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STATUTORY INSTRUMENTS

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**2007 No. 236**

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

PART 3

**The election campaign**

**Effect of default in election agent's appointment**

**40.**—(1) If no person's name and address is given as required by article 37 as the election agent of a constituency or individual candidate who remains validly nominated at the latest time for delivery of notices of withdrawal of candidature, the candidate shall be deemed at that time to have named himself as election agent and to have revoked any appointment of another person as his election agent.

(2) If no person's name and address is given as required by article 37 as the election agent of a registered political party which has submitted a party list at the latest time for delivery of notices of withdrawal of candidature, the candidate whose name appears first on the list shall be deemed at that time to have been named as election agent and any appointment of another person as that party's election agent shall be deemed to have been revoked.

(3) This paragraph applies if—

- (a) the person whose name and address have been so given as those of an election agent for a constituency or an individual candidate (not being the candidate himself) or a registered political party dies; and
- (b) a new appointment is not made on the day of the death or on the following day.

(4) Where paragraph (3) applies—

- (a) in the case of a constituency candidate or an individual candidate at a regional election, he shall be deemed to have appointed himself as from the time of death; and
- (b) in the case of the death of an election agent for a registered political party at a regional election—
  - (i) the candidate whose name appears first on the list shall be deemed to have been appointed from the time of death; or
  - (ii) where paragraph (3) applies through the death of such a candidate, the candidate whose name appears next highest on the list shall be deemed to have been appointed from the time of death.

(5) If the appointment of an election agent is revoked without a new appointment being made—

- (a) in the case of a constituency candidate or an individual candidate at a regional election, the candidate himself shall be deemed to have been appointed (or re-appointed) election agent; and
- (b) in the case of a registered political party the candidate whose name appears first on that party's list shall be deemed to have been appointed (or re-appointed) election agent.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(6) The deemed appointment of an election agent may be revoked as if it were an actual appointment.

(7) Where a candidate is by virtue of this article to be treated as an election agent he shall be deemed to have his office at his address as given for that purpose in his consent to nomination under rule 9 of Schedule 5.

(8) The appropriate returning officer on being satisfied that a person is by virtue of this article to be treated as an election agent, shall forthwith proceed to give such like notice as if the name and address of the person and the address of his office had been duly given to him under articles 37 and 39.