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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1558**

**The Senedd Cymru (Representation of the People) (Amendment) Order 2020**

**PART 9**

Other amendments

**Amendment of article 2(1) (interpretation)**

- 61.**—(1) Article 2(1) (interpretation) is amended as follows.
- (2) Omit the term “the 2007 Assembly general election” and its definition.
- (3) For the definition of “Presiding Officer of the Assembly” substitute—
- ““Presiding Officer of Senedd Cymru” is to be construed in accordance with section 25 of the 2006 Act;”.

**Amendment of article 137 (interpretation of Part 4)**

- 62.** In article 137 (interpretation of Part 4), omit paragraph (2).

**Amendment of article 149 (saving and transitional provision as to incapacities in respect of Senedd Cymru elections)**

- 63.** Omit article 149.

**Amendment of Schedule 5 (Senedd Cymru election rules)**

- 64.**—(1) Schedule 5 (Senedd Cymru election rules) is amended as follows.
- (2) In rule 14 (decisions as to validity of nomination papers)—
- (a) in paragraph (4)(c), for “section 5(5) of the 1998 Act” substitute “section 7(5) of the 2006 Act”;
- (b) omit paragraph (11).
- (3) In rule 23 (poll to be taken by ballot)—
- (a) in paragraph (1), for “section 4(4) of the 1998 Act” substitute “section 6(4) of the 2006 Act”;
- (b) in paragraph (2), for “sections 4(5) and (6) and 5 to 7 of the 1998 Act” substitute “sections 6(5) and 7 to 9 of the 2006 Act”;
- (c) omit paragraph (3).
- (4) In rule 62 (declaration of result at a constituency election), omit paragraph (5).
- (5) In rule 65 (return or forfeiture of deposit)—
- (a) in paragraph (8)—

- (i) in sub-paragraph (i), for “section 4(7) or section 8(7) of the 1998 Act” substitute “sections 7(1) and 10(9) of the 2006 Act”;
- (ii) in sub-paragraph (ii), for “section 5(5) or, as the case may be section 5(6) of the 1998 Act” substitute “section 7(5) or, as the case may be section 7(6) of the 2006 Act”;
- (b) omit paragraph (9).
- (6) In rule 78 (vacancies: return of electoral region members)—
  - (a) in paragraph (11), omit “, in respect of a vacancy occurring before the 2007 Assembly general election, section 9(7)(b) of the 1998 Act and in respect of vacancies occurring after that election,”;
  - (b) omit paragraph (12).
- (7) In paragraph (7) of rule 79 (return of Senedd members and record of returns etc)—
  - (a) in sub-paragraph (a), for the words from “, section 8(6) of the 1998 Act” until the end substitute “section 10(7) of the 2006 Act; and”;
  - (b) in sub-paragraph (b), for the words from “, section 9(7)(a) of the 1998 Act” until the end substitute “section 11(7)(a) of the 2006 Act.”

#### **Amendment of Schedule 9 (modification of Election Petition Rules 1960)**

- 65.**—(1) Schedule 9 (modification of Election Petition Rules 1960) is amended as follows.
- (2) In paragraph 3 (rule 2(3) of the 1960 Rules (prescribed officer)), omit “under Part 1 of the Government of Wales Act 1998 or, as the case may be,”.
  - (3) In paragraph 4 (rule 4(1) of the 1960 Rules (form of petition)), for sub-paragraph (2)(b) substitute—
    - “(b) “the Clerk of the Crown” shall be construed as a reference to the Clerk; and”.
  - (4) In paragraph 8—
    - (a) in sub-paragraph (a)—
      - (i) omit paragraph (i);
      - (ii) in paragraph (ii), for “any subsequent” substitute “an”;
      - (iii) omit paragraph (iii);
      - (iv) in paragraph (iv), for “any subsequent Assembly” substitute “a Senedd Cymru”;
    - (b) in sub-paragraph (b), for the words from “[or, in the case of a return under section 9 of the Government of Wales Act 1998” to “section 11 of the Government of Wales Act 2006]” substitute “[or, in the case of a return under section 11 of the Government of Wales Act 2006, claims to have had a right to be returned under section 11 of the Government of Wales Act 2006]”;
    - (c) in sub-paragraph (c)—
      - (i) omit “\* section 9(6) of the Government of Wales Act 1998/”;
      - (ii) omit “(\*delete as appropriate)”;
    - (d) in sub-paragraph (e)(ii)—
      - (i) omit “\* section 9 of the Government of Wales Act 1998/”;
      - (ii) omit “(\*delete as appropriate)”.