



Government of Wales Act 1998

1998 CHAPTER 38

PART I

THE NATIONAL ASSEMBLY FOR WALES

Vacancies

9 Electoral region seats

- (1) This section applies where the seat of an Assembly member returned for an Assembly electoral region is vacant.
- (2) If the Assembly member was returned (under section 7 or this section) from the list of a registered political party, the regional returning officer shall notify to the presiding officer the name of the person who is to fill the vacancy.
- (3) A person's name may only be so notified if he—
 - (a) is included on that list,
 - (b) is willing to serve as an Assembly member for the Assembly electoral region, and
 - (c) is not a person to whom subsection (4) applies.
- (4) This subsection applies to a person if—
 - (a) he is not a member of the party, and
 - (b) the party gives notice to the regional returning officer that his name is not to be notified to the presiding officer as the name of the person who is to fill the vacancy.
- (5) But where there is more than one person who satisfies the conditions in subsection (3), the regional returning officer may only notify the name of whichever of them was the higher, or highest, on that list.

Status: This is the original version (as it was originally enacted).

- (6) A person whose name is notified under subsection (2) shall be treated as declared to be returned as an Assembly member for the Assembly electoral region on the day on which notification of his name is received by the presiding officer.
- (7) If—
- (a) the Assembly member whose seat is vacant was returned as an individual candidate, or
 - (b) he was returned from the list of a registered political party but there is no-one who satisfies the conditions in subsection (3),
- the seat shall remain vacant until the next ordinary election.