
STATUTORY INSTRUMENTS

2003 No. 284

The National Assembly for Wales
(Representation of the People) Order 2003

PART II

ASSEMBLY FRANCHISE AND ITS EXERCISE

Voting as proxy at Assembly elections

12.—(1) A person entitled to vote as proxy at an Assembly election may do so in person at the polling station allotted to the elector under this Order unless he is entitled to vote by post as proxy for the elector at the election, in which case he may vote by post.

(2) Where a person is entitled to vote by post as proxy for the elector at any Assembly election, the elector may not apply for a ballot paper for the purpose of voting in person at the election.

(3) For the purposes of this Order, a person entitled to vote as proxy for another at an Assembly election is entitled so to vote by post if he is included in the list kept under paragraph (8) in respect of the election.

(4) Where a person applies to the registration officer to vote by post—

- (a) as proxy at Assembly elections (whether for an indefinite period or for a particular period specified in his application), or
- (b) as proxy at a particular Assembly election,

the registration officer shall (subject to paragraph (10)) grant the application if the conditions set out in paragraph (5) are satisfied.

(5) Those conditions are—

- (a) that the registration officer is satisfied that the elector is or will be registered in the register of local government electors, and
- (b) that there is in force an appointment of the applicant as the elector's proxy to vote for him at Assembly elections or, as the case may be, the Assembly election concerned, and
- (c) that the application meets the requirements set out in Schedule 2.

(6) The registration officer shall keep a record of those whose applications under paragraph (4)

(a) have been granted showing—

- (a) whether their applications were to vote by post as proxy for an indefinite or a particular period (specifying that period), and
- (b) the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent.

(7) Where, in the case of a particular election, a person included in the record kept under paragraph (6) applies to the registration officer for his ballot paper or, where he is entitled to give two votes in the case of an ordinary election, ballot papers to be sent to a different address in the

United Kingdom, the registration officer shall grant the application if it meets the requirements set out in Schedule 2.

(8) Subject to the proviso to this paragraph, the registration officer shall, in respect of each Assembly election, keep a special list of—

- (a) those who are for the time being included in the record kept under paragraph (6), together with the addresses provided by them in their applications under paragraph (4)(a) or paragraph (7) as the addresses to which their ballot papers are to be sent, and
- (b) those whose applications under paragraph (4)(b) have been granted in respect of the election concerned, together with the addresses to which their ballot papers are to be sent.

Provided that where electors are entitled to give two votes at an ordinary election in an Assembly constituency, only one list shall be kept under this paragraph and that list shall have effect in relation to both elections.

(9) The registration officer shall remove a person from the record kept under paragraph (6)—

- (a) if he applies to the registration officer to be removed,
- (b) in the case of a person who applied to vote by post as proxy for a particular period, once that period expires,
- (c) if the elector ceases to be registered as mentioned in paragraph (4)(a), or
- (d) if the appointment of the person concerned as the elector's proxy ceases to be in force (whether or not he is re-appointed).

(10) A person applying to vote by post as proxy must provide an address in the United Kingdom as the address to which his ballot paper or, where he is entitled to give two votes at an ordinary election, ballot papers shall be sent.