
STATUTORY INSTRUMENTS

2007 No. 236

**CONSTITUTIONAL LAW
DEVOLUTION, WALES
REPRESENTATION OF THE PEOPLE**

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

Made - - - - 31st January 2007

Coming into force in accordance with article 1(1)

**THE NATIONAL ASSEMBLY FOR WALES
(REPRESENTATION OF THE PEOPLE) ORDER 2007**

PART 1

General

1. Citation, commencement and revocation
2. Interpretation

PART 2

Assembly franchise and its exercise

3. Voting at Assembly elections
4. Registers of electors etc
5. Registration appeals
6. Polling districts and places at Assembly elections
7. Manner of voting at Assembly elections
8. Absent vote at Assembly elections for a particular or an indefinite period
9. Absent vote at a particular Assembly election
10. Absent voters lists at Assembly elections
11. Proxies at Assembly elections
12. Voting as proxy at Assembly elections
13. Electors' signatures and use of personal identifier information
14. Offences
15. Absent voting at Assembly elections: miscellaneous
16. Combination of polls at Assembly and local government elections

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17. Rules for Assembly elections
18. Returning officers
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21. Returning officers: correction of procedural errors
22. Returning officers: general
23. Payments by and to returning officer
24. Detailed assessment of returning officer's account
25. Loan of equipment for Assembly elections
26. Effect of registers
27. Effect of misdescription
28. Discharge of registration duties
29. Payment of expenses of registration
30. Personation
31. Other voting offences
32. Breach of official duty
33. Tampering with nomination papers, ballot papers etc
34. False statements in nomination papers etc
35. Requirement of secrecy
36. Prohibition on publication of exit polls

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37. Appointment of election agent
38. Nomination of sub-agent
39. Office of election agent and sub-agent
40. Effect of default in election agent's appointment
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51. Election agent's claim
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54. Party list candidates: declarations as to election expenses
55. Circumstances in which no return or declaration is required
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57. Penalty for sitting or voting where no return and declarations are delivered etc
58. Authorised excuses for failures as to return and declarations
59. Court's power to require information from election agent or sub-agent
60. Duty of appropriate returning officer to forward returns and declarations to the Commission
61. Publication of time and place of inspection of returns and declarations

62. Constituency and individual candidates: inspection of returns and declarations
63. Meaning of “election expenses”
64. Property, goods, services etc. provided free of charge or at a discount
65. Right to send election address post free
66. Broadcasting from outside United Kingdom
67. Broadcasting of local items during election period.
68. Imitation poll cards
69. Schools and rooms for Assembly election meetings
70. Disturbances at Assembly election meetings
71. Officials not to act for candidates
72. Illegal canvassing by police officers
73. False statements as to candidates
74. Corrupt withdrawal from candidature
75. Payments for exhibition of election notices
76. Printer’s name and address on election publications
77. Prohibition of paid canvassers
78. Providing money for illegal purposes
79. Bribery
80. Treating
81. Undue influence
82. Rights of creditors
83. Savings as to Assembly elections
84. Interpretation of Part 3
85. Computation of time for purposes of Part 3

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92. Security for costs
93. Petition at issue
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102. Special case for determination of High Court
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105. Neglect or refusal to pay costs
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109. Candidate reported guilty of corrupt or illegal practice

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110. Persons reported personally guilty of corrupt or illegal practices
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119. Application for relief
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125. Incapacities on conviction of corrupt or illegal practice at European parliamentary elections
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131. Evidence by certificate of holding of Assembly elections
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 145. Publication of documents
 146. Interference with notices etc
 147. Premises used for election purposes
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- Signature

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4. Additional requirements for applications on grounds of blindness or other disability
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7. Closing dates for applications
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12. Requirement to provide fresh signatures at five yearly intervals
13. Records and lists kept under articles 8, 10 and 12
14. Conditions on the use, supply and inspection of absent voter records or lists
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4. Regional elections
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6. Persons entitled to be present at proceedings on receipt of postal ballot papers
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9. Procedure on issue of postal ballot paper
10. Refusal to issue postal ballot papers
11. Envelopes
12. Sealing up of completed corresponding number lists and security of special lists
13. Delivery of postal ballot papers
14. Spoilt postal ballot paper
15. Lost postal ballot papers

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Receipt of postal ballot papers

16. Notice of opening of postal ballot paper envelopes
17. Postal ballot boxes and receptacles
18. Receipt of covering envelope
19. Opening of postal voters' ballot box
20. Opening of covering envelopes
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22. Procedure in relation to postal voting statements
23. Procedure in relation to postal voting statements: personal identifier verification
24. Postal voting statements: additional personal identifier verification
25. Opening of ballot paper envelopes
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27. Lists of rejected postal ballot papers
28. Checking of lists kept under paragraph 27
29. Sealing of receptacles
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3. Modification of provisions about expenses in this Order and the 1983 Act

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6. Rule 32 of Schedule 5 (notice of poll)
7. Rule 36 of Schedule 5 (issue of official poll cards)
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9. Rule 38 of Schedule 5 (appointment of polling and counting agents)
10. Rule 41 of Schedule 5 (admission to polling station)
11. Rule 44 of Schedule 5 (questions to be put to voters)
12. Rule 46 of Schedule 5 (voting procedure)
13. Rule 47 of Schedule 5 (votes marked by presiding officer)
14. Rule 48 of Schedule 5 (voting by persons with disabilities)
15. Rule 49 of Schedule 5 (tendered ballot papers)
16. Rule 51 of Schedule 5 (correction of errors on the day of poll)
17. Rule 52 of Schedule 5 (adjournment of poll in case of riot)
18. Rule 53 of Schedule 5 (procedure on close of poll)
19. Rule 54 of Schedule 5 (time of, and attendance at, counting of votes)
20. Rule 55 of Schedule 5 (the count)
21. Rule 67 of Schedule 5 (delivery of documents to relevant registration officer)
22. Rule 70 of Schedule 5 (constituency election: death of independent candidate)
23. Rule 73 of Schedule 5 (constituency election: death of party candidate)
24. Rule 76 of Schedule 5 (abandoned poll)
25. Schedule 10 (appendix of forms)(form CP)
26. Schedule 10 (appendix of forms) (form CQ)

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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)

27. Modifications to principal area election rules: general provision
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29. Rule 21 of principal area election rules (notice of poll)
30. Rule 25 of principal area election rules (issue of official poll cards)
31. Rule 26 of principal area election rules (equipment of polling stations)
32. Rule 27 of principal area election rules (appointment of polling and counting agents)
33. Rule 35 of principal area election rules (voting procedure)
34. Rule 36 of principal area election rules (votes marked by presiding officer)
35. Rule 37 of principal area election rules (voting by persons with disabilities)
36. Rule 39 of principal area election rules (tendered ballot papers, general provisions)
37. Rule 42 of principal area election rules (adjournment of poll in case of riot)
38. Rule 43 of principal area election rules (procedure on close of poll)
39. Rule 44 of principal area election rules (attendance at counting of votes)
40. Rule 45 of principal area election rules (the count)
41. Rule 52 of principal area election rules (delivery of documents to relevant registration officer)
42. Rule 55 of principal area election rules (countermand or abandonment of poll on death of candidate)
43. Appendix of forms to principal area election rules (postal voting statement)
44. Appendix of forms to principal area election rules (directions for the guidance of the voters in voting)
45. Appendix of forms to principal area election rules (declaration to be made by the companion of a voter with disabilities)

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46. Modifications to community election rules: general provision
47. Rule 16 of community election rules (the ballot papers)
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49. Rule 25 of community election rules (issue of official poll cards)
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51. Rule 27 of community election rules (appointment of polling and counting agents)
52. Rule 35 of community election rules (voting procedure)
53. Rule 36 of community election rules (votes marked by presiding officer)
54. Rule 37 of community election rules (voting by persons with disabilities)
55. Rule 39 of community election rules (tendered ballot papers; general provisions)
56. Rule 42 of community election rules (adjournment of poll in case of riot)
57. Rule 43 of community election rules (procedure on close of poll)
58. Rule 44 of community election rules (attendance at counting of votes)
59. Rule 45 of community election rules (the count)
60. Rule 55 of community election rules (countermand or abandonment of poll on death of candidate)
61. Appendix of forms to community election rules (postal voting statement)
62. Appendix of forms to community election rules (directions for the guidance of the voters in voting)

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

SCHEDULE 5 — Assembly election rules

PART 1 — **Provision as to time**

1. Timetable
2. Computation of time

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3. Notice of election: constituency election and regional election

Nomination

4. Nomination of candidates at a constituency election
5. Constituency nomination paper: name or description of registered political party
6. Nomination of individual candidates at a regional election
7. Nomination of parties and party list candidates at a regional election
8. Party nomination paper: name or description of registered political party
9. Consent to nomination
10. Deposit
11. Place for delivery of nomination papers
12. Right to attend nomination
13. Decisions as to validity of individual and constituency nomination papers
14. Decisions as to validity of party nomination papers
15. Withdrawal of candidates
16. Constituency election: publication of statement of persons nominated
17. Regional election: publication of statement of parties and other persons nominated
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19. Disqualification by Representation of the People Act 1981
20. Adjournment of nomination proceedings in the case of riot
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24. The ballot paper at a constituency election
25. The ballot paper at a regional election
26. Polls with two ballot papers
27. Corresponding number list
28. Colour of ballot papers
29. The official mark
30. Prohibition of disclosure of vote
31. Use of schools and public rooms

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32. Notice of poll
33. Postal ballot papers
34. Provision of polling stations

35. Appointment of presiding officers and clerks
36. Issue of official poll cards
37. Equipment of polling stations
38. Appointment of polling and counting agents
39. Notification of requirement of secrecy
40. Return of postal ballot papers

The poll

41. Admission to polling station
42. Keeping of order in the polling station
43. Sealing of ballot boxes
44. Questions to be put to voters
45. Challenge of voter
46. Voting procedure
47. Votes marked by presiding officer
48. Voting by persons with disabilities
49. Tendered ballot papers
50. Spoilt ballot papers
51. Correction of errors on the day of poll
52. Adjournment of poll in case of riot
53. Procedure on close of poll

Counting of votes

54. Time of, and attendance at, counting of votes
55. The count
56. Re-count at a constituency election
57. Re-count of electoral region votes in an Assembly constituency
58. Rejected ballot papers
59. Decisions on ballot papers
60. Equality of votes at a constituency election
61. Regional election: conveying results of count etc. to regional returning officer

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63. Ascertainment of results at a contested regional election
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PART 6 — Death of candidate

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71. Constituency election: deceased independent candidate wins
72. Constituency election: deceased independent candidate with equality of votes
73. Constituency election: death of party candidate
74. Regional election: effect of countermand or abandonment of constituency poll
75. Regional election: death of candidate
76. Abandoned poll

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PART 7 — Miscellaneous

77. Vacancies: Assembly constituency seats
78. Vacancies: return of electoral region members
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81. Party's registered nominating officer: discharge of functions

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2. Donations: general rules
3. Sponsorship
4. Payments etc. not to be regarded as donations
5. Value of donations

PART 2 — Controls on donations

6. Prohibition on accepting donations from impermissible donors
7. Acceptance or return of donations
8. Transfer of donations received by candidate to election agent
9. Evasion of restrictions on donations

PART 3 — Reporting of donations

10. Statement of relevant donations
11. Donations from permissible donors
12. Donations from impermissible donors

SCHEDULE 7 — Election expenses

PART 1 — List of matters

1. Advertising of any nature (whatever the medium used). Expenses in...
2. Unsolicited material addressed to electors (whether addressed to them by...
3. Transport (by any means) of persons to any place. Expenses...
4. Public meetings (of any kind). Expenses in respect of such...
5. The services of an election agent or any other person...
6. Accommodation and administrative costs.

PART 2 — General exclusions

7. The payment of any deposit required by rule 10 of...
8. The publication of any matter, other than an advertisement, relating...
9. The provision of any facilities provided in pursuance of any...
10. The provision by an individual of his own services which...
11. (1) Accommodation which is the candidate's sole or main residence....
12. (1) Transport by a means of transport which was acquired...
13. (1) Computing or printing equipment which was acquired by the...

SCHEDULE 8 — Use for Assembly election meetings of rooms in school premises and of meeting rooms

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

SCHEDULE 9 — Modification of Election Petition Rules 1960

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

SCHEDULE 10 — Appendix of forms

- 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
1. Nothing is to be printed on the ballot paper except...
 2. So far as practicable, the arrangements set down below shall...
 3. Nothing in paragraph 2 prohibits the front of the ballot...
 4. (1) This paragraph makes provision in respect of that part...
 5. No word shall be printed on the front of the...

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6. The blocks, numbers, particulars of the candidates (except their addresses)...
7. No rule shall be printed on the front of the...
8. The space on the ballot paper between each horizontal rule...
9. On the ballot paper the surname of each candidate shall...
10. Where a registered emblem is to be printed against a...
11. The number and other unique identifying mark may be printed...

Form CL: Form of
Ballot paper: Regional
Election
Form CL1: Directions
as to printing the ballot
paper: regional election

1. Nothing is to be printed on the ballot paper except...
2. So far as practicable, the arrangements set down below shall...
3. Nothing in paragraph 2 prohibits the front of the ballot...
4. (1) This paragraph makes provision in respect of that part...
5. No word shall be printed on the front of the...
6. The blocks, numbers, descriptions of registered political parties, names of...
7. No rule shall be printed on the front of the...
8. The space on the ballot paper between each horizontal rule...
9. On the ballot paper the name of each individual and...
10. The names of the party list candidates shall appear—
11. Where a registered emblem is to be printed against a...
12. The number and other unique identifying mark may be printed...

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
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

Explanatory Note