

# Part C – Administering the poll

Senedd and Police and Crime  
Commissioner elections: guidance for  
Returning Officers

Published (updated February 2021)

In this guidance we use 'must' when we refer to a specific legal requirement. We use 'should' for items we consider to be good practice, but which are not legal requirements.

## Translations and other formats

All of our guidance and resources for these polls are also available in Welsh.

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# 1 Engaging with political parties, candidates and agents

1.1 As Constituency Returning Officer (CRO), you are responsible for all aspects of the nominations process at the Senedd constituency election and for the conduct of the poll for the Senedd constituency election and that part of the Senedd regional election and Police and Crime Commissioner (PCC) election that falls within your constituency.

1.2 The Regional Returning Officer (RRO) is responsible for the nominations process at the Senedd regional election.

1.3 The Police Area Returning Officer (PARO) is responsible for the nominations process at the PCC election.

**A** More detailed information on the roles and responsibilities of the CRO, RRO, Local Returning Officers (LROs) and the PARO is contained in [Part A – Roles and responsibilities](#).

1.4 You will need to engage with political parties, candidates and agents and your project plan should include details on how you will engage with them and how you will manage the nomination process(es) that you are responsible for.

1.5 There may be a significant number of new or less experienced political parties, candidates and agents who are unfamiliar with the practices and processes of standing for election and who will need your support to be able to participate effectively. It is important that you engage parties, candidates and agents as much as possible so that they receive all the information they need in order to stand for election and they can have confidence that the processes are well-managed.

1.6 For example, it is vital that all parties and candidates know what they need to do in order to stand for election, what the spending limits are, how they can obtain the electoral register and what the restrictions are on the use of the register, including data protection considerations. One difficulty faced by Returning Officers is that those intending to stand for election do not always make contact with the elections staff before submitting their nomination papers. You will therefore need to consider how you are going to raise awareness and promote the availability of information and briefings to all parties, candidates and agents before they complete and submit their nomination papers.





To be able to meet the outcome set out in [performance standard 2](#) you should ensure that information on the election process and spending is easily available for candidates and agents, including through ensuring they are issued with written guidance.

To demonstrate that the outcome can be delivered you will need to have in place written guidance to be issued to candidates.

1.7 You should also liaise with the PARO and, if you are not also the RRO, the RRO, to determine what information on local processes they will require for sharing with parties, candidates and agents and to agree how this information should be disseminated.

## Briefings

1.8 You should ensure that parties, candidates and election agents are offered a briefing session on the processes specific to the election they are standing in, including local arrangements. The briefings should allow for the fact that there may be people who have little or no knowledge of election rules and procedures or who have not involved themselves in elections for some time.

1.9 All briefing sessions should highlight the importance of following the election rules.

1.10 In relation to the constituency election, you should provide a briefing on the nomination process including deadlines, submission rules, the use of commonly used names, the completion of nomination papers, the use of party names, descriptions and emblems, and the methods for paying the deposit.

**A** The [College of Policing Authorised Professional Practice](#) have produced guidance on [Maintaining order and preventing undue influence outside polling stations](#). This document is designed to help the police think about how best to approach the issue of policing polling stations and offers some practical steps to help them reduce the likelihood of problems arising and deal with any that occur. Although it is aimed at the single point of contact (SPOC) it may also be of use to you, particularly in communicating to candidates and agents the standards of behaviour expected from supporters in the area of the polling place. It should be read in conjunction with section 3 of the [Code of conduct for campaigners: electoral registration, postal voting, proxy voting and polling stations](#).

1.11 If you are also the RRO, you should provide a briefing on the nominations process for the Senedd regional election, including deadlines, submission rules, the use of commonly used names, the completion of nomination papers, the use of party names, descriptions and emblems, and the methods for paying the deposit. You should liaise with the CROs in your region about how information about local arrangements will be provided to parties, candidates and agents, including their contact details and information

on the dates, times and venues for the key election processes, such as postal vote issue and openings, polling, and the verification and count.

1.12 You should also cover what standards of behaviour you expect from supporters in the area of the polling place on polling day.

1.13 While you should invite all potential candidates and parties to a briefing session ahead of or at the start of the nominations period, you may choose to hold an additional briefing session after the parties or candidates standing for election have been confirmed after the close of nominations.

1.14 For the PCC election and the Senedd regional election, you should liaise with the PARO and, where you are not the RRO, the RRO, to agree what, if any, local briefings should be provided.

1.15 Your briefing session(s) should also highlight any security arrangements that have been put in place in consultation with the police. You may wish to invite your police single point of contact (SPOC) to attend any briefing sessions, or to provide written material that you can provide to parties, candidates and agents.

1.16 We have produced a [template presentation for candidates and agents at a Senedd constituency election](#) and a [template presentation for parties, candidates and agents at a Senedd regional election](#), which are available on our website and which you may want to use as a basis for briefing candidates and agents in your area. We have also produced a template presentation for [candidates and agents at a PCC election](#) which is designed for use by PAROs.



To be able to achieve the outcome set out in [performance standard 2](#) you will need to ensure that information on the election process and election spending is easily available for candidates and agents.

To demonstrate that the outcome can be delivered you will need to arrange briefing sessions and produce briefing resources.

## Providing information on the election processes

1.17 You should ensure that all Senedd constituency election candidates and election agents are issued with written guidance on the election process, including local arrangements. The information should be provided in good time to enable candidates and agents to act on it.

1.18 If you are also the RRO, you should ensure that parties, candidates and election agents at the Senedd regional election are issued with written guidance on the relevant election processes, including local arrangements. You should liaise with the CROs in your region about how information about local arrangements will be provided.

1.19 For the PCC election and the Senedd regional election, you should liaise with the PARO and, where you are not the RRO, the RRO, to ensure that parties, candidates and agents have access to information on processes that you will be carrying out locally, such as the opening of postal votes and the count.

1.20 The purpose of providing written guidance is so that parties, candidates and agents have access to authoritative and comprehensive guidance for reference at any time to ensure that they have all the information they need to take part in an election. It need not always be the case that such written guidance must be produced in hard copy – in some instances it may be appropriate to provide parties, candidates and agents with a link to where they can find the relevant information online – and it will be for the relevant Returning Officer in each case to ensure that parties, candidates and agents can easily access the information they need and to do whatever is necessary to facilitate this.

1.21 As part of your plans for engaging with parties, candidates and agents and supporting their participation in the elections, you will need to determine how information about local arrangements will be provided to parties, candidates and agents.

1.22 Local arrangements will include information on the dates, times and venues for the key election processes, including:

- postal vote issue and openings
- polling
- the verification and count

1.23 Whatever method you will be using for disseminating the information, you should ensure that parties, candidates and agents can easily access all the information they need in order to be able to participate in the election.



To be able to achieve the outcome set out in [performance standard 2](#) you will need to ensure that information on the election process is easily available for candidates and agents.

To demonstrate that the outcome can be delivered you will need to provide candidates and agents with written information.

## Nomination packs

### Senedd constituency election

1.24 You should prepare a nomination pack for any person who expresses an interest in standing in the Senedd constituency election.



We have produced a set of nomination papers for [the Senedd constituency election](#) that contains all the forms needed for nomination. The forms can be found on our website.

### 1.25 The nomination pack for a constituency candidate should contain:

- a nomination form
- a home address form
- a consent to nomination form
- a form for the candidate (or someone on their behalf) to give notice of appointment of an election agent
- forms for the election agent to give notice of appointment of sub-agents
- forms for the appointment of polling agents, postal voting agents and counting agents
- a certificate of authorisation to allow a candidate to stand on behalf of a registered political party
- a form for a candidate standing on behalf of a registered party to request the use of an emblem
- details of how the deposit should be paid, including information on acceptable methods of payment
- written guidance for candidates and agents covering key aspects of the electoral process, including the qualifications and disqualifications for election, the nominations process, campaigning dos and don'ts, accessing electoral proceedings and what happens after the declaration of the result
- details of any local arrangements, such as the arrangements for the opening of postal votes, the poll and the count
- a copy of the [Code of conduct for campaigners in Great Britain](#) which sets out what is, and is not, considered acceptable behaviour at polling stations and in the community
- details of how to obtain a copy of the electoral register and the absent voters' lists, and forms to make such requests with information on where to send these request forms to. You should highlight that the information contained in the electoral register and absent voting lists may only be used in accordance with the Representation of the People Regulations 2001 and in accordance with data protection legislation.
- information on the spending limit for candidates and parties at the election and [guidance for candidates and agents on spending and donations](#)
- a form for a candidate to withdraw from the contest if they decide to do so after they have been validly nominated
- any other relevant information

**A** The Commission's guidance for candidates and agents at a Senedd election can be found on our website at:  
<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

## Senedd regional election

1.26 If you are also the RRO, you should prepare a nomination pack for any person or registered political party who expresses an interest in standing in the Senedd regional election.

**A** We have produced a set of nomination papers for [registered political parties submitting a list of candidates](#) and also for [individuals standing as an individual regional candidate](#) that contain all the forms needed for nomination.

1.27 The nomination pack for registered political parties submitting a list of candidates should contain:

- a nomination form which must be combined with the certificate of authorisation which incorporates the registered emblem request
- a home address form
- consent to nomination forms (to be completed by each candidate on the regional party list)
- a form to give notice of appointment of an election agent by the Nominating Officer or someone on their behalf
- forms to give notice of appointment of sub agents by the election agent
- forms to give notice of appointment of polling agents, postal voting agents and counting agents by the election agent
- details of how the deposit should be paid, including information on acceptable methods of payment
- written guidance for parties, candidates and agents covering key aspects of the electoral process, including the qualifications and disqualifications for election, the nominations process, campaigning dos and don'ts, accessing electoral proceedings and what happens after the declaration of the result
- details of any local arrangements for each constituency in the region, such as the arrangements for the opening of postal votes, the poll and the count
- a copy of the [Code of conduct for campaigners in Great Britain](#) which sets out what is, and is not, considered acceptable behaviour at polling stations and in the community
- details of how to obtain a copy of the electoral register and the absent voters' lists for each constituency in the region, and forms to make such requests with information on where to send these request forms to. You should highlight that the information contained in the electoral register and absent voting lists may only be used in accordance with the Representation of the People Regulations 2001 and in accordance with data protection legislation.
- information on the spending limit for candidates and parties at the election and [guidance for candidates and agents on spending and donations](#) and [guidance for political parties on spending and donations](#)
- a form for a party to withdraw its list of candidates from the contest if they decide to do so after they have been validly nominated
- a form for a party to withdraw a party list candidate after they have been validly nominated

- any other relevant information

**A** The Commission's guidance for candidates and agents at a Senedd election can be found on our website at:  
<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

1.28 The nomination pack for individual regional candidates should contain:

- a nomination form
- a home address form
- a consent to nomination form
- a form for the candidate (or someone on their behalf) to give notice of appointment of an election agent
- forms for the election agent to give notice of the appointment of sub-agents
- forms for the appointment of polling agents, postal voting agents and counting agents
- details of how the deposit should be paid, including information on acceptable methods of payment
- written guidance for candidates and agents covering key aspects of the electoral process, including the qualifications and disqualifications for election, the nominations process, campaigning dos and don'ts, accessing electoral proceedings and what happens after the declaration of the result
- a copy of the [Code of conduct for campaigners in Great Britain](#) which sets out what is, and is not, considered acceptable behaviour at polling stations and in the community
- details of any local arrangements for each constituency in the region, such as the arrangements for the opening of postal votes, the poll and the count
- details of how to obtain a copy of the electoral register and the absent voters' lists for each constituency in the region, and forms to make such requests with information on where to send these request forms to. You should highlight that the information contained in the electoral register and absent voting lists may only be used in accordance with the Representation of the People Regulations 2001 and in accordance with data protection legislation.
- information on the spending limit for candidates at the election and [guidance for candidates and agents on spending and donations](#)
- a form for a candidate to withdraw from the contest if they decide to do after they have been validly nominated
- any other relevant information

**A** The Commission's guidance for candidates and agents at a Senedd election can be found on our website at:

## PCC election

1.29 The PARO is responsible for administering the nomination process at the PCC election, and will provide nomination packs to any person who expresses an interest in standing.

**A** Guidance for PAROs on the nomination process at a PCC election can be found on our [website](#).

**A** The Commission's guidance for candidates and agents at a PCC election can be found on our website at: <http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/police-and-crime-commissioner-elections>

## Guidance on spending limits

1.30 Parties and candidates are required by law to follow certain rules regarding how much they can spend, who they can accept donations from, and what they must report after the election.

1.31 You should ensure that parties, candidates and election agents are issued with information on calculating the spending limit, spending returns and declarations in order to enable them to meet reporting requirements.

1.32 Candidates at the constituency election and individual regional candidates at the regional election, will need the total number of electors on the local government register for the constituency or for the region, as appropriate, on the last day for the publication of the notice of election (i.e. 25 working days before the poll), excluding any attainers who will not be 16 years of age on or before polling day.

1.33 If you are also the RRO, this means that you will need to liaise with the CROs in your region to obtain the relevant electorate figures and communicate this information to political parties and individual regional candidates to enable them to meet their reporting requirements.

1.34 We have produced guidance on spending and donations for [candidates and agents](#) and for [political parties](#) which you can use to provide parties, candidates and agents with information on spending returns and declarations in order to enable them to meet their reporting requirements.

1.35 Candidates at Senedd elections are permitted to stand as both a constituency and a regional candidate. We have produced a [factsheet](#) that



outlines the regulated period, spending limit and reporting requirements for such dual candidates to enable them to meet their reporting requirements.

1.36 The PARO should provide information on election spending to candidates and agents at the PCC election.

## Providing information on accessing the electoral register

1.37 The Electoral Registration Officer (ERO) is required to supply Returning Officers with such copies of the electoral register as are required for the different aspects of the election(s). If you are not also the ERO, or if your constituency crosses local authority boundaries, you should liaise with the relevant ERO(s) so that you can obtain any updates to the electoral register(s) in a timely manner. If you are also the RRO, you will need to liaise with EROs from across your region.

1.38 Constituency candidates and individual regional candidates are entitled to a free copy of the full register on written request. In the case of a registered party which submits a list of candidates as regional members, the election agent for the party list is entitled to a copy of the full register.

1.39 While the legal responsibility for supplying registers rests with the ERO for each local authority area, if you are the CRO for a constituency which crosses local authority boundaries, you should have in place plans for managing or coordinating requests and supplying copies of the registers to candidates to ensure that all candidates can be supplied with registers in such a way that they have timely and easy access to them.

1.40 If you are also the RRO, you should have in place plans for managing or coordinating requests and supplying copies of the registers for the whole of the region to ensure that all those entitled to them are supplied with registers in such a way that they have timely and easy access to them.

1.41 For example, you may consider supplying the registers centrally on behalf of all the EROs in the constituency or, in the case of an RRO, the region, and include a request form in the nomination pack that covers all local authority areas that are part of the relevant electoral area. The benefit of this approach is that it could operate so that candidates or election agents only need to complete one request form covering all local authority areas and receive their registers from a single place, instead of having to approach each ERO separately with individual requests.

1.42 You would also need to consider, however, the practicalities of collating the registers and in particular the updates to the register, and to discuss and agree with the EROs how the various registers and updates to them could be brought together for subsequent timely supply, including how this would work for both printed and data copies. The registers must be supplied in data form unless a printed copy has been specifically requested<sup>1</sup>.



**A** Detailed information on access and supply of the full electoral register and absent voters lists to candidates, registered political parties (who can request a copy at any time) and others can be found in [Part 4: Maintaining the register throughout the year](#) of our guidance for EROs.

1.43 The Commission has produced [template electoral register](#) and [absent voter list](#) request forms that can be provided to candidates and election agents.

## Access needs for candidates

1.44 You should bear in mind that candidates and agents may have specific access needs, and so may need any information or guidance produced in a large-print or other format, such as Braille or audio, or in a language other than English or Welsh.

## 2 The nominations process

2.1 This chapter provides comprehensive guidance for CROs and RROs on the administration of the nominations process at the Senedd constituency and regional elections. It does not cover the nominations process at the PCC election, as this is the responsibility of the PARO.

**A** Guidance for PAROs on the nomination process at the PCC election can be found in Chapter 3 of the [Guidance for Police Area Returning Officers on the delivery of key processes](#).

The UK government has made legislation to reduce the number of subscribers that are required by each candidate for the Police and Crime Commissioner elections taking place on 6 May 2021. We have updated the Guidance for Police Area Returning Officers to reflect this legislation and the updated requirements for the nominations process.

2.2 Questions of eligibility or disqualification are for the candidate only and you should not give advice on such matters. In the first instance, the candidate should be directed to the Commission's [guidance for candidates and agents](#) at a Senedd election. Should they have any further questions or concerns, they should be advised to seek their own legal advice.

### Forms for nomination

2.3 Neither candidates nor parties have to use the nomination forms that you, whether as CRO or RRO, have produced, as long as their nomination form is as prescribed.

2.4 Under Article 141 of the National Assembly for Wales (Representation of the People) Order 2007, nomination forms can only be produced in English and Welsh and not in any alternative languages or formats.

2.5 You must supply nomination forms to constituency candidates on request.<sup>2</sup> You should, wherever possible, provide assistance in completing the forms to any candidate who asks for it.

2.6 If you are also the RRO, you must also supply nomination forms to parties and individual regional candidates on request.<sup>3</sup> You should, wherever possible, provide assistance in completing the forms to any candidate or party who asks for it.

**A** We have produced a set of nomination papers for the [constituency election](#) and for the regional election (both for [individual regional candidates](#) and [party lists](#)) that can be provided to candidates and parties. Our set of nomination papers have been updated to include enhanced

data protection messaging and you should ensure that you use the most up to date version.

## Constituency candidates

2.7 A constituency candidate is deemed to be validly nominated only if you have, by 4pm on the nineteenth working day before poll received the following completed forms and the deposit of £500 (see paragraphs **2.108** to **2.114**):

- the nomination form
- a home address form<sup>4</sup>
- a consent to nomination<sup>5</sup>

To stand on behalf of a registered political party, the party must be registered on the Commission's register of political parties at <http://search.electoralcommission.org.uk> and be listed as allowed to field candidates in Wales, and the candidate must also submit a certificate of authorisation, authorising the use of the party name on the ballot paper (as prescribed), and may also include a request to use of one of the party's registered emblems.<sup>6</sup>

## Individual regional candidates

2.8 An individual regional candidate is deemed to be validly nominated only if the RRO has, by 4pm on the nineteenth working day before the poll, received the following completed forms and the deposit of £500 (see paragraphs **2.108** to **2.114**):

- the nomination form
- a home address form<sup>7</sup>
- a consent to nomination<sup>8</sup>

## Regional party lists

2.9 Any party standing at the regional election must be registered on the Commission's register of political parties at <http://search.electoralcommission.org.uk> and be listed as allowed to field candidates in Wales<sup>9</sup>.

2.10 A party and each candidate included on its list are deemed to be validly nominated only if the RRO has, by 4pm on the nineteenth working day before the poll, received the following completed forms and the deposit of £500 (see paragraphs **2.108** to **2.114**):

- the regional party list nomination form, combined with a certificate of authorisation authorising the use of the party name or a registered description

- a home address form for each candidate on the party list
- a consent to nomination for each candidate on the party list
- a written request to use one of the party's registered emblems (if desired)

## Informal checks

2.11 You, whether as CRO or RRO, should ensure that candidates and parties (as appropriate) are given an opportunity to have their nomination papers informally checked prior to their formal submission.

2.12 All candidates, agents and parties (as appropriate) should be given an equal opportunity to access an informal check. Informal checks are designed to assist candidates and parties with participating effectively in the electoral process so that, if possible, any errors made by them in completing the paperwork do not deny electors the opportunity to vote for them. You should consider how you are going to manage this process, for example by putting in place an appointment system.

2.13 When conducting an informal check it should be made clear that the nomination papers are being looked at informally. At the conclusion of the informal check, you should offer to return the nomination papers if an issue has been identified. If no issues have been identified, you should offer to accept them formally.



To meet the outcome set out in [performance standard 2](#) you will need to ensure that candidates have the opportunity to have their nomination papers informally checked prior to submission.

To demonstrate that the outcome can be delivered you will need to have in place arrangements for candidates to have their nomination papers informally checked prior to formal submission.

## Delivery of nomination papers

### Time of delivery

2.14 Nomination papers can be accepted between the hours of 9am and 5pm on any working day after the date of publication of the notice of election<sup>10</sup> with the exception of the 19<sup>th</sup> working day before the election, when the deadline for delivery of nominations is 4pm. This deadline cannot be moved or extended for any reason.

2.15 Delivery is determined as being when the nomination papers are delivered, by hand where this is required, at the place specified in the notice of election.

2.16 No appointment is required to deliver nomination papers. However, you, whether as CRO or RRO, should consider how you are going to manage the potential volume of nominations you will receive. This could include offering appointments for informal checks and the formal delivery of the nomination papers.

2.17 It is the responsibility of the candidate or the Nominating Officer (as appropriate) to ensure that the nomination papers are delivered in the correct manner and by the required deadline. If a completed set of nomination papers and the deposit have not been delivered by that time, the nomination has not been made which means that you cannot rule the nomination paper valid or invalid.

## Place of delivery

2.18 Nomination forms and home address forms must be delivered to the location specified by you, whether as CRO or RRO, on the relevant notice of election.<sup>11</sup> The consent to nomination may be delivered electronically to an email address for that purpose.

2.19 For the constituency election, the location you choose must be:

- in the Senedd constituency, or
- in the registration area which includes the whole or any part of the Senedd constituency<sup>12</sup>

2.20 For the regional election, the location must be in the Senedd electoral region.<sup>13</sup>

2.21 The address given for the delivery of nomination forms and home address forms should be exact, and include any room name or number. The electronic address for the delivery of consent to nomination forms should also be included on the notice of election. This will avoid any doubt should nominations be delivered close to the deadline.

2.22 You should provide clear signage from the entrance of the building to the room set aside for delivery. This route, or an appropriately signposted alternative, should be fully accessible.

2.23 You or an appointed deputy should be present throughout the period for nominations and only you and your staff should deal with nominations. You should give details to other local authority staff, such as reception staff, of what to do if a person tries to deliver a nomination paper to them, making it clear that they should not handle nomination papers and should not offer to deliver them but should instead direct them to you.

## Who can deliver nomination papers?

### Constituency candidate

2.24 A constituency nomination form and home address form may only be delivered to you by:

- the candidate
- someone authorised on the candidate's behalf (provided you have been provided with that person's name and address – in writing or electronically – before or at the time the forms are being delivered)
- the candidate's election agent, provided you have received notice of their appointment. The notice of appointment of election agent may be delivered at the same time as the nomination form.
- if the candidate is standing for a party and the certificate of authorisation is being delivered at the same time as the nomination form,<sup>14</sup> the party's Nominating Officer (or someone appointed in writing by the Nominating Officer to act on their behalf, if a copy of that written appointment has been provided to you)

2.25 There are no restrictions on who can deliver, either in person or electronically, a consent to nomination or, in the case of a party candidate at the constituency election, the certificate of authorisation.

### **Individual regional candidate**

2.26 An individual regional candidate's nomination form may only be delivered to the RRO by:

- the candidate
- someone authorised on the candidate's behalf (provided you have been provided with that person's name and address – in writing or electronically – before or at the time the forms are being delivered)
- the candidate's election agent, provided you have received notice of their appointment. The notice of appointment of election agent may be delivered at the same time as the nomination form<sup>15</sup> There are no restrictions on who can deliver, either in person or electronically, an individual regional candidate's consent to nomination.

### **Party list**

2.27 A party list nomination form and the certificate of authorisation must be delivered to the RRO by the Nominating Officer of that registered political party (or someone appointed in writing by the Nominating Officer to act on their behalf, if a copy of that written appointment has been provided to you).<sup>16</sup> There are no restrictions on who can deliver consent to nomination forms either in person or electronically.

## **How must nomination papers be submitted?**

2.28 The nomination forms and home address forms must be delivered by hand and cannot be submitted by post, fax, email or other electronic means. Where a document is required to be delivered by hand and not by a specific person, this can include delivery by a courier.

2.29 The consent to nomination may be delivered in person or delivered electronically to an email address for that purpose.<sup>17</sup> You, whether as CRO or RRO, should have processes in place for monitoring the email inbox used for the electronic delivery of consent to nomination, including mitigating against any risk of emails being diverted to spam folders.

2.30 Certificates of authorisation for constituency candidates standing on behalf of a political party are prescribed and incorporate emblem requests. The certificates may be delivered by hand or by post, but cannot be submitted by fax, email or other electronic means.

2.31 The prescribed certificate of authorisation relating to a party list must be combined (see paragraph Error! Reference source not found.) with that party list's nomination form (which is also prescribed) and consequently must be delivered by hand. The prescribed certificate of authorisation also incorporates the emblem request and so the emblem request for party lists must also be delivered by hand<sup>18</sup>.

2.32 The **original version** of each completed document must be submitted. A certificate of authorisation, for example, which has been sent as an attachment to an e-mail to be printed out would be a 'copy document' and not the original document. A certificate requires a method of authentication to make it a certificate. This will, in practice in most cases, take the form of a signature to attest the truth of the facts stated. It could, however, also take the form of a seal. Whatever method of authentication is used, the document you receive must be the original document and not a copy document.

2.33 You, whether as CRO or RRO, should take steps to communicate the requirements relating to delivery of nomination forms, home address forms and consent to nomination forms to all prospective candidates, parties and agents (as appropriate) and ensure that these requirements are highlighted in any local briefings or guidance you produce.

2.34 Once a nomination paper has been formally delivered, no changes can be subsequently made to it (subject to your power to correct minor errors<sup>19</sup>). At the point of formal submission you should therefore endorse the paper with the date and time of delivery, so that you have a record of when each paper was formally submitted. If a candidate or party later decides that they want to make changes, for example to the description, they should withdraw and then submit new nomination papers within the statutory timeframe.

## What to do if nomination papers are received by post

2.35 Any nomination forms or home address forms received by post have not been 'delivered' in accordance with the rules. The candidate or party is therefore not deemed to stand nominated and no decision can be taken as to whether the papers are valid.

2.36 You, whether as CRO or RRO, should have processes in place for monitoring postal deliveries to the place designated for the delivery of nomination forms or home address forms received can be identified quickly.

2.37 You should try to contact the candidate, or the Nominating Officer if it is a party list nomination, using the details on the nomination form and advise them that nomination forms and home address forms cannot be accepted by post and that they need to be 'delivered' by hand, by the appropriate person as set out in paragraphs **2.24** to **2.27** to the place and within the times specified on the notice of election in accordance with the rules. It is the candidate's or Nominating Officer's responsibility to ensure that this is done by the deadline for the receipt of nominations. You, whether as CRO or RRO, and your staff, are not permitted to deliver the papers.

2.38 The candidate or Nominating Officer (as appropriate) does not need to produce 'new' nomination papers or obtain new subscribers and you should retain any nomination papers you receive by post to enable them to be collected and delivered to you by hand.

## Delivering multiple nomination forms

2.39 There is no limit to the number of nomination forms that may be delivered. If a candidate or party is validly nominated by more than one form, the candidate or Nominating Officer (or someone appointed in writing by the Nominating Officer, if a copy of that written appointment has been provided to the RRO), as appropriate, should choose which one of the valid nomination forms (the 'selected' nomination form) should be used for the details to be added to the statement of persons nominated or the statement of parties and other persons nominated (as appropriate) and the ballot paper. If they cannot, or do not do this, then you, whether as CRO or RRO, must choose which one of the forms will be used.<sup>20</sup>

2.40 If more than one nomination form is delivered and one of the nomination forms is invalid, that paper is excluded from the forms that can be chosen. As long as at least one nomination form is valid, the candidate or party (as appropriate) can be validly nominated.

## Attendance at the delivery of nomination papers

2.41 Only certain people are entitled to attend the delivery of nomination papers, inspect and make any objections to the validity of nomination forms. See paragraph **2.144** for further information on dealing with objections.

## Constituency nomination papers



2.42 After a constituency candidate has delivered their nomination papers and deposit and they stand validly nominated, they are entitled to attend the delivery of other candidates' nomination papers and make objections to the validity of constituency nomination forms. In addition to the candidate, the following persons will also be able to attend and make objections:

- their election agent
- in the case of candidates standing for a registered political party, the party's Nominating Officer (or someone appointed in writing by the Nominating Officer, if a copy of that written appointment has been provided to you)
- if a candidate is their own election agent, they can appoint one other person to attend the delivery of nomination papers and make objections to the validity of a nomination form<sup>21</sup>

## Individual regional candidate nomination papers

2.43 After an individual regional candidate has delivered their nomination papers and deposit and they stand validly nominated, they are entitled to attend the delivery of regional nomination papers and make objections to the validity of regional nomination forms. In addition to the individual regional candidate, the following persons will also be able to attend and make objections:

- their election agent
- if an individual regional candidate is their own election agent, they can appoint one other person to attend the delivery of nomination papers, and make objections to the validity of a nomination form<sup>22</sup>

## Regional party list nomination papers

2.44 The following persons will be able to attend and make objections to the validity of regional nomination forms:

- the party list election agent or the Nominating Officer of a party (or someone appointed in writing by the Nominating Officer, if a copy of that written appointment has been provided to the RRO) who has submitted a party list
- a candidate included on a party list
- if a candidate on a party's list acts as election agent for that list, they can appoint one other person to attend the delivery of nomination papers and make objection to the validity of a nomination form.

2.45 Nomination papers cannot be inspected by anybody else at any time.

2.46 Electoral Commission representatives and one other person chosen by a validly nominated candidate (whether a constituency candidate, individual regional candidate or a candidate on a party list) can also be present at the delivery of nomination papers, but they are not allowed to inspect or make any objections to nomination papers.<sup>23</sup>

2.47 You must keep the nomination papers secure and allow inspection of the nomination forms by the persons permitted to inspect these until the deadline for making objections to the nomination papers.<sup>24</sup> Once the deadline for making objections has passed, you should store the nomination papers securely for one year after the election. The home address form must be destroyed after 35 working days.<sup>25</sup>

## Requirements of nomination

2.48 This section contains an explanation on what must be included on the nomination papers. It is designed to assist you in reviewing and ultimately determining the validity of nomination papers.

2.49 You should remind any person delivering the nomination papers that it is a criminal offence to provide a false statement on nomination papers. If the nomination form includes a commonly used name, you should highlight that the offence also applies if a commonly used name is given that the candidate does not actually commonly use. You may warn candidates and parties that the penalty for a false statement is an unlimited fine and/or six month's imprisonment (up to one year on indictment).

## Nomination form

### Candidates' names

2.50 Candidates' full names must be listed on the nomination forms for both the constituency and the regional elections, with their surname given first followed by all of their other names in full.<sup>26</sup>

2.51 The prescribed nomination forms contain no space for prefixes or suffixes.

2.52 Candidates and parties should be advised not to use prefixes such as Mr, Mrs, Dr or Cllr, or suffixes, in the field of the nomination form asking for the candidate's full name. If a prefix or suffix is included as part of the actual name the nomination form would not be invalid as a result, but the prefix or suffix should not be transferred to the statement of persons nominated or the statement of parties and other persons nominated (as appropriate). If a nomination form is submitted with a prefix or suffix as part of a candidate's actual name, you should inform the party, candidate and their agent that it will not appear on the statement of persons nominated or the statement of parties and other persons nominated (as appropriate) or the ballot paper, but that their nomination has not been affected.

2.53 However, if a candidate has a title, they can use this as their full name. For example, if the candidate's actual name is Joseph Smith, but their hereditary title is Joseph Avon, they can use the name Joseph Avon as their full name.

## **Commonly used names**

2.54 Where a candidate commonly uses a different name from their actual name, they can ask for their commonly used name(s) to be used instead of their actual name.<sup>27</sup>

2.55 A candidate can request to use a commonly used forename, surname or both. For example, they may be known by their abbreviated name 'Andy', rather than their full first name 'Andrew'. In that case, they can write 'Andy' into the commonly used forename box on the nomination form if they would rather that name appear on the ballot paper.

2.56 A candidate may also use initials as part of their commonly used name if they are commonly known by them.

2.57 However, a candidate cannot use their first name as a commonly used name so that only their first name and surname appear on a ballot paper, thus excluding their middle name. The legislation makes it clear that a commonly used name is one which is different from any other forename or surname. This means that a forename in its original format cannot be used as a commonly used name. If a candidate wishes to use a commonly used forename and/or surname then these must be different from their full name as it appears on the nomination form. For example, in the case of Andrew John Smith, he could not use Andrew Smith as his commonly used name, although he would be able to use Andy Smith (if Andy was the name by which he is commonly known).<sup>28</sup>

2.58 It is not for you, whether as CRO or RRO, to decide whether the commonly used name is a 'name' that the candidate commonly uses or whether it meets the legal requirement to be different from any other name they may have. The law requires you to take whatever has been entered in the commonly used name box at face value and to accept it as the candidate's commonly used name.

2.59 The only grounds you have in law for rejecting a commonly used name is that you consider that:<sup>29</sup>

- its use may be likely to mislead or confuse electors, or
- it is obscene or offensive

2.60 If at an informal check stage, you are presented with a nomination form that has been completed in such a way that it appears to you that the commonly used name given is not different from any other forename or surname that the candidate has, you should draw the candidate or party's attention to the legal definition of a commonly used name and highlight that it is an offence to knowingly make a false statement on the nomination form. You should also point out that if a nomination form is not completed in accordance with the law, the candidate or party will run the risk of challenge if they are elected.

2.61 It is the candidate or party's responsibility to ensure that they have completed their nomination in accordance with the law and to be satisfied that

the given commonly used name is a name that the candidate genuinely commonly uses.

2.62 In the course of providing informal advice, you may wish to draw attention to our [guidance for candidates and agents](#) on commonly used names. The table below contains a number of worked examples of various combinations of commonly used names and how this would affect the appearance of the candidate's name on the statement of persons nominated or the statement of parties and other persons nominated (as appropriate) and the notice of poll:

Candidate's actual surname	Candidate's other names in full	Commonly used forenames	Commonly used surname	Name to go on statement of persons nominated or the statement of parties and other persons nominated, notice of poll and ballot paper
Elector	Ann	Elsie	Voter	Voter, Elsie
Elector	Ann	[Blank]	Voter	Voter, Ann
Elector	Ann	Elsie	[Blank]	Elector, Elsie

2.63 If either the commonly used forenames or commonly used surname box is left blank, then the candidate's actual forenames or surname, depending on which commonly used name box has been left blank, will go on the statement of persons nominated, the notice of poll and on the ballot paper.

2.64 You should advise the candidate and party that the use of commonly used names applies only to the statement of persons nominated, the notice of poll and the ballot paper. The candidate's actual name should appear on any documents that are required to show the candidate's name, such as the imprint and candidate's spending returns.

2.65 If you refuse the use of a commonly used name, the validity of the nomination form remains unaffected. Instead, the effect is that the candidate's full name will appear on the statement of persons nominated or the statement of parties and other persons nominated (as appropriate), the notice of poll and the ballot paper. This should be made clear to candidates, parties and agents and you must write to the candidate setting out the reasons for refusing to allow the use of the commonly used name.<sup>30</sup>

## **Subscribers**

2.66 Nomination forms for constituency candidates and individual regional candidates must be signed by either the candidate or another individual (in which case that individual must also provide their full name and address).<sup>31</sup>

2.67 A party list nomination form must be signed by either one of the candidates on the party list or another individual (in which case that individual must also provide their full name and address).<sup>32</sup>

## Use of party names, party descriptions and party emblems

2.68 In all cases, to be able to use a party's identifiers (i.e.name, description and emblem) the party must be registered on the [Commission's register of political parties](#) and be listed as allowed to field candidates in Wales.<sup>33</sup>

2.69 Political parties can register up to 12 descriptions and the Welsh translations of those descriptions. If you want to use a registered party name that does not include 'Welsh' or 'Cymru' then the registered party name may be supplemented with 'Welsh' or 'Cymru' in the description box on the nomination paper.

2.70 You must check that the party name or description as given on the nomination form is registered on the [Commission's register of political parties](#) and matches it exactly(not including the prefix 'Welsh' or suffix 'Cymru'). If it does not, you must reject that nomination.<sup>34</sup> Even if a registered party is well known, it is vital to check the register of political parties for the exact details of the party as registered with the Commission.

2.71 For the purposes of maintaining a clear audit trail and in case of any future challenges, you should print a copy of the relevant part of the [Commission's register of political parties](#) showing the descriptions and party name at the time of your determination.

2.72 Political parties can also register up to 3 emblems.

2.73 A Zip file of emblem images will be available on our website. However, while the Zip file is a tool that can be used by your printer to prepare ballot papers, it is the information on the [Commission's register of political parties](#) that should be used for confirming which emblem to print on the ballot papers.

### **Additions, alterations, removals and changes to party names, descriptions and emblems on the register of political parties**

2.74 The legislation provides that the removal or substitution of any registered descriptions may take effect up to and including the day before the actual date of publication of the notice of election for any particular election (note that this is not the last day for publication of the notice of election but the actual day of publication). After that point, any changes or deletions to any party descriptions do not apply for that election.

2.75 For example, if you decide to publish your notice of election before the last day that the notice must be published by law, it is possible that a nomination may be submitted which bears a registered party description that no longer appears on the register of political parties. If the deletion of the description has taken effect after you have published your notice of election but before the last day for publication of notice of election, the deletion does not apply to your election and the 'old' description is still valid. In any such circumstances you can check with the Commission's [Wales office](#) whether or not the submitted party description applies for your election.

2.76 You should also note that political parties may change their registered party name and emblems, and add any new description if they previously had registered fewer than 12 descriptions, at any time until the close of nominations.

2.77 Where a candidate or party attempts to submit a nomination form bearing a description that has yet to be registered, you should advise the candidate or party (as appropriate) not to formally submit the form, but to take it back and submit it once the description has been successfully registered.

If a candidate or party (as appropriate) formally submits their nomination form with a description that is not yet registered, you must determine the nomination invalid on the basis that, when the determination is made, the description provided does not match any registered with the Commission. You may wish to contact the Commission for confirmation that a description is not yet registered before making your determination. You can do this by contacting the Commission's [Wales office](#).

- For up-to-date information about political parties, registered descriptions and registered emblems, you should check the register of political parties on the Commission's website at <http://search.electoralcommission.org.uk>

If you have any queries, you should contact the Commission's [Wales office](#).

### **What descriptions may be used at the Senedd election?**

2.78 The legislation is precise about descriptions. Different rules apply to constituency candidates, individual regional candidates and party lists which are set out below:

#### **Constituency candidates**

Constituency candidates may only use one of the following descriptions:

- the word 'Independent' and / or 'Annibynnol'
- the registered party name - if you want to use a registered party name that does not include 'Welsh' or 'Cymru' then the registered party name may be supplemented with 'Welsh' or 'Cymru' in the description box on the nomination paper
- one of the descriptions the party has registered with the Commission<sup>35</sup>

2.79 Candidates may use either the English version, Welsh version or both versions of either the party name or description, as long as they are registered with the Commission.

2.80 If a candidate wishes to use a party name or description, this must be authorised by the Party's Nominating Officer (or someone appointed in writing by the Nominating Officer, if a copy of that written appointment has been provided to you)<sup>36</sup>. If the description on the nomination form matches one contained on our register of political parties or is a registered party name, a certificate of authorisation, signed by the party's nominating officer (or their appointee), must be submitted by the deadline for the delivery of nomination papers to you, which is 4pm on the nineteenth working day before the poll.<sup>37</sup>



2.81 Constituency candidates standing on behalf of more than one registered party may use a joint description which is registered with the Commission. If a candidate is standing on behalf of more than one political party the candidate must submit a certificate of authorisation from each of the parties' Nominating Officers (or persons appointed in writing by each Nominating Officer, provided a copy of that written appointment has been provided to you<sup>38</sup>) by the deadline for the delivery of nomination papers, which is 4pm on the nineteenth working day before the poll.<sup>39</sup>

2.82 Joint descriptions are listed on the [Commission's register of political parties](#) on the registration page for the relevant parties within the descriptions section, and in each case the description will be followed by the words '(Joint Description with the xx party)'. An example would be 'The Square and Circle Party Candidate (Joint Description with the Circle Party)', which would be listed on the Square Party page. Please note that the words in brackets are for explanatory purposes only and do not form part of the description.

2.83 You can check who the Nominating Officer for a particular party is by referring to the [Commission's register of political parties](#). It is important to note that the Nominating Officer may discharge their functions to one or more people. However, if they do so in relation to certificates of authorisation, a copy of the written appointment must be provided to you by the deadline for nominations.

2.84 A Nominating Officer may stand as a candidate. If this happens, the candidate, as Nominating Officer, may authorise their own description. A person appointed by the Nominating Officer to sign a certificate of authorisation may also be a candidate and sign a certificate for their own nomination.

### **Individual regional candidates standing for election as regional members**

2.85 Individual regional candidates may only use the description 'Independent' and /or 'Annibynol', or leave the description blank.<sup>40</sup>

### **Regional party list**

2.86 Each party nomination form **must** include either:<sup>41</sup>

- the registered party name (or names) of a registered political party - if you want to use a registered party name that does not include 'Welsh' or 'Cymru' then the registered party name may be supplemented with 'Welsh' or 'Cymru' in the description box on the nomination paper, or
- one of the descriptions the party has registered with the Commission.

2.87 Candidates may use either the English version, Welsh version or both versions of either the party name or description, as long as they are registered with the Commission.

2.88 The use of the party name or the description must be authorised by the party's Nominating Officer (or someone appointed in writing by the Nominating Officer, if a copy of that written appointment has been provided to

the RRO)<sup>42</sup>. If the description on the nomination form matches one contained on our register of political parties or is a registered party name, a certificate of authorisation issued by the party's Nominating Officer (or someone appointed in writing by the Nominating Officer, provided a copy of that written appointment has been provided to the RRO) must be submitted by the deadline for the delivery of nomination papers which is 4pm on the nineteenth working day before the poll.<sup>43</sup>

2.89 You can check who the Nominating Officer for a particular party is by referring to the [Commission's register of political parties](#). The Nominating Officer may discharge their functions to one or more people. However, if they do so in relation to certificates of authorisation, a copy of the written appointment must be provided to you by the deadline for nominations.

2.90 The certificate of authorisation for a party list at the regional election is prescribed and must be combined with the party nomination form.<sup>44</sup>

## Requests for a party emblem

2.91 If requested, a constituency candidate of a registered party can have a registered emblem of the party they are representing displayed on the ballot paper. To qualify, a candidate must have been authorised to use a party name or description other than 'Independent' and/or 'Annibynnol'.<sup>45</sup> Where it is desired that a registered emblem of the party should appear on the ballot paper against the candidate's name<sup>46</sup> the request must be made on the certificate of authorisation.

2.92 Where a constituency candidate is standing on behalf of more than one party, the certificate of authorisation may include a request by the Nominating Officers of those parties for a registered emblem of one of the parties to appear against the candidate's name.

2.93 Where it is desired that a registered emblem of the party should appear on the ballot paper against the party's name in the case of a party list<sup>47</sup> the request must be made on the certificate of authorisation.

2.94 If a party has more than one registered emblem, any request for an emblem should specify which one to use. If the emblem is not specified, or the registered party changes or removes the emblem from the register of political parties after the nomination papers have been submitted but before the close of nominations, you should try to contact the candidate or the Nominating Officer (or the person acting on their behalf) as appropriate and ask them to select one. You, whether as CRO or RRO, should also tell them that if they do not select a particular emblem before the close of nominations, you will not be able to print an emblem against their name or the party's name (as appropriate) on the ballot paper.

2.95 You may be provided with a high-resolution copy of the emblem for use in the printing of ballot papers, or the candidate / party may request that you download the emblem from the Commission's website. You must ensure that whatever copy is used is in the same form as the registered emblem.



2.96 The maximum size of an emblem on the ballot paper is set by the directions for printing in the election rules. When adding a party emblem to a ballot paper, the shape of the emblem should not be altered. You must ensure that the emblem is in the same form as the registered emblem – for example, do not stretch emblems into square shapes if they are not registered as square images on our website, as this would have the effect of altering their appearance.

## Home address form

2.97 All candidates are required to complete a home address form, which must be delivered by hand, with the nomination form, by the close of nominations. This form is prescribed in legislation<sup>48</sup>. On the home address form the candidate must state their full name and home address (see paragraph **2.50**)

2.98 The candidate's home address:

- must be completed in full
- must not contain abbreviations
- must be their current home address
- must not be a business address (unless the candidate runs a business from their home)

2.99 If any detail of the home address is wrong or omitted, the nomination is not automatically invalid if the description of the place is such as to be commonly understood (see also paragraph **2.137** below).

2.100 A candidate may choose to sign a statement on the home address form stating that they require their home address not to be published on the statement of persons nominated or the ballot paper.

2.101 If the candidate chooses not to have their home address published, the home address form must contain, as well as the full name and home address:

<sup>49</sup>

- a statement, signed by the candidate, which states that they require their home address not to be made public
- the Senedd constituency which their home address is located in or, if their address is outside Wales, the UK Parliamentary constituency
- if their home address is outside of the UK, the name of the country in which their home address is situated

## Candidate's consent to nomination

2.102 All candidates (whether constituency, individual regional candidates or those on a party list) must also formally consent to their nomination and deliver their consent by the deadline for delivery of nomination papers.<sup>50</sup> The

consent to nomination may be delivered to you in person, or delivered electronically to an email address for that purpose.<sup>51</sup> You, whether as CRO or RRO, should have processes in place for monitoring the email inbox used for the electronic delivery of consent to nominations to ensure that you are able to determine the date and time of delivery to you as well as mitigating against any risk of emails being diverted to spam folders.

2.103 The consent to nomination form is not prescribed, but the required content is set out in law.

2.104 The candidates consent must include<sup>52</sup>:

- the candidate's date of birth
- for constituency candidates an address within the constituency, an adjoining constituency or in a county or county borough which is partly comprised in or adjoins the constituency
- for individual regional candidates or those on a regional party list an address within Wales
- a statement that to the best of their knowledge and belief they are not disqualified under section 16(A1) of the 2006 Government of Wales Act from being a Member of the Senedd, and from being a candidate to be a Member of the Senedd
- in the case of a constituency candidate a statement that that they are not a candidate for any other constituency election
- in the case of a candidate on a registered party's regional list a statement that they are not, for a Senedd election held on the same day: an individual candidate or a candidate on any other party list for the same electoral region; nor an individual or party list candidate for any other region; nor a constituency candidate for a constituency which is not included in the same electoral region; nor a constituency candidate for a constituency which is included in the same electoral region other than a candidate on behalf of the same party
- in the case of an individual regional candidate a statement that they are not, for a Senedd election held on the same day: a party list candidate for the same region; nor an individual or party list candidate for any other region; nor a candidate at the constituency election for a constituency which is not included in the same electoral region; nor a candidate of any registered political party at the constituency election for a constituency which is included in the same electoral region

2.105 Candidates are not allowed to sign their consent form earlier than one calendar month before the deadline for submitting their nomination papers.

2.106 If you, whether as CRO or RRO, are satisfied that, due to the absence of the candidate from the UK, it is not reasonably practicable for the candidate to provide their consent in writing, you can treat a candidate's consent given by telegram or other similar means of communication such as email, fax or scanned document sent electronically as written consent. The consent is deemed as having been given on the date it is sent, and does not need to be witnessed.

2.107 If a consent form for a particular candidate on a party list is not received by you, whether as CRO or RRO, by 4pm on the nineteenth working day before poll you must remove that person from the party list, but the party's list nomination is not invalidated.<sup>53</sup>

## Deposit

2.108 In order to be validly nominated (whether as a constituency candidate, individual regional candidate or regional party list) £500 must be deposited with you, whether as CRO or RRO, by the close of nominations.<sup>54</sup>

2.109 You have some discretion over how you will accept payment of the deposit. Payment must be accepted where it is made by legal tender (cash in British pounds only) or a UK banker's draft.<sup>55</sup> You may refuse to accept a banker's draft if you do not know whether the drawer carries on business as a banker in the United Kingdom.

2.110 You can choose to accept funds by means of a building society cheque, a debit or credit card or the electronic transfer of funds if facilities are available to you, although you are not required to. You should accept building society cheques if they carry out business in the United Kingdom. You should also accept banker's payments which are orders issued by a bank, guaranteeing payment to the recipient. If you decide to accept any of these methods you should list them on the notice of election and make any requirements you have clear in the nomination pack.

2.111 If there is a fee attached to the form of payment, you can pass this on to the candidate. If so, you should make this clear on the notice of election and the nomination pack.

### Constituency candidates

2.112 The deposit must be delivered by the candidate (or someone acting on the candidate's behalf).<sup>56</sup> If the deposit is made by someone other than the candidate the person delivering the deposit must give their name and address, unless they have already provided this information as part of their notification of appointment as the candidate's election agent.<sup>57</sup>

### Individual regional candidates

2.113 The deposit must be delivered by the candidate (or someone acting on the candidate's behalf).<sup>58</sup> If the deposit is made by someone other than the candidate the person delivering the deposit must give their name and address, unless they have already provided this information as part of their notification of appointment as the candidate's election agent.<sup>59</sup>

### Party nominations / regional party list

2.114 The deposit must be delivered by the party's Nominating Officer (or someone appointed in writing by the Nominating Officer, provided a copy of that written appointment has been provided to the RRO), or by one of the list candidates, or by a person on behalf of one of the list candidates.<sup>60</sup> Where the deposit is made by the Nominating Officer they must state that fact to the

RRO at the time the deposit is made. Anybody else who makes the deposit must at the time they make it give their name and address to the RRO (unless they are the party list's election agent and that name and address has been previously given to the RRO).<sup>61</sup>

## Determining nomination and home address forms

2.115 If you, whether as CRO or RRO, have not received the deposit of £500 or any of the required nomination papers by the deadline for the submission of nomination papers, the candidate or party has not been validly nominated. There is then no need to make a formal determination, and their name should not appear on the statement of persons nominated or statement of parties and persons nominated (as appropriate).

2.116 There is case law which makes clear that Returning Officers must not undertake any investigation or research into any candidate and that their duty does not go beyond seeing that a nomination form is correct on its face. You should not, for example, investigate whether a name given on a nomination form is genuine. You will also need to disregard any personal knowledge you may already have of the candidate. Any determinations need to be made on the basis of the form itself. It is suggested that the same principles should apply to party nominations and lists.

2.117 You, whether as CRO or RRO, must as soon as is practicable after each nomination and home address forms have been formally delivered decide whether the candidate or the party (and candidates on the party list) have been validly nominated.<sup>62</sup> The sooner you carry out the formal determination, the greater the chances of any candidates or parties who have made a mistake and whose nomination has been rejected being able to submit new forms before the close of nominations.

2.118 You must determine that the home address form does not comply with the legal requirements if<sup>63</sup>:

- it does not state the candidate's full name
- it does not state the candidate's home address in full

We have produced a [nominations checklist](#) for CROs which sets out what you will need to consider and specific things to look out for when determining a nomination.

### Constituency candidates

2.119 A candidate who delivers completed nomination papers and the deposit by the required deadline will be deemed nominated unless you decide that the nomination form is invalid (or the candidate dies or withdraws).

2.120 By law, the only grounds you have for determining that a constituency nomination form is invalid are:<sup>64</sup>

- that the particulars of the candidate are not as required by law, or
- that the form is not subscribed as required, or
- that the candidate is disqualified under section 16(A1) of the Government of Wales Act 2006 from being a Member of the Senedd, and from being a candidate to be a Member of the Senedd
- that the candidature is in breach of s7(1) Government of Wales Act 2006 (that the person is a candidate to be a constituency member for more than one constituency)

2.121 Any description given on the nomination form is part of ‘the particulars of the candidate’. Therefore, if the party and any given description do not appear on the [Commission’s register of political parties](#) who can contest elections in Wales (not including the prefix ‘Welsh’ or suffix ‘Cymru’) or their use has not been authorised by the delivery of a certificate of authorisation in the prescribed form, the nomination must be held invalid.<sup>65</sup> Where in your opinion the nomination form breaches the description rules you must give a decision to that effect as soon as practicable after the delivery of the nomination form and in any event within 24 hours after the close of nominations.<sup>66</sup>

### **Individual regional candidates at the regional election**

2.122 A candidate who delivers completed nomination papers and the deposit by the required deadline will be deemed nominated unless you decide that the nomination form is invalid (or the candidate dies or withdraws).

2.123 If you are also the RRO, by law, the only grounds you have for determining that a nomination form is invalid are:<sup>67</sup>

- that the particulars of the candidate are not as required by law
- that the form is not subscribed as required
- that the candidate is disqualified under section 16(A1) of the Government of Wales Act 2006 from being a Member of the Senedd, and from being a candidate to be a Member of the Senedd
- that the candidature is in breach of s7(6) Government of Wales Act 2006 (that the person is, at the same election, a party list candidate for the same region; an individual or party list candidate for any other region; a candidate at the constituency election for a constituency which is not included in the same electoral region; a candidate of any registered political party at the constituency election for a constituency which is included in the same electoral region)

### **Party nomination forms / party lists**

2.124 A party and each candidate on its list who delivers completed nomination papers and the deposit by the required deadline will be deemed nominated unless you decide that the nomination form is invalid.

2.125 If you are RRO, by law, the only grounds you have for determining that a party nomination form is invalid are:<sup>68</sup>

- that it is not subscribed as required
- that the nomination form does not include a party list or the number of candidates on the list is greater than 12
- that each candidate included on the party list has ceased to stand nominated<sup>69</sup>
- that the party and its given party name or description are not registered with the Commission (not including the prefix 'Welsh' or suffix 'Cymru') or their use has not been authorised by the delivery of a certificate of authorisation in the prescribed form. Where in your opinion the a party nomination breaches the rules with regard to descriptions you must give a decision to that effect as soon as practicable after the delivery of the party nomination and in any event within 24 hours after the close of nominations<sup>70</sup>

2.126 Additionally the only grounds you have for determining that a party list candidate shall cease to stand nominated are:

- that the particulars of the candidate in that list are not as required by law
- that the candidate is disqualified under section 16(A1) of the Government of Wales Act 2006 from being a Member of the Senedd, and from being a candidate to be a Member of the Senedd
- that the candidate in that list is, at the same election, an individual candidate or a candidate on any other party list for the same electoral region; an individual or party list candidate for any other region; a constituency candidate for a constituency which is not included in the same electoral region; a constituency candidate for a constituency which is included in the same electoral region other than a candidate on behalf of the same party

**A** We have produced a checklist for the [constituency election](#) and a checklist for the [regional election](#) (both for individual regional candidate nominations and for party nominations) which sets out what you, whether as CRO or RRO, will need to consider and specific things to look out for when determining a constituency nomination or individual or party regional nomination.

## What to do after formal determination

2.127 Whenever a nomination form or party nomination form is ruled invalid, it is important to take steps to contact the candidate, agent or Nominating Officer (as appropriate) as soon as possible so that they may have the



opportunity, wherever possible, to submit another nomination form or party nomination form (as appropriate) before the close of nominations.

### **Constituency candidates**

2.128 Once you have made a decision that a nomination form is valid that decision is final and cannot be questioned in any proceedings whatsoever (although it may be challenged after the election through an election petition.)<sup>71</sup>

2.129 If you determine that the nomination form is invalid you must state this on the nomination form together with the reasons for your decision and sign it.<sup>72</sup>

### **Individual regional candidates**

2.130 If you are also the RRO, once you have made a decision that a nomination form is valid that decision is final and cannot be questioned in any proceedings whatsoever (although it may be challenged after the election through an election petition).<sup>73</sup>

2.131 If you determine that the nomination form is invalid you must state this on the nomination form together with the reasons for your decision and sign it.<sup>74</sup>

### **Party nomination forms**

2.132 If you are also the RRO, once you have made a decision that a party nomination form is valid or a decision that the name and address of a candidate should not be removed from a party list, that decision is final and cannot be questioned in any proceedings whatsoever (although it may be challenged after the election through an election petition.)<sup>75</sup>

2.133 If you determine that a regional party nomination is invalid or you decide that the name and address of any candidate should be deleted from the party list, you must state that fact on the party nomination or regional list (as appropriate), write the reasons for rejection and sign it.<sup>76</sup>

## **Correction of minor errors**

2.134 You, whether as CRO or RRO, are permitted to correct minor errors made on nomination forms and regional party lists at any time before you publish the statement of persons nominated or the statement of parties and other persons nominated (as appropriate). This includes obvious errors of spelling of a candidate's details. You should attempt to contact the candidate, agent or Nominating Officer (as appropriate) before making any minor error amendment.<sup>77</sup>

2.135 You must have regard to the Commission's guidance on the correction of minor errors.<sup>78</sup>

## **Errors of spelling in details of candidates**

2.136 Dealing with the 'obvious' errors of spelling may be more difficult, as what is obvious to one person may not be so to another. Care should be taken in exercising this power.

## Errors in a home address

2.137 Where a home address is not absolutely correct there may not be a need to make a correction. By law, errors in a home address do not affect the full operation of a nomination form, as long as the address can be commonly understood.<sup>79</sup>

## Objections to nomination forms

2.138 Certain people may object to the validity of a constituency nomination form, individual regional candidate nomination form or party nomination form (see paragraphs **2.141** to **2.145**).<sup>80</sup>

2.139 Objections can only be made on the last day for delivery of nomination forms.<sup>81</sup>

## Timetable for objections

2.140 The time within which an objection can be made depends on when the nomination form was delivered:

### **Delivered up to and including 4pm the day before the deadline for delivery of nomination papers**

2.141 Objections to any nomination form delivered up to and including 5pm on the day before the last day for delivery of nomination papers must be made **between 9am and 12 noon on the last day for submitting nomination papers**.<sup>82</sup>

### **Delivered after 4pm on the day before the deadline for delivery of nominations**

2.142 Objections to any nomination form delivered after 4pm on the day before the last day for delivery of nomination papers must be made **between 9am and 5pm on the last day for submitting nomination papers**.<sup>83</sup> Any objection must be made at or immediately after the time of the delivery.

## Decisions on objections

2.143 You, whether as CRO or RRO, should consider any objection that you receive during the allowed time for objections to be made. You should not undertake any investigation or hear any representations in support of or challenging any fact or statement given on the nomination form or party list. You are only entitled to hold a nomination form or party list invalid on the limited grounds set out in paragraph **2.138** and paragraph Error! Reference source not found. above.



2.144 You, whether as CRO or RRO, must decide any objection as soon as practicable after it is made and in any event within 24 hours after the close of nominations.<sup>84</sup>

2.145 You should limit the objection process to the nomination forms and candidates on the party list. Where, as a result of an objection, you decide that a nomination form or regional party list you have already determined should have been ruled invalid, you must show on the constituency statement of persons nominated or the regional statement of parties and other persons nominated (as appropriate) any candidate or party who is no longer validly nominated together with the reason why they no longer stand nominated, and you should inform the candidate and / or party as appropriate.<sup>85</sup>

2.146 Your decision that a nomination paper is valid is final and cannot be challenged during an election. The decision can only be challenged after an election through an election petition.<sup>86</sup>

## Withdrawal

2.147 It is possible for a validly nominated candidate (whether a constituency candidate, individual regional candidate or a candidate on a party list) to withdraw their candidature. It is also possible for the registered party to withdraw the candidature of any or all of the candidates included in a regional party list.

## Candidates

2.148 It is possible for a validly nominated candidate (whether constituency, individual regional candidates or those on a party list) to withdraw their candidature.. For this to be effective, the candidate must deliver to you, whether as CRO or RRO, a signed notice, attested by one witness, by 4pm on the nineteenth working day before the poll.<sup>87</sup> Anyone may witness the notice of withdrawal.

2.149 The notice must be delivered by hand to the place for the delivery of nomination papers. There are no restrictions on who can deliver the notice of withdrawal.

2.150 The withdrawal notice is not prescribed in legislation. We have produced template withdrawal notices for a [constituency candidate](#), an [individual regional candidate](#), and a [candidate on a party list](#) that you could give to any candidate who requests one.

2.151 Where the candidate is outside the UK a notice of withdrawal signed by a person and accompanied by:

- a written declaration also signed by that person of the candidate's absence from the UK, and

- a written statement signed by the candidate that the person giving the notice is authorised to do so has the same effect as a notice of withdrawal signed by the candidate

2.152 In the case of constituency and individual regional candidates, the details of any candidates who by the close of withdrawals remain validly nominated must be printed on the ballot papers.<sup>88</sup> If a candidate has not withdrawn by the deadline, their name must go forward to the ballot paper.<sup>89</sup>

2.153 In the case of party list candidates, the details of any candidates who by the close of withdrawals remain validly nominated must be printed on the statement of parties and other persons nominated.<sup>90</sup> The name and address of the candidate must be deleted from the party list if they withdraw by the deadline.<sup>91</sup>

## Party list

2.154 It is also possible for the registered party to withdraw the candidature of any or all of the candidates included in a regional list. Where a registered party wishes to withdraw the candidature of a candidate or candidates included on the regional list for this to be effective the party must deliver to you, if you are also the RRO, a withdrawal notice signed by the party's Nominating Officer (or someone appointed in writing by the Nominating Officer, provided a copy of that written appointment has been provided to the RRO) by 4pm on the nineteenth working day before the poll.<sup>92</sup>

2.155 The notice must be delivered by hand to the place for the delivery of nomination papers. There are no restrictions on who can deliver the notice of withdrawal.

2.156 The withdrawal notice is not prescribed in legislation. We have produced a [template withdrawal notice](#) that you could give to any party who requests one.

2.157 The details of any candidates who by the close of withdrawals remain validly nominated must be printed on the statement of parties and other persons nominated.<sup>93</sup> Where you receive a withdrawal notice you must delete the name and address of the candidate or candidates from the party list.<sup>94</sup>

## After the close of nominations

2.158 After the close of nominations you, whether as CRO or RRO, must publish (as appropriate)<sup>95</sup>:

- in the case of the constituency election a statement of persons nominated and a notice of poll
- in the case of the regional election a statement of parties and other persons nominated and a notice of poll

2.159 For details on what these notices should contain, see Chapter 4 - **Production of notices, poll cards and ballot papers**

## Nomination in more than one contest

2.160 A candidate may not stand for election in more than one constituency or in more than one region. However, a candidate may stand for election in both a constituency and a region, so long as the constituency is within the region and they either stand on behalf of the same registered political party in both contests or not stand on behalf of a registered political party in both contests. If a candidate is elected at the constituency contest, their name will be disregarded at the allocation of regional seats.

## Return of deposit

### Constituency candidates

2.161 You must return the deposit of any candidate who is not shown as standing nominated in the statement of persons nominated.<sup>96</sup> The deposit must be returned to the person who made it or their personal representatives as soon as practicable after the statement of persons nominated has been published or after the candidate's death (as appropriate).<sup>97</sup>

### Individual regional candidates

2.162 If you are also the RRO, you must return the deposit of any individual regional candidate who is not shown as standing nominated in the statement of persons and parties nominated.<sup>98</sup> The deposit must be returned to the person who made it or their personal representatives as soon as practicable after the statement of persons and parties nominated has been published.<sup>99</sup>

### Party nominations

2.163 If you are also the RRO, you must return the deposit of any party who is not shown as standing nominated in the statement of persons and parties nominated.<sup>100</sup> The deposit must be returned to the Nominating Officer (or the person authorised in writing to act on their behalf) as soon as practicable after the statement of persons and parties nominated has been published.<sup>101</sup>

**A** For guidance on returning deposits after an election, see [Part F – After the declaration of results](#).

## Inspection of home address forms

2.164 You should make it clear to anyone inspecting a home address form which asks for the candidate's home address not to be published that the information on the form should only be used by the person inspecting to:<sup>102</sup>

- object to the nomination
- lodge an election petition

- make a complaint to the police that a person has made a false statement,

and that any other use may be in breach of data protection legislation and so could make a person using the information for any other purpose liable to criminal prosecution

2.165 You should keep the home address forms secure. During office hours, from the latest time for delivery of nomination papers until the day of poll, home address forms are available for inspection only by certain people.<sup>103</sup>

2.166 These people are:<sup>104</sup>

- any person also standing nominated as an individual candidate or list candidate in the same electoral area
- the election agent of any other person standing nominated as a list or individual candidate in the same electoral area
- an individual candidate acting as their own election agent or a list candidate acting as the election agent for candidates included in that list, a person nominated by them
- the nominating officer of a registered party standing also nominated in the same electoral area (or a person authorised in writing by that nominating officer)

3.148 Home address forms should be inspected under supervision. Taking extracts of the home address forms, or copies of them, is not permitted.<sup>105</sup>

3.149 Once the inspection period has passed, the home address forms are not open to inspection.

2.167 Home address forms must be kept securely stored for a period of 35 working days after the result has been declared.<sup>106</sup> They must be securely destroyed on the next working day after the 35 day period. However, if an election petition relating to the election is presented within the 35 working days, the home address forms must be kept securely until the conclusion of the petition proceedings (including any appeal from such proceedings). They must then be securely destroyed as soon as is practicable following the conclusion of the proceedings or appeal.

## Uncontested election

### Constituency election

2.168 If only one valid nomination is received, or all valid nominations are properly withdrawn by the deadline except one, the election is uncontested. If the election is uncontested, you must, as soon as practicable, publish the statement of persons nominated. This must include a statement declaring the one validly nominated candidate elected.<sup>107</sup>

2.169 You must (if you are not also the RRO) then notify the RRO who has been elected and what party if any they are standing for. You must also complete a certificate in the prescribed form and deliver it to the Clerk to the Senedd.<sup>108</sup>

### **Regional election**

2.170 Where the number of candidates standing for the regional election (whether on a registered party's regional list or individual regional candidates) is the same or less than the number of seats for the Senedd electoral region, or where all of the candidates shown on the statement of persons and parties nominated are on the regional list of the same registered political party, no poll for the region is necessary. In these circumstances the RRO must (once they have received the notification regarding the declaration of result for constituency members) allocate the regional seats in accordance with the rules.<sup>109</sup>

2.171 The RRO must as soon as practicable publish the statement parties and other persons nominated. This must include a statement declaring those individual and party list candidates elected. The RRO must also complete a certificate in the prescribed form and deliver it to the Clerk to the Senedd<sup>110</sup>.

## **Death of a candidate**

2.172 The possibility exists of a candidate dying during the course of an Senedd election campaign. The procedure to be followed depends on the time when you (and if you are also the RRO) are given, to your satisfaction, proof of the death of the candidate. It is the time when you are notified of proof of the death that is important, not the actual time of death.

2.173 The impact of the death of a candidate depends on whether or not the candidate was standing on behalf of a registered political party and whether they were a candidate for a constituency or regional election.

### **Death of an independent constituency candidate**

2.174 If an independent constituency candidate (i.e. a candidate using the description 'Independent' or 'Annibynnol' or both or without a description) dies, the election continues as normal.<sup>111</sup>

2.175 If the independent candidate who died did not receive the most votes at the original poll, the candidate who did is declared the winner and the election is not affected.

2.176 If the deceased candidate receives the most votes, they are not elected and the election will be re-run. You must give public notice of the total number of votes given for each candidate.<sup>112</sup> You must also publish a new notice of election on the seventh working day after the original polling day.<sup>113</sup> No new nominations will be required: all of the existing candidates will remain nominated for the new election, and forfeiture or return of the deposit is determined by the re-run election result. No new nominations are allowed for

the re-run election although candidates may withdraw. The statement of persons nominated must be published as soon as possible after the deadline for withdrawals.<sup>114</sup>

2.177 If the candidate who died was joint first with the same number of votes as any other candidate, the other candidate will be declared elected.<sup>115</sup>

2.178 If however proof of the death is given before the result is declared, and only two persons are shown on the statement of persons nominated, the notice of poll must be countermanded if the poll has not begun or the poll must be abandoned if it has begun<sup>116</sup>. The election must be treated as an uncontested election.<sup>117</sup>

2.179 In all cases the deposit of the deceased candidate must be returned.<sup>118</sup>

## Death of a constituency candidate standing for a party

2.180 If you receive proof and are satisfied that a candidate standing in a constituency on behalf of a registered political party or parties has died before the declaration of the result, the election must be stopped.<sup>119</sup> If the poll has not yet commenced, the notice of poll should be countermanded<sup>120</sup>. If the poll is underway or the counting is being undertaken, the poll is abandoned.<sup>121</sup> The election will need to be re-run.<sup>122</sup>

2.181 You must publish a new notice of election on the seventh working day after you received proof of the death.<sup>123</sup>

2.182 Candidates who were validly nominated for the first election, except the candidate who has died, will remain validly nominated unless they withdraw by the deadline for withdrawals. Any candidate may withdraw from the re-run election by the deadline for withdrawals.

2.183 No new nominations are allowed for the re-run election except that the party whose candidate has died may nominate a candidate to replace them.<sup>124</sup> The new candidate must submit a set of nomination papers, and the party must submit a new certificate of authorisation permitting that candidate to stand on their behalf.

2.184 A party wishing to put forward a candidate to replace their candidate who died must do so by the close of nominations, which is on the seventh working day after the new notice of election is published.<sup>125</sup>

## Impact of the death of a constituency candidate standing on behalf of a party on the regional election

2.185 As CRO, you must notify the RRO immediately if a constituency election is countermanded or abandoned due to the death of a party



candidate, or where a deceased independent constituency candidate has received the most votes.

2.186 Where the RRO receives such a notification, they will proceed with the allocation of regional members as normal but exclude the affected constituency result from the calculation. The regional votes from that constituency will, however, be included in the regional figure for each party and individual regional candidate.<sup>126</sup>

2.187 The re-run constituency election will have no impact on the allocation of regional seats and will not affect the validity of the regional members who have been returned to the Senedd.

## New constituency election

2.188 You must publish a new notice of election on the day described above depending on whether it was an independent or party candidate who died. The new polling day must be between 15 to 19 working days after the new notice of election has been published.<sup>127</sup>

2.189 The timetable will then run as normal, except that the deadline for withdrawals and for the nomination of a replacement for the deceased party candidate shall be 4pm on the seventh working day after the new notice of election is published.<sup>128</sup>

## Death of a regional candidate

2.190 If a candidate on a regional party list or any individual regional candidate dies but the regional poll remains contested, the election will continue as normal. The RRO must take reasonable steps to publicise the name of the candidate, the fact of their death, whether they were an individual regional candidate or a party list candidate and, if they were standing on behalf of a registered party, the name of the party.<sup>129</sup>

2.191 The RRO should publicise the death by placing notices outside and inside the polling stations in the electoral region.

2.192 If the RRO receives proof and is satisfied before the result is announced that a candidate on a regional list or an individual regional candidate has died and as a result the regional poll has become uncontested, the regional election must be stopped.<sup>130</sup> If this happens before polling begins, you must countermand the notice of poll.<sup>131</sup> If the poll is underway or the counting is being undertaken, the poll or the count must be abandoned.<sup>132</sup> In either case, the RRO must immediately notify all CROs in the region of the action that they have taken. After the close of the constituency polls, the RRO will declare the remaining candidates to be elected unopposed as regional members.

## Death of a PCC candidate<sup>133</sup>

2.193 In the event of the death of a candidate during the election period, the procedure to be followed at a PCC election depends on the time when the PARO receives proof of the death of the candidate. It is the time when the PARO receives proof of the candidate's death that is the relevant factor, not the actual time of death.

### Proof of death received before polls open

2.194 If proof of the death of a validly nominated candidate at a contested election is received before the opening of the poll, the notice of poll is countermanded and the poll does not take place. The PARO must hold a new election.<sup>134</sup>

### Proof of death received after polls have opened and before the declaration of result

2.195 If proof of the death of a validly nominated candidate at a contested election is received after the opening of the poll but before the declaration of result, the poll is abandoned and a new election must be held.<sup>135</sup> However, in this case, because the poll will have started, the documentation (i.e. issued and un-issued ballot papers, etc.) must be returned to you and sealed up in the normal way.<sup>136</sup>

2.196 Any postal votes received back must also be sealed in packets and any envelopes not opened at the time of the notification of the death must be sealed in packets unopened.<sup>137</sup>

## New election

2.197 The PARO will set the date of the new election.



# 3 Agents at the elections

## Agents at the Senedd election

### The election agent

3.1 Each constituency candidate must have an election agent, and notice of the appointment must be delivered to you by the latest time for the delivery of notices of withdrawal, which is 4pm on the nineteenth working day before the poll.<sup>138</sup>

3.2 Each individual regional candidate and registered party submitting a regional party list must also have an election agent, and notice of the appointment must be delivered to the RRO, by the latest time for the delivery of notices of withdrawal, which is 4pm on the nineteenth working day before the poll.<sup>139</sup>

3.3 We have produced forms for the notification of the appointment of an election agent. These are included as part of the set of nomination papers we have produced for each of the [constituency election](#), [political parties standing at the regional election](#), and [candidates at the regional election who are not standing on behalf of a political party](#).

3.4 Constituency candidates and individual regional candidates may appoint themselves as their election agent. A candidate on a party's list can be appointed as the election agent for that party's list.

3.5 If no agent is appointed by the above time, in the case of constituency and individual regional candidates, the candidate is deemed to be their own election agent. In the case of a registered party submitting a regional list, the candidate who is first on the party's list is deemed to be the election agent for that party list.<sup>140</sup>

3.6 Constituency and individual regional candidates are also deemed to be their own agent if they revoke their agent's appointment, or their agent dies, and a replacement is not appointed on the day of the death or on the following day. In the case of a registered party submitting a regional party list, the candidate who is first on the party's list is deemed to be the election agent for that party list if the agent's appointment is revoked, or the agent dies, and a replacement is not appointed on the day of the death or on the following day.

3.7 If a constituency candidate or individual regional candidate is acting as their own election agent, irrespective of whether they became an agent as a result of not appointing one or because they had given written notice of their own appointment, they can also revoke their own appointment and appoint a new agent. Constituency candidates must notify you in writing of any such

changes, and individual regional candidates must notify the RRO in writing of any such changes.<sup>141</sup>

3.8 Similarly, in the case of a registered party submitting a party list, if the candidate who is first on the party's list is acting as the election agent for that party list, they can also revoke their own appointment and appoint a new agent. This is irrespective of whether they became an agent as a result of the party not having appointed one or because they had given written notice of their own appointment. They must notify the RRO in writing of any such changes.

3.9 The election agent must have an office, and any notification of appointment as election agent must set out the office address to which all claims, notices, legal process and other documents may be sent.<sup>142</sup> The office address must be an address to which any legal notices can be delivered and therefore must be a physical address – PO boxes or similar mailboxes cannot be used.

3.10 The location of the office for the constituency election must be:<sup>143</sup>

- in the Senedd constituency for which the election is held or an adjoining Senedd constituency, or
- in a county or county borough which is partly comprised in or adjoins the Senedd constituency for which the election is held

3.11 The location of the office for the regional election must be in Wales.<sup>144</sup>

3.12 The election agent's office address will often be the same as their home address, but it might also be that of the local political party office or an office especially set up for the election.

3.13 Where a candidate acts as their own election agent as a result of not having appointed anybody else, or where a candidate who is first on a party list is deemed to be the election agent for that party list as a result of no-one else having been appointed, the office address is deemed to be the address given on the candidate's consent to nomination.

3.14 If the address is outside the relevant qualifying area as defined above, you should contact the candidate and request that they provide an alternative address within the relevant qualifying area.

3.15 Upon notification of a constituency candidate's election agent's name and address, you must publish a notice setting out those details and the name of the candidate as soon as possible.<sup>145</sup> Where an election agent is appointed who is also a candidate and has requested on a home address form that their address is not to be made public, only the constituency or country must be included on the notice.<sup>146</sup>

3.16 If you are also the RRO, upon notification of an election agent's name and address for the regional election, you must publish a notice setting out those details and the name of the individual regional candidate or party (as

appropriate) as soon as possible.<sup>147</sup> Where an election agent is appointed who is also a candidate and has requested on a home address form that their address is not to be made public, only the constituency or country must be included on the notice.<sup>148</sup>

3.17 In each case, the notice must be updated if any agent's appointment is revoked, or an agent dies, with the new agent's details published on the revised version.

3.18 If you are also the RRO, you must give notice to CROs in your region setting out the election agents' details as soon as possible. As CRO, you should publish any such notice in your constituency.

3.19 Your privacy notice should make clear that you may be required under electoral legislation to publish an election agent's name and address information in the notice of election agents. You will also need to consider whether it is appropriate or necessary for the notice to remain published, on your website or elsewhere, beyond the expiry of the petition period for that election. The notice serves a specific purpose, i.e. advising who will be a candidate's election agent, so once the election is over, and the opportunity to question that the election has passed, they serve no further purpose. Therefore, you should either remove the notice, or remove the personal data contained in the notice, once the petition deadline for the election has passed.

[Our data protection resource](#) for ROs and EROs covers the requirement of a privacy notice and document retention considerations.

## Sub-agents

3.20 Election agents may appoint sub-agents to act on their behalf.

3.21 Election agents may appoint sub-agents for particular parts of the constituency or region (as appropriate), as long as those parts do not overlap. The agent can determine the parts into which they wish to sub-divide the constituency or region (as appropriate),<sup>149</sup> and these may cross electoral area boundaries.

3.22 The office address of the sub agent must be in the area within which they are appointed to act.<sup>150</sup>

3.23 A sub-agent can do anything that the election agent is entitled to do within the area to which they are appointed. However, sub-agents may only attend the verification, count and/or calculation of the regional result where these are taking place within the area in which they have been appointed to act and they are acting in place of the election agent. Sub-agents may attend the opening of postal votes, provided the opening takes place in the area within which they have been appointed to act.

3.24 The election agent must declare to the CRO or RRO (as appropriate) in writing the name, address and office address of each sub-agent they have appointed and the area in which they may act by the fifth working day before the day of the poll.<sup>151</sup> You should include forms for the notification of appointment of sub-agents in your nomination packs. We have produced sub-agent forms which are included as part of the set of nomination papers produced for each of the [constituency election](#), [political parties standing at the regional election](#), and [candidates at the regional election not standing on behalf of a political party](#).

3.25 The election agent can revoke the appointment of a sub-agent at any time. If a sub-agent dies or has their appointment revoked the election agent may appoint a new-sub agent by declaring in writing the name, address, office address and area of appointment of the new sub-agent to the CRO or RRO (as appropriate).

3.26 Once the name, address, office address and area of appointment of a sub-agent have been declared, the CRO or RRO (as appropriate) must give public notice of these details.<sup>152</sup> In the case of the regional election, if you are also the RRO, you must give notice to CROs in your region setting out the sub-agents' details as soon as possible. As CRO, you should publish any such notice locally.

## Other agents

3.27 Constituency candidates, individual regional candidates and the election agent of each registered party standing nominated at the Senedd regional election can appoint agents to observe the opening of postal votes, the poll and the verification and count.

3.28 You are responsible for receiving the notifications of appointment of these agents.

**A** For further details on the role of these agents, see [Part 5: Your right to attend key electoral events](#) of our guidance for candidates and agents at Senedd elections.

3.29 You must ensure that all appointed agents are given a copy of the relevant secrecy requirements for the opening of [postal votes](#), [the poll](#) and [the count](#) which we have published on our website.<sup>153</sup>

### The opening of postal votes

3.30 Postal voting agents are permitted by law to observe the opening of the postal voters' ballot box, the opening of returned postal votes and the checking of signatures and dates of birth provided on returned postal voting statements. You must be given written notice of the name and address of any postal voting agents before the start of any particular session that the agents are seeking to attend.<sup>154</sup> The Commission has developed a [form for the](#)

[notification of appointment of a postal voting agent](#) for use at the Senedd elections.

3.31 You must give at least 48 hours' notice of the time and place of any postal vote opening session and the number of agents that may be appointed to attend each opening.<sup>155</sup> This notice must be given to constituency candidates, individual regional candidates and the election agent for each registered party standing nominated at the Senedd regional election.

### **The poll**

3.32 Polling agents are entitled by law to access polling stations for the purpose of detecting personation. They can also observe the procedures to be followed inside a polling station.

3.33 Notification must be given to you in writing of any polling agents that have been appointed by not later than 5 working days before the poll for their appointment to be in force for the polls.<sup>156</sup> The Commission has developed a [form for the notification of appointment of a polling agent](#) for use at the Senedd elections.<sup>157</sup>

3.34 A polling agent can be appointed to a particular polling station or stations, or to all polling stations within the constituency. There is no restriction on the number of polling agents that may attend a polling station. However only one polling agent for each constituency candidate, individual regional candidate or a party list may be admitted to a polling station at any particular time. The same polling agents may be appointed to attend more than one polling station.<sup>158</sup>

### **The count**

3.35 Counting agents can be appointed to observe the verification and counting processes relating to the election for which they have been appointed.

3.36 You must be notified in writing of the appointment of counting agents by not later than 5 working days before the poll for their appointment to be in force for the verification and count.<sup>159</sup> The Commission has developed a [form for the notification of appointment of a counting agent](#) for use at the Senedd elections.

3.37 You must give counting agents who have been appointed notice in writing of the time and place at which the verification and count will begin.<sup>160</sup>

3.38 You are permitted by law to limit the number of counting agents.<sup>161</sup> The number that may be appointed by each constituency candidate must be the same.<sup>162</sup> The number that may be appointed by each individual regional candidate and by the election agent of each of the registered parties standing nominated at the regional contest must be the same.<sup>163</sup> Unless there are special circumstances, the number must not be less than the number obtained by dividing the number of counting assistants (i.e. those staff counting the ballot papers) by the number of candidates in the case of the constituency election and by the total number of individual regional candidates

and registered political parties standing nominated in the case of the regional election.<sup>164</sup>

3.39 When determining the maximum number of counting agents, each candidate and agent should, as far as possible, be permitted to appoint sufficient numbers of counting agents to enable full and proper scrutiny of the verification and count processes. You should, however, consider any health and safety implications, including fire regulations for the verification and count venue, when deciding on maximum numbers of counting agents.

3.40 When determining the maximum number of counting agents you should also bear in mind that the counting agents for all polls being verified are entitled to attend the verification part of the count.

**A** For details on who can attend the verification and count, see [Part E: Verifying and counting the votes](#).

### **Calculation of the regional result and the allocation of seats**

3.41 The election and counting agents for individual regional candidates and party lists may attend the allocation of regional seats. A person attending in place of the election agent may also attend (which could be a sub-agent).

3.42 The RRO must notify individual regional candidates and the election agent of each party list, in writing, of the time and place where the allocation of regional seats will take place.<sup>165</sup>

**A** For details on who can attend the calculation of the regional result and the allocation of seats, see [Part E: Verifying and counting the votes](#).

## **Agents at the PCC election**

### **The election agent**

3.43 Each candidate must have an election agent and the notice of the appointment must be delivered to the PARO by the latest time for delivery of notices of withdrawals, which is 4pm on the nineteenth working day before the poll.<sup>166</sup>

3.44 Upon notification of an election agent's name and address, the PARO must publish a notice setting out those details and the name of the candidate as soon as possible. The PARO will provide you, as LRO, with a copy of the notice and you must publish that within your voting area.<sup>167</sup> The PARO must update the notice if any agent's appointment is revoked, or an agent dies, with the new agent's details published on a revised version. The PARO must

provide you, as LRO, with a copy of any updated notice, which you must publish in your voting area.<sup>168</sup>

## Sub-agents

3.45 Election agents may appoint sub-agents to act for them in any part of the police area. Notification of any sub-agent appointment must be made to the PARO by the fifth working day before the poll.<sup>169</sup>

3.46 Upon notification of a sub-agent's name and address, the PARO must publish a notice setting out those details, the name of the candidate, and the part of the police area within which the sub-agent is appointed to act, as soon as possible. The PARO will provide you, as LRO, with a copy of the notice and you must publish that within your voting area. The PARO must update the notice if any sub-agent's appointment is revoked, or a sub-agent dies, with the new agent's details published on a revised version. The PARO must provide you, as LRO, with a copy of any updated notice, which you must publish in your voting area.<sup>170</sup>

## Other agents

3.47 Candidates at a PCC election can appoint agents to observe the opening of postal votes, the poll and the verification and count.<sup>171</sup> You are responsible for receiving the notifications of appointment of these agents.

**A** For further details on the role of these agents, see [Part 5: Your right to attend key electoral events](#) of our guidance for candidates and agents at PCC elections.

3.48 You must ensure that all appointed agents are given a copy of the PCC secrecy requirements for the opening of [postal votes](#), [the poll](#) and [the count](#) which we have published on our website.<sup>172</sup>

## The opening of postal votes

3.49 Postal voting agents are permitted by law to observe the opening of the postal voters' ballot box, the opening of returned postal votes and the checking of signatures and dates of birth provided on returned postal voting statements. You must be given written notice of the name and address of any postal voting agents before the start of any particular session that the agents are seeking to attend.<sup>173</sup> The Commission has developed [a form for the notification of appointment of a postal voting agent](#) for use at the PCC election.

3.50 You must give candidates at least 48 hours' notice of the time and place of any postal vote opening session and the number of agents that may be appointed to attend each opening.<sup>174</sup>



## The poll

3.51 Polling agents are entitled by law to access polling stations for the purpose of detecting personation. They can also observe the procedures to be followed inside a polling station.

3.52 Notification must be given to you in writing of any polling agents that have been appointed by not later than 5 working days before the poll for their appointment to be in force for the poll.<sup>175</sup> The Commission has developed a [form for the notification of appointment of a polling agent](#) for use at a PCC election.<sup>176</sup>

3.53 A polling agent can be appointed to a particular polling station or stations, or to all polling stations within the voting area. The same polling agents may be appointed to attend more than one polling station.<sup>177</sup>

3.54 At the PCC election, the total number of polling agents that may attend at any particular polling station is four or such greater number that you decide to allow.<sup>178</sup> The limit applies to each individual polling station, even where there are multiple polling stations in the same building or room. If you decide to allow more than four polling agents to attend a polling station, you must give notice of that higher number.<sup>179</sup> This notice should be published on your website and a copy provided to the candidates and their election agents. A copy of the notice should also be given to the PARO. You can decide to fix different maximum numbers for different polling stations and, if you do so, you should make this clear on the notice you publish.

3.55 If all the candidates together appoint more than the maximum number of polling agents who can attend any polling station you must decide which polling agents may attend by drawing lots for each polling station.<sup>180</sup> Those who are not selected by the lot are not appointed as polling agents for that particular polling station.<sup>181</sup>

3.56 Only one polling agent for each candidate may be admitted to a polling station at any particular time.

## The count

3.57 Counting agents can be appointed to observe the verification and counting processes relating to the PCC election.

3.58 You must be notified in writing of the appointment of counting agents by not later than 5 working days before the poll for their appointment to be in force for the verification and count.<sup>182</sup> The Commission has developed a [form for the notification of appointment of a counting agent](#) for use at a PCC election.

3.59 You must give counting agents who have been appointed notice in writing of the time and place at which the verification and count will begin.<sup>183</sup> You must also give counting agents who have been appointed notice of the time and place at which the count of the second preference votes will begin if required.<sup>184</sup> This notice must state the start time of the second count, which may be as soon as practicable after the first count rather than any fixed time or could be a fixed later time.

3.60 You are permitted by law to limit the number of counting agents. The number that may be appointed by each candidate must be the same and, unless there are special circumstances, must not be less than the number obtained by dividing the number of counting assistants (i.e. those staff counting the ballot papers) by the number of candidates.

3.61 When determining the maximum number of counting agents, each candidate should, as far as possible, be permitted to appoint sufficient numbers of counting agents to enable full and proper scrutiny of the verification and count processes. You should, however, consider any health and safety implications, including fire regulations for the verification and count venue, when deciding on maximum numbers of counting agents.

3.62 When determining the maximum number of counting agents you should also bear in mind that the counting agents for all polls being verified are entitled to attend the verification part of the count.

**A** For details on who can attend the verification and count, see [Part E: Verifying and counting the votes](#).

3.63 Only one of the counting agents for each candidate can be designated to be able to request a recount at the conclusion of the count or any recount. Such designations must be made at the time that the counting agent appointment is notified to you.<sup>185</sup> The Commission's form for the notification of the appointment of counting agents makes provision for any such designation to be indicated on the form.

# 4 Production of notices, poll cards and ballot papers

## Production and publication of notices

4.1 You must publish notices by posting them in a conspicuous place within the relevant electoral area.<sup>186</sup> This should include local authority offices, noticeboards, libraries and other public buildings. The notice may also be given in such other manner as you think fit.

4.2 You should ensure that you are referring to the correct version of any prescribed forms as contained in the most recent versions of the relevant legislation. For details of the relevant legislation see [Part A – Guidance for ROs](#)

4.3 In order to ensure that voters can receive the information they need, in an accessible format and within time for them to cast their vote, you should ensure that information on the polls, including the notices of election and notices of poll, are easily accessible to voters, such as through the local authority website.

4.4 If you are making information available on your website you should ensure it is accessible to all voters. For example, if you are providing information in PDF format, you should be aware that if certain steps are not followed when creating PDFs they may not be compatible with screen readers and other assistive technologies. The UK Government has produced [a guide to producing accessible PDFs](#) you can refer to. You could also speak to your authority's equalities officer for advice.

4.5 In accordance with data protection legislation, you will need to consider whether it is appropriate or necessary for the notices to remain published, on your website or elsewhere, beyond the expiry of the petition period for that election. Where the notices serve specific purposes, i.e. advising who will be a candidate at the election, once the election is over, and the opportunity to question that election has passed, they serve no further purpose. Therefore, you should either remove the notices, or remove the personal data contained in the notices, once the petition deadline for the election has passed.

4.6 Data protection legislation does permit personal data to be stored for longer periods if the data will be processed solely for archiving purposes in the public interest, or for scientific, historical, or statistical purposes and subject to the implementation of appropriate safeguards. For notices of election results, for example, you should retain these on your website as they are for public interest and historical and statistical purposes.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that information on the polls, including the notice of election and notice of poll, is easily accessible to voters, such as through the local authority website. To demonstrate that the outcome can be delivered you will need to ensure that information on the polls can be easily accessed through the local authority website.



See [Part B – Planning and organisation](#) for more general guidance on communicating information to electors.

4.7 You should have robust proof-checking processes in place to ensure that there are no errors on the notices you are required to publish. Having robust proof checking processes in place could help detect any errors and avoid any potential data breaches before they occur.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that you have robust processes in place for ensuring that there are no errors on the notice of election. To demonstrate that the outcome can be delivered you will need to have in place processes for the proof-checking of the notice.

## Translation and formats of notices

4.8 You must, where you consider it appropriate to do so, ensure that notices are translated or provided in another format. You may produce them:

- in Braille
- in languages other than English and Welsh
- using graphical representations
- in audio format
- using any other means of making information accessible<sup>187</sup>

4.9 The ballot papers cannot be produced in any language other than English and Welsh, or other than in the prescribed format. However, the enlarged copy of the ballot papers to be displayed in polling stations must have the instructions for voters printed at the top of the papers,<sup>188</sup> and these words may be translated into languages other than English and Welsh.

## Notice of election

### Senedd constituency election

4.10 You must publish the notice of election for the constituency by not later than 25 working days before polling day.<sup>189</sup>

4.11 The notice of election **must** include the following:<sup>190</sup>

- the place and times at which nomination papers can be delivered, and at which nomination papers may be obtained
- where you have decided to accept electronic payments, the arrangements for electronic payment of deposits
- the date of the poll if the election is contested
- the date by which applications for absent votes (including emergency proxies) must reach the ERO in order to be effective for the election

4.12 The notice should also include the date by which applications for registration must reach the ERO in order to be effective for the election.

4.13 The address given for the delivery of nomination papers should be exact, and include any room number. This will avoid any doubt should nominations be delivered close to the deadline. All reception staff at offices of the building and other connected buildings should be informed that they should not take receipt of nomination papers.

4.14 The Commission has developed a [template notice of election](#) which you can use for the Senedd Constituency election.

## Senedd regional election

4.15 If you are also the RRO, you must publish the notice of election for the regional election by no later than 25 working days before polling day.<sup>191</sup>

4.16 The notice of election **must** include the following:

- the place and times at which nomination papers can be delivered, and at which nomination papers may be obtained
- where you have decided to accept electronic payments, the arrangements for electronic payment of deposits
- the date of the poll if the election is contested
- the date by which applications for absent votes (including emergency proxies) must reach the ERO in order to be effective for the election

4.17 The notice should also include the date by which applications for registration must reach the ERO in order to be effective for the election.

4.18 The address given for the delivery of nomination papers should be exact, and include any room number. This will avoid any doubt should nominations be delivered close to the deadline. All reception staff at offices of the building and other connected buildings should be informed that they should not take receipt of nomination papers.

4.19 The Commission has developed a [template notice of election](#) which you can use for the Senedd regional election.

4.20 The RRO must provide the CRO for each constituency within their region with a copy of the notice of election for the Senedd regional election for the CRO to publish locally.

## PCC election

4.21 The PARO must publish the notice of election for the PCC election by no later than 25 working days before polling day.<sup>192</sup> The PARO must prepare and send to you, as LRO, a copy of the notice of election, which you must publish locally in the voting area.<sup>193</sup>

## Statements of persons and parties nominated

4.22 You are required to publish a statement of persons nominated for the Senedd constituency election. If you are also the RRO, you are required to publish a statement of parties and other persons nominated for the Senedd regional election.

4.23 The statements must be printed in conspicuous characters and exhibited inside and outside every polling station.<sup>194</sup>

## Senedd constituency election

4.24 You must publish the statement of persons nominated by no later than 4pm on the eighteenth working day before the poll.<sup>195</sup>

4.25 The statement of persons nominated must show, for all candidates who are validly nominated, as well as those who have withdrawn or whose nomination you have rejected:<sup>196</sup>

- their name
- their address (or, if they have requested not to make their home address public, the constituency name or country as appropriate)<sup>197</sup>
- their description (if any)
- in the case of those who no longer stand nominated, the reason why they no longer stand nominated<sup>198</sup>

4.26 Your privacy notice should make clear that you are required under electoral legislation to publish a candidate's name in the statement of persons nominated.

[Our data protection resource](#) for ROs and EROs covers the requirement of a privacy notice.

4.27 The names of the candidates on the statement must be listed in alphabetical order of their surname; this is also how they will appear on the ballot paper. Where there are two or more candidates with the same surname, the alphabetical order of the other names will decide which candidate is listed first.<sup>199</sup>

4.28 If a person has requested the use of a commonly used name on their nomination paper, the commonly used name must be shown on the statement instead of the actual name.<sup>200</sup> Where a candidate has requested the use of a commonly used surname, the candidate's alphabetical position on the statement of persons nominated and on the ballot paper must be made by reference to their commonly used surname.<sup>201</sup>

4.29 If, however, you have rejected the use of any commonly used name as you think it is likely to mislead or confuse electors, or is obscene or offensive, the actual name must be published on the statement of persons nominated instead of the commonly used name.<sup>202</sup>

4.30 The statement of persons nominated must include the notice of poll if the constituency election is contested.<sup>203</sup>

4.31 You should have robust proof-checking processes in place to ensure that there are no errors on the statement of persons nominated.

4.32 You must send the Commission a copy of the statement of persons nominated and also, where you have received a certificate of authorisation for a candidate, a copy of that certificate.<sup>204</sup> Copies should be e-mailed to [infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk).

## Senedd regional election

4.33 If you are also the RRO, you must publish the statement of parties and other persons nominated by no later than 4pm on the eighteenth working day before the poll.<sup>205</sup>

4.34 The statement of parties and other persons nominated must include:<sup>206</sup>

- the names, addresses and descriptions (if any) of the persons who have been and stand nominated as individual regional candidates (or if they have requested not to make their home address public, the constituency name or country as appropriate)<sup>207</sup>
- the names of those registered political parties which have been and stand nominated. For each such party, the name of the party or the registered description given on the party's nomination and the names and addresses of the candidates nominated on the party's list must also be shown (or if a candidate has requested not to make their home address public, the constituency name or country as appropriate).<sup>208</sup>



- in the case of those persons (whether individual regional candidates or candidates on a party list) or parties who no longer stand nominated, the reason why they no longer stand nominated<sup>209</sup>

4.35 Your privacy notice should make clear that you are required under electoral legislation to publish a candidate's name in the statement of persons nominated.

[Our data protection resource](#) for ROs and EROs covers the requirement of a privacy notice.

4.36 The names of the parties on the statement must be listed in alphabetical order followed by the names of the individual regional candidates who must be listed in alphabetical order of their surname. Where there are two or more individual regional candidates with the same surname, the alphabetical order of the other names will decide which candidate is listed first. Immediately after each party the names of each candidate on that party's list must be listed on the statement in the order they appear on the party list.<sup>210</sup>

4.37 If an individual regional candidate or a candidate on a party list has requested the use of a commonly used name, the commonly used name must be shown on the statement instead of the actual name. Where an individual regional candidate has requested the use of a commonly used surname, the candidate's alphabetical position on the statement of parties and other persons nominated and on the ballot paper must be made by reference to their commonly used surname.<sup>211</sup>

4.38 If, however, as RRO, you reject the use of any commonly used name as they think it is likely to mislead or confuse electors, or is obscene or offensive, the actual name must be published on the statement instead of the commonly used name.<sup>212</sup>

4.39 The statement of parties and other persons nominated must include the notice of poll if the regional election is contested.<sup>213</sup>

4.40 You should have robust proof-checking processes in place to ensure that there are no errors on the statement of persons nominated.

4.41 If you are also the RRO, you must provide each CRO with a copy of the statement of parties and other persons nominated as soon as it is published for the CRO to publish locally.<sup>214</sup>

4.42 As RRO, you must send the Commission a copy of the statement of parties and other persons nominated.<sup>215</sup> The copy should be emailed to [infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk).

## PCC election

4.43 The PARO must publish the statement of persons nominated for the police area by 4pm, 18 working days before the poll.<sup>216</sup> The PARO must prepare and send to you, as LRO, a copy of the statement of persons nominated as soon as it has been published, which you must publish in the voting area as soon as practicable after receiving it.<sup>217</sup>

## Notice of poll

### Senedd election

4.44 If the constituency election is contested, you must publish a notice of poll for the constituency, stating the date and hours of the poll.<sup>218</sup> The notice of poll must be included with the statement of persons nominated, which must be published by no later than 4pm on the eighteenth working day before the poll.<sup>219</sup>

4.45 If you are also the RRO and the regional election is contested, you must publish a notice of poll for the region, stating the date and hours of the poll. The notice of poll must be included with the regional statement of parties and other persons nominated,<sup>220</sup> which must be published by no later than 4pm on the eighteenth working day before the poll.

4.46 In each case, you should give a copy of the statement and the notice of poll to candidates and election agents as soon as practicable after their publication. You should also be prepared to give copies to any accredited observers on request.

### PCC election

4.47 If the PCC election is contested, the PARO is required to publish a notice of poll for the police area by no later than the sixth working day before poll.<sup>221</sup> The PARO should provide you with a copy of the notice which you can then publish locally in your voting area. You should also either provide a link from your website to the PARO's website where the notice is published or provide a copy directly on your website so that electors in the voting area can easily access it.

## Notice of the situation of polling stations

4.48 As CRO, you must publish a notice of the situation of polling stations for your constituency for the constituency election, the regional election, and the PCC election.<sup>222</sup>

4.49 In each case, the notice of the situation of polling stations must set out:

- the situation of each polling station
- the description of voters entitled to vote there.
- that the poll at the Senedd elections is to be taken with the poll at the Police and Crime Commissioner election and specify the relevant police area.<sup>223</sup>

4.50 The notices of situation of polling stations may be combined.

4.51 The notice of situation of polling stations in relation to the constituency election may be combined with the statement of persons nominated and notice of poll.

4.52 The notice of situation of polling stations in relation to the regional election may be combined with the statement of parties and other persons nominated and notice of poll. If you are not also the RRO, you should liaise with them, to determine whether the respective notice and statement will be combined, and where they are, how the required information will be provided.

4.53 You should have robust proof-checking processes in place to ensure that there are no errors on the notice of situation of polling stations.

4.54 You must give a copy of the notice of situation of polling stations and descriptions of voters entitled to vote there to election agents as soon as practicable after giving the notice, and should also provide a copy of the relevant notice to all candidates.<sup>224</sup> You should also be prepared to make these notices available to any accredited observers on request.

4.55 You must as soon as practicable deliver a copy of the regional notice of situation of polling stations to the RRO.<sup>225</sup>

### **Cross-boundaries**

You should liaise with the Local Returning Officer(s) in the local authorities within your constituency/voting area to ensure you have the relevant information to be able to produce the notice of situation of polling stations.

4.56 At the PCC election you should liaise with the PARO on how the provision of the notice of situation of polling stations to agents should be managed in practice, including whether the notices for all voting areas in the police area will be disseminated centrally by the PARO. Where it is not, you should as soon as practicable deliver a copy of the notice of situation of polling stations to the PARO.

## **Production of poll cards**

4.57 As CRO you are responsible for sending electors and their proxies an official poll card for the Senedd elections and as LRO you have the same responsibility for the PCC election. You can combine the poll cards for the

Senedd elections and the PCC election. Poll cards must follow the prescribed form, but you can make any necessary adaptations when combining them.<sup>226</sup>

4.58 You must ensure that on each poll card or on the combined poll card all of the elements specified in the relevant election rules and shown on the front and the back of the poll cards in the appendix to the election rules are included.<sup>227</sup>

4.59 You will need to dispatch your poll card data to your printers.

4.60 If you are outsourcing the production of poll cards, you should ensure that your software is able to produce a data file that your printers can use to produce the materials to the specification required. If you are combining the poll cards, you need to ensure that the data reflects the differences in franchise at the Senedd elections. At an early stage in discussions with suppliers you should address in what format you will supply the data and in what format they will send you any proofs, and this should be included in your specification and contract.

4.61 If you send registration data to a contractor to produce poll cards for the election, you are using a processor. As a data controller, data protection legislation imposes a legal obligation when using a processor to formalise the working relationship in a contract which sets out:

- the subject matter, nature and purpose of the processing;
- the obligations and rights of the data controller;
- duration of the processing; and
- the types of personal data and categories of data subjects

4.62 In addition, the contract must set out specific obligations on the processor, including that they:

- comply with your instructions
- are subject to a duty of confidentiality
- keep personal data secure and notify you of any breach
- maintain written records of the processing activities they carry out for you
- only use a sub-processor with your consent
- submit to audits and inspections and provide you with whatever information you need to ensure compliance with data protection requirements
- delete or return all personal data to you as requested at the end of the contract

4.63 You should ensure your agreement/contract specifically confirms that:

- electoral registration data held by the processor should be destroyed as soon as possible after polling day

- information from the full electoral register cannot be disclosed at any time, confirming that they will not disclose data to any unauthorised party; and
- after the election, they will return any discs and paper records provided to them and securely destroy any other electronic or paper copies of the data in line with the Information Commissioner's guidelines

4.64 You should also conduct a test-run by submitting sample data to the printers in advance of 'live' data being submitted. This will also enable pre-proofs to be developed, so that it is clear which part of the data should go where on the poll card. It will also allow you to check that the poll cards reflect the differences in franchise at the Senedd elections.

4.65 You should also liaise with your Royal Mail contact (or other commercial delivery firm) at an early stage to ensure that you have appropriate licences in place and that the poll card meets specific delivery requirements.

4.66 Regardless of whether you have outsourced the production of poll cards you remain responsible for ensuring that they are produced in accordance with the legislation. You should therefore ensure that you have arrangements in place which enable you to quality-assure the whole process.

4.67 In order to ensure that voters receive the information they need you should have in place a process for checking live proofs of poll cards, including those for absent voters, as well as arrangements to check the actual stationery being produced to ensure that the correct details appear, which will highlight if any of the signed-off proofs have been inadvertently altered. Random spot checks within polling districts could also be carried out so that a representative cross-section can be checked.

4.68 We have produced a [proof checking factsheet](#) which you can use to help you quality assure the whole process. Having robust proof checking processes in place could help detect any errors and avoid any potential data breaches before they occur.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure you have robust processes in place for ensuring that there are no errors on poll cards. To demonstrate that the outcome can be delivered you will need to have in place processes for the proof-checking of poll cards.

4.69 EROs must publish two interim election notices of alteration before publishing the final election notice of alteration on the fifth working day before the poll.<sup>228</sup> These notices support the prompt dispatch of poll cards to those electors who have applied to register close to the registration deadline.

4.70 The first interim notice of alteration must be published on the nineteenth working day before the poll.<sup>229</sup> The second interim notice must be published between the eighteenth and sixth working day before the poll (inclusive).<sup>230</sup>

4.71 An update of the registration data resulting from each of the notices of alteration should be sent to your printers as soon as practicable to enable the production of poll cards for new electors.

### Cross-boundaries

If, as CRO, you are responsible for a constituency that crosses local authority boundaries, you might need to work with more than one ERO to ensure you are able to provide the data to the printers. You should also liaise with them to obtain the information on new electors as soon as possible after the publication of the interim notices of alteration and the final election notice of alteration.

**A** Further information on interim notices is included in [Part 4 – Maintaining the register throughout the year](#) of the Commission’s guidance for EROs.

**A** Further details on the management of contractors and suppliers can be found in [Part B – Planning and organisation](#). We have also produced a contract development checklist to support you in your work with contractors/suppliers.

## Poll card delivery

4.72 You must send out poll cards as soon as practicable after the publication of the notice of election.<sup>231</sup> Where poll cards are combined, they can only be issued once the notice of election for all elections has been published.

4.73 In order to ensure that voters receive the information they need and within time for them to cast their vote you should ensure that poll cards can be received by voters as soon as possible, so that they have the maximum amount of time to change their registration details or apply for an absent vote.

4.74 You will need to make an assessment of the optimum distribution date for poll cards and should focus on when poll cards can be expected to be received by electors.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that poll cards can be received by voters as soon as possible so that they have the maximum amount of time to act on the information. To demonstrate that the outcome can be delivered, you will need to set out information on the method for delivery of poll cards, including an estimation of when poll cards will be delivered.

4.75 Poll cards may be delivered by hand, by post, or by some other method determined by you as the most appropriate.

#### **Delivery by hand**

4.76 If you decide to deliver poll cards by hand you should plan for how this will work in practice. You should appoint sufficient staff to ensure that poll cards can be received by voters as soon as possible to maximise the time they have to change their registration details or apply for an absent vote. You should clearly set out in your instructions the last day by which you would expect all poll cards to have been delivered.

4.77 You should ensure that staff are aware of data protection considerations, and should consider requiring staff to confirm in writing, at the point of recruitment, that they will abide by your data protection policy

4.78 You should also have in place a mechanism for monitoring delivery, with a view to ensuring that poll cards have been delivered across the whole of the constituency/voting area and to agreed timeframes. This may include requiring delivery staff to fill in log sheets and having supervisors carry out spot-checks.

#### **Delivery by post**

4.79 You may use Royal Mail or any other commercial delivery firm for the delivery of poll cards. If you are delivering poll cards by post, you should liaise with your postal services provider to agree timescales for delivery and obtain any proof of postage that the firm provides.

4.80 You should also have in place a mechanism for monitoring the delivery of poll cards, with a view to ensuring that they have been delivered across the whole of the constituency/voting area and to agreed timeframes. If possible, you should have arrangements in place to track deliveries in order to assist with responding to any enquiries from electors.

4.81 Your contingency planning should address how you would issue any poll cards in the event that Royal Mail or the commercial delivery firm you have contracted are unable to deliver the poll cards, for example, due to industrial action.

4.82 A poll card must be sent to the elector's qualifying address or, in the case of a proxy, to the proxy's address as shown in the list of proxies.<sup>232</sup>

4.83 An anonymous elector's poll card must be sent in a covering envelope<sup>233</sup> to the elector's qualifying address or, where a different address has been



specified on their registration application, the poll card must be sent to that other address.<sup>234</sup>

## Production of ballot papers

4.84 As CRO you are responsible for the production of the ballot papers for the Senedd constituency election and for that part of the regional election in your constituency. If you are not also the RRO, you should liaise with the RRO at an early stage to ensure clarity on the form of the regional ballot paper.

4.85 As LRO you are responsible for printing the PCC ballot papers for your voting area unless the PARO gives you notice that they will take on this responsibility.<sup>235</sup> You should liaise with the PARO on the production of the PCC election ballot papers at an early stage.

4.86 The form of the ballot papers is prescribed in the relevant election rules and must be followed precisely.<sup>236</sup> Ballot papers for postal voters and for polling station use for each election must be the same in form, except that the official mark may be different if desired.

4.87 Although the final content of the ballot papers cannot be confirmed until nominations have closed, you will need to have clarity about the following elements of the ballot papers at an early stage:

- colour of the ballot papers
- the 'official mark'
- ballot paper numbers
- unique identifying mark

### Ballot paper colour

4.88 The colour of the ballot papers is not prescribed by law, but the Senedd constituency ballot paper must be a different colour to the Senedd regional ballot paper, and both must be a different colour to the ballot paper at the PCC election.<sup>237</sup>

4.89 You should liaise with the RRO and the PARO at an early stage on the colours of the ballot papers to be used at the elections. The PARO may direct you to use a particular colour for the PCC election ballot papers.

4.90 Tendered ballot papers are required to be a different colour from the ordinary ballot papers.<sup>238</sup>

4.91 In deciding on the ballot paper colours, you should take into account accessibility issues relating to colour and contrast. Section 6 of the Commission's [Making your mark](#) good practice design guidance contains advice on choosing ballot paper colours.

## The 'official mark'

4.92 An appropriate security mark – the 'official mark' – must be added to the ballot papers.<sup>239</sup> The mark should be distinctive and does not have to be a perforation added at the time of issue of the ballot paper, although stamping instruments may still be used to create a perforating official mark. It could be a printed emblem or mark or a special printing device such as a watermark. It should be capable of being seen on the front of the ballot paper so that it can be seen without having to turn the ballot paper over.

4.93 In relation to the PCC ballot papers, the PARO may advise or direct you to use a particular official mark, or require that it contain specific features.

4.94 The official mark can be the same for all ballot papers at an election or different official marks can be used for different purposes at the same election, for example one for postal votes and another for polling station ballot papers. The official mark used on the ballot papers for the Senedd elections cannot be re-used for seven years at elections for the same constituency or at elections for the same region. The official mark used for the PCC election cannot be re-used for five years for elections to the same police area.

## Ballot paper numbers and the unique identifying mark

4.95 Ballot paper numbers should run consecutively, but do not have to start at '1'.

4.96 The unique identifying mark can be letters and numbers and could be a repeat of the ballot paper number with the addition of a prefix or a suffix. Also, a unique identifying mark can be, but does not have to be, a barcode. It is not the same as the official mark.

4.97 In relation to the PCC ballot papers, the PARO may advise or direct you on the form of the unique identifying mark.

4.98 The unique identifying mark:

- should be unique for each ballot paper
- can be re-used at the next poll
- must be printed on the back of the ballot paper<sup>240</sup>

## Candidate and party details

4.99 For the Senedd constituency election, candidates must appear on the ballot paper in the order that they are listed in the statement of persons nominated and their names and relevant details must be printed in accordance with the directions for printing.<sup>241</sup>

4.100 For the Senedd regional election, the registered parties and individual regional candidates must appear on the ballot paper in the order that they are listed in the statement of parties and other persons nominated and their names and details must be printed in accordance with the directions for printing.<sup>242</sup> The RRO will be able to confirm the details of the parties and candidates which are to appear on the regional ballot paper after the close of nominations.

4.101 For the PCC election, candidates must appear on the ballot paper in the order that they are listed in the statement of persons nominated and their names and relevant details must be printed in accordance with the directions for printing.<sup>243</sup> The PARO will be able to confirm the candidate details which are to appear on the ballot paper after the close of nominations.

4.102 In all cases you should use the maximum possible sizes of font. To ensure consistency, the same font size should be used for each candidate or party for each equivalent line.

4.103 You may be provided with a high-resolution copy of the emblem for use in the printing of ballot papers, or the candidate or party may request that you download the emblem from the Commission's website. You should ensure that whatever copy is used is in the same form as the registered emblem.

4.104 The maximum size of an emblem on the ballot paper is two centimetres square. When adding a party emblem to a ballot paper, the shape of the emblem should not be altered. You should ensure that the emblem is in the same form as the registered emblem – for example, do not stretch emblems into square shapes if they are not registered as square images on our website, as this would have the effect of altering their appearance.

## Form of the reverse of the ballot paper

4.105 The form of the reverse of the ballot paper is prescribed and you must ensure that the required information is included on the ballot paper reverse in the specified format<sup>244</sup>. There is no provision to put any hatching or other marks on the back of the ballot papers.

## Printing of ballot papers

4.106 The ballot papers must, be printed in accordance with the directions for printing in the appendix to the relevant election rules. You should ensure that you check with your print supplier at an early stage to establish the maximum size of ballot papers that they can print and, if necessary, have contingency arrangements in place in the event that larger ballot papers are required.

4.107 If you send data to a contractor to produce ballot papers for the election you are using a processor. As a data controller, data protection legislation imposes a legal obligation when using a processor to formalise the working relationship in a contract which sets out:

- the subject matter, nature and purpose of the processing;
- the obligations and rights of the data controller;
- duration of the processing; and
- the types of personal data and categories of data subjects.

4.108 In addition, the contract must set out specific obligations on the processor, including that they:

- comply with your instructions
- are subject to a duty of confidentiality
- keep personal data secure and notify you of any breach
- maintain written records of the processing activities they carry out for you
- only use a sub-processor with your consent
- submit to audits and inspections and provide you with whatever information you need to ensure compliance with data protection requirements.
- delete or return all personal data to you as requested at the end of the contract

4.109 You should commence the printing of ballot papers as soon as possible after the nomination processes have been completed, the deadline for withdrawals has passed, and final proofs have been signed off.

4.110 You should have robust proof-checking processes in place, as well as arrangements to check the ballot papers whilst being printed, which will highlight if any of the signed-off proofs have been inadvertently altered. This could include, for example, ensuring that proofs are checked twice by at least two people.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure you have robust processes in place for ensuring that there are no errors on the ballot papers. To demonstrate that the outcome can be delivered, you will need to have in place a process for proof-checking ballot papers, as well as arrangements to check the ballot papers whilst being printed, which will highlight if any of the signed-off proofs have been inadvertently altered.

4.111 When proof-checking ballot papers, you should check that:

- every candidate/party is included on the ballot paper with their particulars shown as required by law
- every detail on the ballot paper is spelt correctly
- every emblem that has been validly requested has been included beside the correct candidate or party and matches the party's entry in the Commission's register
- all candidate/party descriptions have been printed in the line for the correct candidate/party

- the voting instructions at the top of the ballot paper match the legislative requirements
- the ballot papers have been cut to the correct size
- the official mark has been included<sup>245</sup>

4.112 Once you have received the printed ballot papers, you should carry out a final check before any ballot papers are issued either at a postal vote issuing session or supplied to a polling station. This should be done by checking at least the first and last ballot paper in every book and by checking that the ballot paper numbers in each book or packet run sequentially.

**A** General guidance on the management of contractors and suppliers and on monitoring their work can be found in [Part B – Planning and organisation](#).

We have also produced a [contract development checklist](#) to support you in your work with contractors/suppliers and a [proof checking factsheet](#) which you can use to help you quality assure the whole process.

4.113 Careful consideration needs to be given to the number of ballot papers that will need to be printed to allow you to allocate a sufficient number of ballot papers to polling stations and issue postal ballot packs. You should as a minimum base your print-run on 100% turnout of eligible electors. There are significant risks attached to printing ballot papers based on lower turnout levels. For example, if you start running out of ballot papers on polling day it will be more difficult at that stage to print additional ballot papers and send these to the affected polling stations in a timely manner.

4.114 If you decide for any reason not to print, as a minimum, ballot papers based on 100% turnout of eligible electorate, you should carefully assess the risks.

4.115 As part of your risk assessment you should consider:

- the particular context of these polls
- any particular local circumstances
- projected turnout – taking into account the potential for late engagement and interest in the elections. As a minimum you should assume that the turnout will be not less than the turnout at the last equivalent poll
- any local or national issues which may affect turnout
- whether having a stock of additional ballot papers ready for rapid delivery to polling stations is preferable, in terms of your ability to respond to additional demand, and more cost effective than printing ballot papers on polling day

4.116 You should also take steps to ensure that additional ballot papers can be printed at short notice if required and decide how polling station staff would be briefed should this situation occur. Guidance on the allocation of ballot papers to polling stations can be found in Chapter 5.

## Ballot paper security

4.117 Once the official mark is printed on the ballot papers, they are effectively 'live'. Regardless of whether you have outsourced your printing or are printing in-house, in order to ensure that voters can have confidence in the process, you should ensure the security of ballot papers during production and storage. Your security arrangements should prevent unauthorised access to or use of the ballot papers during all stages of the production process and storage between printing and the poll.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to maintain the secure storage of ballot papers at all times. To demonstrate that the outcome can be delivered, you will need to have in place arrangements for securely storing ballot papers that prevent unauthorised access to or use of the ballot papers during all stages of the production process and storage between printing and the poll.

## 5 Polling station voting

5.1 We have produced a [polling station handbook](#) which covers in detail the voting procedures and what to expect on polling day.

5.2 The guidance contained in the polling station handbook has not been reproduced here. Instead, this part of our guidance focuses on the preparations you will need to make in advance of polling day.

### Setting up polling stations

**A** Guidance on the identification of suitable polling stations can be found in [Part B – Planning and organisation](#).

5.3 You should take all necessary steps to ensure that polling stations are laid out with the voter in mind. In particular, the needs of voters with a range of disabilities should be taken into account. The positioning of all of the required furniture and equipment, as well as where all of the notices should be displayed, should also be considered, along with the placement of signage within the polling station and external signage.

5.4 You should develop plans for the layout of each of your polling stations which can be used to assist those setting up the polling stations. You should consider voter throughput and flow, including how the voter will move through the voting process from entering to exiting the polling station.

5.5 Whoever is in charge of setting up polling stations should be instructed on how to do so and what the layout should be capable of achieving.

5.6 If polling station staff are not expected to set up polling stations, they should be instructed to check that the polling station has been set up properly, and should have reference to any layout plans you have produced and the polling station set-up checklist in the Commission's polling station handbook when doing so. The [polling station handbook](#) also covers the positioning of equipment and display of notices, and provides examples of layouts for both a room where there is one polling station and a room where there is more than one polling station.





To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure access needs are taken into account when planning for and setting up polling stations and that polling station staff are trained to set-up polling stations in such a way that takes account of voter needs. To demonstrate that the outcome can be delivered, you will need to have made an assessment regarding access needs, identifying any problems and actions taken to remedy these, and provide guidance/training to polling station staff.



Further guidance on training polling station staff can be found in [Part B – Planning and organisation](#).

5.7 Polling station inspector visits can be used to check polling station set-up and to ensure that all notices remain properly displayed throughout polling day.



Further details on the role of polling station inspectors can be found in [Part B – Planning and organisation](#).

## Polling station equipment and materials

5.8 You must provide polling stations with certain materials:<sup>246</sup>

- ballot box(es)
- ballot papers (including tendered ballot papers)
- materials to enable voters to mark their ballot papers (in practice, pencils or pens - you may wish to provide a string to attach pencils/pens to the polling booths)
- relevant part of the register
- absent voters lists – postal voters', proxy voters' and postal proxies lists
- form to record the details of electors who have been issued ballot papers after the correction of a clerical error (which may be appended to the polling station register)
- corresponding number list(s)
- large-print version of the ballot papers
- enlarged hand-held sample copy of the ballot papers
- voting devices relevant to each election for use by blind or partially sighted voters
- ballot paper accounts
- declaration by companions of voters with disabilities
- list of tendered votes

- list of votes marked by the Presiding Officer
- statement of number of votes marked by the Presiding Officer
- list of voters with disabilities assisted by companions
- Guidance for voters ('How to vote at these elections') notice (to be displayed inside and outside every polling station)
- Instructions for voters notice (to be displayed inside the polling booth)
- polling screens
- the statement of persons nominated and the statement of parties and other persons nominated for the Senedd elections (to be printed in conspicuous characters and exhibited inside and outside every polling station)
- packets, with seals, in which to place the items to be returned to you, such as postal ballot papers returned to the polling station, and for packaging the election documentation at the close of poll

5.9 In addition, you should provide:

- a copy of the requirements as to secrecy for the Senedd elections and for the PCC election
- envelopes, with seals, in which to place any ballot papers that have been issued but which the elector has not placed in the ballot box(es)
- form or list to record electors marked as postal voters but who claim not to have applied for one
- notepaper for use by polling station staff
- stationery items as required, e.g. paper clips, drawing pins, adhesive tack, adhesive tape
- plastic sacks for returning stationery and equipment to the verification venue
- envelopes for making up assorted packets

5.10 You should check that all polling station equipment is fit for purpose and that you have a sufficient quantity, particularly in the event of a high turnout.

5.11 For example, you will need to consider how many ballot boxes to use – you could choose to have: a single box for all three elections; one for the two Senedd elections and one for the PCC election; or three separate ballot boxes – one for each of the Senedd constituency and regional elections and for the PCC election.

5.12 Where separate ballot boxes are used, each box shall be clearly marked with the election(s) to which it relates and the words 'place the [specify colour(s) of the ballot papers in question] ballot paper(s) here, Rhowch y pleidleisio [nodwch liw'r papurau pleidleisio dan sylw] yma'.

5.13 If you are using the same ballot box for more than one election you should consider providing additional boxes to Presiding Officers as one box may not be sufficient should there be a high turnout. All ballot boxes provided for use in polling stations must be sealed by polling station staff at the start of the poll.<sup>247</sup>

**A** For further guidance on the use of a single ballot box or separate ballot boxes at combined polls, see our [verification and count resource](#).

5.14 You should have prepared your polling station equipment and materials in good time before polling day, for either delivery to polling stations or collection by Presiding Officers.

5.15 As part of your evaluation of the suitability of your polling stations you will already have considered accessibility issues both inside and outside of each of your polling stations. You should ensure that any additional equipment you have identified as required to make the polling station accessible is delivered and set up in good time for the opening of the poll.

5.16 Where a polling station has an induction loop installed, it should be used wherever possible to support the accessibility of the electoral process to voters with hearing loss. Polling station staff would need to be trained on how to use these at the briefing session.

5.17 You must provide a copy of the relevant [secrecy requirements](#) to all polling station staff.<sup>248</sup>

## Allocation of ballot papers

5.18 You must provide each polling station with such number of ballot papers as, in your opinion, may be necessary. If you are not allocating ballot papers for 100% of electors entitled to vote in person at the polling stations careful consideration needs to be given to the number that will be required in each case.

5.19 As part of your consideration, you should consider expected turnout levels. You should assume that the turnout will be not less than the turnout at the most recent scheduled elections, and you should take into account the potential for late engagement and interest in the election, and any local or national issues which may affect turnout.

5.20 If you decide for any reason not to allocate ballot papers to polling stations based on 100% turnout of eligible electorate, you should have plans in place to ensure that additional ballot papers can be provided to any polling station that may require them in a timely manner and give clear advice to Presiding Officers about how to complete the ballot paper accounts to take account of the additional allocation.

5.21 When allocating ballot papers to polling stations, ensure that the numbers on the ballot papers allocated to each polling station run consecutively in order to avoid any problems with completing the corresponding number list(s) or ballot paper accounts. Further guidance on the printing of ballot papers is provided in **Production of notices, poll cards and ballot papers** above.

5.22 Tendered ballot papers must also be supplied to Presiding Officers<sup>249</sup>. Tendered ballot papers should be supplied to polling stations in a sealed envelope with instructions stating that the envelope should be opened and the ballot papers within it issued only in prescribed circumstances, and a brief description of those circumstances should also be provided. This can help to avoid tendered ballot papers being issued in error.

5.23 You should take all necessary steps to ensure that all polling station staff understand that there are limited circumstances in which tendered ballot papers can be issued, and are made aware of what these circumstances are and what processes they will be required to follow for issuing them. The circumstances under which tendered ballot papers can be issued and the processes for doing so are covered in the Commission's [polling station handbook](#).

**A** Further guidance on training polling station staff can be found in [Part B – Planning and organisation](#).

## Polling station registers and absent voting lists

5.24 You must provide each Presiding Officer with the appropriate part of the register for their polling station and appropriate absent voting lists.<sup>250</sup> Polling station staff should have been trained on the various franchise markers that will appear on the register. Polling station staff should be aware of the importance of the security of voters' personal details on the electoral register and absent voting lists.

5.25 Polling station registers can be printed once the final election notice of alteration has been published, five working days before polling day. You should ensure that all printed polling station registers are checked to ensure that they are complete, reflect any recent additions or deletions to the register, and that the appropriate franchise markers are in place. You should also instruct your Presiding Officers to check that they have been provided with the correct register for their polling station and that it includes the expected number of electors allocated to their polling station.

5.26 Procedures should be put in place to deal with any necessary amendments to polling station registers and proxy lists after that time resulting from alterations as a result of correcting clerical errors or court decisions on registration appeals and the granting of emergency proxy applications.

5.27 Whether such determinations are made before polling day or on polling day itself, you should have in place a method for communicating the relevant information to Presiding Officers, which may be done orally or in writing.

## Cross boundaries

You should agree with the EROs in your constituency a method for communicating to Presiding Officers changes to the register as a result of a clerical error, court decisions or the granting of an emergency proxy.

5.28 Where a clerical error has been rectified and the relevant elector arrives at the polling station and applies for ballot papers, the Presiding Officer must issue ballot papers in the usual manner.<sup>251</sup> The Presiding Officer must also make a written record of the elector to whom ballot papers have been issued following an alteration to the register due to a clerical error.<sup>252</sup> This record should include the elector's name and elector number. To assist Presiding Officers, you should attach an additional sheet to the polling station registers to allow them to record any such amendments.

5.29 Similar processes should also be developed to communicate additions to the proxy voters' list as a result of emergency proxy applications.

5.30 Where a person makes a complaint to polling station staff that suggests that they should be on the electoral register, the Presiding Officer should communicate that representation to the ERO as soon as is practicable. For this to work effectively there will need to be suitable communication systems in place between Presiding Officers and the ERO.

## Corresponding number lists

5.31 You must prepare and provide a combined corresponding number list for each polling station. If the issue of postal votes has been combined, a combined corresponding number list must also be used at the issue of postal votes.<sup>253</sup>

5.32 There are two types of corresponding number list: one list, which is the list to be used at postal vote issuing sessions, contains the number and unique identifying mark of every ballot paper produced, as well as the elector numbers of postal voters; and another list, which is the one to be used in polling stations, contains the ballot paper numbers and a column to add the elector numbers of voters to whom those ballot papers are issued.

**A** Further details on the issue of postal votes can be found in [Part D: Absent Voting](#).

5.33 The corresponding number lists are prescribed in the appendix to the election rules.<sup>254</sup>

## Packets for postal ballot papers delivered to polling stations

5.34 Postal voters can return their postal vote by hand to any polling station in their electoral area.

5.35 Where the issue of postal ballot papers has been combined, postal votes may only be returned to that part of the electoral area that is common to all of the combined polls in respect of which postal ballot papers have been issued.

5.36 Polling station staff should be appropriately briefed to identify which postal votes can be returned to their polling station.

**A** Further details on the training of polling station staff can be found in [Part B: Planning and organisation](#).

5.37 You should provide polling stations with packets for received postal votes. The number and style of packets should, as a minimum, be based on returns at the last equivalent polls, taking into account the potential for late engagement and interest in the election, and any local or national issues which may affect turnout.

5.38 Records of all such packets should be kept so that each one can be accounted for. The packets should be clearly labelled as containing postal votes. The labels should include the name of the polling station and polling station identifier. You should ensure that the packets are capable of being securely sealed. Polling agents are entitled to attach their seal to sealed packets before they are removed from the polling station and must therefore be permitted to do so.<sup>255</sup>

5.39 You should emphasise to Presiding Officers the importance of maintaining the security of postal votes returned to polling stations by instructing them to immediately place any returned postal votes in the packets provided and to ensure that the packets are stored securely throughout the day.

5.40 You should arrange for postal votes to be collected from polling stations throughout the day as this will help to reduce the number that will have to be dealt with after the close of poll. Polling station inspectors can perform this duty. You should ensure that processes are in place to maintain a clear audit trail and to ensure the security of collected postal vote packets while in transit.

## Polling station log

5.41 You should prepare a polling station log for polling station staff to use to record any problems or anomalies. Where a voter is unable to vote for any administrative reason, their name and address should be recorded in the log.

5.42 Polling station staff should be advised to use this log to record anything that may help to explain any apparent issues with the ballot paper accounts at the verification – for example, if a voter has been seen leaving the polling station with a ballot paper. You should consider instructing Presiding Officers to keep the log and ballot paper accounts together when delivering the ballot papers to the count.

5.43 You should also instruct polling station staff to record in, the polling station log, any instances where they are required to ask the prescribed questions as a result of suspected personation. This should be done once the person in question has left the polling station. They should record as much information as possible, for example, any distinguishing characteristics, which may help any future investigation. Appendix 7 of the [polling station handbook](#) sets out the procedure for dealing with personation, which involves asking the prescribed questions.

5.44 If you are concerned that personation may have taken place at a polling station you should contact your SPOC and you can also contact your [local Commission team](#) for additional support.

## Polling station notices

5.45 You must produce a notice in the form set out in the appendix to the election rules, in English and Welsh, giving directions for the guidance of voters. This ‘Guidance for voters’ notice is required by law to be printed in conspicuous characters and displayed inside and outside of each polling station.

5.46 You must also produce the ‘Instructions for voters’ notice in the form set out in the appendix to the election rules, in English and Welsh. This ‘Instructions for voters’ notice is required by law to be exhibited in every polling booth.

## Use of English or Welsh in polling stations

5.47 You should ensure that when you brief polling station staff, you make clear that, in polling stations, only English or Welsh should be used when assisting or giving instructions to electors. This will ensure transparency in proceedings, and will enable any observers or polling agents present in the polling station to monitor the voting process



5.48 Some voters may need assistance in another language because of their limited English or Welsh language skills. You should therefore carefully consider what support you are able to provide to voters in your area who may have limited English or Welsh language skills, in particular by providing translations of the polling station notices. In some exceptional cases the translated notices may not be sufficient or appropriate. For example, a voter may have low levels of literacy or may have a question that falls outside of what is covered by the notices. In those circumstances, if polling station staff are able to provide information in a language spoken by the voter, assistance in a language other than English or Welsh may then be provided. Where assistance is given in another language, polling station staff should explain to other staff and any polling agents or observers present what question has been asked and the response given.

## ‘Selfies’ in polling stations

5.49 The law relating to obtaining information in polling stations and disclosing such information is complex. Given the risk that someone taking a photo inside a polling station may be in breach of the law, whether intentionally or not, our advice is that you should not allow photos to be taken inside polling stations.

5.50 You should ensure that all polling station staff are aware of this guidance. You might also want to consider displaying a notice inside polling stations to make clear that photography of any kind (including photos taken on mobile phones) is not permitted. You may also want to consider whether you will allow the use of mobile phones at polling stations and whether to have signs explicitly prohibiting the use of mobile phones inside polling stations.

## Provision of information on the number of ballot papers issued

5.51 An election agent or polling agent might ask polling station staff for information on the number of ballot papers issued. It is for you to decide whether to release this information. A request for the number of ballot papers that have been issued can only be made by those who are entitled to be inside the polling station. If you decide to provide this information, you must be careful not to release any information that may risk breaching the secrecy of the ballot.

## Close of poll

5.52 Voters who at 10pm are in their polling station, or in a queue outside their polling station, for the purpose of voting, may apply for ballot papers.<sup>256</sup>

5.53 Good planning and flexible staffing should minimise the risk of there being queues at polling stations. As part of your planning you should consider where queues may arise and ensure that you have arrangements in place to

be able to respond in the event of queues developing. You should ensure that polling station staff are monitoring turnout throughout the day and providing progress reports to polling station inspectors, and that you are kept informed if there is any intelligence that indicates a risk of there being a queue at close of poll at any polling station. However, you still need to be prepared to deal with any queues should they arise. You should also consider involving your police SPOC in planning arrangements to deal with possible queues at the close of poll, so they can assist you with queue management if necessary.

**A** Further guidance on staffing arrangements at polling stations and relevant training of staff so they can carry out each other's roles in as far as the law permits can be found in [Part B – Planning and organisation](#).

5.54 The Commission's polling station handbook will set out in detail the processes to be followed at the close of poll, including how to deal with voters held in a queue at 10pm.

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- <sup>1</sup> SI 2001/341 Reg. 91(5).  
<sup>2</sup> SI 2007/236 Sch.5 paras.4(6), 6(5), 7(7).  
<sup>3</sup> SI 2007/236 Sch.5 paras.4(6), 6(5), 7(7).  
<sup>4</sup> SI 2007/236 Sch.5 Rule 4 (4A)  
<sup>5</sup> SI 2007/236 Sch.5 paras. 4, 9 and 10.  
<sup>6</sup> SI 2007/236 Sch.5 para. 5.  
<sup>7</sup> SI 2007/236 Sch. 5 Rule 6 (4A)  
<sup>8</sup> SI 2007/236 Sch.5 paras. 6, 9, 10.  
<sup>9</sup> SI 2007/236 Sch.5 para 1  
<sup>10</sup> SI 2007/236 Sch.5 para. 3(1)(a), 3(2)(a).  
<sup>11</sup> SI 2007/236 Sch.5 paras. 3(1)(a), 3(2)(a).  
<sup>12</sup> SI 2007/236 Sch.5 para. 11(2).  
<sup>13</sup> SI 2007/236 Sch.5 para. 11(4)  
<sup>14</sup> SI 2007/236 Sch.5 para. 4(1).  
<sup>15</sup> SI 2007/236 Sch.5 para. 6(1).  
<sup>16</sup> SI 2007/236 Sch.5 para 7(1)  
<sup>17</sup> SI 2007/236 Sch 5 Rule 9 (1)(c) as substituted by Welsh Elections (Coronavirus) Act 2021  
<sup>18</sup> SI 2007/236 Sch.10 Form CJ  
<sup>19</sup> SI 2007/236 Sch.5 para. 18.  
<sup>20</sup> SI 2007/236 Sch.5 16(7), 17(12) and (13)  
<sup>21</sup> SI 2007/236 Sch.5 para. 12(1).  
<sup>22</sup> SI 2007/236 Sch.5 para. 12(2).  
<sup>23</sup> SI 2007/236 Sch.5 para. 12(5).  
<sup>24</sup> SI 2007/236 Sch. 5 para. 12  
<sup>25</sup> SI 2007/236 Sch 5 rule 4 para 8(a) and Rule 6 (6)(a (as amended by Senedd Cymru RP Amendment Order 2020  
<sup>26</sup> SI 2007/236 Sch.5 paras. 4(2), 6(2), 7(4).  
<sup>27</sup> SI 2007/236 Sch.5 paras. 4(3), 6(3), 7(5).  
<sup>28</sup> SI 2007/236 Sch.5 paras 4(3)9, 6(3), 7(5)  
<sup>29</sup> SI 2007/236 Sch.5 paras. 16(4), 17(6).  
<sup>30</sup> SI 2007/236 Sch.5 paras. 16(5) and 17(7)  
<sup>31</sup> SI 2007/236 Sch.5 paras. 4(5) and 6(4).  
<sup>32</sup> SI 2007/236 Sch.5 para. 7(6).  
<sup>33</sup> SI 2007/236 Sch.5 paras. 5(2), 7(2)  
<sup>34</sup> SI 2007/236 Sch.5 paras. 13(2), 14(2)  
<sup>35</sup> SI 2007/236 Sch.5 paras. 13 and 14.  
<sup>36</sup> SI 2007/236 Sch.5 paras. 5(1)(a)  
<sup>37</sup> SI 2007/236 Sch.5 Rule 5(1)(b)  
  
<sup>38</sup> SI 2007/236 Sch.5 Rule 81  
<sup>39</sup> SI 2007/236 Sch.5 para. 5(3).  
<sup>40</sup> SI 2007/236 Sch.5 paras. 13(6).  
<sup>41</sup> SI 2007/236 Sch.5 paras. 7(2)  
<sup>42</sup> SI 2007/236 Sch.5 paras. 7(2), 8(1)  
<sup>43</sup> SI 2007/236 Sch.5 para. 7(1) and (2).  
<sup>44</sup> SI 2007/236 Sch.5 para. 8.  
<sup>45</sup> SI 2007/236 Sch.5 para 5(5)  
<sup>46</sup> SI 2007/236 Sch.5 paras, 5(5), 8(2).  
<sup>47</sup> SI 2007/236 Sch.5 paras, 5(5), 8(2).  
<sup>48</sup> Draft legislation Senedd Cymru Order 2020, Sch 10, Form CZ  
<sup>49</sup> Draft legislation Senedd Cymru Order 2020, Sch 10, Form CZ  
<sup>50</sup> SI 2007/236 Sch.5 para. 9.

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<sup>51</sup> Rule 9 (1) (c), Sch 5 of NAW 2007 Elections Order amended by The Welsh Elections (Coronavirus) Act 2021

<sup>52</sup> SI 2007/236 Sch.5 para 9

<sup>53</sup> SI 2007/236 Sch.5 para 14(4)(a)

<sup>54</sup> SI 2007/236 Sch.5 para. 10.

<sup>55</sup> SI 2007/236 Sch.5 para 10(4)

<sup>56</sup> SI 2007/236 Sch.5 para 10(1)

<sup>57</sup> SI 2007/236 Sch.5 para 10(5)

<sup>58</sup> SI 2007/236 Sch.5 para 10(2)

<sup>59</sup> SI 2007/236 Sch.5 para 10(5)

<sup>60</sup> SI 2007/236 Sch.5 para 10(3)

<sup>61</sup> SI 2007/236 Sch.5 para 10(6)

<sup>62</sup> SI 2007/236 Sch.5 para. 13(3).

<sup>63</sup> SI 2007/236 Sch.5 Rule 4 (4A), and Rule 6 (4A)

<sup>64</sup> SI 2007/236 Sch.5 para 13.

<sup>65</sup> SI 2007/236 Sch.5 para 14(2)

<sup>66</sup> SI 2007/236 Sch.5 para 14(6), (7)

<sup>67</sup> SI 2007/236 Sch. 5 para 14.

<sup>68</sup> SI 2007/236 Sch. 5 para 14.

<sup>69</sup> SI 2007/236 Sch.5 para. 14(2).

<sup>70</sup> SI 2007/236 Sch.5 para 14(6), (7)

<sup>71</sup> SI 2007/236 Sch.5 para. 14(9) and (10).

<sup>72</sup> SI 2007/236 Sch.5 para. 13(5).

<sup>73</sup> SI 2007/236 Sch.5 para. 14(9) and (10).

<sup>74</sup> SI 2007/236 Sch.5 para. 13(5).

<sup>75</sup> SI 2007/236 Sch.5 para. 14(9) and (10).

<sup>76</sup> SI 2007/236 Sch.5 para. 14(8).

<sup>77</sup> SI 2007/236 Sch.5 para. 18.

<sup>78</sup> SI 2007/236 Sch.5 para. 18(4).

<sup>79</sup> SI 2007/236 Section 27

<sup>80</sup> SI 2007/236 Sch.5 para. 12(3) and (4).

<sup>81</sup> SI 2007/236 Sch.5 para 1 Timetable

<sup>82</sup> SI 2007/236 Sch.5 para 1 Timetable

<sup>83</sup> SI 2007/236 Sch.5 para 1 Timetable

<sup>84</sup> SI 2007/236 Sch.5 paras. 13(3) and 14(6).

<sup>85</sup> SI 2007/236 Sch.5 para 16(1), 17(1)

<sup>86</sup> SI 2007/236 Sch.5 Rule 13 (6) & (7) and Sch.5 Rule 14 (9) & (10)

<sup>87</sup> SI 2007/236 Sch.5 para. 15

<sup>88</sup> SI 2007/236 Sch.5 para 16, 17

<sup>89</sup> SI 2007/236 Sch.5 para 15, 24

<sup>90</sup> SI 2007/236 Sch.5 para 17

<sup>91</sup> SI 2007/236 Sch.5 para 15, 25

<sup>92</sup> SI 2007/236 Sch.5 para 1 Timetable and 15

<sup>93</sup> SI 2007/236 Sch.5 para 17

<sup>94</sup> SI 2007/236 Sch.5 para 17(1)(b)

<sup>95</sup> SI 2007/236 Sch.5 paras 16, 17 and 32.

<sup>96</sup> SI 2007/236 Sch.5 para 65(4)

<sup>97</sup> SI 2007/236 Sch.5 para 65(1)

<sup>98</sup> SI 2007/236 Sch.5 para 65(5)

<sup>99</sup> SI 2007/236 Sch.5 para 65(1)

<sup>100</sup> SI 2007/236 Sch.5 para 65(5)

<sup>101</sup> SI 2007/236 Sch.5 para 65(1)

<sup>102</sup> SI 2007/236 Sch.5 Rule 4(7)(d) and Sch.5 Rule 6(6)(d)

<sup>103</sup> SI 2007/236 Sch.5 Rule 4(7)(a) and Rule 6(6)(a) )

<sup>104</sup> SI 2007/236 Sch 5 Rule 4 (7 )(a) and Rule 6(6)(a) )

<sup>105</sup> SI 2007/236 Sch 5 Rule 4 para 7 (c)

<sup>106</sup> SI 2007/236 Sch.5 Rule 4 (8)(a) and Rule 6 (7)(a)

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- 107 SI 2007/236 Sch.5 paras. 21, 62(2).  
108 SI 2007/236 Sch.5 para. 62(3) and (4).  
109 SI 2007/236 Sch.5 paras. 22, 64.  
110 SI 2007/236 Sch.5 para 64(2)  
111 SI 2007/236 Sch.5 para. 70.  
112 SI 2007/236 Sch.5 para 71(2)  
113 SI 2007/236 Sch.5 para 71(5)  
114 SI 2007/236 Sch.5 para. 71.  
115 SI 2007/236 Sch.5 para. 72.  
116 SI 2007/236 Sch.5 para 70(4)  
117 SI 2007/236 Sch.5 para. 70.  
118 SI 2007/236 Sch.5 para 65  
119 SI 2007/236 Sch.5 para 73(1) and (2)  
120 SI 2007/236 Sch.5 para 73(2)  
121 SI 2007/236 Sch.5 para 73(2)  
122 SI 2007/236 Sch.5 para. 73.  
123 SI 2007/236 Sch.5 para 7(5)  
124 SI 2007/236 Sch.5 para 73(6) and (7)  
125 SI 2007/236 Sch.5 para 73(8)  
126 SI 2007/236 Sch.5 para. 74.  
127 SI 2007/236 Sch.5 paras. 71(9) and 73(10).  
128 SI 2007/236 Sch.5 para 71(7)  
129 SI 2007/236 Sch.5 para. 75.  
130 SI 2007/236 Sch.5 para 75(1)  
131 SI 2007/236 Sch.5 para 75(1)(a)  
132 SI 2007/236 Sch.5 para 75(1)(b)  
133 SI 2012/1917, Sch. 3, para 69.  
134 SI 2012/1917 Sch 3 para 69(1)(a)  
135 SI 2012/1917 Sch 3 para 69(1)(b)  
136 SI 2012/1917 Sch 3 para 69(5)  
137 SI 2012/1917 Sch 2 para 58  
138 SI 2007/236 Art. 37,  
139 SI 2007/236 Art. 37  
140 SI 2007/236 Art. 40.  
141 SI 2007/236 Art. 37(7), 40  
142 SI 2007/236 Art. 39.  
143 SI 2007/236 Art. 39(2)  
144 SI 2007/236 Art. 39(2)(b)  
145 SI 2007/236 Art. 37(9)  
146 SI 2007/236 Article 37 para 10(a)  
147 SI 2007/236 Art. 37(9)  
148 SI 2007/236 Article 37 para 10(b)  
149 SI 2007/236 Art. 38.  
150 SI 2007/236 Art.39.
- 151 SI 2007/236 Art. 38(3) (as amended by The National Assembly for Wales (Representation of the People)(Amendment Order) 2016 (NAW Order 2016) para 12)
- 152 SI 2007/236 Art. 38  
153 SI 2007/236 Sch 5 para 39  
154 SI 2007/236 Sch 3 para 6(3)  
155 SI 2007/236 Sch 3 para 16  
156 SI 2007/236 Sch 5 para 38(5) (as amended by the NAW Order 2016 para 18(3))  
157 2007/236 Sch.5 paras. 38 and 41; SI 2012/1917 Sch.3 para 31.  
158 SI 2007/236 Sch.5 para. 41(4).  
159 SI 2007/236 Sch 5 para 38(5) (as amended by the NAW Order 2016 para 18(3))

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- <sup>160</sup> SI 2007/236 Sch.5 para. 54; SI 2012/1917 Sch.3 para. 51.  
<sup>161</sup> SI 2007/236 Sch 5 para 38  
<sup>162</sup> SI 2007/236 Sch 5 para 38(2)  
<sup>163</sup> SI 2007/236 Sch 5 para 38(4)(a)  
<sup>164</sup> SI 2007/236 Sch 5 para 38(2)(b) and (4)(b)  
<sup>165</sup> SI 2007/236 Sch 5 para 63(2)  
<sup>166</sup> SI 2012/1917 Art. 26.  
<sup>167</sup> SI 2012/1917 Art. 26(7)  
<sup>168</sup> SI 2012/1917 Art. 26(7)  
<sup>169</sup> SI 2012/1917 Art. 27.  
<sup>170</sup> SI 2012/1917 Art. 27(5)  
<sup>171</sup> SI 2007/236 Sch.5 para. 38; SI 2012/1917 Sch.3 para. 31.  
<sup>172</sup> SI 2012/1917, art 22 and Sch 3, para 32,  
<sup>173</sup> SI 2012/1917, Sch 2, para 33(2)  
<sup>174</sup> SI 2012/1917, Sch. 2, para 44.  
<sup>175</sup> SI 2012/1917, Sch 3. Para 31  
<sup>176</sup> 2007/236 Sch.5 paras. 38 and 41; SI 2012/1917 Sch.3 para 31.  
<sup>177</sup> SI 2012/1917 Sch.3 para 34(3).  
<sup>178</sup> SI 2012/1917 Sch.3 para 31(4).  
<sup>179</sup> SI 2012/1917, Sch 3. Para 31(5)  
<sup>180</sup> SI 2012/1917, Sch 3. Para 31(5)  
<sup>181</sup> SI 2012/1917 Sch.3 para 33(5).  
<sup>182</sup> SI 2012/1917, Sch 3. Para 31(7)  
<sup>183</sup> SI 2007/236 Sch.5 para. 54; SI 2012/1917 Sch.3 para. 51.  
<sup>184</sup> SI 2006/3304 Sch 3 Rule 44; SI 2012/1917 Sch 3 Rule 51  
<sup>185</sup> SI 2012/1917 Sch.3 para 31.  
<sup>186</sup> SI 2007/236 Art. 143, SI 2012/1917 Art.86.  
<sup>187</sup> SI 2007/236 Art. 141.  
<sup>188</sup> SI 2007/236 Sch.5 para 37  
<sup>189</sup> SI 2007/236 Sch.5 para 3.  
<sup>190</sup> SI 2007/236 Sch.5 para 3.  
<sup>191</sup> SI 2007/236 Sch.5 para 3.  
<sup>192</sup> SI 2012/1917, Sch 3, para 4(5).  
<sup>193</sup> SI 2012/1917 Sch.3 para. 4.  
<sup>194</sup> SI 2007/236 Sch. 5 para. 37(14) and (17).  
<sup>195</sup> SI 2007/236 Sch. 5 para. 1 Timetable (as amended by the NAW Order 2016 para 18(2))  
<sup>196</sup> SI 2007/236 Sch. 5 para. 16(1)and (2)  
<sup>197</sup> SI 2007/236 Sch 5 Rule 4 para 4C  
<sup>198</sup> SI 2007/236 Sch. 5 para. 16(1) and (2).  
<sup>199</sup> SI 2007/236 Sch. 5 para. 16(6)  
<sup>200</sup> SI 2007/236 Sch. 5 para.16(6)  
<sup>201</sup> SI 2007/236 Sch. 5 para. 16(3).  
<sup>202</sup> SI 2007/236 Sch. 5 para. 16(4) and (5).  
<sup>203</sup> SI 2007/236 Sch. 5 para. 32(1).  
<sup>204</sup> SI 2007/236 Sch. 5 para. 16(8).  
<sup>205</sup> SI 2007/236 Sch. 5 para. 1 Timetable SI 2007/236 Sch. 5 para. 1 Timetable (as amended by the NAW Order 2016 para 18(2))  
<sup>206</sup> SI 2007/236 Sch. 5 para. 17 (1)  
<sup>207</sup> SI 2007/236 Sch 5 Rule 6 para 4C  
<sup>208</sup> SI 2007/236 Sch 5 Rule 7 para 4(c)  
<sup>209</sup> SI 2007/236 Sch. 5 para. 17(1) and (3).  
<sup>210</sup> SI 2007/236 Sch. 5 para. 17(8), (9), (10), (11).  
<sup>211</sup> SI 2007/236 Sch. 5 para. 17(4) and (5).  
<sup>212</sup> SI 2007/236 Sch. 5 para. 17(6)  
<sup>213</sup> SI 2007/236 Sch. 5 para. 32(1).  
<sup>214</sup> SI 2007/236 Sch. 5 para. 17(1).  
<sup>215</sup> SI 2007/236 Sch. 5 para. 17(14).

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- <sup>216</sup>SI 2012/1917, Sch 3, para 4(5).  
<sup>217</sup>SI 2012/1917 Sch.3 paras. 13 and 14.  
<sup>218</sup>SI 2007/236 Sch. 5 para. 32.  
<sup>219</sup>SI 2007/236 Sch. 5 para. 1 Timetable (as amended by the NAW Order 2016 para 18(2))  
<sup>220</sup>SI 2007/236 Sch. 5 para. 32.  
<sup>221</sup>SI 2012/1917 Sch.3 para. 24.  
<sup>222</sup>SI 2012/1917 Sch.3 para. 24., SI 2007/236 Sch. 5 para 32  
<sup>223</sup>SI 2007/236 Sch. 5 para. 32.  
<sup>224</sup>SI 2007/236 Sch. 5 para. 32(2)  
<sup>225</sup>SI 2007/236 Sch. 5 para. 32(3)  
<sup>226</sup>SI 2007/236 Sch. 5 para. 36.  
<sup>227</sup>SI 2007/236 Sch. 5 para. 36.  
<sup>228</sup>Section 13AB and 13B of the Representation of the People Act 1983("RPA 1983")  
<sup>229</sup>RPA 1983 Section 13AB(5)  
<sup>230</sup>RPA 1983 Section 13AB(6)  
<sup>231</sup>SI 2007/236 Sch.5 paras 36(1)  
<sup>232</sup>SI 2007/236 Sch.5 paras 36(2)  
<sup>233</sup>Representation of the People Act 1983 s.9B(8).  
<sup>234</sup>Section 9B(8) Representation of the People Act 1983  
<sup>235</sup>SI 2012/1918 reg. 3(4).  
<sup>236</sup>SI 2007/236 Sch.5 paras 24, 25; SI 2012/1917 Sch.3 para 19.  
<sup>237</sup>SI 2007/236 Sch. 5 para.28 (as modified by Schs. 4 and 4A).  
<sup>238</sup>SI 2007/236 Sch. 5 para. 49(7); SI 2012/1917 Sch.3 para 43(1).  
<sup>239</sup>SI 2007/236 Sch. 5 para. 29; SI 2012/1917 Sch.3 para. 21.  
<sup>240</sup>SI 2007/236 Sch. 5 para. 24(3), 25(3); SI 2012/1917 Sch.3 para 19(3).  
<sup>241</sup>SI 2007/236 Sch. 5 para. 24(3).  
<sup>242</sup>SI 2007/236 Sch. 5 para. 25(3 and (4)).  
<sup>243</sup>SI 2012/1917 Sch 3 Rule 19  
<sup>244</sup>SI 2007/236 Sch. 5 paras 24 and 25, forms CK and CL; SI 2012/1917 Sch.3 para 19, forms 8A and 8B.  
<sup>245</sup>SI 2007/236 sch.5 para.29  
<sup>246</sup>SI 2007/236 Sch.5 paras. 34, 37, 47, 48, 49, 51, 53; SI 2012/1917 Sch.3 paras 26, 29, 40, 41, 43, 45, 47,  
<sup>247</sup>SI 2007/236 Sch.5 para. 43; SI 2012/1917 Sch.3 para 36.  
<sup>248</sup>SI 2007/236 Sch.5 para. 39; SI 2012/1917 Sch.3 para 32  
<sup>249</sup>SI 2007/236 Sch.5 paras 37 and 49  
<sup>250</sup>SI 2007/236 Sch.5 paras 37(5)  
<sup>251</sup>SI 2007/236 Sch.5 paras 46(3) and 51  
<sup>252</sup>SI 2007/236 Sch.5 para. 51; SI 2012/1917 Sch.3 para 45  
<sup>253</sup>SI 2007/236 Sch.5 para. 27 (as modified by Schs.4 and 4A); SI 2012/1917 Sch.3 para 30.  
<sup>254</sup>SI 2007/236 Sch.10, form CO1.  
<sup>255</sup>SI 2007/236 Sch.5 paras 53(1); SI 2012/1917 Sch 2 para 43(5)  
<sup>256</sup>SI 2007/236 Sch. 5 para. 46(8); SI 2012/1917 Sch.3 para 39(7).