
WELSH STATUTORY INSTRUMENTS

2021 No. 335 (W. 90)

CONSTITUTIONAL LAW
REPRESENTATION OF THE PEOPLE, WALES

The Senedd Cymru (Representation of
the People) (Amendment) Order 2021

Approved by Senedd Cymru

<i>Made</i>	- - - -	<i>at 4.13 p.m. on 17</i> <i>March 2021</i>
<i>Laid before Senedd Cymru</i>		<i>at 5.55 p.m. on 17</i> <i>March 2021</i>
<i>Coming into force</i>	- -	<i>18th March 2021</i>

The Welsh Ministers make this Order in exercise of the powers conferred on them by sections 13(1) and (2) and 157(2)(c) of the Government of Wales Act 2006⁽¹⁾ as extended by section 26(3) of the Welsh Language Act 1993⁽²⁾.

In accordance with section 12(3) of the Welsh Elections (Coronavirus) Act 2021⁽³⁾, this instrument has been laid before and approved by a resolution of Senedd Cymru within 28 days of it being made.

In accordance with section 7(1) and (2)(f) of the Political Parties, Elections and Referendums Act 2000⁽⁴⁾, the Welsh Ministers have consulted with the Electoral Commission prior to it being made.

PART 1

General

Title, commencement, interpretation and application

1.—(1) The title of this Order is the Senedd Cymru (Representation of the People) (Amendment) Order 2021.

(2) This Order comes into force the day after the day on which it is made.

(3) This Order only applies to an ordinary general election for membership of Senedd Cymru which takes place in 2021.

(1) 2006 c. 32. Section 13 was substituted by section 5(1) of the Wales Act 2017 (c. 4) and subsequently amended by the Senedd and Elections (Wales) Act 2020 (anaw 1).

(2) 1993 c. 38.

(3) 2021 asc 2.

(4) 2000 c. 41; subsection (2)(f) was substituted by S.I. 2007/1388.

(4) In this Order—

“the 2007 Order” (“*Gorchymyn 2007*”) means the National Assembly for Wales (Representation of the People) Order 2007(5);

“the 2021 election” (“*etholiad 2021*”) means an ordinary general election for membership of Senedd Cymru the poll of which is due to be held in 2021.

Amendment of the 2007 Order

2. The 2007 Order is amended in accordance with Parts 2 and 3.

PART 2

Delivery of nomination papers

3. In rule 1(1) (timetable for conduct of proceedings at a Senedd election) of Schedule 5, in the column of the table headed “Time”, in the entry corresponding to the entry “Delivery of nomination papers.”, in the first sentence of that column, after “notice of election but not later than” insert “4 in the afternoon on”.

PART 3

Home address form

4. In article 2(1) (interpretation), in the appropriate place insert—

““UK Parliamentary constituency” means a constituency specified in an Order in Council made under section 4 of the Parliamentary Constituencies Act 1986(6).”

5.—(1) Schedule 5 (Senedd Election Rules) is amended as follows.

(2) In rule 4(4B)(b)(i), after “state the” insert “Senedd Cymru or, if the candidate resides outside Wales, UK Parliamentary”.

(3) In rule 6(4B)(b)(i), after “state the” insert “Senedd Cymru or, if the candidate resides outside Wales, UK Parliamentary”.

(4) In rule 7(6B)(b)(i), after “state the” insert “Senedd Cymru or, if the candidate resides outside Wales, UK Parliamentary”.

6. In Schedule 10 (Appendix of forms), in Part 2 of form CZ, after “name of Senedd Cymru” insert “or, if the candidate resides outside Wales, UK Parliamentary”.

Mark Drakeford

First Minister of Wales, one of the Welsh
Ministers

At 4.13 p.m. on 17th March 2021

(5) S.I. 2007/236. This Order has been amended by S.I. 2009/1182; S.I. 2010/1142 (W. 101); S.I. 2010/2931; S.I. 2011/1441; S.I. 2011/2085; S.I. 2012/1479; S.I. 2013/388; S.I. 2013/591; S.I. 2015/664; S.I. 2016/272; S.I. 2016/292; S.I. 2020/1558 (W. 329); section 3 of the Wales Act 2014 (c. 29), section 27 of the Senedd and Elections (Wales) Act 2020 (anaw 1) and section 12 of the Welsh Elections (Coronavirus) Act 2021 (asc 2).

(6) 1986 c. 56.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the National Assembly for Wales (Representation of the People) Order 2007 (“the 2007 Order”).

The 2007 Order was made by the Secretary of State, but the enabling powers were transferred to the Welsh Ministers by the Wales Act 2017. The Welsh Ministers made their first Order in relation to the conduct of Senedd Cymru elections in 2020, namely the Senedd Cymru (Representation of the People) (Amendment) Order 2020 (“the 2020 Order”).

Article 3 of this Order amends the 2007 Order to change the time for delivery of nomination papers to 4 p.m. on the 19th day before the day of the election.

Articles 4, 5 and 6 of this Order amend paragraphs 4, 6 and 7 of Schedule 5, and Part 2 of form CZ (Home address form) in Schedule 10, to the 2007 Order. The amendments require a candidate, who does not want their home address made public, to provide either their Senedd Cymru constituency, or if they reside outside Wales, their UK Parliamentary constituency where their home address is located. Form CZ is amended to reflect this change also.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.