



Government of Wales Act 2006

2006 CHAPTER 32

PART 1

[^{F1}SENEDD CYMRU]

General elections

3 Ordinary general elections

- (1) The poll at an ordinary general election is to be held on the first Thursday in May in the [^{F1}fifth] calendar year following that in which the previous ordinary general election was held, [^{F2}unless—
- (a) subsection (1A) prevents the poll being held on that day, or
 - (b) the day of the poll is determined by a proclamation under section 4.]

[^{F3}(1A) The poll is not to be held on the same date as the date of the poll at—

- (a) a parliamentary general election ^{F4} ..., ^{F5} ...
- ^{F5}(b)

(1B) Where subsection (1A) prevents the poll being held on the day specified in subsection (1), the poll is to be held on such day, subject to subsection (1A), as the Welsh Ministers may by order specify unless the day of the poll is determined by a proclamation under section 4(2) as modified by section 4(2A).]

- (2) If the poll is to be held on the first Thursday in May [^{F6} or on the day specified by an order under subsection (1B)], the [^{F7}Senedd] —
- (a) is dissolved by virtue of this section at the beginning of the minimum period which ends with that day, and
 - (b) must meet within the period of [^{F8}fourteen] days beginning immediately after the day of the poll.

(3) In subsection (2) “the minimum period” means the period determined in accordance with an order under section 13.

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(4) In calculating any period of days for the purposes of subsection (2)(b), the following days are to be disregarded—

- (a) Saturday and Sunday,
- (b) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
- (c) any day appointed for public thanksgiving or mourning.

[^{F9}(5) No order is to be made under subsection (1B) unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the [^{F7}Senedd].]

Textual Amendments

- F1** Word in s. 3(1) substituted (17.2.2015) by [Wales Act 2014 \(c. 29\)](#), **ss. 1(1)**, 29(2)(a)
- F2** Words in s. 3(1) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(2)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 3(b)
- F3** S. 3(1A)(1B) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(3)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 3(b)
- F4** Words in s. 3(1A)(a) omitted (24.3.2022) by virtue of [Dissolution and Calling of Parliament Act 2022 \(c. 11\)](#), s. 6(3), **Sch. para. 19**
- F5** S. 3(1A)(b) and word omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), **Sch. 3 para. 28** (with s. 19, Sch. 8 para. 37); [S.I. 2020/1622](#), reg. 3(1) (with regs. 10, 22)
- F6** Words in s. 3(2) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(4)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 3(b)
- F7** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 2(19)** (with Sch. 1 para. 2(11)-(14))
- F8** Word in s. 3(2)(b) substituted (coming into force in accordance with s. 42(5) of the amending Act) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. **36(1)**
- F9** S. 3(5) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(5)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 3(b)

Modifications etc. (not altering text)

- C1** S. 3(1) modified (15.9.2011) by [Fixed-term Parliaments Act 2011 \(c. 14\)](#), **ss. 5(2)**, 7(2) (with s. 6)
- C2** S. 3(1) modified (17.3.2021) by [Welsh Elections \(Coronavirus\) Act 2021 \(asc 2\)](#), **ss. 2(2)**, 6, 18 (with s. 13)
- C3** S. 3(2)-(4) excluded (17.3.2021) by [Welsh Elections \(Coronavirus\) Act 2021 \(asc 2\)](#), **ss. 2(1)**, 18 (with s. 13)

Commencement Information

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

4 Power to vary date of ordinary general election

[^{F10}(1) Subject to section 3(1A), the Presiding Officer may propose, for the holding of the poll at an ordinary general election, a day which is not more than one month earlier, nor more than one month later, than the first Thursday in May.]

[^{F10}(2) If the Presiding Officer proposes a day under subsection (1), Her Majesty may by proclamation under the Welsh Seal—

- (a) dissolve the [^{F7}Senedd],
- (b) require the poll at the election to be held on the day proposed, and

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(c) require the [F7Senedd] to meet within the period of [F11fourteen] days beginning immediately after the day of the poll.]

[F10(2A) Where a day is specified by an order under section 3(1B), subsection (1) applies as if the reference to the first Thursday in May were a reference to that day.]

(3) In calculating any period of days for the purposes of provision made by virtue of subsection [F12(2)(c)], the following days are to be disregarded—

- (a) Saturday and Sunday,
- (b) Good Friday,
- (c) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
- (d) any day appointed for public thanksgiving or mourning.

(4) [F13The Welsh Ministers may by order] make provision for—

- (a) any provision of, or made under, the Representation of the People Acts, or
 - (b) any other enactment relating to the election of [F14Members of the Senedd],
- to have effect with such modifications or exceptions as the [F15Welsh Ministers consider] appropriate in connection with the alteration of the day of the poll [F16 under this section].

[F17(5)

(6) A statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of [F18the [F7Senedd]].

Textual Amendments

- F7** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 2(19)** (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F10** S. 4(1)-(2A) substituted for s. 4(1)(2) (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(7)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)
- F11** Word in s. 4(2)(c) substituted (coming into force in accordance with s. 42(5) of the amending Act) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), **s. 36(2)**
- F12** Word in s. 4(3) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(8)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)
- F13** Words in s. 4(4) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(9)(a)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)
- F14** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 2(17)** (with [Sch. 1 para. 2\(11\)\(12\)\(14\)](#))
- F15** Words in s. 4(4) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(9)(b)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)
- F16** Words in s. 4(4) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(9)(c)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)
- F17** S. 4(5) omitted (1.4.2018) by virtue of [Wales Act 2017 \(c. 4\)](#), **ss. 6(10)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)
- F18** Words in s. 4(6) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 6(11)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(b)

Modifications etc. (not altering text)

- C4** S. 4(2)(c) excluded (17.3.2021) by [Welsh Elections \(Coronavirus\) Act 2021 \(asc 2\)](#), **ss. 2(3)**, 18 (with s. 13)

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Commencement Information

I2 Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

5 Extraordinary general elections

- (1) The [^{F19}Presiding Officer] must propose a day for the holding of a poll at an extraordinary general election if subsection (2) or (3) applies.
- (2) This subsection applies if—
 - (a) the [^{F7}Senedd] resolves that it should be dissolved, and
 - (b) the resolution of the [^{F7}Senedd] is passed on a vote in which the number of [^{F14}Members of the Senedd] voting in favour of it is not less than two-thirds of the total number of [^{F7}Senedd] seats.
- (3) This subsection applies if any period during which the [^{F7}Senedd] is required under section 47 to nominate [^{F20}a Member of the Senedd] for appointment as the First Minister ends without such a nomination being made.
- (4) If the [^{F21}Presiding Officer] proposes a day under subsection (1), Her Majesty may by [^{F22}proclamation under the Welsh Seal]—
 - (a) dissolve the [^{F7}Senedd] and require an extraordinary general election to be held,
 - (b) require the poll at the election to be held on the day proposed, and
 - (c) require the [^{F7}Senedd] to meet within the period of [^{F23}fourteen] days beginning immediately after the day of the poll.
- (5) If a poll is held under this section within the period of six months ending with the day on which the poll at the next ordinary general election would be held (disregarding section 4), that ordinary general election is not to be held.
- (6) But subsection (5) does not affect the year in which the subsequent ordinary general election is to be held.
- (7) In calculating any period of days for the purposes of subsection (4)(c), the following days are to be disregarded—
 - (a) Saturday and Sunday,
 - (b) Christmas Eve, Christmas Day and Good Friday,
 - (c) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
 - (d) any day appointed for public thanksgiving or mourning.

Textual Amendments

- F7** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(19)** (with Sch. 1 para. 2(11)-(14))
- F14** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(17)** (with Sch. 1 para. 2(11)(12)(14))
- F19** Words in s. 5(1) substituted (1.4.2018) by Wales Act 2017 (c. 4), **ss. 6(13)**, 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F20** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), **Sch. 1 para. 2(15)** (with Sch. 1 para. 2(11)(12)(14))

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- F21** Words in s. 5(4) substituted (1.4.2018) by Wales Act 2017 (c. 4), ss. 6(14)(a), 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F22** Words in s. 5(4) substituted (1.4.2018) by Wales Act 2017 (c. 4), ss. 6(14)(b), 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F23** Word in s. 5(4)(c) substituted (coming into force in accordance with s. 42(5) of the amending Act) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 36(3)

Commencement Information

- I3** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

6 Voting at general elections

- (1) Each person entitled to vote at a general election in [^{F24}a Senedd] constituency has two votes.
- (2) One (referred to in this Act as a “constituency vote”) is a vote which may be given for a candidate to be the [^{F7}Senedd] constituency member for the [^{F7}Senedd] constituency.
- (3) The other (referred to in this Act as an “electoral region vote”) is a vote which may be given for—
 - (a) a registered political party which has submitted a list of candidates to be [^{F7}Senedd] regional members for the [^{F7}Senedd] electoral region in which the [^{F7}Senedd] constituency is included, or
 - (b) an individual who is a candidate to be [^{F24}a Senedd] regional member for that [^{F7}Senedd] electoral region.
- (4) The [^{F7}Senedd] constituency member for the [^{F7}Senedd] constituency is to be returned under the simple majority system.
- (5) The [^{F7}Senedd] regional members for the [^{F7}Senedd] electoral region are to be returned under the additional member system of proportional representation provided for in this Part.
- (6) In this Act “registered political party” means a party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 (c. 41).

Textual Amendments

- F7** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), Sch. 1 para. 2(19) (with Sch. 1 para. 2(11)-(14))
- F24** Words in Act substituted (6.5.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(2), Sch. 1 para. 2(18) (with Sch. 1 para. 2(11)-(14))

Commencement Information

- I4** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

7 Candidates at general elections

- (1) At a general election a person may not be a candidate to be the [^{F7}Senedd] constituency member for more than one [^{F7}Senedd] constituency.
- (2) Any registered political party may submit a list of candidates for return as [^{F7}Senedd] regional members for a particular [^{F7}Senedd] electoral region at a general election.

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- (3) The list must be submitted to the regional returning officer.
- (4) The list must not include more than twelve persons (but may include only one).
- (5) The list must not include a person—
 - (a) who is included on any other list submitted for the [F7Senedd] electoral region or any list submitted for another [F7Senedd] electoral region,
 - (b) who is an individual candidate to be [F24a Senedd] regional member for the [F7Senedd] electoral region or another [F7Senedd] electoral region,
 - [F25](c) who is a candidate to be the [F7Senedd] constituency member for [F24a Senedd] constituency which is not included in the [F7Senedd] electoral region, or
 - (d) who is a candidate to be the [F7Senedd] constituency member for [F24a Senedd] constituency included in the [F7Senedd] electoral region but is not a candidate of the party.]
- (6) A person may not be an individual candidate to be [F24 a Senedd] regional member for the [F7Senedd] electoral region if that person is—
 - (a) included on a list submitted by a registered political party for the [F7Senedd] electoral region or another [F7Senedd] electoral region,
 - (b) an individual candidate to be [F24a Senedd] regional member for another [F7Senedd] electoral region,
 - [F26](c) a candidate to be the [F7Senedd] constituency member for [F24a Senedd] constituency which is not included in the [F7Senedd] electoral region, or
 - (d) a candidate of any registered political party to be the [F7Senedd] constituency member for [F24a Senedd] constituency included in the [F7Senedd] electoral region.]
- (7) In this Act “regional returning officer”, in relation to [F24a Senedd] electoral region, means the person designated as the regional returning officer for the [F7Senedd] electoral region in accordance with an order under section 13.

Textual Amendments

- F7** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F24** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(18\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F25** S. 7(5)(c)(d) substituted for s. 7(5)(c) and word (17.2.2015) by [Wales Act 2014 \(c. 29\)](#), [ss. 2\(2\)\(a\)](#), [29\(2\)\(a\)](#)
- F26** S. 7(6)(c)(d) substituted for s. 7(6)(c) and word (17.2.2015) by [Wales Act 2014 \(c. 29\)](#), [ss. 2\(2\)\(b\)](#), [29\(2\)\(a\)](#)

Commencement Information

- I5** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

8 Calculation of electoral region figures

- (1) This section and section 9 are about the return of [F7Senedd] regional members for an electoral region at a general election.

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- (2) The person who is to be returned as the [F7Senedd] constituency member for each [F7Senedd] constituency in the [F7Senedd] electoral region is to be determined before it is determined who are to be returned as the [F7Senedd] regional members for the [F7Senedd] electoral region.
- (3) For each registered political party by which a list of candidates has been submitted for the [F7Senedd] electoral region—
 - (a) there is to be added together the number of electoral region votes given for the party in the [F7Senedd] constituencies included in the [F7Senedd] electoral region, and
 - (b) the number arrived at under paragraph (a) is then to be divided by the aggregate of one and the number of candidates of the party returned as [F7Senedd] constituency members for any of those [F7Senedd] constituencies.
- (4) For each individual candidate to be [F24a Senedd] regional member for the [F7Senedd] electoral region there is to be added together the number of electoral region votes given for the candidate in the [F7Senedd] constituencies included in the [F7Senedd] electoral region.
- (5) The number arrived at—
 - (a) in the case of a registered political party, under subsection (3)(b), or
 - (b) in the case of an individual candidate, under subsection (4),is referred to in this Act as the electoral region figure for that party or individual candidate.

Textual Amendments

- F7** Words in Act substituted (6.5.2020) by *Senedd and Elections (Wales) Act 2020 (anaw 1)*, s. 42(2), **Sch. 1 para. 2(19)** (with *Sch. 1 para. 2(11)-(14)*)
- F24** Words in Act substituted (6.5.2020) by *Senedd and Elections (Wales) Act 2020 (anaw 1)*, s. 42(2), **Sch. 1 para. 2(18)** (with *Sch. 1 para. 2(11)-(14)*)

Commencement Information

- I6** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

9 Allocation of seats to electoral region members

- (1) The first seat for the [F7Senedd] electoral region is to be allocated to the party or individual candidate with the highest electoral region figure.
- (2) The second and subsequent seats for the [F7Senedd] electoral region are to be allocated to the party or individual candidate with the highest electoral region figure after any recalculation required by subsection (3) has been carried out.
- (3) This subsection requires a recalculation under paragraph (b) of section 8(3) in relation to a party—
 - (a) for the first application of subsection (2), if the application of subsection (1) resulted in the allocation of [F24a Senedd] seat to the party, or
 - (b) for any subsequent application of subsection (2), if the previous application of that subsection did so,

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and a recalculation is to be carried out after adding one to the aggregate mentioned in that paragraph.

- (4) An individual candidate already returned as an ^{F27}[^{F7}Senedd] constituency member or ^{F7}[^{F7}Senedd] regional member is to be disregarded.
- (5) Seats for the ^{F7}[^{F7}Senedd] electoral region which are allocated to a party are to be filled by the persons on the party's list in the order in which they appear on the list^{F28} (disregarding anyone already returned as ^{F24}[^{F7}a Senedd] constituency member, including anyone whose return is void)].
- (6) Once a party's list has been exhausted ^{F29}(by the return of persons included on it as ^{F7}[^{F7}Senedd] constituency members or by the previous application of subsection (1) or (2)), the party is to be disregarded.
- (7) If (on the application of subsection (1) or any application of subsection (2)) the highest electoral region figure is the electoral region figure of two or more parties or individual candidates, the subsection applies to each of them.
- (8) However, if subsection (7) would mean that more than the full number of seats for the ^{F7}[^{F7}Senedd] electoral region were allocated, subsection (1) or (2) does not apply until—
 - (a) a recalculation has been carried out under section 8(3)(b) after adding one to the number of votes given for each party with that electoral region figure, and
 - (b) one has been added to the number of votes given for each individual candidate with that electoral region figure.
- (9) If, after that, the highest electoral region figure is still the electoral region figure of two or more parties or individual candidates, the regional returning officer must decide between them by lots.

Textual Amendments

- F7** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(19\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F24** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 2\(18\)](#) (with [Sch. 1 para. 2\(11\)-\(14\)](#))
- F27** Words in s. 9(4) inserted (17.2.2015) by [Wales Act 2014 \(c. 29\)](#), [ss. 2\(3\)\(a\)](#), 29(2)(a)
- F28** Words in s. 9(5) inserted (17.2.2015) by [Wales Act 2014 \(c. 29\)](#), [ss. 2\(3\)\(b\)](#), 29(2)(a)
- F29** Words in s. 9(6) substituted (17.2.2015) by [Wales Act 2014 \(c. 29\)](#), [ss. 2\(3\)\(c\)](#), 29(2)(a)

Commencement Information

- I7** Ss. 1-94, 97-106 in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

Changes to legislation:

Government of Wales Act 2006, Cross Heading: General elections is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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

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

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