or anything incorporating such advertising and intended to be distributed for the purpose of disseminating it.

⁽⁶³⁾ see Paragraphs 21 to 23 of Schedule 1 to the Political Parties, Elections and Referendums Act 2000 as to regulations made by the Commission.

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2. Unsolicited material addressed to electors (whether addressed to them by name or intended for delivery to households within any particular area).

Expenses in respect of such material include design costs and other costs in connection with preparing, producing or distributing such material (including the cost of postage).

3. Transport (by any means) of persons to any place.

Expenses in respect of the transport of such persons include the costs of hiring a means of transport for a particular period.

4. Public meetings (of any kind).

Expenses in respect of such meetings include costs incurred in connection with the attendance of persons at such meetings, the hire of premises for the purposes of such meetings or the provision of goods, services or facilities at them.

5. The services of an election agent or any other person whose services are engaged in connection with the candidate's election.

6. Accommodation and administrative costs.

PART 2

General exclusions

7. The payment of any deposit required by rule 10 of Schedule 5.

8. The publication of any matter, other than an advertisement, relating to the election in—

(a) a newspaper or periodical;

(b) a broadcast made by the British Broadcasting Corporation or by Sianel Pedwar Cymru; or

(c) a programme included in any service licensed under Part 1 or 3 of the Broadcasting Act 1990(64) or Part 1 or 2 of the Broadcasting Act 1996(65).

9. The provision of any facilities provided in pursuance of any right conferred on candidates at an election by this Order other than facilities in respect of which expenses fall to be defrayed by virtue of article 69(4).

10. The provision by an individual of his own services which he provides voluntarily in his own time and free of charge.

11.—(1) Accommodation which is the candidate's sole or main residence.

(2) The provision by any other individual of accommodation which is his sole or main residence if the provision is made free of charge.

12.—(1) Transport by a means of transport which was acquired by the candidate principally for his own personal use.

(2) Transport provided free of charge by any other individual if the means of transport was acquired by him principally for his own personal use.

13.—(1) Computing or printing equipment which was acquired by the candidate principally for his own personal use.

(64) 1990.c.42.

(65) 1996.c.55.

(2) The provision by any other individual of computing or printing equipment which was acquired by the individual principally for his own personal use if the provision is made free of charge.

SCHEDULE 8

Article 69(6)

Use for Assembly election meetings of rooms in school premises and of meeting rooms

CONTENTS

1. Use of rooms in school premises
 2. Lists of rooms in school premises
 3. Lists of meeting rooms
 4. Lists to be kept by registration officer etc
 5. Inspection etc. of lists
- Signature
Explanatory Note

Use of rooms in school premises

1.—(1) Any arrangements for the use of a room in school premises shall be made with the local education authority maintaining the school or, in the case of a room in the premises of a foundation or voluntary aided school, with the governing body of the school.

(2) Any question—

- (a) as to the rooms in school premises which a candidate in any Assembly constituency or electoral region is entitled to use;
- (b) as to the times at which he is entitled to use them; or
- (c) as to the notice which is reasonable,

shall be determined by the Secretary of State.

Lists of rooms in school premises

2.—(1) Every local education authority shall prepare, keep under review and from time to time, as it considers appropriate, revise for its area, lists of the rooms in school premises which candidates for return as Assembly members are entitled to use.

(2) In relation to an Assembly constituency, the list shall include the rooms in premises within any of the authority's area outside, as well as those in premises in, the constituency.

Lists of meeting rooms

3.—(1) Each county and county borough council shall prepare, keep under review and from time to time, as it considers appropriate, revise for its area a list of the meeting rooms which candidates for return as Assembly members are entitled to use.

(2) The list shall indicate the person to whom applications for the use of such a room are to be made in each case.

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(3) The list shall not include any room if the person maintaining it disputes the right of candidates at an Assembly election to use it.

Lists to be kept by registration officer etc

4. The lists of rooms in school premises and of meeting rooms prepared for each Assembly constituency and electoral region shall be kept by the registration officer, and those lists and particulars of any change made on their revision shall (where necessary) be forwarded to him by the relevant local education authority or, as the case may be county or county borough council.

Inspection etc. of lists

5. In the event of notice of election being published in accordance with the Table in paragraph 1(1) of Schedule 5, any person stating himself to be, or to be authorised by,—

- (a) a constituency or individual candidate at that election or his election agent; or
- (b) a party list candidate at that election or the registered nominating officer of the registered political party on whose list he is a candidate or that party's election agent in relation to that list of candidates,

shall be entitled at all reasonable hours to inspect those lists or a copy of them.

SCHEDULE 9

Article 134(3)

Modification of Election Petition Rules 1960

CONTENTS

1. Assembly election petition: modification of the Election Petition Rules 1960
 2. Rule 2(2) of the 1960 Rules (definitions)
 3. Rule 2(3) of the 1960 Rules (prescribed officer)
 4. Rule 4(1) of the 1960 Rules (form of petition)
 5. Rule 9(3) of the 1960 Rules (display etc. of notice of time and place of trial)
 6. Rule 10(1) of the 1960 Rules (identifying votes at issue)
 7. References to “election” in the 1960 Rules
 8. Form of election petition in the 1960 Rules
 9. References to the 1983 Act
- Signature
Explanatory Note

Assembly election petition: modification of the Election Petition Rules 1960

1. The Election Petition Rules 1960(66) (“the 1960 Rules”) shall apply to an Assembly election petition subject to the following modifications.

(66) S.I. 1960/543 as amended by S.I.s 1985/1278, 1999/1352 and 2003/972 and as modified by S.I. 1991/2684.

Rule 2(2) of the 1960 Rules (definitions)

2. In rule 2(2) of the 1960 Rules(67), the following definitions shall be modified as follows—
- (a) “the Act” shall (except in rule 2(3)) be construed as meaning this Order and a reference to a provision of the 1983 Act in the 1960 Rules shall be construed as a reference to the corresponding provision in this Order as set out in paragraph 9 of this Schedule;
 - (b) “local election petition” shall be disregarded as shall be rule 18 of the 1960 Rules and any reference in the 1960 Rules which is a reference to a provision of the 1983 Act that applies only to such a local election petition;
 - (c) “petition” shall be construed as meaning an Assembly election petition;
 - (d) “constituency” shall be construed as meaning—
 - (i) in the case of a petition relating to a constituency election, the Assembly constituency to which the petition relates;
 - (ii) in the case of a petition relating to a regional election, to the Assembly electoral region to which the petition relates; and
 - (iii) in the case of a petition relating to a return in respect of an electoral region vacancy, to the Assembly electoral region to which the petition relates; and
 - (e) “returning officer” shall be construed as meaning the constituency returning officer in the case of a petition relating to a constituency election and the regional returning officer in the case of a petition relating to a regional election, or as the case may be, an electoral regional vacancy.

Rule 2(3) of the 1960 Rules (prescribed officer)

3. Rule 2(3) of the 1960 Rules(68) shall apply as if for “the prescribed officer in relation to elections under the Local Government Act” there were substituted “the prescribed officer in relation to elections under Part 1 of the Government of Wales Act 1998 or, as the case may be, under Part 1 of the Government of Wales Act 2006”.

Rule 4(1) of the 1960 Rules (form of petition)

- 4.—(1) Rule 4 of the 1960 Rules shall apply with the following modifications.
- (2) In rule 4(1)(b)—
- (a) “in the case of a parliamentary election” shall be disregarded;
 - (b) “the Clerk of the Crown” shall be construed as a reference to the Assembly constituted by the 1998 Act in respect of a return made before the 2007 Assembly general election and as a reference to the Clerk in respect of any subsequent return; and
 - (c) in the case of a regional election, “result”, “return was” and “member” shall be construed as “results”, “returns were” and “members” respectively.
- (3) Rule 4(1) shall be construed as if after paragraph (1)(b) there were inserted—
- “(ba) in the case of a petition relating to a return in respect of an electoral region vacancy the date on which the person was declared to be returned as an Assembly member;”.

Rule 9(3) of the 1960 Rules (display etc. of notice of time and place of trial)

5. In rule 9(3) of the 1960 Rules(69)—

(67) Rule 2(2) was amended by [S.I. 1985/1278](#).

(68) Rule 2(3) was amended by [S.I. 1985/1278](#).

(69) Rule 9(3) was amended by [S.I.1985/1278](#).

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- (a) “a parliamentary election petition” shall be construed as “an Assembly election petition”
- (b) “and in any other case not less than seven days” shall be disregarded.

Rule 10(1) of the 1960 Rules (identifying votes at issue)

6. In rule 10(1) of the 1960 Rules, in the case of a regional election, “he had a majority of lawful votes,” shall be construed as “he or the registered political party on whose list he was a candidate had a higher electoral figure(70) than that of another individual candidate or of another registered party to whom a seat in that Assembly electoral region was allocated.

References to “election” in the 1960 Rules

7.—(1) Rule 10(2) and (4)(b) of the 1960 rules(71) shall apply to an Assembly election petition complaining of an undue return in respect of an electoral regional vacancy as it applies to an Assembly election petition complaining of an undue election; and references in those paragraphs to “undue election” “duly elected”, and “election” shall be construed accordingly.

(2) In rules 12(3), 14(2) and 16(3) of the 1960 Rules(72), references to “election” shall, in the case of an Assembly election petition relating to a return in respect of an electoral region vacancy, be construed as references to such a return.

Form of election petition in the 1960 Rules

8. The form of election petition in the Schedule to the 1960 Rules(73) shall apply in relation to an Assembly election petition as if—

- (a) for the words after “Queen’s Bench Division” to before “The Petition of A.B. of”, there were substituted—
 - (i) in the case of an electoral region vacancy occurring before the 2007 Assembly general election—

“In the Matter of the Government of Wales Act 1998 and the National Assembly for Wales (Representation of the People) Order 2007

And in the Matter of a return of an Assembly member under section 9 of the Government of Wales Act 1998 for the electoral region and made on theday of20”;
 - (ii) in the case of any subsequent electoral regional vacancy—

“In the Matter of the Government of Wales Act 2006 and the National Assembly for Wales (Representation of the People) Order 2007

And in the Matter of a return of an Assembly member under section 11 of the Government of Wales Act 2006 for the dotfill;electoral region and made on the day of 20”;
 - (iii) in the case of an Assembly election at the 2007 Assembly general election—

“In the Matter of the Government of Wales Act 1998 and the National Assembly for Wales (Representation of the People) Order 2007

(70) In relation to the 2007 Assembly general election, see sections 6 and 7 of the Government of Wales Act 1998 and in relation to subsequent Assembly general elections, see sections 8 and 9 of the Government of Wales Act 2006.
(71) Rule 10(2) was amended by [S.I. 1985/1278](#).
(72) Rules 14(2) and 16(3) were amended by [S.I. 1999/1352](#).
(73) The Schedule to the 1960 Rules was amended by [S.I. 1985/1278](#).

And in the Matter of an Assembly election for [state place] held on the day of 2007”; and

(iv) in the case of any subsequent Assembly election—

“In the Matter of the Government of Wales Act 2006 and the National Assembly for Wales (Representation of the People) Order 2007

And in the Matter of an Assembly election for [state place] held on the day of 20

(b) but subject to sub-paragraph (c), for paragraphs 1 and 2, there were substituted—

“1. That the Petitioner A.B. is a person who voted [or had a right to vote] at the above election [or was a candidate at the above election][or claims to have had a right to be elected or returned at the above election] [or, in the case of a return under section 9 of the Government of Wales Act 1998 or, as the case may be, under section 11 of the Government of Wales Act 2006, claims to have had a right to be returned under section 9 of the Government of Wales Act 1998 (or, as the case may be, section 11 of the Government of Wales Act 2006)] and the Petitioner C.D.[state similarly the capacity in which he presents the petition].

2. That the election was held on the day of 20 when [[in the case of an election for an Assembly constituency, insert names of candidates] were candidates][[or, in the case of a regional election insert names] were individual candidates and there were candidates for [insert names of registered political parties appearing on the ballot paper] the names of those candidates in respect of each such party are set down below*/annexed hereto* (*delete as appropriate)], and on the day of 20 , the returning officer returned [insert name[s] of candidate[s]] to the Clerk of the National Assembly for Wales as being duly elected.

[*at an election for an Assembly electoral region set out the name of each registered political party appearing on the ballot paper and after the name of each party the names of the candidates of that party appearing on the ballot paper.]”;

(c) in the case of a petition relating to a return in respect of an electoral region vacancy instead of paragraph 2 set out in sub-paragraph (b) substitute—

“2. That in respect of a vacancy in the [insert name of Assembly electoral region]electoral region, on the day of 20 the returning officer notified the Presiding Officer of the National Assembly for Wales that E.F. was to fill that vacancy and pursuant to *section 9(6) of the Government of Wales Act 1998/ *section 11(6) of the Government of Wales Act 2006 (*delete as appropriate) was on the day of 20 treated as having been declared to be returned.”;

(d) in paragraph 4, for “section 122(2) or (3) or section 129(2), (3) or (4) of the above Act” there were substituted “article 88(2) or (3) of the above Order”; and

(e) for paragraph (1) of the prayer, there were substituted—

(i) in the case of a petition in relation to an election—

“(1) That it may be determined that the said [insert name] was not duly elected [or returned] and that the election was void [or that the said [insert name] was duly elected and ought to have been returned] [or as the case may be].”; and

(ii) in the case of a petition in relation to a vacancy in respect of an electoral region—

“(1) That it may be determined that the said [insert name] was not duly returned and that the said [insert name] ought to have been returned under *section 9 of the

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Government of Wales Act 1998 / *under section 11 of the Government of Wales Act 2006 (*delete as appropriate)[or as the case may be].”.

References to the 1983 Act

9. In the Table below references in column (2) to a numbered section of the 1983 Act set out opposite to a numbered rule of the 1960 Rules in column (1) shall be construed as a reference to the appropriate numbered article in this Order set out in column (3)—

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
rule 4(1)(a)	section 121(1)	article 87(1)
rule 4(1)(c)	section 122(2) or (3)	article 88(2) or (3)
rule 5(1)	section 136	article 92
rule 6(1)	section 121(2)	article 87(3)
rule 7	section 136(4)	article 92(4)
rule 8	section 138(1)	article 94(1)
rule 10(2)	section 139(5)	article 95(5)
rule 11	section 146(1)	article 102(1)
rule 19(1)	section 119	article 85
rule 19(2)	section 119(2)	article 85(2)
rule 21(2)(b)	section 184	article 136

SCHEDULE 10

Appendix of forms

CONTENTS

Form CA: Form of proxy paper

Form CB: Form of certificate of employment

Form CC1: Form of postal voting statement

Form CC2: Form of postal voting statement

Form CC3: Form of postal voting statement

Form CD: Statement as to postal ballot papers

Form CE: Form of nomination paper: constituency election

Form CF: Form of certificate referred to in rule 5(1)

Form CG: Form of certificate referred to in rule 5(3)

Form CH: Form of individual nomination paper: regional election

Form CI: Form of party nomination paper: regional election

Form CJ: Form of certificate referred to in rule 8(1)

Form CK: Form of Ballot paper: Constituency Election

Form CK1: Directions as to printing the ballot paper: constituency election

Form CL: Form of Ballot paper: Regional Election

Form CL1: Directions as to printing the ballot paper: regional election

Form CM: Form of corresponding number list

Form CN1: Elector's form of poll card

Form CN2: Proxy's form of poll card

Form CN3: Postal voter's form of poll card

Form CN4: Postal proxy voter's form of poll card

Form CO: Form of corresponding number list for use by presiding officers in polling stations

Form CP: Form of directions for the guidance of voters in voting

Form CQ: Form of declaration to be made by the companion of a voter with disabilities

Form CR: Form of certificate declaring candidate to be returned at a constituency election

Form CS: Form of certificate declaring candidates to be returned at a regional election

Form CT: Form of certificate: electoral region; seat to remain vacant until next Assembly general election

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Form CU: Form of return: expenses incurred in support of a candidate

Form CV: Form of declaration: expenses incurred in support of a candidate

Form CW: Return of candidate's election expenses

Form CX: Form of declaration by constituency or individual candidate as to election expenses

Form CY: Form of declaration by party list candidates as to election expenses

Signature

Explanatory Note

Note – Subject to Article 142(2), the forms contained in this appendix may be adapted so far as circumstances require.

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Form CA: Form of proxy paper

Paragraph 8(3) of Schedule 1

Election to the National Assembly for Wales Proxy Paper

Constituency:
Electoral Region:
Polling District:
Name of Proxy:
Address:

is hereby appointed as proxy for:
(Name of elector):

who is qualified to be registered for:
(Qualifying Address):

to vote for him/her at
*the Assembly election(s) for the above [*constituency] [*and] [*electoral region] on (date)

.
*any Assembly election for the above constituency and electoral region.
*This proxy appointment is not valid until
*This proxy appointment remains valid until

Signature:
Electoral Registration Officer:
Address:

Date:
**Delete whichever is inapplicable.*

Your right to vote as proxy

1. This proxy paper gives you the right to vote as proxy, at an Assembly election or Assembly elections only, on behalf of the elector whose name is given above.
2. Your appointment as proxy may be for an Assembly election or Assembly elections on a particular day or it may be for a particular or an indefinite period. If it is for an election or elections on a particular day, you have the right to vote only at the election or elections specified in the proxy paper. If it is for an indefinite period you have in general the right to vote at any Assembly election until the electoral registration officer informs you to the contrary. If it is for a particular period, your right to vote as proxy expires on the date stated on the form.
3. When the elector applied for you to be appointed as proxy EITHER he or she was asked to state that he or she had consulted you and that you were capable of being, and willing to be, appointed as proxy OR you signed a statement stating that you were capable of being, and willing to be, appointed. You are capable of being appointed as proxy if you are at least 18 years old on polling day, a British or other Commonwealth citizen, a citizen of the Republic of Ireland, or a citizen of any other Member State of the European Union, and not for any reason disqualified from voting. If for some reason you are not capable of being, or willing to be, appointed as proxy, please write to the elector asking him or her to cancel the appointment.
4. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. However, you may not vote as proxy—
—at an Assembly general election in the same Assembly constituency or constituencies in the same Assembly electoral region;
or
—in any other case, at the same election,
for more than two electors of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
5. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this proxy paper to the polling station but it will be helpful to do so. Remember that the elector may still vote in person. If he or she applies for a ballot paper at the polling station before you do you will not be able to vote as proxy on his or her behalf.
6. If you cannot vote in person at the polling station the electoral registration officer may be able to allow you to vote as proxy by post.
7. You may vote by post at an Assembly election or elections on a particular day. But the electoral registration officer cannot allow an application to vote by post at an Assembly election or elections on a particular day if he receives it after 5 pm on the eleventh working day before the poll.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**Ethol i Gynulliad Cenedlaethol Cymru
Papur Dirprwy**

Etholaeth:
Rhanbarth Etholiadol:
Dosbarth Pleidleisio:
Enw'r Dirprwy:
Cyfeiriad:

Penodir yr uchod drwy hyn yn ddirprwy dros:
(Enw'r etholwr(aig)):

sy'n gymwys i'w gofrestru/chofrestru ar gyfer:
(Cyfeiriad Cymhwyso):

i bleidleisio drosto/drosti yn

*yr etholiad(au) i'r Cynulliad ar gyfer yr [*etholaethl [*a'r] [*rhanbarth etholiadol] uchod ar
(dyddiad)

*mewn unrhyw etholiad i'r Cynulliad ar gyfer yr etholaeth a'r rhanbarth etholiadol uchod.

*Nid yw'r penodiad dirprwy hwn yn ddilys tan.

Llofnod:

Swyddog Cofrestru Etholiadol:

Cyfeiriad:

Dyddiad:

**Dileer pa un bynnag sy'n anghymwys.*

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Eich Hawl I Bleidleisio Fel Dirprwy

1. Rhydd y papur dirprwy hwn hawl i chi bleidleisio fel dirprwy, mewn etholiad i'r Cynulliad neu etholiadau i'r Cynulliad yn unig, dros yr etholwr(aig) a enwir uchod.
2. Gall eich penodiad fel dirprwy fod ar gyfer etholiad i'r Cynulliad neu etholiadau i'r Cynulliad ar ddiwrnod penodol neu fe all fod am gyfnod amhendant. Os yw ar gyfer etholiad neu etholiadau ar ddiwrnod penodol, mae gennych hawl i bleidleisio yn yr etholiad neu'r etholiadau a bennir yn y papur dirprwy yn unig. Os yw am gyfnod amhendant, yn gyffredinol mae gennych hawl i bleidleisio mewn unrhyw etholiad i'r Cynulliad nes bod y swyddog cofrestru etholiadol yn eich hysbysu i'r gwrthwyneb. Os yw am gyfnod arbennig, bydd eich hawl i bleidleisio fel dirprwy'n dod i ben ar y dyddiad a bennir ar y ffurflen.
3. Pan wnaeth yr etholwr(aig) gais i chi gael eich penodi yn ddirprwy, NAILL AI gofynnwyd iddo/iddi ddatgan iddo/iddi ymgynghori â chi a'ch bod yn gymwys i fod yn ddirprwy ac yn fodlon cael eich penodi NEU bu i chi lofnodi datganiad eich bod yn gymwys i fod yn ddirprwy ac yn fodlon cael eich penodi. Fe allwch gael eich penodi'n ddirprwy os ydych chi'n 18 oed o leiaf ar y diwrnod pleidleisio, yn ddinesydd Prydeinig neu'n ddinesydd un o wledydd eraill y Gymanwlad, yn ddinesydd Gweriniaeth Iwerddon, neu'n ddinesydd unrhyw Aelod Wladwriaeth arall o'r Undeb Ewropeaidd, ac nad ydych wedi'ch gwahardd rhag pleidleisio am unrhyw reswm. Os na allwch chi gael eich penodi'n ddirprwy, neu os ydych chi'n amharod i gael eich penodi, ysgrifennwch at yr etholwr gan ofyn iddo/iddi ganslo'r penodiad.
4. Cewch bleidleisio fel dirprwy yn yr orsaf bleidleisio a bennwyd i'r etholwr(aig) y penodwyd chi drosto/drostri. Er hynny, ni chewch bleidleisio fel dirprwy—
 - yn achos etholiad cyffredin, yn yr un etholiad rhanbarthol neu yn yr etholiadau etholaeth ar gyfer etholaethau'r Cynulliad yn y rhanbarth etholiadol Cynulliad y cynhelir yr etholiad rhanbarthol ar ei gyfer, neu
 - ym mhob achos arall, yn yr un etholiadar ran dau neu fwy o etholwyr nad ydych yn briod, partner sifil, rhiant, tad-cu neu fam-gu (taid neu nain), brawd, chwaer, plentyn, wyr neu wyres iddynt.
5. Ychydig cyn y dyddiad pleidleisio anfonir cerdyn pleidleisio dirprwy atoch yn dweud lle mae'r orsaf bleidleisio. Nid oes angen i chi fynd a'r cerdyn pleidleisio na'r papur dirprwy hwn gyda chi i'r orsaf bleidleisio, ond bydd o gymorth i chi wneud hynny. Cofiwch y caiff yr etholwr(aig) ddal i bleidleisio yn bersonol. Os bydd iddo/iddi wneud cais am bapur pleidleisio yn yr orsaf bleidleisio cyn i chi wneud hynny, ni allwch bleidleisio fel dirprwy drosto/drostri.
6. Os na allwch bleidleisio yn bersonol yn yr orsaf bleidleisio, hwyrach y gall y swyddog cofrestru etholiadol ganiatau i chi bleidleisio fel dirprwy drwy'r post.
7. Cewch bleidleisio drwy'r post mewn etholiad neu etholiadau i'r Cynulliad ar ddiwrnod penodol. Ond ni all y swyddog cofrestru etholiadol ganiatau cais am bleidleisio drwy'r post yn un neu fwy nag un o etholiadau'r Cynulliad ar ddiwrnod penodol os bydd yn ei dderbyn ar ôl 5 pm ar yr unfed diwrnod gweithio ar ddeg cyn y bleidlais.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CB: Form of certificate of employment

Paragraph 16 of Schedule 1 and rule 41(5) of Schedule 5

Election to the National Assembly for Wales

Election in*Constituency and*Electoral Region

I certify that (name).....who is numberedin the register of electors for the constituency/ electoral region named above, cannot reasonably be expected to go in person to the polling station allotted to him or her at the election on (date of poll)..... by reason of the particular circumstances of his employment on that date for a purpose connected with the election.

* delete whichever is inapplicable

* (a) as a constable

* (b) by me.

Signature:.....

*Returning Officer/*Police Officer (Inspector or above)

Date.....

Note—The person named above is entitled to vote at any polling station of the above constituency on production and surrender of this certificate to the presiding officer.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CC1: Form of postal voting statement

Paragraph 3(a) of Schedule 3

Election to the National Assembly for Wales		
Postal Voting Statement		
Voter's name:Ballot paper number.		
<i>*(Returning officer to insert name but omit where ballot paper sent to an elector with anonymous registration)</i>		
You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.		
I AM THE PERSON TO WHOM THE BALLOT PAPER[S] NUMBERED ABOVE WERE SENT		
Date of birth	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	(day/month/year)
#Signature	<div style="border: 1px solid black; width: 100%; height: 40px; margin: 5px 0;"></div>	(voter's signature) IMPORTANT – Keep signature within border
<i>#(Returning officer to omit where a person has been granted a waiver)</i>		
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.		
Issued by the Returning Officer		

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

INSTRUCTIONS TO THE VOTER	
Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below	
<i>[contact details for assistance include address as appropriate]</i>	
1.	You have [a] ballot paper[s] for the constituency election [and the regional election].
2.	You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.
3.	The ballot paper and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in the constituency on polling day.
4.	If you need help voting, the person helping you must not tell anyone how you voted.
5.	You may only vote once on each ballot paper. Mark a cross (X) opposite the candidate or party you wish to vote for. Put no other mark on the ballot paper, or your vote may not be counted.
6.	Put the ballot papers in the small envelope marked A and seal it.
7.	Complete the postal voting statement by signing it, and providing your date of birth.
8.	Then put the envelope marked A together with the postal voting statement in the larger envelope marked B . Return it straightaway.
9.	After receiving this postal vote, you cannot vote in person at a polling station at this election.
10.	If you accidentally spoil a ballot paper, you can ask the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return both ballot papers, this postal voting statement, and the envelopes marked A and B. Make sure you contact the Returning Officer as soon as possible.
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.	
You may vote once at the constituency election [and once at the regional election]. To vote more than once at [either][this] election is illegal (unless you are appointed as a proxy for another elector).	
<i>#(Returning Officer to omit where a person has been granted a waiver)</i>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol i Gynulliad Cenedlaethol Cymru	
Datganiad Pleidleisio drwy'r Post	
Enw'r pleidleisiwr:Rhif y papur pleidleisio	
<i>*(Y swyddog canlyniadau i nodi'r enw ond ei adael allan pan anfonir y papur pleidleisio i etholwr gyda chofrestriad dienw)</i>	
Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Os na fyddwch yn gwneud hyn, bydd eich datganiad pleidleisio drwy'r post yn annilys ac ni chaiff eich pleidlais ei chyfrif.	
FI YW'R PERSON YR ANFONWYD Y PAPUR PLEIDLEISIO SYDD WEDI'U RHIFO UCHOD ATO/ATI	
Dyddiad geni	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (dydd/mis/blwyddyn)
#Llofnod	<input type="text"/> (llofnod y pleidleisiwr) PWYSIG – Cadwch y llofnod o fewn y border
<i>#(Y swyddog canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)</i>	
Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall.	
Cyhoeddwyd gan y Swyddog Canlyniadau	

CYFARWYDDIADAU I'R PLEIDLEISIWR

Llenwch y papur pleidleisio eich hun ac mewn preifatrwydd. Os bydd angen cymorth arnoch, cysylltwch â staff y Swyddog Canlyniadau fel y dangosir isod

[manylion cyswllt i gael cymorth rhwch y cyfeiriad fel sy'n briodol]

1. Mae gennych bapur[au] pleidleisio ar gyfer yr etholiad etholaethol [a'r etholiad rhanbarthol].
 2. Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Os na fyddwch yn gwneud hyn, bydd eich datganiad pleidleisio drwy'r post yn annilys ac ni chaiff eich pleidlais ei chyfrif.
 3. Rhaid i'r Swyddog Canlyniadau dderbyn y papur pleidleisio a'r datganiad pleidleisio drwy'r post erbyn 10pm ar [diwrnod/dyddiad y pleidleisio]. Gallwch ddychwelyd eich pleidlais drwy'r post wedi llenwi i unrhyw orsaf bleidleisio yn yr etholaeth ar ddiwrnod y pleidleisio.
 4. Os bydd angen help arnoch i bleidleisio, ni chaiff y sawl sy'n eich cynorthwyo ddweud wrth neb sut rydych chi wedi pleidleisio.
 5. Dim ond unwaith y cewch chi bleidleisio ar [bob][y] papur pleidleisio. Rhwch groes (X) gyferbyn ag enw'r ymgeisydd neu'r blaid yr ydych am bleidleisio drosto/drosti. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
 6. Rhwch y papurau pleidleisio yn yr amlen fach ag A arni a'i selio.
 7. Llenwch y datganiad pleidleisio drwy'r post drwy ei lofnodi, a rhoi eich dyddiad geni.
 8. Yna, rhwch yr amlen ag A arni, ynghyd â'r datganiad pleidleisio drwy'r post, yn yr amlen fwy gyda B arni a'i dychwelyd yn syth.
 - 9. Ar ôl derbyn y bleidlais drwy'r post hon, chewch chi ddim pleidleisio eich hun mewn gorsaf bleidleisio yn yr etholiad hwn.**
 10. Os byddwch chi'n difetha'ch papur pleidleisio trwy gamgymeriad, cewch ofyn i'r Swyddog Canlyniadau am un arall cyn 5 p.m. ar [diwrnod/dyddiad y pleidleisio]. Rhaid i chi ddychwelyd y ddau bapur pleidleisio, y datganiad pleidleisio drwy'r post hwn, a'r amlenni gydag A a B arnynt. Gwnewch yn siŵr eich bod yn cysylltu â'r Swyddog Canlyniadau cyn gynted ag y bo modd.
- Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall. Mi gewch chi bleidleisio unwaith yn yr etholiad etholaethol [ac unwaith yn yr etholiad rhanbarthol]. Mae'n anghyfreithlon pleidleisio mwy nag unwaith yn [y naill etholiad a'r llall][y etholiad] (oni chewch eich penodi'n ddirprwy i etholwr arall).**

#(Y Swyddog Canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CC2: Form of postal voting statement

Paragraph 3(b) of Schedule 3

Election to the National Assembly for Wales and [name of local authority]	
Postal Voting Statement	
Voter's name:Ballot paper numbers.	
<i>*(Returning officer to insert name but omit where ballot papers sent to an elector with anonymous registration)</i>	
You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.	
I AM THE PERSON TO WHOM THE BALLOT PAPERS NUMBERED ABOVE WERE SENT	
Date of birth	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (day/month/year)
#Signature	<div style="border: 1px solid black; width: 300px; height: 50px; margin: 5px 0;"></div> (voter's signature) IMPORTANT – Keep signature within border
<i>*(Returning Officer to omit where a person has been granted a waiver)</i>	
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.	
Issued by the Returning Officer	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

INSTRUCTIONS TO THE VOTER	
Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below <i>[contact details for assistance include address as appropriate]</i>	
1. You have ballot papers for the National Assembly constituency election [and the regional election] and also for the local government election(s).	
2. You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.	
3. The ballot papers and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in the constituency on polling day.	
4. If you need help voting, the person helping you must not tell anyone how you voted.	
5. When you are voting in the National Assembly election[s] [<i>insert colour(s) of ballot paper(s)</i>] mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate [or party] you are voting for. Vote once only on [each of the][the] ballot paper[s]. Put no other marks on the ballot papers, or your vote may not be counted.	
6. When you are voting in the local government election[s][<i>insert colour of ballot paper(s)</i>] ballot paper), mark a cross (X) in the box on the right hand side of [the][each] ballot paper opposite the name of each candidate you are voting for. Vote for no more than [...] candidates. Put no other marks on the ballot paper[s], or your vote may not be counted.	
7. Put the ballot papers in the small envelope marked A and seal it.	
8. Complete the postal voting statement by signing it, and providing your date of birth.	
9. Then put the envelope marked A together with the postal voting statement in the larger envelope marked B. Return it straightaway.	
10. After receiving this postal vote, you cannot vote in person at a polling station at this election.	
11. If you accidentally spoil a ballot paper, you can ask the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return both ballot papers, this postal voting statement, and the envelopes marked A and B. Make sure you contact the Returning Officer as soon as possible.	
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.	
You may vote once at the constituency election [and once at the regional election], and the number of times specified on the ballot paper[s] at the local government election[s]. To cast your vote more than once at either election is illegal (unless you are appointed as a proxy for another elector).	

#(Returning Officer to omit where a person has been granted a waiver)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol i Gynulliad Cenedlaethol Cymru a [rhowch enw'r awdurdod lleol]	
Datganiad Pleidleisio drwy'r Post	
Enw'r pleidleisiwr:Rhifau'r papurau pleidleisio.	
<i>*(Y swyddog canlyniadau i nodi'r enw ond ei adael allan pan anfonir y papurau pleidleisio i etholwr gyda chofrestriad dienw)</i>	
Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Os na fyddwch yn gwneud hyn, bydd eich datganiad pleidleisio drwy'r post yn annilys ac ni chaiff eich pleidlais ei chyfrif.	
FI YW'R PERSON YR ANFONWYD Y PAPURAU PLEIDLEISIO SYDD WEDI'U RHIFO	
UCHOD ATO/ATI	
Dyddiad geni	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (dydd/mis/blwyddyn)
#Llofnod	<input type="text"/> (llofnod y pleidleisiwr) PWYSIG – Cadwch y llofnod c fewn y border
<i>#(Y Swyddog Canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)</i>	
Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall.	
Cyhoeddwyd gan y Swyddog Canlyniadau	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

CYFARWYDDIADAU I'R PLEIDLEISIWR
Llenwch y papur pleidleisio eich hun ac mewn preifatrwydd. Os bydd angen cymorth arnoch, cysylltwch â staff y Swyddog Canlyniadau fel y dangosir isod <i>[manyllion cyswllt i gael cymorth rhowch y cyfeiriad fel sy'n briodol]</i>
1. Mae gennych bapurau pleidleisio ar gyfer etholiad etholaethol [ac etholiad rhanbarthol] y Cynulliad Cenedlaethol a hefyd ar gyfer etholiad[au] llywodraeth leol.
2. Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Os na fyddwch yn gwneud hyn, bydd eich datganiad pleidleisio drwy'r post yn annilys ac ni chaiff eich pleidlais ei chyfrif.
3. Rhaid i'r Swyddog Canlyniadau dderbyn y papurau pleidleisio a'r datganiad pleidleisio drwy'r post erbyn 10pm ar <i>[diwrnod/dyddiad y pleidleisio]</i> . Gallwch ddechyd eich pleidlais drwy'r post wedi'i llenwi i unrhyw orsaf pleidleisio yn yr etholaeth ar ddiwrnod y pleidleisio.
4. Os bydd angen help arnoch i bleidleisio, ni chaiff y sawl sy'n eich cynorthwyo ddweud wrth neb sut rydych chi wedi pleidleisio.
5. Pan fyddwch yn pleidleisio yn etholiad[au] y Cynulliad Cenedlaethol <i>[rhowch liw'r papur(au) pleidleisio]</i> , rhowch groes (X) yn y blwch ar ochr dde'r papur pleidleisio gyferbyn ag enw'r ymgeisydd rydych chi'n pleidleisio drosto/droستی. Pleidleiswch unwaith yn unig ar [bob un o'r][y] papur[au] pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papurau pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
6. Pan fyddwch chi'n pleidleisio mewn etholiad[au] llywodraeth leol <i>[rhowch liw'r papur(au) pleidleisio]</i> , rhowch groes (X) ar ochr dde [y] [pob] papur pleidleisio gyferbyn ag enw pob ymgeisydd rydych chi'n pleidleisio drosto/droستی. Peidiwch â phleidleisio dros fwy na [...] o ymgeiswyr. Peidiwch â rhoi unrhyw farc arall ar y papur[au] pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
7. Rhowch y papurau pleidleisio yn yr amlen fach ag A arni a'i selio.
8. Llenwch y datganiad pleidleisio drwy'r post drwy ei lofnodi, a rhoi eich dyddiad geni.
9. Yna, rhowch yr amlen ag A arni, ynghyd â'r datganiad pleidleisio drwy'r post, yn yr amlen fwy â B arni a'i dychwelyd yn syth.
10. Ar ôl derbyn y bleidlais drwy'r post hon, chewch chi ddim pleidleisio eich hun mewn gorsaf bleidleisio yn yr etholiad hwn.
11. Os byddwch chi'n difetha'ch papur pleidleisio trwy gamgymeriad, cechwch ofyn i'r Swyddog Canlyniadau am un arall cyn 5 p.m. a <i>[diwrnod/dyddiad y pleidleisio]</i> . Rhaid i chi ddechyd y ddau bapur pleidleisio, y datganiad pleidleisio drwy'r post hwn, a'r amlenni gydag A a B arnynt. Gwnewch yn siŵr eich bod yn cysylltu â'r Swyddog Canlyniadau cyn gynted ag y bo modd.
Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall. Cewch bleidleisio unwaith yn yr etholiad etholaethol [ac unwaith yn yr etholiad rhanbarthol] a'r nifer o weithiau a bennir ar papur(au) pleidleisio yn yr etholiad(au) llywodraeth leol. Mae'n anghyfreithlon pleidleisio fwy nag unwaith yn y naill etholiad neu'r llall (oni chewch eich penodi'n ddirprwy i etholwr arall).

#(Y Swyddog Canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CC3: Form of postal voting statement

Paragraph 3(c) of Schedule 3

Election to the National Assembly for Wales	
Postal Voting Statement	
Voter's name:Ballot paper number.(insert colour)	
*(Returning officer to insert name but omit where ballot paper sent to an elector with anonymous registration)	
You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.	
I AM THE PERSON TO WHOM THE BALLOT PAPER NUMBERED ABOVE WERE SENT	
Date of birth	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (day/month/year)
#Signature	<div style="border: 1px solid black; height: 40px; width: 100%;"></div> (voter's signature) IMPORTANT – Keep signature within border
#(Returning officer to omit where a person has been granted a waiver)	
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.	
Issued by the Returning Officer	

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INSTRUCTIONS TO THE VOTER	
Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below [contact details for assistance include address as appropriate]	
1. You have [a] ballot paper[s] for the constituency election [and the regional election].	
2. You must provide your [# signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of another election to be held on the same day. If you do not, this postal voting statement will be invalid and your vote will not be counted.	
3. The ballot paper and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in the constituency on polling day.	
4. If you need help voting, the person helping you must not tell anyone how you voted.	
5. You may only vote once on [each][the] ballot paper. Mark a cross (X) opposite the candidate or party you wish to vote for. Put no other mark on the ballot paper, or your vote may not be counted.	
6. Different colours are used for the ballot papers for each election. Each type of election has its own ballot paper envelope (marked A), postal voting statement and return envelope (marked B). The return envelope and postal voting statement for each election refer to the colour of the relevant ballot paper or papers. It is important that you use the correct envelopes and postal voting statement or your vote may not be counted. You may find it helpful to sort the documents into separate sets.	
7. Put the ballot papers in the appropriate small envelope marked A and seal it.	
8. Complete the postal voting statement by signing it, and providing your date of birth.	
9. Then put the envelope marked A together with the postal voting statement in the larger envelope marked B. Return it straightaway.	
10. After receiving this postal vote, you cannot vote in person at a polling station at this election.	
11. If you accidentally spoil a ballot paper, you can ask the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return both ballot papers, this postal voting statement, and the envelopes marked A and B. Make sure you contact the Returning Officer as soon as possible.	
Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.	
You may vote once at the constituency election [and once at the regional election], to vote more than once at [either][the] election is illegal (unless you are appointed as a proxy for another elector).	

#(Returning Officer to omit where a person has been granted a waiver)

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Ethol i Gynulliad Cenedlaethol Cymru Datganiad Pleidleisio drwy'r post	
Enw'r pleidleisiwr: Rhif y papur pleidleisio <i>(rhowch liw)</i>	
<i>*(Y swyddog canlyniadau i nodi'r enw ond ei adael allan pan anfonir y papu[au] pleidleisio i etholw gyda chofrestriad dienw)</i>	
Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Os na fyddwch yn gwneud hyn, bydd eich datganiad pleidleisio drwy'r post yn annilys ac ni chaiff eich pleidlais ei chyfrif.	
FI YW'R PERSON YR ANFONWYD Y PAPUR[AU] PLEIDLEISIO SYDD WEDI'U RHIFO	
UCHOD ATO/ATI	
Dyddiad geni	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (dydd/mis/blwyddyn)
#Llofnod	<input type="text"/> (llofnod y pleidleisiwr) PWYSIG – Cadwch y llofnod o fewn y border
<i>#(Y swyddog canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)</i>	
Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall.	
Cyhoeddwyd gan y Swyddog Canlyniadau	

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CYFARWYDDIADAU I'R PLEIDLEISIWR
Llenwch y papur pleidleisio eich hun ac mewn preifatrwydd. Os bydd angen cymorth arnoch, cysylltwch â staff y Swyddog Canlyniadau fel y dangosir isod <i>[manyllion cyswllt i gael cymorth rhwch y cyfeiriad fel sy'n briodol]</i>
1. Mae gennych bapurau pleidleisio ar gyfer yr etholiad etholaethol [a'r etholiad rhanbarthol].
2. Rhaid i chi ddarparu eich [# llofnod a'ch] dyddiad geni. Rhaid i chi wneud hyn hyd yn oed os ydych chi eisoes wedi llofnodi datganiad pleidleisio drwy'r post ar gyfer etholiad arall i'w gymnal ar yr un diwrnod. Os na fyddwch yn gwneud hyn, bydd y datganiad pleidleisio drwy'r post hwn yn annilyd ac ni chaiff eich pleidlais ei chyfrif.
3. Rhaid i'r Swyddog Canlyniadau dderbyn y papur pleidleisio a'r datganiad pleidleisio drwy'r post erbyn 10pm ar [diwrnod/dyddiad y pleidleisio]. Gallwch ddychwelyd eich pleidlais drwy'r post wedi'i llenwi i unrhyw orsaf bleidleisio yn yr etholaeth ar ddiwrnod y pleidleisio.
4. Os bydd angen help arnoch i bleidleisio, ni chaiff y sawl sy'n eich cynorthwyo ddweud wrth neb sut rydych chi wedi pleidleisio.
5. Dim ond unwaith y ceuch chi bleidleisio ar [bob][y] papur pleidleisio. Rhwch groes (X) gyferbyn ag enw'r ymgeisydd neu'r blaic yr ydych am bleidleisio drosto/drosti. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
6. Defnyddir gwahanol liwiau ar gyfer y papurau pleidleisio ar gyfer pob etholiad. Mae gan bob etholiad amlen ar gyfer y papur pleidleisio (wedi'i marcio ag A), datganiad pleidleisio drwy'r post ac amlen ddychwelyd (wedi'i marcio â B) ei hun. Mae'r amlen ddychwelyd a'r datganiad pleidleisio drwy'r post ar gyfer pob etholiad yn cyfeirio at liw'r papur neu bapurau pleidleisio perthnasol. Mae'n bwysig eich bod yn defnyddio'r amlenni a'r datganiad pleidleisio drwy'r post cywir, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif. Byddai'n help o bosibl rhoi'r dogfennau mewn setiau ar wahân.
7. Rhwch y papurau pleidleisio yn yr amlen fach briodol ag A arni a'i selio.
8. Llenwch y datganiad pleidleisio drwy'r post drwy ei lofnodi, a rhoi eich dyddiad geni.
9. Yna, rhwch yr amlen ag A arni, ynghyd â'r datganiad pleidleisio drwy'r post, yn yr amlen fwy â B arni a'i dychwelyd yn syth.
10. Ar ôl derbyn y bleidlais drwy'r post hon, chewch chi ddim pleidleisio eich hun mewn gorsaf bleidleisio yn yr etholiad hwn.
11. Os byddwch chi'n difetha'ch papur pleidleisio trwy gamgymeriad, ceuch ofyn i'r Swyddog Canlyniadau am un arall cyn 5 p.m. a [diwrnod/dyddiad y pleidleisio]. Rhaid i chi ddychwelyd y ddau bapur pleidleisio, y datganiad pleidleisio drwy'r post hwn, a'r amlenni gydag A a B arnynt. Gwnewch yn siŵr eich bod yn cysylltu â'r Swyddog Canlyniadau cyn gynted ag y bo modd.
Mae twyllo mewn etholiadau'n drosedd. Chewch chi ddim pleidleisio gan ddefnyddio papur pleidleisio nad yw wedi'i gyfeirio atoch chi nac ymyrryd â phapur pleidleisio pleidleisiwr arall.
Mi gewch chi bleidleisio unwaith mewn etholiad etholaethol [ac unwaith mewn etholiad rhanbarthol]. Mae'n anghyfreithlon pleidleisio mwy nag unwaith yn [y naill etholiad a'r llall][yr etholiad] (oni chewch eich penodi'n ddirprwy i etholwr arall).

#(Y Swyddog Canlyniadau i'w adael allan pan fo person wedi cael hepgoriad)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CD: Statement as to postal ballot papers

Paragraph 31(1)(b) of Schedule 3

Election to the National Assembly for Wales

Constituency:

Electoral Region (and, where there is no constituency poll, the name of the Assembly Constituency to which the statement relates):

Date of Poll;

<i>A. Issue of postal ballot papers</i>	Number for Constituency	Number for Electoral Region
1. Total number of postal ballot papers issued under paragraph 8 of Schedule 3		
2. Total number of postal ballot papers issued under paragraphs 14 (spoilt and returned for cancellation) and 15 (lost and not received) of Schedule 3.		
3. Total number of postal ballot papers cancelled under paragraph 26 of Schedule 3 (where the first ballot paper was cancelled and retrieved).		
4. Total number of postal ballot papers issued (1+2+3)		

<i>B.(1) Receipt of ballot papers and replacements</i>	Number for Constituency	Number for Electoral Region
5. Number of covering envelopes received by the returning officer or at a polling station before the close of poll (excluding any undelivered or returned under paragraphs 14 (spoilt), 15 (lost) and 26 (cancelled ballot papers) of Schedule 3)		
6. Number of covering envelopes received by the returning officer after the close of poll, excluding any returned as undelivered.		
7. Number of postal ballot papers returned spoilt for cancellation in time for another ballot paper to be issued.		
8. Number of postal ballot papers identified as lost or not received in time for another ballot paper to be issued.		
9. Number of ballot papers cancelled and retrieved in time for another ballot paper to be issued		
10. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued.		
11. Number of covering envelopes returned as undelivered (up to the date of this statement).		
12. Number of covering envelopes not received by the returning officer by the date of this statement.		
13. Total numbers 5 to 12 (This number should be the same as that in 4 above).		

<i>B.(2) Receipt of postal ballot papers – Postal voting statements.</i>		
14. Number of covering envelopes set aside for the verification of personal identifiers on postal voting statements.		
15. Number of postal voting statements not subject to verification procedure rejected as not completed (excluding prior cancellations).		

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16. Number of postal voting statements subject to verification procedure rejected as not completed (excluding prior cancellations).		
17. Number of postal voting statements rejected following verification procedures due to personal identifiers on the postal voting statement not matching those in the personal identifiers record (excluding prior cancellations).		

<i>C. Count of postal ballot papers</i>	Number for Constituency	Number for Electoral Region
18. Number of ballot papers returned by postal voters which were included in the count of ballot papers		
19. Number of cases in which a covering envelope or its contents were marked "rejected" (cancellations under paragraphs 14, 15 and 26 of Schedule 3 are not rejections and should be included in items 2, 3, 7, 8 and 9 above.		

Date

Signed
Constituency Returning Officer

Address
.....

NOTES

1. The first column is to be completed in the case of a constituency election.
2. The second column is to be completed in the case of a regional election in respect of the postal ballot papers issued in a constituency for that regional election.
3. Where both columns are to be completed, the figure to be inserted against items B5, B6, B11, B12, B14, B15, B16, B17 and C19 will be the same in each column as only one covering envelope and postal voting statement will have been issued for both elections.
4. The references to Schedule 3 are references to Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007.

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Ethol i Gynulliad Cenedlaethol Cymru

Etholiad:
 Rhanbarth Etholiadol (a, lle nad oes pleidlais etholaethol, enw Etholaeth y Cynulliad y mae'r datganiad yn berthnasol iddi):
 Dyddiad Pleidleisio:

<i>A Y papurau pleidleisio drwy'r post a ddosbarthwyd</i>	Nifer ar gyfer yr Etholaeth	Nifer ar gyfer y Rhanbarth Etholiadol
1. Cyfanswm y papurau pleidleisio drwy'r post a ddosbarthwyd o dan baragraff 8 o Atodlen 3		
2. Cyfanswm y papurau pleidleisio drwy'r post a ddosbarthwyd dan baragraff 14 (difethwyd a'u dychwelyd i'w canslo) (ar goll a heb eu derbyn) Atodlen 3.		
3. Cyfanswm y papurau pleidleisio drwy'r post a gafodd eu canslo dan baragraff 26 Atodlen 3 (lle cafodd y papur pleidleisio cyntaf ei ganslo a'i gael yn ôl).		
Cyfanswm y papurau pleidleisio drwy'r post a ddosbarthwyd (1+2+3)		
<i>B.(1) Derbyd papurau pleidleisio a phapurau pleidleisio newydd</i>	Nifer ar gyfer yr Etholaeth	Nifer ar gyfer y Rhanbarth Etholiadol
5. Nifer yr amlenni mawr a dderbyniwyd gan y swyddog canlyniadau neu mewn gorsaf bleidleisio cyn diwedd y pleidleisio (ac eithrio unrhyw rai nas danfonwyd neu a ddychwelwyd dan baragraff 14 (wedi'u difetha), (15) (ar goll) a 26 (papurau pleidleisio wedi'u canslo) Atodlen 3)		
6. Nifer yr amlenni mawr a ddaeth i law'r swyddog canlyniadau ar ôl diwedd y pleidleisio, ac eithrio unrhyw rai a ddychwelwyd fel rhai nas danfonwyd.		
7. Nifer y papurau pleidleisio drwy'r post a ddychwelwyd wedi'u difetha i'w canslo mewn pryd i ddsbarthu papur pleidleisio arall.		
8. Nifer y papurau pleidleisio drwy'r post y cafwyd gwybod eu bod wedi mynd ar goll neu nad oeddynt wedi'u derbyn mewn pryd i ddsbarthu papur pleidleisio arall.		
9. Nifer y papurau pleidleisio a gafodd eu canslo a'u cael yn ôl mewn pryd i ddsbarthu papur pleidleisio arall		
10. Nifer y papurau pleidleisio drwy'r post a ddychwelwyd wedi'u difetha yn rhy hwyr i ddsbarthu papur pleidleisio arall.		
11. Nifer yr amlenni mawr a ddychwelwyd fel rhai nas danfonwyd (hyd at ddyddiad y datganiad hwn).		
12. Nifer yr amlenni mawr na ddaeth i law'r swyddog canlyniadau erbyn dyddiad y datganiad hwn.		
13. Cyfanswm rhifau 5 i 12 (Dylai'r rhif hwn fod yr un fath â'r rhif yn 4 uchod).		
<i>B.(2) Y papurau pleidleisio drwy'r post a ddaeth i law – datganiadau pleidleisio drwy'r post</i>		
14. Nifer yr amlenni mawr a neilltuwyd ar gyfer dilysu'r dynodyddion personol ar y datganiadau pleidleisio drwy'r post		

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15. Nifer y datganiadau pleidleisio drwy'r post na chawsant eu dilysu ac a gafodd eu gwrthod fel rhai heb eu cwblhau (heb gynnwys y rhai a gafodd eu canslo'n flaenorol)		
16. Nifer y datganiadau pleidleisio drwy'r post a gafodd eu dilysu ac a gafodd eu gwrthod fel rhai heb eu cwblhau (heb gynnwys y rhai a gafodd eu canslo'n flaenorol).		
17. Nifer y datganiadau pleidleisio drwy'r post a gafodd eu gwrthod yn dilyn y drefn ddilysu oherwydd nad oedd y dynodyddion personol ar y datganiad pleidleisio drwy'r post yn cyfateb i'r rhai yn y cofnod dynodyddion personol (heb gynnwys y rhai a gafodd eu canslo'n flaenorol).		
<i>C Cyfrif y papurau pleidleisio drwy'r post</i>	Nifer ar gyfer yr Etholaeth	Nifer ar gyfer y Rhanbarth Etholiadol
18. Nifer y papurau pleidleisio a ddychwelwyd gan bleidleiswyr drwy'r post ac a gafodd eu cynnwys wrth gyfri'r papurau pleidleisio.		
19. Nifer yr achosion lle'r oedd amlen fawr neu ei chynnwys wedi'u marcio â'r gair "gwrthodwyd" (nid yw papurau a gafodd eu canslo dan baragraffau 14, 15 a 26 Atodlen 3 yn rhai a wrthodwyd, ac fe ddylid eu cynnwys yn eitemau 2, 3, 7, 8 a 9 uchod)		

Lofnod

Dyddiad

Swyddog Etholiadol yr Etholaeth

Cyfeiriad.....

NODIADAU

1. Y golofn gyntaf i'w llenwi adeg etholiad etholaethol.
2. Yr ail golofn i'w llenwi adeg etholiad rhanbarthol yng nghyswllt y papurau pleidleisio drwy'r post ddosbarthwyd mewn etholaeth ar gyfer yr etholiad rhanbarthol hwnnw.
3. Os bydd angen llenwi'r ddwy golofn, bydd y ffigur i'w roi yn erbyn eitemau B5, B6, B11, B12, B14, B15, B16, B17 a C19 yr un fath ym mhob colofn gan mai dim ond un amlen fawr a datganiad pleidleisio drwy'r post fydd wedi'u darparu ar gyfer y ddau etholiad.
4. Cyfeirio at Atodlen 3 Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007 y mae'r cyfeiriadau at Atodlen 3.

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Form CE: Form of nomination paper: constituency election

Rule 4(1) of Schedule 5

Election of a member to serve in the National Assembly for Wales

..... Constituency

Date of election:

The under-mentioned person is hereby nominated as a candidate at the above election.

(Please complete in capitals)

Candidate's surname	Other name(s) in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any)	Home address in full (please also include telephone number)

Signed: Date:

Name:

Address:

.....

.....

Notes

1. Your attention is drawn to the rules concerning completion of nomination papers and other rules relating to nomination contained in Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007.
2. Where a candidate is commonly known by some title, that title may be used as if it were the candidate's surname.
3. Where a candidate commonly uses a name which is different from any other name he or she has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks—
 - (a) that the use of the commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.

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Ethol aelod i wasanaethu yng Nghynulliad Cenedlaethol Cymru

Etholaeth

Dyddiad yr etholiad:

Enwebir drwy hyn y person a grybwyllir isod i fod yn ymgeisydd yn yr etholiad uchod.

(Defnyddiwch brfitythrennau wrth lenwi'r blychau)

Cyfenw'r ymgeisydd	Enw arall/enwau eraill yn llawn	Cyfenw a ddefnyddir fel arfer (os o gwbl)	Enwau blaen a ddefnyddir fel arfer (os o gwbl)	Disgrifiad (os o gwbl)	Cyfeiriad cartref yn llawn (cynhwyswch y rhif ffôn hefyd)

Llofnodwyd: Dyddiad:

Enw:

Cyfeiriad:

.

.

Nodiadau

- Tynnir sylw personau at y rheolau ynglyn â llenwi papurau enwebu a rheolau eraill sy'n ymwneud ag enwebu a gynhwysir yn Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007.
- Os bydd ymgeisydd yn cael ei adnabod wrth deitl penodol, gellir defnyddio'r teitl hwnnw fel petai'n gyfenw'r ymgeisydd.
- Pan fydd ymgeisydd fel arfer yn defnyddio enw sy'n wahanol i unrhyw enw arall sydd ganddo, ga yr enw a ddefnyddir fel arfer hefyd ymddangos ar y papur enwebu, ond os yw hynny'n digwydd, yr enw a ddefnyddir fel arfer (yn hytrach nag unrhyw enw arall) fydd yn ymddangos ar y papur pleidleisio.
- Ond bydd y papur pleidleisio yn dangos yr enw arall os yw'r swyddog canlyniadau yn credu—
(a) bod defnyddio'r enw a ddefnyddir fel arfer yn debygol o gamarwain neu ddrysu etholwyr, neu
(b) bod yr enw a ddefnyddir fel arfer yn anwedus neu'n dramgwyddus.

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Form CF: Form of certificate referred to in rule 5(1)

Rule 5(1) of Schedule 5

In accordance with rule 5(1) of Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007, I hereby certify—

that is the official candidate of (name of registered political party) at the election in the Assembly Constituency on and that the description ⁽¹⁾ of the candidate appearing in the nomination paper by which he is nominated as a candidate is authorised by the party.

Signed Name
Address (registered nominating officer)
Date.

⁽²⁾ I also request that the party's registered emblem [*or if there is more than one registered emblem* ⁽³⁾ *specify which one*] should appear on the ballot paper against the candidate's name.

Signed (registered nominating officer)

Date.

⁽¹⁾The description means either the registered name or names of the party or a description registered under section 28A of the Political Parties, Elections and Referendums Act 2000.

⁽²⁾If this paragraph is not completed a registered emblem of the party will not appear on the ballot paper against the candidate's name.

⁽³⁾Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

Yn unol â rheol 5(1) o Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007, yr wyf drwy hyn yn ardystio—
mai yw ymgeisydd swyddogol (enw'r blaid
wleidyddol gofrestredig) yn yr etholiad yn Etholaeth Gynulliad ar .
. a bod y
disgrifiad ⁽¹⁾ o'r ymgeisydd sy'n ymddangos yn y papur enwebu y mae wedi'i enwebu drwyddo
fel ymgeisydd wedi'i awdurdodi gan y blaid.
Llofnodwyd: Enw
(swyddog enwebu Cyfeiriad cofrestredig)
Dyddiad:

⁽²⁾ Yr wyf yn gofyn hefyd i arwyddlun cofrestredig y blaid [neu, os oes mwy nag un arwyddlun
cofrestredig⁽³⁾, nodwch pa un] ymddangos ar y papur pleidleisio gyferbyn ag enw'r ymgeisydd.
Llofnodwyd: (swyddog enwebu cofrestredig)

Dyddiad:

⁽¹⁾Mae'r disgrifiad yn golygu naill ai enw neu enwau cofrestredig y blaid neu ddisgrifiad a gofrestrwyd dan adran 28A o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000.

⁽²⁾Os na chaiff y paragraff hwn ei lenwi, ni fydd un o arwyddluniau cofrestredig y blaid yn ymddangos ar y papur pleidleisio gyferbyn ag enw'r ymgeisydd.

⁽³⁾Lle bo mwy nag un arwyddlun cofrestredig, byddai o gymorth pe bai'r arwyddlun y gofynnid iddo ymddangos ar y papur pleidleisio yn cael ei nodi drwy gyfeirio at ddarluniad o'r arwyddlun a amgaeir gyda'r dystysgrif hon.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CG: Form of certificate referred to in rule 5(3)

Rule 5(3) of Schedule 5

In accordance with rule 5(3) of Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007, we hereby certify that

..... is the official candidate of
(name of registered political party) and (name of registered political party) at the election in the Assembly Constituency on
The description⁽¹⁾ of the candidate appearing on the nomination paper by which he is nominated as a candidate is authorised by both parties.

Signed. Name
Registered nominating officer of [name of party] Address.
Date.
Signed. Name
Registered nominating officer of [name of party] Address.
Date.

⁽²⁾We request that the attached emblem being a registered emblem of
(name of political party) appear on the ballot paper against the candidate's name.

Signed. Registered nominating officer
Date. [name of party]

Signed. Registered nominating officer
Date. [name of party]

⁽¹⁾The description must be a description registered under section 28B of the Political Parties, Elections and Referendums Act 2000.

⁽²⁾If this paragraph is not completed no registered emblem will appear on the ballot paper against the candidate's name.

Yn unol â rheol 5(3) o Atodlen 5 o Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007, rydym drwy hyn yn tystio mai

..... yw'r ymgeisydd swyddogol ar gyfer
(enw'r blaid wleidyddol gofrestredig) a (enw'r blaid wleidyddol
gofrestredig) yn yr etholiad yn Etholaeth Cynulliad ar
Mae'r disgrifiad ⁽¹⁾ o'r ymgeisydd sy'n ymddangos ar y papur enwebu drwy'r hwn yr enwebir ef
fel ymgeisydd wedi ei awdurdodi gan y ddwy blaid.

Llofnod. Enw.
Swyddog enwebu cofrestredig [enw'r blaid] Cyfeiriad.
Dyddiad.

Llofnod. Enw.
Swyddog enwebu cofrestredig [enw'r blaid] Cyfeiriad.
Dyddiad.

⁽²⁾Gofynnwn am i'r arwyddlun amgaeedig sef arwyddlun cofrestredig
(enw'r blaid wleidyddol) ymddangos ar y papur pleidleisio yn erbyn enw'r ymgeisydd.

Llofnod. Swyddog enwebu cofrestredig
Dyddiad. [enw'r blaid]

Llofnod. Swyddog enwebu cofrestredig
Dyddiad. [enw'r blaid]

⁽¹⁾ Rhaid i'r disgrifiad fod yn ddisgrifiad sydd wedi'r gofrestru o dan adran 28B o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000.

⁽²⁾ Os nad yw'r paragraff hwn wedi ei gwblhau, ni fydd arwyddlun cofrestredig yn ymddangos ar y papur pleidleisio yn erbyn enw'r ymgeisydd.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CH: Form of individual nomination paper: regional election

Rule 6(1) of Schedule 5

Election of a member to serve in the National Assembly for Wales

.....Electoral Region

Date of election:

The under-mentioned person is hereby nominated as an individual candidate at the above election.
(Please complete in capitals)

Candidate's surname	Other name(s) in full	Commonly used surname (if any)	Commonly used forename(s) (if any)	Description (if any)	Home address in full (please also include telephone number)

Signed: Date:

Name:

Address:

.....

.....

Notes

- Your attention is drawn to the rules concerning completion of nomination papers and other rules relating to nomination contained in Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007.
- Where a candidate is commonly known by some title, that title may be used as if it were the candidate's surname.
- Where a candidate commonly uses a name which is different from any other name he or she has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
- But the ballot paper will show the other name if the returning officer thinks—
 - that the use of the commonly used name may be likely to mislead or confuse electors, or
 - that the commonly used name is obscene or offensive.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol aelod i wasanaethu yng Nghynulliad Cenedlaethol Cymru

Rhanbarth Etholiadol

Dyddiad yr etholiad:

Enwebir drwy hyn y person a grybwyllir isod i fod yn ymgeisydd unigol yn yr etholiad uchod.

(Defnyddiwch brfitythrennau wrth lenwi'r blychau)

Cyfenw'r ymgeisydd	Enw arall/enwau eraill yn llawn	cyfenw a ddefnyddir fel arfer (os o gwbl)	enwau blaen a ddefnyddir fel arfer (os o gwbl)	Disgrifiad (os o gwbl)	Cyfeiriad cartref yn llawn (cynhwyswch y rhif ffôn hefyd)

Llofnodwyd: Dyddiad:

Enw:

Cyfeiriad

.

.

Nodiadau

1. Tynnir sylw personau at y rheolau ynglyn â llenwi papurau enwebu a rheolau eraill sy'n ymwneud ag enwebu a gynhwysir yn Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007.
2. Os bydd ymgeisydd yn cael ei adnabod wrth deitl penodol, gellir defnyddio'r teitl hwnnw fel petai'n gyfenw'r ymgeisydd.
3. Pan fydd ymgeisydd fel arfer yn defnyddio enw sy'n wahanol i unrhyw enw arall sydd ganddo, gall yr enw a ddefnyddir fel arfer hefyd ymddangos ar y papur enwebu, ond os yw hynny'n digwydd, yr enw a ddefnyddir fel arfer (yn hytrach nag unrhyw enw arall) fydd yn ymddangos ar y papur pleidleisio.
4. Ond bydd y papur pleidleisio yn dangos yr enw arall os yw'r swyddog canlyniadau yn credu—
 - (a) bod defnyddio'r enw a ddefnyddir fel arfer yn debygol o gamarwain neu ddrysu etholwyr, neu
 - (b) bod yr enw a ddefnyddir fel arfer yn anwedus neu'n dramgwyddus.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CI: Form of party nomination paper: regional election

Rule 7(1) of Schedule 5

Election of members to serve in the National Assembly for Wales

..... Electoral Region

Date of election:

Name(s) of registered political party.

The said party is hereby nominated at the election in the following names(s)/ description

..... (see note 5)

The list of candidates submitted by the party in respect of the election is set out in the Schedule.

The undermentioned person[s] is/are hereby nominated as [a] party list candidate[s] at the election.

(Please complete in capitals)

Schedule				
List of candidates				
Candidate's surname	Other names in full	Commonly used surname (if any)	Commonly used forename(s) (if any)	Home address in full (please also include telephone number)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

Signed: Date:

Name:

Address:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Notes

1. Your attention is drawn to the rules concerning completion of nomination papers and other rules relating to nomination contained in Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007.
2. Where a candidate is commonly known by some title that title may be used as if it were the candidate's surname.
3. Where a candidate commonly uses a name which is different from any other name he or she has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks—
 - (a) that the use of the commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
5. Insert either the name or (if registered in English and Welsh) the names of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000 or a (but not more than one) description of the party registered under section 28A of that Act that shall be used in the ballot paper.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol aelodau i wasanaethu yng Nghynulliad Cenedlaethol Cymru

Rhanbarth Etholiadol:

Dyddiad yr etholiad:

Enw(au) y blaid wleidyddol gofrestredig.

Drwy hyn enwebir y blaid hon yn yr etholiad dan yr enw(au)/disgrifiad canlynol

. (gweler nodyn 5)

Nodir rhestr yr ymgeiswyr a gyflwynwyd gan y blaid ar gyfer yr etholiad yn yr Atodlen.

Enwebir drwy hyn yr unigolyn[ion] a enwir isod fel ymgeisydd[ymgeiswyr] rhestr plaid yn yr etholiad.

(Defnyddiwch briflythrennau os gwelwch yn dda)

Atodlen				
Rhestr ymgeiswyr				
Cyfenw'r ymgeisydd	Enwau eraill yn llawn	Cyfenw a ddefnyddir fel arfer (os o gwbl)	Enwau blaen a ddefnyddir fel arfer (os o gwbl)	Cyfeiriad cartref yn llawn (cynhwyswch y rhif ffôn hefyd)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

Llofnodwyd: Dyddiad:

Enw:

Cyfeiriad:

.

.

Nodiadau

1. Tynnir sylw personau at y rheolau ynglyn â llenwi papurau enwebu a rheolau eraill sy'n ymwneud ag enwebu a gynhwysir yn Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007.
2. Os bydd ymgeisydd yn cael ei adnabod wrth deitl penodol, gellir defnyddio'r teitl hwnnw fel petai'n gyfenw'r ymgeisydd.
3. Pan fydd ymgeisydd fel arfer yn defnyddio enw sy'n wahanol i unrhyw enw arall sydd ganddo, gall yr enw a ddefnyddir fel arfer hefyd ymddangos ar y papur enwebu, ond os yw hynny'n digwydd, yr enw a ddefnyddir fel arfer (yn hytrach nag unrhyw enw arall) fydd yn ymddangos ar y papur pleidleisio.
4. Ond bydd y papur pleidleisio yn dangos yr enw arall os yw'r swyddog canlyniadau yn credu—
 - (a) bod defnyddio'r enw a ddefnyddir fel arfer yn debygol o gamarwain neu ddrysu etholwyr, neu
 - (b) bod yr enw a ddefnyddir fel arfer yn anwedus neu'n dramgwyddus.
5. Ysgrifennwch naill ai enw neu (os yw wedi'i chofrestru yn Gymraeg ac yn Saesneg) enwau'r blaid a gofrestrwyd dan adran 28 Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 neu (ond nid mwy nag un) ddisgrifiad o'r blaid a gofrestrwyd dan adran 28A y Ddeddf honno a fydd yn cael ei ddefnyddio ar y papur pleidleisio.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CJ: Form of certificate referred to in rule 8(1)

Rule 8(1) of Schedule 5

In accordance with rule 8(1) of Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007, I hereby certify—

that is/are the official candidate(s) of (name of registered political party) at the election in the Electoral Region on and that the description ⁽¹⁾ of the party appearing in the nomination paper by which the candidate(s) is/are nominated is authorised by the party.

Signed (registered nominating officer)

Date

⁽²⁾I also request that the party's registered emblem [or if there is more than one registered emblem⁽³⁾, specify which one] appear on the ballot paper against the party's name.

Signed (registered nominating officer)

Date

⁽¹⁾ The description means either the registered name or names of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000 or a (but not more than one) description registered under section 28A of that Act.

⁽²⁾ If this paragraph is not completed a registered emblem of the party will not appear on the ballot paper against the party's name.

⁽³⁾ Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

Yn unol â rheol 8(1) o Atodlen 5 i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007, yr wyf drwy hyn yn ardystio—

mai yw ymgeisydd/ymgeiswyr swyddogol (enw'r blaid wleidyddol gofrestredig) yn yr etholiad yn Rhanbarth Etholiadol ar a bod y

disgrifiad⁽¹⁾ o'r blaid sy'n ymddangos yn y papur enwebu y mae'r ymgeisydd wedi'i enwebu/ymgeiswyr wedi'u henwebu drwyddo wedi'i awdurdodi gan y blaid.

Llofnodwyd: (swyddog enwebu cofrestredig)

Dyddiad:

⁽²⁾ Yr wyf yn gofyn hefyd i arwyddlun cofrestredig y blaid [neu, os oes mwy nag un arwyddlun cofrestredig⁽³⁾, nodwch ba un] ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

Llofnodwyd: (swyddog enwebu cofrestredig)

Dyddiad:

⁽¹⁾ Mae'r disgrifiad yn golygu naill ai enw neu enwau'r blaid a gofrestrwyd dan adran 28 Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 neu (ond nid mwy nag un) ddisgrifiad a gofrestrwyd dan adran 28A y Ddeddf honno.

⁽²⁾ Os na chaff y paragraff hwn ei lenwi, ni fydd un o arwyddluniau cofrestredig y blaid yn ymddangos ar y papur pleidleisio gyferbyn ag enw'r blaid.

⁽³⁾ Lle bo mwy nag un arwyddlun cofrestredig byddai o gymorth pe bai'r arwyddlun y gofynnid iddo ymddangos ar y papur pleidleisio yn cael ei nodi drwy gyfeirio at ddarluniad o'r arwyddlun a amgaeir gyda'r dystysgrif hon.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CK: Form of Ballot paper: Constituency Election

Rule 24(3) of Schedule 5

Front of ballot paper

**NATIONAL ASSEMBLY FOR WALES
CONSTITUENCY BALLOT**

**CYNULLIAD CENEDLAETHOL
CYMRU**







PLEIDLAIS ETHOLAETH

Pleidleisiwch dros un ymgeisydd yn unig

Vote for one candidate only

Mark an in one box

Marciwch mewn un bwloch

1	<p>BURTON PAUL JOHN 27 Bryn Nant, Abertillery, EN47 13WA Labour Party/Y Blaid Lafur</p>		
2	<p>BURTON RACHEL LOUISE 14 Empress Way, Haverfordwest, WA28 18SC Liberal Democrat/Democratiaid Rhyddfrydol</p>		
3	<p>DAVIES Bryn 5 Gordon Road, Penarth, IR31 5WA Plaid Cymru – The Party of Wales</p>		
4	<p>EVANS Ivor Chez Moi, Heol Dan y Coed, Newport, WA6 35IT Independent/ Annibynnol</p>		
5	<p>SMITH John 21 Home Avenue, Frederickstown, WA6 40FR United Kingdom Independence Party/Plaid Annibyniaeth Y Deyrnas Unedig</p>		
6	<p>WALKER Rodney 12 Baker Street, Newtown, VB45 6TY Conservative Party/ Y Blaid Geidwadol</p>		
7	<p>WILSON Pauline 65 Justin Street, Brecon, LD93 5YR Farmers of Wales / Ffermwyr Cymru</p>		

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Back of Ballot Paper

Number/Rhif.....

Election for the Constituency on

Etholiad dros Etholaethar.....

Form CK1: Directions as to printing the ballot paper: constituency election

Rule 24(3) of Schedule 5

- 1. Nothing is to be printed on the ballot paper except in accordance with these directions.
- 2. So far as practicable, the arrangements set down below shall be observed in the printing of the ballot paper.
- 3. Nothing in paragraph 2 prohibits the front of the ballot paper containing more than one column of numbers, candidates' particulars and spaces where the vote is to be marked if the returning officer thinks it is appropriate for the ballot paper to be printed with more than one column, but in such a case each column must be separated by a double vertical rule.
- 4.—(1) This paragraph makes provision in respect of that part of the ballot paper appearing above the highest horizontal rule.
 - (2) The group of words in English to the left and the group of words in Welsh to the right are each referred to in these directions as a block (and a block also includes the rectangle and representation in that rectangle of how a vote is to be marked).
 - (3) The blocks may be reversed so that the block with the Welsh words is to the left and the block with the English words is to the right.
 - (4) The first two lines of each block shall be printed in large capitals.
 - (5) The lines of each rectangle in a block are not to be regarded as rules for the purposes of these directions.
- 5. No word shall be printed on the front of the ballot paper except the words set out in the form of constituency ballot paper appearing in each block, the particulars of the candidates and words forming part of registered emblems.

6. The blocks, numbers, particulars of the candidates (except their addresses) and sides of the rectangles in which a vote is to be marked shall be printed in bold form on the ballot paper.
7. No rule shall be printed on the front of the ballot paper except—
 - (a) the first horizontal rule below the blocks, the horizontal rules separating the particulars of the candidates from one another and the horizontal rule appearing beneath the candidate whose particulars appear last; and
 - (b) the vertical rules separating those particulars from the numbers on the left hand side and the spaces on the right where the vote is to be marked (together with the vertical rule to the left of the numbers so mentioned and the vertical rule to the right of the spaces so mentioned).
8. The space on the ballot paper between each horizontal rule and the next horizontal rule below it shall be 2.5 centimetres.
9. On the ballot paper the surname of each candidate shall in all cases be printed by itself in large capitals, and his full particulars (except his surname) shall be set out below it and shall be printed in ordinary type except that small capitals shall be used—
 - (a) if his surname is the same as another candidate's, for his other names; and
 - (b) if his other names are also the same as the other candidate's, either for his home address or for his description unless each of them is the same as that of another candidate with the same surname and other names.
10. Where a registered emblem is to be printed against a candidate's particulars on the ballot paper—
 - (a) it shall be printed between the candidate's particulars and the vertical rule separating the candidate's particulars from the space where the vote may be marked; and
 - (b) its size as printed shall not exceed 2 centimetres square.
11. The number and other unique identifying mark may be printed close to each other on the back of the ballot paper.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CL: Form of Ballot paper: Regional Election

Rule 25(3) of Schedule 5

Front of ballot paper

**NATIONAL ASSEMBLY FOR WALES
REGIONAL BALLOT**

.....REGION

Vote once only






Mark an in one box

**CYNULLIAD CENEDLAETHOL CYMRU
PLEIDLAIS RHANBARTHOL**

RHANBARTH.....

Pleileisiwch unwaith yn unig

Marciwch mewn un bwloch

1	<p>Conservative Party/ Y Blaid Geidwadol</p> <p>1. David Brandon 5. Claire Williams 9. Andrew Williams 2. Paul David Evans 6. Mushaq Singh 10. Cherie Bold 3. Sue Mulraney 7. Heather Painter 11. Owain Green 4. Nick Webb 8. Joan Hazel Smith 12. Diana Green</p>		
2	<p>Democratiaid Rhyddfrydol Cymru/ Welsh Liberal Democrats</p> <p>1. Roberta Watson 5. George Mason 9. David Fitzroy 2. Stephen Jones 6. William Richards 10. James Stuart 3. Trisha Phillips 7. Kate Walker 11. William Trip 4. Wendy Pelham 8. Margaret Sullivan 12. Lucy Cavendish</p>		
3	<p>Labour Party/ Y Blaid Lafur</p> <p>1. Tony John Fisher 5. Ceri Brown 9. David Hart 2. Charles Cook 6. Iqbal Khan 10. Emma Heslop 3. Kathleen Hughes 7. Margaret Davies 11. Ioan Hurst 4. Robin Mason 8. Paula Katie Smith 12. Jason George</p>		
4	<p>Plaid Cymru – The Party of Wales</p> <p>1. Sheila Stacey 5. Rhian Helen 9. Denise Pike 2. Fiona Chambers Collins 10. Hugh Phipps 3. Michael Cole 6. Megan Dixon 11. Gerald Griffiths 4. Shekeer Mohammed 7. Janice Farr 12. Clement Morris 8. Cerys Singer</p>		
5	<p>United Kingdom Independence Party/ Plaid Annibyniaeth Y Deyrnas Unedig</p> <p>1. Hugh David Jones 5. Yvonne Brown 9. William Parry 2. Seren Cole 6. Desmond Wallis 10. Paul Ryan Jones 3. Herbert Cole 7. Grace Walsh 11. Jim Donald 4. Roger Thomas 8. Joan Susan Maynard 12. Mary Foulkes</p>		
6	<p>Xavier Alfonso</p> <p>Independent/ Annibynnol</p>		

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Back of ballot paper

Number /Rhif

Election for the Etholiad dros ranbarth etholiadol
Electoral Region on ar.....
.....Constituency Etholaeth.....

Note: The back is to include a mark or other distinguishing feature (which may be part of the number) to identify the Assembly constituency in which the ballot paper is to be used

**Form CL1: Directions as to printing
the ballot paper: regional election**

Rule 25(3) of Schedule 5

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as practicable, the arrangements set down below shall be observed in the printing of the ballot paper.
3. Nothing in paragraph 2 prohibits the front of the ballot paper containing more than one column of numbers, particulars of individual candidates, of registered political parties, the names of candidates on party lists and spaces where the vote is to be marked if the returning officer thinks it is appropriate for the ballot paper to be printed with more than one column, but in such a case each column must be separated by a double vertical rule

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4.—(1) This paragraph makes provision in respect of that part of the ballot paper appearing above the higher horizontal rule.

(2) The group of words in English to the left and the group of words in Welsh to the right are each referred to in these directions as a block (and a block also includes the rectangle and representation in that rectangle of how a vote is to be marked).

(3) The blocks may be reversed so that the block with the Welsh words is to the left and the block with the English words is to the right.

(4) The first three lines of each block shall be printed in large capitals.

(5) The lines of each rectangle in a block are not to be regarded as rules for the purposes of these directions.

5. No word shall be printed on the front of the ballot paper except the words set out in the form of regional ballot paper appearing in each block, the descriptions of registered political parties, the names of party list candidates, the names and descriptions of individual candidates, and words forming part of registered emblems.

6. The blocks, numbers, descriptions of registered political parties, names of individual candidates and sides of the rectangles in which a vote is to be marked shall be printed in bold form on the ballot paper.

7. No rule shall be printed on the front of the ballot paper except—

- (a) the first horizontal rule below the blocks, the horizontal rules separating the particulars of the parties and individual candidates from one another and the horizontal rule appearing beneath the party or individual candidate whose particulars appear last; and
- (b) the vertical rules separating those particulars from the numbers on the left hand side and the spaces on the right where the vote is to be marked (together with the vertical rule to the left of the numbers so mentioned and the vertical rule to the right of the spaces so mentioned).

8. The space on the ballot paper between each horizontal rule and the next horizontal rule below it shall be 3.5 centimetres.

9. On the ballot paper the name of each individual and party list candidate shall be printed so that his surname is placed after his other name or names.

10. The names of the party list candidates shall appear—

- (a) in the same order as on the party's list of candidates and they shall be numbered in that order;
- (b) in ordinary type; and
- (c) arranged in columns or rows as the returning officer thinks appropriate.

11. Where a registered emblem is to be printed against a registered political party's description on the ballot paper—

- (a) it shall be printed between the party's description and the rectangle in which a vote may be marked; and
- (b) its size as printed shall not exceed 2 centimetres square.

12. The number and other unique identifying mark may be printed close to each other on the back of the ballot paper.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CN1: Elector’s form of poll card

Rule 36(5) of Schedule 5

Front of poll card

Election to the National Assembly for Wales Official Poll Card	Ethol i Gynulliad Cenedlaethol Cymru Cerdyn Pleidleisio Swyddogol
Constituency/Etholaeth [Electoral region/Rhanbarth etholiadol] Polling day/dyddiad pleidleisio Your polling station will be/Yr orsaf bleidleisio i chi fydd..... Polling hours 7 a.m. to 10 pm. Oriau pleidleisio 7 am hyd 10pm.	Number on register/Rhif ar y gofrestr *Name/ Enw *Address /Cyferiad
<p><i>(*To be omitted where the poll card is being sent to an elector with anonymous registration. Poll card being sent to an elector with anonymous registration must be delivered in a sealed envelope.)</i></p>	
SEE FURTHER INFORMATION ON THE BACK OF THIS CARD GWELER YR WYBODAETH YCHWANEGOL AR GEFN Y CERDYN HWN	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Back of poll card

Constituency [and Regional] Assembly election[s]	Etholiad[au] Etholaethol [a Rhanbarthol] y Cynulliad
(1) This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.	1) Er gwybodaeth yn unig mae'r cerdyn hwn. Fe gewch chi bleidleisio hebddo, ond bydd yn arbed amser os ewch chi ag ef i'r orsaf bleidleisio a'i ddangos i'r clerc yno.
(2) When you go to the polling station, tell the clerk your name and address, as shown on the front of this card.	2) Pan fyddwch chi'n mynd i'r orsaf bleidleisio, rhowch eich enw a'ch cyfeiriad i'r clerc, fel y'u dangosir ar du blaen y cerdyn.
(3) The clerk will confirm the details on the register and give you your ballot paper[s].	(3) Bydd y clerc yn cadarnhau'r manylion ar y gofrestr ac yn rhoi eich papur[au] pleidleisio i chi.
When you are given the ballot paper[s], go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the [insert colour of constituency] ballot paper opposite the name of the candidate [and on the [insert colour of regional] ballot paper opposite the name of the party or candidate] for whom who are voting.	Pan gewch chi'r papur[au] pleidleisio, ewch i un o'r bythau pleidleisio. Rhowch groes (X) yn y blwch ar ochr dde'r papur pleidleisio [insert colour of constituency] gyferbyn ag enw'r ymgeisydd [ac ar y papur pleidleisio [insert colour of regional] gyferbyn ag enw'r blaid neu'r ymgeisydd] rydych chi'n pleidleisio drosto/drosti.
Vote once on [each][the] ballot paper. Do not put any other mark on the ballot paper[s], or your vote[s] may not be counted.	Pleidleiswch unwaith ar [bob] [y] papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur[au] pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif.
If you spoil a ballot paper by mistake, show it to the presiding officer and ask for a replacement.	Os byddwch chi'n difetha papur pleidleisio trwy gamgymeriad, dangoswch ef i'r swyddog llywyddu a gofyn am un arall.
Fold the ballot paper[s] so as to conceal your vote(s). Show the presiding officer the number and other unique identifying mark on the back of the ballot paper[s], but do not let anyone see your vote[s]. Put [each][the] ballot paper in the [appropriate] ballot box and leave the polling station.	Plygwch??y??papur[au]??pleidleisio??er??mwyn??cuddio' ch??pleidlais??pleidleisiau????Dangoswch??y??rhif??a' r??marc??adnabod??unigryw??arall??ar??gef n??y??papur[au]??pleidleisio??i' r??swyddog??llywyddu????ond??peidiwch??a??gadael??i??neb??weld??eic h??pleidlais[pleidleisiau]????Rhowch??[bob]??[y]??papur??pleidleisio??yn??y??blwch??pleidleisio??[pr

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<p>If you will be away on the date of the poll—</p> <ul style="list-style-type: none"> ➤ You can apply for a proxy vote (this means someone else can vote on your behalf). You must do this before 5pm on [insert date]. If you appoint a proxy, you can still vote in person at this election if you do so before your proxy has voted on your behalf ➤ You or your proxy can apply to vote by post. You must do this before 5pm on [insert date]. If you are given a postal vote, you or your proxy will not be entitled to vote in person at this election. 	<p>Os byddwch i ffwrdd ar ddiwrnod y pleidleisio—</p> <ul style="list-style-type: none"> ➤ Gallwch wneud cais am bleidlais drwy ddirprwy (mae hyn yn golygu y gall rhywun arall bleidleisio ar eich rhan). Rhaid ichi wneud hyn cyn 5pm ar [insert date]. Os byddwch yn penodi dirprwy, gallwch barhau i bleidleisio eich hun yn yr etholiad hwn os gwnewch hynny cyn i'ch dirprwy bleidleisio ar eich rhan. ➤ Gallwch chi neu eich dirprwy wneud cais i bleidleisio drwy'r post. Rhaid ichi wneud hyn cyn 5pm ar [insert date]. Os rhoddir pleidlais bost i chi, ni chewch chi na'ch dirprwy bleidleisio'n bersonol yn yr etholiad hwn.
<p>If you have a medical emergency after 5pm on [insert date] which will prevent you from voting in person, you can apply for an emergency proxy vote.</p>	<p>Os cewch argyfwng meddygol ar ôl 5pm ar [insert date] a fydd yn eich rhwystro rhag pleidleisio'n bersonol, gallwch wneud cais am bleidlais frys drwy ddirprwy</p>
<p>To change any of your voting arrangements, please contact [Help line number] as soon as possible.</p>	<p>I newid unrhyw rai o'ch trefniadau pleidleisio, ffoniwch [Help line number] cyn gynted â phosibl.</p>
<p>It is illegal to vote more than once (other than as proxy for another elector) at the same election</p>	<p>Mae'n anghyfreithlon pleidleisio fwy nag unwaith (heblaw am fel dirprwy i etholwr arall) yn yr un etholiad.</p>
<p>Issued by the Returning Officer under the National Assembly for Wales (Representation of the People) Order 2007</p>	<p>Cyhoeddwyd gan y Swyddog Canlyniadau dan Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007</p>
<p><i>[When the poll card is being sent to a voter with anonymous registration, substitute the paragraphs marked, 1,2 & 3 above with the corresponding paragraphs below.</i></p>	<p><i>[When the poll card is being sent to a voter with anonymous registration, substitute the paragraphs marked, 1,2 & 3 above with the corresponding paragraphs below.</i></p>
<p>(1) You must have this card with you when you vote. You cannot vote without it.</p>	<p>(1) Mae'n rhaid i chi fynd â'r cerdyn hwn gyda chi pan fyddwch yn pleidleisio. Chewch chi ddim pleidleisio hebddo.</p>
<p>(2) When you go to the polling station, ask to speak to the presiding officer and show him this card.</p>	<p>(2) Pan fyddwch chi'n mynd i'r orsaf bleidleisio, gofynnwch am gael siarad â'r swyddog llywyddu a dangos y cerdyn hwn iddo.</p>
<p>(3) The presiding officer will confirm your entry on the register and give you your ballot paper[s].</p>	<p>(3) Bydd y swyddog llywyddu'n cadarnhau eich cofnod ar y gofrestr ac yn rhoi eich papur[au] pleidleisio i chi.]</p>

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Form CN2: Proxy's form of poll card

Rule 36(6) of Schedule 5

Front of poll card

Election to the National Assembly for Wales Official Proxy poll card.	Ethol i Gynulliad Cenedlaethol Cymru Cerdyn pleidleisio swyddogol dirprwy.
Constituency Etholaeth [Electoral region/ Rhanbarth etholiadol] Polling day/ Dyddiad pleidleisio Elector's polling station will be/ Yr orsaf bleidliesio i chi fydd.....	This notice is to advise you that for this election you are appointed as a proxy for the elector named opposite. Pwrpas yr hysbysiad hwn yw rhoi gwybod i chi eich bod wedi'ch penodi'n ddirprwy ar ran yr etholwr a enwir gyferbyn
Polling hours 7 a.m. to 10 p.m. Oriau pleidleisio 7 a.m hyd 10 a.m *(elector's name / enw'r etholwr) *(Elector's address/cyfeiriad yr etholwr) (Elector's number on register / rhif yr etholwr ar y gofrestr).....	<div style="border: 1px solid black; padding: 5px;"> *Proxy's name/Enw'r dirprwy..... *Proxy's address/Cyfeiriad y dirprwy..... </div> (*To be omitted where the poll card is being sent to the proxy of an elector with anonymous registration. Poll card being sent to the proxy of an elector with anonymous registration must be delivered in a sealed envelope)
SEE FURTHER INFORMATION ON THE BACK OF THIS CARD GWELER YR WYBODAETH YCHWANEGOL AR GEFN Y CERDYN HWN	

Back of poll card

Constituency [and Regional] Assembly election[s]	Etholiad[au] Etholaethol [a Rhanbarthol] y Cynulliad
(1) This card is for information only. You can vote without it but it will save time if you take it to the polling station and show it to the clerk there.	(1) Er gwybodaeth yn unig mae'r cerdyn hwn. Fe gewch chi bleidleisio hebdo, ond bydd yn arbed amser os ewch chi ag ef i'r orsaf bleidleisio a'i ddangos i'r clerc yno.
(2) When you go to the polling station, tell the clerk that wish to vote as proxy on behalf of the elector shown on the front of this card.	(2) Pan fyddwch chi'n mynd i'r orsaf bleidleisio, dywedwch wrth y clerc eich bod am bleidleisio fel dirprwy ar ran yr etholwr a ddangosir ar du blaen y cerdyn hwn.
(3) The clerk will confirm the details in the register and give you your ballot paper[s].	(3) Bydd y clerc yn cadarnhau'r manylion yn y gofrestr ac yn rhoi eich papur[au] pleidleisio i chi.
When you are given the ballot paper[s], go to one of the compartments. Mark a cross (X) in the box on the right hand side of the [insert colour of constituency] ballot paper opposite the name of the candidate [and on the [insert colour of regional] ballot paper opposite the name of the party or candidate] for whom who are voting.	Pan gewch chi'r papur[au] pleidleisio, ewch i un o'r bythau. Rhwch groes (X) yn y blwch ar ochr dde'r papur pleidleisio [insert colour of constituency] gyferbyn ag enw'r ymgeisydd [ac ar y papur pleidleisio [insert colour of regional] gyferbyn ag enw'r blaid neu'r ymgeisydd] rydych chi'n pleidleisio drosto/drosti.
Vote once on [each][the] ballot paper. Put no other mark on the ballot paper[s]. If you do so your vote may not be counted.	Pleidleiswch unwaith ar [bob] [y] papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papurau pleidleisio. Os gwnewch hynny mae'n bosibl na chaiff eich pleidlais ei chyfrif.
If by mistake you spoil a ballot paper, show it to the presiding officer and ask for a replacement.	Os byddwch chi'n difetha papur pleidleisio trwy gamgymeriad, dangoswch ef i'r swyddog llywyddu a gofyn am un arall.

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<p>Fold the ballot paper[s] so as to conceal your vote. Show the back of the ballot paper[s] to the presiding officer, so as to disclose the number or other unique identifying mark. Do not let anyone see your vote. Put [each][the] ballot paper[s] in the [appropriate] ballot box and leave the polling station.</p>	<p>Plygwch y papur[au] pleidleisio er mwyn cuddio'ch pleidlais. Dangoswch gefn y papur[au] pleidleisio i'r swyddog llywyddu er mwyn dangos y rhif a'r marc adnabod unigryw arall. Peidiwch â gadael i neb weld eich pleidlais. Rhowch [bob] [y] papur[au] pleidleisio yn y blwch pleidleisio [priodol] a gadael yr orsaf bleidleisio.</p>
<p>If you will be away on the date of the poll—</p> <ul style="list-style-type: none"> ➤ You can apply to vote by post. You must do this before 5pm on [insert date]. If you are given a postal vote, you will not be entitled to vote in person at this election. 	<p>Os byddwch i ffwrdd ar ddiwrnod y pleidleisio—</p> <ul style="list-style-type: none"> ➤ Gallwch wneud cais i bleidleisio drwy'r post. Rhaid ichi wneud hyn cyn 5pm ar [insert date]. Os rhoddir pleidlais drwy'r post i chi, ni chewch chi bleidleisio'n bersonol yn yr etholiad hwn.
<p>The person who appointed you as proxy may vote in person at this election if he/she is able, and wishes to do so and does so before you vote on his behalf.</p>	<p>Caiff y sawl sydd wedi'ch penodi chi'n ddirprwy bleidleisio i hun yn bersonol yn yr etholiad os gall ac os yw'n dymuno gwneud hynny, ac yn gwneud hynny cyn i chi bleidleisio drosto/i.</p>
<p>It is illegal to do any of the following</p> <ul style="list-style-type: none"> ➤ to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote. ➤ to vote as a proxy at the same election for more than two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild. ➤ to vote more than once (other than as proxy for another elector) at the same election. 	<p>Mae'n anghyfreithlon gwneud unrhyw un o'r canlynol</p> <ul style="list-style-type: none"> ➤ pleidleisio fel dirprwy ar ran rhywun arall gan wybod bod y person hwnn'n anghymwys i bleidleisio yn ôl y gyfraith. ➤ pleidleisio fel dirprwy yn yr un etholiad dros fwy na dau berson nad ydych chi'n wr, yn wraig, yn bartner sifil, yn rhiant, yn nain neu'n daid, yn frawd, yn chwaer, yn blentyn neu'n wŷr neu'n wyres iddynt. ➤ pleidleisio mwy nag unwaith (heblaw am fod yn ddirprwy i etholwr arall) yn yr un etholiad.
<p>Issued by the Returning Officer under the National Assembly for Wales (Representation of the People) Order 2007</p>	<p>Cyhoeddwyd gan y Swyddog Canlyniadau dan Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007</p>
<p><i>[Where the poll card is sent to the proxy of an elector with anonymous registration, substitute the paragraphs marked 1,2 and 3 above with the corresponding paragraphs below</i></p>	<p><i>[Where the poll card is sent to the proxy of an elector with anonymous registration, substitute the paragraphs marked 1,2 and 3 above with the corresponding paragraphs below</i></p>
<p>(1) You must have this card with you when you vote. You cannot vote as proxy without it.</p>	<p>(1) Mae'n rhaid i chi fynd â'r cerdyn hwn gyda chi pan fyddwch yn pleidleisio. Chewch chi ddim pleidleisio fel dirprwy hebdo.</p>
<p>(2) To vote as proxy you must go to the polling station shown on the front of this card. Ask to speak to the presiding officer and show him this card.</p>	<p>(2) I bleidleisio fel dirprwy, rhaid i chi fynd i'r orsaf bleidleisio a ddangosir ar du blaen y cerdyn hwn. Gofynnwch am gael siarad â'r swyddog llywyddu a dangos y cerdyn hwn iddo.</p>
<p>(3) The presiding officer will confirm the entry on the register and give you your ballot paper[s].</p>	<p>(3) Bydd y swyddog llywyddu'n cadarnhau'r cofnod ar y gofrestr ac yn rhoi eich papur[au] pleidleisio i chi..]</p>

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Form CN3: Postal voter's form of poll card

Rule 36(7) of Schedule 5

Front of poll card

Election to the National Assembly for Wales Official Postal voter's poll card.	Ethol i Gynulliad Cenedlaethol Cymru Cerdyn pleidleisio swyddogol pleidleisiwr drwy'r post.
Constituency/ Etholaeth [Electoral region/ Rhanbarth etholiadol] Polling day/ Dyddiad pleidleisio Polling hours 7 a.m. to 10 p.m. Oriau pleidleisio 7 a.m hyd 10 a.m Number on register/Rhif ar y gofrestr *Name/Enw..... *Address/ Cyferiad <i>(*To be omitted where the poll card is being sent to an elector with anonymous registration. Poll card being sent to an elector with anonymous registration must be delivered in a sealed envelope.)</i>	This notice is to tell you that you have asked to vote by post for this election and you will not be able to vote at a polling station. Pwrpas yr hysbysiad hwn yw dweud wrthy ch eich bod wedi gofyn am gael pleidleisio drwy'r post yn yr etholiad hwn ac ni fyddwch yn gallu pleidleisio mewn gorsaf bleidleisio. Your postal voting papers will be delivered on or soon after [insert day/date] addressed to Anfonir eich papurau pleidleisio drwy'r post ar [insert day/date] neu'n fuan wedi hynny at [name and address]
If your postal voting papers have not been delivered by [insert day/date] please telephone [help line number] for assistance Os na fydd eich papurau pleidleisio drwy'r post wedi cyrraedd erbyn [insert day/date] ffoniwch [help line number] i gael cymorth If you wish to cancel your postal vote please telephone [help line number] before 5pm on [insert date]. If you lose or accidentally spoil your postal ballot paper[s] or postal voting statement, please telephone [help line number] as soon as possible. Replacement ballot papers and postal voting statements cannot be issued after 5pm on [date of poll] This card is for information only. You cannot vote in person at a polling station.	
SEE FURTHER INFORMATION ON THE BACK OF THIS CARD	
Os byddwch yn dymuno canslo eich pleidlais drwy'r post, ffoniwch [help line number] cyn 5pm ar [insert date]. Os collwch neu os difethwch yn ddamweiniol eich papur[au] pleidleisio neu ddatganiad y bleidlais drwy'r post, ffoniwch [help line number] cyn gynted â phosibl. Ni ellir darparu papurau pleidleisio a datganiadau pleidlais drwy'r post eraill ar ôl 5pm ar [date of poll] Er gwybodaeth yn unig mae'r cerdyn hwn. Chewch chi ddim pleidleisio eich hun mewn gorsaf bleidleisio. Pwrpas y cerdyn hwn yw rhoi gwybodaeth i chi am bleidleisio drwy'r post	
GWELER YR WYBODAETH YCHWANEGOL AR GEFN Y CERDYN HWN	

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Back of poll card

Constituency [and Regional] Assembly election[s]	Etholiad[au] Etholaethol [a Rhanbarthol] y Cynulliad
When you receive your postal voting pack, please read the instructions with it carefully before completing your postal ballot paper[s].	Pan fyddwch yn derbyn eich pecyn pleidleisio drwy'r post, darllenwch y cyfarwyddiadau'n ofalus cyn llenwi eich papur[au] pleidleisio drwy'r post.
Do not let anyone see your vote. If you need help to vote, the person helping you must not tell anyone how you have voted. You can get independent help from the returning officer; please call our help line on [Insert help line number].	Peidiwch â gadael i neb weld eich pleidlais. Os oes angen help arnoch i bleidleisio, ni chaiff y sawl sy'n eich cynorthwyo ddweud sut rydych chi wedi pleidleisio. Gallwch gael cymorth annibynnol gan y swyddog canlyniadau; ffoniwch ein llinell gymorth ar [Insert help line number].
You must sign (or mark) the postal voting statement (unless you have been granted a waiver by prior arrangement with the returning officer) and provide your date of birth. This is a security measure. It does not affect your vote or mean it can be identified. Without your signature and date of birth, the statement is not valid and your vote will not be counted. The returning officer can cross check your signature against other records that he holds.	Rhaid i chi lofnodi (neu farcio) datganiad y bleidlais drwy'r post (onid ydych chi wedi cael hepgoriad drwy drefniant ymlaen llaw gyda'r swyddog canlyniadau) a rhoi eich dyddiad geni. Mesur diogelwch yw hyn. Nid yw'n effeithio ar eich pleidlais nac yn golygu y gellir ei hadnabod. Heb eich llofnod a'ch dyddiad geni, nid yw'r datganiad yn ddilys ac ni chaiff eich pleidlais ei chyfrif. Gall y swyddog canlyniadau groeswiro eich llofnod gyda chofnodion eraill sydd yn ei feddiant.
If you lose or accidentally spoil your ballot paper[s] or postal voting statement, please call the help line number as soon as possible. Replacement ballot papers and postal voting statements cannot be issued after 5pm on [date of poll].	Os collwch neu os difethwch yn ddamweiniol eich papur[au] pleidleisio neu ddatganiad y bleidlais drwy'r post, ffoniwch y llinell gymorth cyn gynted â phosibl. Ni ellir darparu papurau pleidleisio a datganiadau pleidlais drwy'r post eraill ar ôl 5pm ar [date of poll].
Complete and return your postal vote as soon as possible. The returning officer must receive your postal vote by 10pm on [day/date of the poll] If you have not posted your vote by the day of the poll, you can deliver your vote to any polling station in your constituency.	Llenwch a dychwelwch eich pleidlais drwy'r post cyn gynted ag y bo modd. Rhaid i'r swyddog canlyniadau dderbyn eich pleidlais drwy'r post erbyn 10pm ar [day/date of the poll]. Os na fyddwch wedi postio eich pleidlais erbyn diwrnod yr etholiad, gallwch fynd â'ch pleidlais i unrhyw orsaf bleidleisio yn eich etholaeth.
It is an offence to vote using a ballot paper that was not addressed to you.	Mae'n drosedd pleidleisio gan ddefnyddio papur pleidleisio nad oedd wedi'i gyfeirio atoch chi.
If you want to vote in person at [these elections][this election] you must cancel your postal vote before 5pm on [insert date].	Os ydych chi eisiau pleidleisio'n bersonol yn [yr etholiadau hyn] [yr etholiad hwn] rhaid i chi ganslo'ch pleidlais drwy'r post cyn 5pm ar [insert date].
If you need any assistance, please call our help line on [Help line number].	Os oes angen cymorth arnoch, ffoniwch ein llinell gymorth ar [Help line number].
Issued by the Returning Officer under the National Assembly for Wales (Representation of the People) Order 2007	Cyhoeddwyd gan y Swyddog Canlyniadau dan Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007

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Form CN4: Postal proxy voter's form of poll card

Rule 36(8) of Schedule 5

Front of poll card

<p>Election to the National Assembly for Wales Official Postal proxy voter's poll card.</p>	<p>Ethol i Gynulliad Cenedlaethol Cymru Cerdyn pleidleisio swyddogol pleidleisiwr drwy'r post fel dirprwy</p>
<p>Constituency Etholaeth [Electoral region/ Rhanbarth etholiadol] Polling day/ Dyddiad pleidleisio Polling hours 7 a.m. to 10 p.m. Oriau pleidleisio 7 a.m hyd 10 a.m Number on register/Rhif ar y gofrestr *Name/Enw</p>	<p>This poll card is to tell you that for this election, the elector named opposite has appointed you as his/her proxy and you have decided to vote by post. You will not be able to vote on behalf of the elector at a polling station Pwrpas y cerdyn pleidleisio hwn yw dweud wrthy'ch fod yr etholwr a enwir gyferbyn, ar gyfer yr etholiad hwn, wedi'ch penodi chi'n ddirprwy iddo/iddi ac rydych wedi penderfynu pleidleisio drwy'r post. Ni fyddwch yn gallu pleidleisio ar ran yr etholwr mewn gorsaf bleidleisio</p>
<p>*Address/ Cyferiad <i>(*To be omitted where the poll card is being sent to the proxy of an elector with anonymous registration. Poll card being sent to the proxy of an elector with anonymous registration must be delivered in a sealed envelope)</i> If your postal voting papers have not been delivered by [insert day/date] please telephone [help line number] for assistance Os na fydd eich papurau pleidleisio drwy'r post wedi cyrraedd erbyn [insert day/date] ffoniwch [help line number] i gael cymorth</p>	<p>Your postal proxy voting papers will be delivered on or soon after [insert day/date] addressed to Anfonir eich papurau pleidleisio drwy'r post fel dirprwy ar [insert day/date] neu'n fuan wedyn at *[name and address [Proxy]]</p>
<p>If you wish to cancel your postal proxy vote please telephone[help line number] before 5pm on [insert date]. If you lose or accidentally spoil the postal ballot paper[s] or postal voting statement, please telephone[help line Number] as soon as possible. Replacement ballot papers and postal voting statements cannot be issued after 5pm on [date of poll] This card is for information only. You cannot vote in person at a polling station.</p>	
<p>SEE FURTHER INFORMATION SEE THE BACK OF THIS CARD</p>	
<p>Os byddwch yn dymuno canslo eich pleidlais drwy'r post fel dirprwy, ffoniwch [help line number] cyn 5pm ar [insert date]. Os collwch neu os difethwch yn ddamweiniol bapur[au] pleidleisio drwy'r post neu'r datganiad pleidlais drwy'r post, ffoniwch [help line number] cyn gynted â phosibl. Ni ellir darparu papurau pleidleisio a datganiadau pleidlais drwy'r post eraill ar ôl 5pm ar [date of poll] Er gwybodaeth yn unig mae'r cerdyn hwn. Chewch chi ddim pleidleisio eich hun mewn gorsaf bleidleisio.</p>	
<p>GWELER Y WYBODAETH YCHWANEGOL AR GEFN Y CERDYN HWN</p>	

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Back of poll card

Constituency [and Regional] Assembly election[s]	Etholiad[au] Etholaethol [a Rhanbarthol] y Cynulliad
When you receive the postal voting pack, please read the instructions with it very carefully before completing the postal ballot paper[s].	Pan fyddwch yn derbyn y pecyn pleidleisio drwy'r post, darllenwch y cyfarwyddiadau'n ofalus iawn cyn llenwi'r papur[au] pleidleisio drwy'r post.
Do not let anyone see your vote If you need help to vote, the person helping you must not disclose how you voted.	Peidiwch â gadael i neb weld eich pleidlais. Os oes angen help amoch i bleidleisio, ni chaiff y sawl sy'n eich cynorthwyo ddweud sut rydych chi wedi pleidleisio.
You must sign (or mark) the postal voting statement (unless you have been granted a waiver by prior arrangement with the returning officer) and provide your date of birth. This is a security measure. It does not affect your vote or mean it can be identified. Without your signature and date of birth, the statement is not valid and your vote will not be counted. The returning officer can cross check your signature against other records he holds.	Rhaid i chi lofnodi (neu farcio) datganiad y bleidlais drwy'r post (onid ydych wedi cael hepgoriad drwy drefniant ymlaen llaw gyda'r swyddog canlyniadau) a rhoi eich dyddiad geni. Mesur diogelwch yw hyn. Nid yw'n effeithio ar eich pleidlais nac yn golygu y gellir ei hadnabod. Heb eich llofnod a'ch dyddiad geni, nid yw'r datganiad yn ddilys ac ni chaiff eich pleidlais ei chyfrif. Gall y swyddog canlyniadau groeswiro eich llofnod gyda chofnodion eraill sydd yn ei feddiant.
Complete and return the postal vote as soon as possible. The returning officer must receive the postal vote by 10pm on [day/date of poll]. If you have not posted your vote by the day of the poll, you can deliver your vote to any polling station in the constituency.	Llenwch a dychwelwch y bleidlais drwy'r post cyn gynted ag y bo modd. Rhaid i'r swyddog canlyniadau dderbyn y bleidlais drwy'r post erbyn 10pm ar [day/date of poll]. Os na fyddwch wedi postio eich pleidlais erbyn diwrnod yr etholiad, gallwch fynd â'ch pleidlais i unrhyw orsaf bleidleisio yn yr etholaeth.
It is an offence to vote using a ballot paper that was not to addressed you.	Mae'n drosedd pleidleisio gan ddefnyddio papur pleidleisio nad oedd wedi'i gyfeirio atoch chi.
It is illegal to do any of the following <ul style="list-style-type: none"> ➤ to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote. ➤ to vote as proxy at the same election for more than two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild. ➤ to vote more than once (other than as proxy for another elector) at the same election. 	Mae'n anghyfreithlon gwneud unrhyw un o'r canlynol <ul style="list-style-type: none"> ➤ pleidleisio fel dirprwy ar ran rhywun arall gan wybod bod y person hwnnw'n anghymwys i bleidleisio yn ôl y gyfraith. ➤ pleidleisio fel dirprwy yn yr un etholiad dros fwy na dau berson nad ydych chi'n wr, yn wraig, yn bartner sifil, yn rhiant, yn nain neu'n daid, yn frawd, yn chwaer, yn blentyn neu'n wŷr neu'n wyres iddynt. ➤ pleidleisio mwy nag unwaith (heblaw am fod yn ddirprwy i etholwr arall) yn yr un etholiad.
If you want to vote in person as a proxy at [these elections][this election] at a polling station you must cancel your postal proxy vote before 5pm on [insert date].	Os ydych chi eisiau pleidleisio'n bersonol fel dirprwy yn [yr etholiadau hyn] [yr etholiad hwn] mewn gorsaf bleidleisio rhaid i chi ganslo'ch pleidlais drwy'r post fel dirprwy cyn 5pm ar [insert date].
Issued by the Returning Officer under the National Assembly for Wales (Representation of the People) Order 2007.	Cyhoeddwyd gan y Swyddog Canlyniadau dan Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CP: Form of directions for the guidance of voters in voting

Rule 37(14) of Schedule 5

Guidance for Voters

1. When you are given the ballot paper[s] go to one of the compartments. Mark your choice with a cross (X) in the box on the right hand side of the ballot paper[s].
 2. Vote once only on [each][the] ballot paper. Put no other mark on the ballot paper, or your vote may not be counted. Do not let anyone see your vote.
 3. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.
 4. Fold the ballot paper[s] so as to conceal your vote. Show the back of the ballot paper[s] to the presiding officer so as to disclose the number and other unique identifying mark. Put [the][each] ballot paper in the [appropriate] ballot box and leave the polling station.
-

Cyfarwyddyd I Bleidleiswyr

1. Pan gewch chi bapur[au] pleidleisio, ewch i un o'r bythau. Rhewch groes (X) ar eich dewis yn y blwch ar ochr dde'r papur pleidleisio.
2. Pleidleiswch unwaith yn unig ar [bob][y] papur pleidleisio. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu mae'n bosibl na chaiff eich pleidlais ei chyfrif. Peidiwch â gadael i neb weld eich pleidlais.
3. Os bydd i chi drwy gamgymeriad ddifetha papur pleidleisio, dangoswch ef i'r swyddog llywyddu a gofyn am un arall.
4. Plygwch y papur[au] pleidleisio er mwyn cuddio eich pleidlais. Dangoswch gefn y papur[au] pleidleisio i'r swyddog llywyddol er mwyn dangos y rhif a'r marc unigryw arall. Rhewch y papur[au] pleidleisio yn y blwch pleidleisio [priodol] a gadael yr orsaf bleidleisio.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CQ: Form of declaration to be made by the companion of a voter with disabilities

Rule 48(7) of Schedule 5

Election to The National Assembly for Wales

I, A.B., of, having been requested to assist C.D., (*in the case of a voter with disabilities voting as proxy add* [voting as proxy for M.N.]) whose number on the register isto record [his][her] vote at the Assembly election(s) now being held in this [constituency] [and] [electoral region], hereby declare that [I am entitled to vote as an elector at the said election(s)] [I am the [father] [mother] [brother] [sister] [spouse] [civil partner] [son] [daughter] of the said voter and have attained the age of 18 years], and that I have not previously assisted any voter with disabilities [except E.F., of] to vote at the said election(s).

(Signed) A.B.,

.day of

I, the undersigned, being the presiding officer for the polling station in the Constituency, hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed) G.H.,day of

atminutes pasto'clock (am) (pm)

NOTE—If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.

A voter with disabilities is a voter who has made a declaration under Schedule 5 to the National Assembly for Wales (Representation of the People) Order 2007 that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote without assistance.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol i Gynulliad Cenedlauthol Cymru

Yr wyf fi, A.B. o., ar ôl cael cais i gynorthwyo C. D., (*yn achos pleidleisiwr anabl sy'n gweithredu fel dirprwy* [ychwaneger sy'n pleidleisio fel dirprwy ar ran M.N.]), sef rhif. ar y gofrestr, i gofnodi ei bleidlais yn yr etholiad(au) i'r Cynulliad a gynhelir yn awr yn yr [etholaeth hon] [â'r] [rhanbarth etholiadol hwn], yn datgan drwy hyn [fod gennyf hawl i bleidleisio fel etholwr yn yr etholiad(au) a enwyd] [mai fi yw [tad] [mam] [brawd] [chwaer] [priod] [partner sifil] [mab] [merch] y pleidleisiwr a enwyd ac wedi cyrraedd fy 18 mlwydd oed], ac na fu i mi o'r blaen gynorthwyo unrhyw bleidleisiwr anabl [ac eithrio E.F., o.] i bleidleisio yn yr etholiad(au) a enwyd.

(Llofnodwyd) A.B.,

y. dydd o fis.

Yr wyf fi, y gwelir fy llofnod isod, sef swyddog llywyddu gorsaf bleidleisio. ar gyfer Etholaeth., yn ardystio drwy hyn fod y datganiad uchod wedi ei ddarllen I ddechrau yng nghlyw'r datganydd a enwir uchod, a bod y datganydd wedi ei lofnodi wedyn yn fy ngwydd.

(Llofnodwyd) G.H., y. dydd o fis.

am. munud wedi. o'r gloch (am) (pm)

NODYN—Os bydd y person sy'n gwneud y datganiad uchod yn ymwybodol ac yn fwriadol yn dweud rhywbeth ffug ynglyn ag unrhyw fater o bwys, bydd yn euog o drosedd.

Pleidleisiwr gydag anableddau yw pleidleisiwr sydd wedi gwneud datganiad dan Atodlen 5 Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007 ei fod ef/ei bod hi wedi'i h/analluogi gymaint gan ei dd/dallineb neu analluedd arall, neu gan ei h/anallu i ddarllen, fel na all bleidleisio heb gymorth.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CR: Form of certificate declaring candidate to be returned at a constituency election

Rule 62(4)(a) of Schedule 5

Election to The National Assembly for Wales

Certification by the constituency returning officer in respect of the election and return of a member for an Assembly constituency

I hereby certify that the Member elected and returned to the National Assembly for Wales for the Constituency at the election on [date of poll] is:

.....(Full name of member)

.....(name of registered political party, if applicable)

Address of Member:

.....
.....
.....
.....
.....

signed
Constituency Returning Officer

Date

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol i Gynulliad Cenedlaethol Cymru

Ardystiad gan y swyddog canlyniadau etholaethol yng nghyswllt ethol a dychwelyd aelod dros un o etholaethau'r Cynulliad

Ardystiaf drwy hyn mai'r Aelod a etholwyd ac a ddychwelwyd i Gynulliad Cenedlaethol Cymru dros Etholaethyn yr etholiad ar [dyddiad yr etholiad] yw:

.....(Enw llawn yr aelod)
.....(enw'r blaidd wleidyddol gofrestredig, os yw'n berthnasol)

Cyfeiriad yr Aelod:

.....
.....
.....
.....
.....

Dyddiad

Llofnod.....
Swyddog Canlyniadau'r Etholaeth

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CS: Form of certificate declaring candidates to be returned at a regional election

Rule 64(3)(a) of Schedule 5

Election to The National Assembly for Wales

Certification by the regional returning officer in respect of the election and return of members for an Assembly electoral region

I hereby certify that the persons elected and returned to the National Assembly for Wales to serve as Members for theElectoral Region at the election held on [date of poll] are:

1. [Full name of member]	[Name of registered political party, if applicable]
.....
Address of Member:
.....
2. [Full name of member]	[Name of registered political party, if applicable]
.....
Address of Member:
.....
3. [Full name of member]	[Name of registered political party, if applicable]
.....
Address of Member:
.....
4. [Full name of member]	[Name of registered political party, if applicable]
.....
Address of Member:
.....

Signed.....
Regional Returning Officer

Date.....

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ethol i Gynulliad Cenedlaethol Cymru

Ardystiad gan y swyddog canlyniadau rhanbarthol yng nghyswllt ethol a dychwelyd aelodau dros un o ranbarthau etholiadol y Cynulliad

Ardystiaf drwy hyn mai'r sawl a etholwyd ac a ddechwelwyd i Gynulliad Cenedlaethol Cymru i wasanaethu'n Aelodau dros Ranbarth Etholiadol yn yr etholiad a gynhaliwyd ar [dyddiad yr etholiad] yw:

1. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n berthnasol]
Cyfeiriad yr aelod:
2. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n berthnasol]
Cyfeiriad yr aelod:
3. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n berthnasol]
Cyfeiriad yr aelod:
4. [Enw llawn yr aelod]	[Enw'r blaid wleidyddol gofrestredig, os yw'n berthnasol]
Cyfeiriad yr aelod:

Llofnodwyd
Swyddog Canlyniadau Rhanbarthol

Dyddiad

Form CT: Form of certificate: electoral region; seat to remain vacant until next Assembly general election

Rule 78(10)(b) of Schedule 5

Election to The National Assembly for Wales

Certification by the regional returning officer that by virtue of section 11(7)(b) of the Government of Wales Act 2006 a vacancy in an Assembly electoral region shall remain vacant until the next Assembly general election

I hereby certify that in accordance with the provisions of section 11(7)(b) of the Government of Wales Act 2006 the seat which is vacant in the under-mentioned electoral region shall remain vacant until the next general election to the National Assembly for Wales.

.....Electoral Region

(Signed)

Regional Returning Officer

Date

Ethol i Gynulliad Cenedlaethol Cymru

Ardystiad gan y swyddog canlyniadau rhanbarthol y bydd sedd wag yn un o ranbarthau etholiadol y Cynulliad yn aros yn wag tan yr etholiad cyffredinol nesaf y Cynulliad, yn rhinwedd adran 11(7)(b) o Ddeddf Llywodraeth Cymru 2006

Yn unol â darpariaethau adran 11(7)(b) o Ddeddf Llywodraeth Cymru 2006 yr wyf drwy hyn yn ardystio y bydd y sedd sy'n wag yn y rhanbarth etholiadol a enwir isod yn aros yn wag tan Etholiad Cyffredinol nesaf Cynulliad Cenedlaethol Cymru.

.....Rhanbarth Etholiadol

(Llofnodwyd)

Swyddog Canlyniadau Rhanbarthol

Dyddiad

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CU: Form of return: expenses incurred in support of a candidate

Article 46(6)

Election to The National Assembly for Wales

Election in the. [Assembly constituency] [Assembly electoral region].

Date of publication of notice of election.

Name of candidate.

1. The expenses incurred at the above election in support of the above candidate by.
. *(insert name of person or association or body of persons incurring the expenses)*
being expenses required by article 46 of the National Assembly for Wales (Representation of the People) Order 2007 to be authorised in writing by the election agent amounted to £.

2. That written authority is annexed to this return.

Signature.

Date.

Ethol i Gynulliad Cenedlaethol Cymru

Etholiad yn [etholaeth Gynulliad] [rhanbarth etholiadol Cynulliad]

Dyddiad cyhoeddi'r hysbysiad am yr etholiad.

Enw'r ymgeisydd.

1. Yr oedd y treuliau a dynnwyd yn yr etholiad uchod i gefnogi'r ymgeisydd uchod gan.
. *(rhowch enw'r person neu'r gymdeithas neu'r corff o bersonau a dynnodd y treuliau)* sef treuliau y mae'n ofynnol o dan erthygl 46 o Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007 iddynt gael eu hawdurdodi'n ysgrifenedig gan yr asiant etholiad yn dod i £.

2. Mae'r awdurdod ysgrifenedig hwnnw wedi ei gysylltu wrth y cofnod hwn.

Llofnod.

Dyddiad.

Form CV: Form of declaration: expenses incurred in support of a candidate

Article 46(6)

Election to The National Assembly for Wales

Election in the [Assembly constituency] [Assembly electoral region].

Date of publication of notice of election.

I hereby declare that—

1. I am the person (*or in the case of an association or a body of persons* [[director] [general manager] [secretary] [*or similar officer*] of the association or body of persons) named as incurring expenses in the accompanying return, marked, of expenses required by article 46 of the National Assembly for Wales (Representation of the People) Order 2007 to be authorised in writing by an election agent.

2. To the best of my knowledge and belief that return is complete and correct.

3. The matters for which the expenses referred to in that return were incurred are as follows.

.
.
.

Signature.

Office held.

(In the case of an association or body of persons)

Date.

Ethol i Gynulliad Cenedlaethol Cymru

Etholiad yn [etholaeth Gynulliad] [rhanbarth etholiadol Cynulliad]

Dyddiad cyhoeddi'r hysbysiad am yr etholiad.

Yr wyf drwy hyn y datgan—

1. Mai fi yw'r person (*neu yn achos cymdeithas neu gorff o bersonau* [[cyfarwyddydd] [rheolwr cyffredinol] [ysgrifennydd] [*neu swyddog tebyg*] y gymdeithas neu'r corff o bersonau) a enwyd fel y sawl a dynnodd y treuliau yn y cofnod cysylltiedig, sydd wedi ei farcio., o dreuliau sy'n ofynnol o dan erthygl 46 o Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007 iddynt gael eu hawdurdodi'n ysgrifenedig gan yr asiant etholiad.

2. Hyd eithaf fy ngwybodaeth a'm cred, mae'r cofnod hwnnw'n gyflawn ac yn gywir.

3. Dyma'r materion y tynnwyd y treuliau y cyfeirir atynt yn y cofnod hwnnw ar eu cyfer.

.
.
.

Llofnod.

Swydd.

(Yn achos cymdeithas neu gorff o bersonau)

Dyddiad.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form CW: Return of candidate's election expenses

Mark as per candidate's declaration

Election to the National Assembly for Wales Return of candidate's election expenditure

For full information on how to complete this return and how to categorise election expenditure you are advised to read the Commission's latest explanatory notes.

Form CW: Return of candidate's election expenses
Article 52(8)

Election in the [constituency][Assembly electoral region] ⁽¹⁾ of	
Date of election	
Date election result declared	
Full name of candidate	
Date on which person became a candidate ⁽²⁾	
Registered party (if applicable)	
Statutory maximum expenses limit for this candidate £	
Based on electorate of ⁽³⁾	
Name of election agent	Date appointed
<p>1. I am the person named [as election agent at this election][as candidate at this election, and was my own election agent]⁽¹⁾.</p> <p>2. I hereby make the following return of [the candidate's][my]⁽¹⁾ election expenditure at this election.</p>	
Signature of agent	Date

This return must be submitted to the returning officer within 35 days after the date the result of the election is declared and must be accompanied by a separate declaration signed by the election agent verifying this return. Within 7 days of the date this return is delivered, the candidate must also submit a signed declaration verifying this return.

This return must not be used by candidates standing for election on a regional list on behalf of a party. All their spending should be accounted for in the party's campaign spending return.

⁽¹⁾Delete as appropriate

⁽²⁾See article 84 of the National Assembly for Wales (Representation of the People) Order 2007.

⁽³⁾The relevant register of electors is the register of local government electors for the electoral area as on the last day for publication of notice of the election.

Part 1: Summary of spending			
Ia: Types of payment			
Manner of payment	£	p	Note: do not include personal expenses in section 1a or 1b but enter these amounts in section 4. A deposit is not regarded as an election expense and should not be included on this form. Each item of spending should appear in only one category. The "payments made" box should include, items paid by the election agent, payments made by the candidate before the agent was appointed, petty expenditure authorised by the agent, items of article 46 spending (see Part 3) and spending before the person became a candidate on items used during the regulated period.
Unpaid claims			
Disputed claims			
Value of notional expenditure			
Payments made			
Total election spending*			
Ib: Categories of spending			
Purpose	£	p	Each item of spending should be applied to only one purpose. While some items can be categorised easily, others may appear to fit more than one purpose. In these cases you must judge under which purpose to include the item. Generally, items should be placed under the purpose they naturally fall into, e.g. the transport costs of the candidate should be included under transport even if the transport is in connection with participation at a public meeting; publicity materials e.g. balloons should be included under advertising even if distributed at events. Purpose A: Advertising of any nature (by whatever medium, e.g. posters or in newspapers) includes agency fees, design costs and any costs in connection with preparing, producing, distributing or otherwise disseminating advertising or anything incorporating advertising. Purpose B: Unsolicited material addressed to electors (whether addressed or for delivery to all electors in the area) includes design costs and all other costs in connection with preparing, producing and distributing such material (including the cost of postage but excluding any entitlement to send an election address post free). Purpose C: Transport includes hire costs but excludes the use of personal cars where no charge has been made by the owner Purpose D: Public meetings includes costs in connection with people's attendance at meetings, the hire of premises for the purposes of meetings or the provision of goods, services or facilities at them. Purpose E: Services of an election agent or anyone else whose services are engaged in connection with the candidate's election. Purpose F: Accommodation and administrative costs.
A. Advertising			
B. Unsolicited material sent to electors			
C. Transport			
D. Public meetings			
E. Agent and other staff costs			
F. Accommodation and administration			
Total election spending*			
*totals in 1a and 1b should be the same			

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Part 2: Spending breakdown

Details of all expenditure making up the total election expenditure figure should be provided.

To allow cross-referencing between each item of expenditure reported here and the category sub-totals provided in Part 1b, please ensure that the correct category reference is provided for every reported item.

Item No.	Purpose (A-F) (see Part 1b)	Receipt or invoice submitted ⁽¹⁾ (Y/N)	Item/Service	Name of supplier (and address if not included on receipt/invoice)	Name of person who made payment	Date expense incurred	Date receipt received	Date expense paid	Value of item ⁽²⁾		Amount paid (only if different from value and indicating where the amount paid was nil)	Unpaid or disputed? ⁽³⁾
									£	p		
Total of Part 2 (should equal totals in Part 1)												

Note: Each item of spending should be listed separately. If there is not enough room on this page, please attach a separate sheet.

⁽¹⁾A receipt or invoice is required for each item of spending over £20 except notional expenditure.

⁽²⁾For notional expenditure, please give the full market value of the item or service. In other cases, give the amount paid.

⁽³⁾Indicate whether claim is unpaid or disputed. For unpaid/disputed claims, attach a separate sheet with the following information:

Unpaid claims: the name of the court to which an application has been/is to be made and the date of the applications;

Disputed claims: nature of dispute and action to be taken.

Part 3: Statement of all expenditure reported for which a return is also required under article 46 of the national Assembly for Wales (Representation of the People) Order 2007

Amount	Name of person who incurred expenditure	
	£	p
Total:		

Any person authorised in writing to incur expenditure, other than petty expenditure, is required under article 46 of the National Assembly for Wales (Representation of the People) Order 2007 to submit a return of that expenditure to the returning officer within 21 days of the day the result of the election has been declared.
Please enter details of such spending in the space provided. These items must also be included in Parts 1 and 2.
Under article 46 any person may be authorised to incur election expenditure but not to make payments.

Part 4: Statement of all personal expenses incurred

Item	Name of person who made payment (i.e. candidate or election agent)	Amount		Date expense incurred	Date receipt received	Date paid
		£	p			
Total						

Note: Personal expenses are the reasonable travel and living expenses of the candidate for the purposes of and in relation to the election. Personal expenses **do not** count against the candidate's limit and items in Part 4 should not be included in Parts 1 and 2.

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Part 5: Donations						
5a	Amount (if any) provided by the candidate to meet election expenditure				£	
5b	Total value of all donations up to £50 (does not include notional donations)				£	
5c	Donations (of over £50) including donations from constituency party and notional donations					
Permissible donations received (please note that for donations from exempt trusts, an attachment sheet containing all relevant information is required)						
Name address and status of donor (company registration number if relevant)		Date		Cash amount/value		Nature (if notional)
		Received	Accepted	£	p	
		Total				
Total of 5a, 5b and 5c (should be greater than or equal to total spending in Part 1)						
5d	Donations received from impermissible/unidentifiable donors.					
Name and address of donor (if known) or manner in which donation was made		Date received	Cash amount/value		Nature	Date and manner in which donation dealt with
			£	p		

Part 6: Additional information required by regulations made by the Electoral Commission ⁽¹⁾	
⁽¹⁾ Please check the Commission's explanatory notes for information about what, if any, additional information is required.	

Marc yn ôl datganiad yr ymgeisydd

**Ethol i Gynulliad Cenedlaethol Cymru
Ffurflen gwariant etholiad yr ymgeisydd**

Am wybodaeth lawn am sut i lenwi'r ffurflen hon a sut i gatgoreiddio gwariant etholiad, cyngborir chi i ddarllen nodiadau esboniadol diweddaraf y Comisiwn.

Etholiad yn [etholaeth] [rhanbarth etholiadol y Cynulliad yn] ⁽¹⁾	
Dyddiad yr etholiad.....	
Dyddiad datgan canlyniad yr etholiad.....	
Enw llawn yr ymgeisydd.....	
Dyddiad y daeth y person yn ymgeisydd ⁽²⁾	
Plaid gofrestredig (os yn berthnasol).....	
Terfyn uchafswm treuliau statudol yr ymgeisydd hwn £.....	
Ar sail etholaeth o ⁽³⁾	
Enw'r asiant etholiad.....	Dyddiad penodi.....
1. Fi yw'r person a enwir [fel asiant etholiad ar gyfer yr etholiad hwn][fel ymgeisydd ar gyfer yr etholiad hwn, a fi oedd fy asiant etholiad fy hun]⁽¹⁾.	
2. Yr wyf drwy hyn yn cyflwyno'r ffurflen hon ar wariant etholiad [yr ymgeisydd][myfi fy hun]⁽¹⁾ ar gyfer yr etholiad hwn.	
Llofnod yr asiant.....	Dyddiad.....

Rhaid i'r ffurflen hon gael ei chyflwyno i'r swyddog canlyniadau o fewn 35 diwrnod i ddyddiad datgan canlyniad yr etholiad a rhaid cynnwys datganiad ar wahân wedi'i lofnodi gan yr asiant etholiad yn dilyn y ffurflen hon. O fewn 7 diwrnod i'r dyddiad y cyflwynir y ffurflen hon, rhaid i'r ymgeisydd hefyd gyflwyno datganiad wedi'i lofnodi yn dilyn y ffurflen wariant hon.

Ni ddylai'r ffurflen hon gael ei defnyddio gan ymgeisydd sy'n sefyll etholiad ar restr ranbarthol ar ran plaid. Dylid cynnwys holl wariant yr ymgeisydd hynny ar ffurflen gwariant ymgyrch y plaid.

⁽¹⁾Dylech ddileu yr un amberthnasol.

⁽²⁾Gweler erthygl 84 o Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007.

⁽³⁾Y gofrestr etholwyr berthnasol yw'r gofrestr etholwyr ar gyfer yr ardal etholiadol fel ag yr oedd ar ddiwrnod olaf cyhoeddi'r hysbysiad ar gyfer yr etholiad.

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Rhan 1: Crynodeb o'r gwariant			
Ia: Mathau o daliadau			
Dull y taliad	£	c	Dalier sylw: ni ddylech gymwys treuliau personol yn adran 1a na 1b, dylid rhoi'r symiau hyn yn adran 4. Nid yw blaendal yn cael ei ystyried i fod yn draul etholiad ac ni ddylid ei gymwys ar y ffurflen hon. Dylai pob eitem wariant ymddangos mewn un categori yn unig. Dylai'r blwch 'taliadau a wnaed' gymwys, eitemau wedi eu talu amdanynt gan yr asiant etholiad, taliadau a wnaed gan yr ymgeisydd cyn penodi'r asiant, mân wariant wedi'i awdurdodi gan yr asiant, eitemau gwariant o dan erthygl 46 (gweler Rhan 3) a gwariant cyn i'r person ddod yn ymgeisydd ar eitemau a ddefnyddiwyd dros y cyfnod rheoleddig.
Hawliadau heb eu talu			
Hawliadau y mae anghydfod yn eu cylch			
Gwerth y gwariant tybiannol			
Taliadau a wnaed			
Cyfanswm y gwariant ar yr etholiad *			
Ib: Categorïau'r gwariant			
Pwrpas	£	c	Dylid cymhysu pob eitem wariant i un pwrpas yn unig. Er ei bod yn hawdd categorioedd rhai eitemau, bydd eraill efallai'n gysylltiedig â mwy nag un pwrpas. Yn yr achosion hyn rhaid ichi farnu o dan ba bwrpas i gymwys yr eitem dan sylw. Fel rheol, dylid gosod eitemau o dan y pwrpas y byddent yn disgyn yn naturiol iddo, e.e. dylid cymwys costau cludiant yr ymgeisydd o dan drafnidiaeth, hyd yn oed os yw'r drafnidiaeth mewn cysylltiad â chymryd rhan mewn cyfarfod cyhoeddus; dylid cymwys deunyddiau cyhoedduswydd, e.e. balŵns, o dan hysbysebu, hyd yn oed os cawsant eu dosbarthu mewn digwyddiad. Pwrpas A: Mae hysbysebu o unrhyw fath (drwy ba brynnaig gyfrwng, e.e. posteri neu mewn papur newydd) yn cymwys ffioedd asiantaeth, costau dylunio ac unrhyw gostau mewn cysylltiad â pharatoi, cynhyrchu, dosbarthu neu fel arall ledaenu hysbysebu neu unrhyw beth yn ymgorffori hysbysebu. Pwrpas B: Mae deunydd digymell wedi'i gyfeirio at etholwyr (p'un ai wedi ei gyfeirio at neu i'w ddanfod at yr holl etholwyr yn yr ardal) yn cymwys costau dylunio a'r holl gostau eraill mewn cysylltiad â pharatoi, cynhyrchu a dosbarthu deunydd o'r fath (gan gymwys costau postio, ond ac eithrio unrhyw hawl i anfon anerchiad etholiadol drwy radbost). Pwrpas C: Mae cludiant yn cymwys costau llogi ond yn eithrio defnydd a wnaed o geir personol lle nad yw'r perchennog wedi codi am hynny. Pwrpas D: Mae cyfarfodydd cyhoeddus yn cymwys costau mewn cysylltiad â phobl yn mynychu cyfarfodydd, llogi adeiladau i bwrpas cyfarfodydd, neu ddarparu nwyddau, gwasanaethau neu gyfleusterau ynddynt. Pwrpas E: Gwasanaethau asiant etholiad neu unrhyw un arall lle defnyddir eu gwasanaethau mewn cysylltiad ag etholiad yr ymgeisydd. Pwrpas F: Costau llety a gweinyddol.
A. Hysbysebu			
B. Deunydd a anfonwyd at etholwyr			
C. Cludiant			
D. Cyfarfodydd cyhoeddus			
E. Costau asiant a chostau staff eraill			
F. Llety a gweinyddu			
Cyfanswm y gwariant ar yr etholiad*			
*dylai'r cyfansymiau yn 1A ac 1B fod yr un fath			

Rhan 2: Dadansoddiad o'r gwariant

Dylech ddarparu manylion yr holl wariant sy'n cyfrannu at ffigur cyfanswm y gwariant ar yr etholiad.

I ganiatáu croesgyfeirio rhwng pob eitem wariant sy'n cael ei hadrodd yma, a'r is-gyfansymiau categori yn Rhan 1b, i sicrhau bod y cyfeirnod categori cywir yn cael ei ddarparu ar gyfer pob eitem sy'n cael ei hadrodd.

Eitem rhif	Pwrpas (A-F) (gweler Rhan 1b)	Derbynneb neu anfoneb wedi'i chyflwyno ⁽¹⁾ (Do / Naddo)	Eitem / Gwasanaeth	Enw'r cyflenwr (a'r cyfeiriad os nad yw ar y dderbynneb / anfoneb)	Enw'r person a wnaeth y taliad	Dyddiad yr achoswyd y traul	Dyddiad derbyn y dderbynneb	Dyddiad y talwyd y traul	Gwerth yr eitem ⁽²⁾		Swm a dalwyd (dim ond os yw hyn yn wahanol i'r gwerth ac yn nodi lle'r oedd y swm a dalwyd yn nil)	Heb ei dalu neu anghydfod yn ei gylch ^{(3)?}
									£	c		
Cyfanswm Rhan 2 (dylai fod yr un fath â'r cyfansymiau yn Rhan 1)												
<p>Dalier sylw: Dylid rhestru pob eitem wariant ar wahân. Os nad oes digon o le ar y dudalen hon, dylid defnyddio dalen arall.</p> <p>⁽¹⁾Mae angen derbynneb neu anfoneb ar gyfer pob eitem wariant dros £20 ar wahân i wariant tybiannol.</p> <p>⁽²⁾Ar gyfer gwariant tybiannol, rhowch werth marchnad llawn yr eitem neu'r gwasanaeth. Mewn achosion eraill, rhowch y swm a dalwyd</p> <p>⁽³⁾Nodwch a ydyw'r hawliad heb ei dalu neu a oes anghydfod yn ei gylch. Ar gyfer hawliadau heb eu talu / lle mae anghydfod yn eu cylch, dylech ddefnyddio dalen ar wahân i roi'r wybodaeth ganlynol arni:</p> <p>Hawliadau heb eu talu: enw'r llyw lle gwnaed / bwriedir gwneud cais iddo, a dyddiad y ceisiadau;</p> <p>Hawliadau lle mae anghydfod yn eu cylch: natur yr anghydfod a'r camau sydd i'w cymryd.</p>												

Form CX: Form of declaration by constituency or individual candidate as to election expenses

Article 53(1) and (2)

Election to The National Assembly for Wales

Election in the [Assembly constituency] [Assembly electoral region].

Date of publication of notice of election.

Name of candidate.

1. I [am the person named above as a candidate at this election] [and was my own election agent] or [was at this election the election agent of the person named above as a candidate].

2. I have examined the return of election expenses [about to be] [delivered] [by my election agent] [by me] to the returning officer, of which a copy is now shown to me and marked., and to the best of my knowledge and belief it is a complete and correct return as required by law.

3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by my election agent [by me], except as otherwise stated in relation to my [the candidate's] personal expenses.

4. I understand that the law does not allow any election expenses not mentioned in this return to be defrayed except in pursuance of a court order.

Signature Date

(NOTE Where there has been a change of election agent, suitable variations may be introduced into the declaration as to expenses.)

Ethol i Gynulliad Cenedlaethol Cymru

Etholiad yn [etholaeth Gynulliad] [rhanbarth etholiadol Cynulliad]

Dyddiad cyhoeddi'r hysbysiad am yr etholiad.

Enw'r ymgeisydd.

1. Fi [yw'r person a enwyd uchod fel ymgeisydd yn yr etholiad hwn] [ac yr oeddwn yn asiant etholiad i mi fy hun] neu [yr oeddwn yn yr etholiad hwn yn asiant etholiad i'r person a enwyd uchod fel ymgeisydd].

2. Yr wyf wedi archwilio'r cofnod treuliau etholiad sydd [ar fin cael ei gyflwyno] [wedi'i gyflwyno] gan f'asiant etholiad [gennyf fi] i'r swyddog canlyniadau, a chopi ohono'n cael ei ddangos i mi nawr a'i farcio., a hyd eithaf fy ngwybodaeth a'm cred y mae'n gofnod cyflawn a chywir fel y mae'r gyfraith yn mynnu.

3. Hyd eithaf fy ngwybodaeth a'm cred, cafodd yr holl dreuliau a nodir yn y cofnod eu talu gan f'asiant etholiad [gennyf fi], ac eithrio lle dywedir yn wahanol mewn perthynas â'm treuliau personol i [treuliau personol yr ymgeisydd].

4. Yr wyf yn deall nad yw'r gyfraith yn caniatáu talu unrhyw dreuliau etholiad sydd heb eu nodi yn y cofnod hwn, ac eithrio'n unol â gorchymyn llys.

Llofnod Dyddiad

(NODYN Lle bydd asiant etholiad wedi newid, gellir cyflwyno amrywiadau addas yn y datganiad am dreuliau.)

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Form CY: Form of declaration by party list candidates as to election expenses

Article 54

Election to the National Assembly for Wales

Election in theAssembly electoral region
 Date of publication of the notice of election
 Name of registered political party

1. I am one of those persons named below as candidate at this election.
2. I have examined the return of election expenses [about to be] [delivered] by the party's nominating officer [treasurer] to the Electoral Commission, of which a copy is now shown to me and marked, and to the best of my knowledge and belief it is a complete and correct return as required by law in respect of expenses relating to the election for which I was a candidate and I have no reason to doubt that it is otherwise a complete and correct return.
3. To the best of my knowledge and belief, all expenses shown in the return as paid in respect of the election at which I was a candidate were paid as is therein described.
4. I understand that the law does not allow any election expenses not mentioned in this return to be defrayed except in pursuance of a court order.

Names of candidates (Each candidate is to be listed in the order in which he is included in the party list)	Signature of candidate	Date
1.....		
2.....(etc)		

Ethol i Gynulliad Cenedlaethol Cymru

Etholiad yn rhanbarth etholiadol y Cynulliad
 Dyddiad cyhoeddi'r hysbysiad am yr etholiad.....
 Enw'r blaid wleidyddol gofrestredig.....

1. Fi yw un o'r rhai a enwir isod fel ymgeisydd yn yr etholiad hwn.
2. Yr wyf wedi archwilio'r ffurflen cofnodi treuliau etholiad [sydd ar fin] [sydd wedi] [cael ei hanfon] gan swyddog enwebu'r [trysorydd y] blaid at y Comisiwn Etholiadol, y mae copi ohoni bellach yn cael ei dangos i mi ac sydd wedi'i nodi....., a hyd eithaf fy ngwybodaeth a'm cred, mae'n gofnod cyflawn a chywir fel sy'n ofynnol yn ôl y gyfraith mewn perthynas â threuliau sy'n ymwneud â'r etholiad yr oeddwn yn ymgeisydd ynddo ac nid oes gennyf unrhyw reswm i amau nad ydyw yn gofnod cyflawn a chywir.
3. Hyd eithaf fy ngwybodaeth a'm cred, talwyd yr holl dreuliau y nodir ar y ffurflen gofnodi eu bod yn rhai a dalwyd mewn perthynas â'r etholiad yr oeddwn yn ymgeisydd ynddo yn y modd a ddisgrifir ynddi.
4. Yr wyf yn deall nad yw'r gyfraith yn caniatáu i unrhyw dreuliau etholiad nad ydynt wedi'u nodi ar y ffurflen gofnodi hon gael eu talu ac eithrio yn dilyn gorchymyn llys.

Enwau'r ymgeiswyr(Dylid rhestru pob ymgeisydd yn yr un drefn ag y cynhwysir ef/hi ar restr y blaid)	Llofnod yr ymgeiswyr	Dyddiad
1.....		
2.....(etc.)		

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