

## SCHEDULES

### SCHEDULE 3

Regulation 9

#### Amendment of Schedule 4 to the 2007 Order

### PART 1

#### Amendment of Part 1 of Schedule 4

1. Part 1 of Schedule 4 to the 2007 Order (Combination of polls: Senedd Cymru elections and local government elections) is amended as follows.

2. In paragraph 2 (functions at combined polls), in sub-paragraph (1)(b), for “section 36” substitute “section 36A”.

3.—(1) Paragraph 3 (modification of provisions about expenses in this Order and the 1983 Act) is amended as follows.

(2) In sub-paragraph (1)(c), for “section 36(4) and (5A)” substitute “section 36C(1) to (3)”.

(3) In sub-paragraph (2), for “section 36(6)” substitute “section 36C(3)”.

(4) In sub-paragraph (4)—

(a) in paragraph (a), for “section 36(4)” substitute “section 36C(1)”;

(b) in paragraph (b), for “section 36(5A)” substitute “section 36C(2)”.

### PART 2

#### Substitution of Part 3 of Schedule 4

4. For Part 3 of Schedule 4 to the 2007 Order substitute—

### “PART 3

Application of the Local Elections (Principal Areas) (Wales) Rules 2021 where the poll at an election of councillors to a county or county borough council is taken together with the poll at a Senedd Cymru election under article 16(1) or (2)

27. The following provisions of the Local Elections (Principal Areas) (Wales) Rules 2021 apply where the poll at an election of councillors to a county or county borough council is taken together with the poll at a Senedd Cymru election under article 16(1) or (2), subject to the modifications set out in this Part of this Schedule—

(a) rules 3 and 4;

(b) rule 5(3) to (7) and Schedule 2.

28.—(1) Rule 3 (interpretation) is modified as follows.

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- (2) In paragraph (1)—
- (a) in the English language text, for the definition of “the Combination of Polls Regulations” substitute—
- ““the 2007 Order” (“*Gorchymyn 2007*”) means the National Assembly for Wales (Representation of the People) Order 2007;”;
- (b) in the Welsh language text, for the definition of “Rheoliadau Cyfuno Pleidleisiau” substitute—
- “ystyr “*Gorchymyn 2007*” (“*the 2007 Order*”) yw Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007;”.
- (3) For paragraph (2)—
- (a) in the English language text substitute—
- “(2) For the purposes of these Rules, each of the following is a “relevant election”—
- (a) the Senedd Cymru election with which the poll at the election of councillors to a county or county borough council is combined;
- (b) an election of councillors to a community council where the poll at the election is combined with the poll at the Senedd Cymru election and the poll at the election of councillors to a county or county borough council;
- (c) a mayoral election, that is, an election conducted under the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 where the poll at the election is combined with the poll at the Senedd Cymru election and the poll at the election of councillors to a county or county borough council.”;
- (b) in the Welsh language text substitute—
- “(2) At ddibenion y Rheolau hyn, mae pob un o’r canlynol yn “etholiad perthnasol”—
- (a) yr etholiad Senedd Cymru y mae’r bleidlais yn yr etholiad ar gyfer cynghorwyr i gyngor sir neu gyngor bwrdeistref sirol yn cael ei chyfuno ag ef;
- (b) etholiad cynghorwyr i gyngor cymuned pan fo’r bleidlais yn yr etholiad yn cael ei chyfuno â’r bleidlais yn yr etholiad Senedd Cymru a’r bleidlais yn yr etholiad ar gyfer cynghorwyr i gyngor sir neu gyngor bwrdeistref sirol;
- (c) etholiad maer, hynny yw, etholiad a gynhelir o dan Reoliadau Awdurdodau Lleol (Etholiadau Maerol) (Cymru a Lloegr) 2007 pan fo’r bleidlais yn yr etholiad yn cael ei chyfuno â’r bleidlais yn yr etholiad Senedd Cymru a’r bleidlais yn yr etholiad ar gyfer cynghorwyr i gyngor sir neu gyngor bwrdeistref sirol.”
- 29.** In rule 5 (conduct of elections to the council of a principal area), in paragraph (4)—
- (a) in the English language text, for the words from “who, under” to the end of the paragraph substitute “who, under paragraph 1 of Schedule 4 to the 2007 Order, is responsible for discharging functions specified in paragraph 2 of that Schedule.”;
- (b) in the Welsh language text, for the words from “sydd, o dan” to the end of the paragraph substitute “sydd, o dan baragraff 1 o Atodlen 4 i Orchymyn 2007, yn gyfrifol am gyflawni swyddogaethau a bennir ym mharagraff 2 o’r Atodlen honno.”

**30.**—(1) Schedule 2 (Rules for conduct of an election of councillors for a principal area where poll is taken together with poll at a relevant election) is modified as follows.

(2) In the English language text, in each of the following places, for “regulations 4 and 5 of the Combination of Polls Regulations” substitute “paragraphs 1 and 2 of Schedule 4 to the 2007

Order”; and in the Welsh language text, in each of the following places, for “reoliadau 4 a 5 o’r Rheoliadau Cyfuno Pleidleisiau” substitute “baragraffau 1 a 2 o Atodlen 4 i Orchymyn 2007”—

- (a) rule 23(6) (corresponding number list);
  - (b) rule 27(6) (notice of situation of polling stations);
  - (c) rule 28(5) (postal ballot papers);
  - (d) rule 29(4) (provision of polling stations);
  - (e) rule 30(6) (appointment of presiding officers and clerks);
  - (f) rule 32(14) (equipment of polling stations);
  - (g) rule 35(4) (notification of requirement of secrecy);
  - (h) rule 36(4) (return of postal ballot papers);
  - (i) rule 37(9) (signature of certificate as to employment);
  - (j) rule 38(7) (keeping of order in station).
- (3) In rule 27 (notice of poll), in paragraph (4), for sub-paragraph (b)—
- (a) in the English language text substitute—
    - “(b) specify the constituency or electoral region to which the Senedd Cymru election relates,
    - (ba) specify the area to which any other relevant election relates, and”;
  - (b) in the Welsh language text substitute—
    - “(b) pennu’r etholaeth neu’r rhanbarth etholiadol y mae’r etholiad Senedd Cymru yn ymwneud â hi neu ag ef,
    - (ba) pennu’r ardal y mae unrhyw etholiad perthnasol arall yn ymwneud â hi, ac”.
- (4) In rule 50 (adjournment of poll in case of riot), in paragraph (2), in sub-paragraph (b)—
- (a) in the English language text, at the end insert “and, where the Senedd Cymru election is or includes a regional election, the regional returning officer”;
  - (b) in the Welsh language text, after “cydlynol” insert “, a phan fo’r etholiad Senedd Cymru yn etholiad rhanbarthol neu pan fo’n cynnwys etholiad rhanbarthol, y swyddog canlyniadau rhanbarthol.”.

## PART 3

### Substitution of Part 4 of Schedule 4

5. For Part 4 of Schedule 4 to the 2007 Order substitute—

## “PART 4

Application of the Local Elections (Communities) (Wales) Rules 2021 where the poll at an election of councillors to a community council is taken together with the poll at a Senedd Cymru election under article 16(1) or (2)

**31.** The following provisions of the Local Elections (Communities) (Wales) Rules 2021 apply where the poll at an election of councillors to a community council is taken together with the poll at a Senedd Cymru election under article 16(1) or (2), subject to the modifications set out in this Part of this Schedule—

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- (a) rule 3;
- (b) rule 4(3) to (7) and Schedule 2;
- (c) rules 6 and 7 and Schedule 3.

**32.**—(1) Rule 3 (interpretation) is modified as follows.

(2) In paragraph (1)—

- (a) in the English language text, for the definition of “the Combination of Polls Regulations” substitute—

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

- (b) in the Welsh language text, for the definition of “Rheoliadau Cyfuno Pleidleisiau” substitute—

“ystyr “*Gorchymyn 2007*” (“*the 2007 Order*”) yw *Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007*;”.

(3) For paragraph (2)—

- (a) in the English language text substitute—

“(2) For the purposes of these Rules, each of the following is a “relevant election”—

- (a) the Senedd Cymru election with which the poll at the election of councillors to a community council is combined;
- (b) an election of councillors to a county or county borough council where the poll at the election is combined with the poll at the Senedd Cymru election and the poll at the election of councillors to a community council;
- (c) a mayoral election, that is, an election conducted under the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 where the poll at the election is combined with the poll at the Senedd Cymru election and the poll at the election of councillors to a community council.”;

- (b) in the Welsh language text substitute—

“(2) At ddibenion y Rheolau hyn, mae pob un o’r canlynol yn “etholiad perthnasol”—

- (a) yr etholiad Senedd Cymru y mae’r bleidlais yn yr etholiad ar gyfer cynghorwyr i gyngor cymuned yn cael ei chyfuno ag ef;
- (b) etholiad cynghorwyr i gyngor sir neu gyngor bwrdeistref sirol pan fo’r bleidlais yn yr etholiad yn cael ei chyfuno â’r bleidlais yn yr etholiad Senedd Cymru a’r bleidlais yn yr etholiad ar gyfer cynghorwyr i gyngor cymuned;
- (c) etholiad maer, hynny yw, etholiad a gynhelir o dan Reoliadau Awdurdodau Lleol (Etholiadau Maerol) (Cymru a Lloegr) 2007 pan fo’r bleidlais yn yr etholiad yn cael ei chyfuno â’r bleidlais yn yr etholiad Senedd Cymru a’r bleidlais yn yr etholiad ar gyfer cynghorwyr i gyngor cymuned.”

**33.** In rule 4 (conduct of elections to a community council), in paragraph (4)—

- (a) in the English language text, for the words from “who, under” to the end of the paragraph substitute “who, under paragraph 1 of Schedule 4 to the 2007 Order, is responsible for discharging functions specified in paragraph 2 of that Schedule.”;
- (b) in the Welsh language text, for the words from “sydd, o dan” to the end of the paragraph substitute “sydd, o dan baragraff 1 o Atodlen 4 i Orchymyn 2007, yn gyfrifol am gyflawni swyddogaethau a bennir yn mharagraff 2 o’r Atodlen honno.”

**34.**—(1) Schedule 2 (Rules for conduct of an election of councillors for a community where poll is taken together with poll at a relevant election) is modified as follows.

(2) In the English language text, in each of the following places, for “regulations 4 and 5 of the Combination of Polls Regulations” substitute “paragraphs 1 and 2 of Schedule 4 to the 2007 Order”; and in the Welsh language text, in each of the following places, for “reoliadau 4 a 5 o’r Rheoliadau Cyfuno Pleidleisiau” substitute “baragraffau 1 a 2 o Atodlen 4 i Orchymyn 2007”—

- (a) rule 23(6) (corresponding number list);
- (b) rule 27(6) (notice of situation of polling stations);
- (c) rule 28(5) (postal ballot papers);
- (d) rule 29(4) (provision of polling stations);
- (e) rule 30(6) (appointment of presiding officers and clerks);
- (f) rule 32(14) (equipment of polling stations);
- (g) rule 35(4) (notification of requirement of secrecy);
- (h) rule 36(4) (return of postal ballot papers);
- (i) rule 37(9) (signature of certificate as to employment);
- (j) rule 38(7) (keeping of order in station).

(3) In rule 27 (notice of poll), in paragraph (4), for sub-paragraph (b)—

- (a) in the English language text substitute—
  - “(b) specify the constituency or electoral region to which the Senedd Cymru election relates,
  - (ba) specify the area to which any other relevant election relates, and”;
- (b) in the Welsh language text substitute—
  - “(b) pennu’r etholaeth neu’r rhanbarth etholiadol y mae’r etholiad Senedd Cymru yn ymwneud â hi neu ag ef,
  - (ba) pennu’r ardal y mae unrhyw etholiad perthnasol arall yn ymwneud â hi, ac”.

(4) In rule 50 (adjournment of poll in case of riot), in paragraph (2), in sub-paragraph (b)—

- (a) in the English language text, at the end insert “and, where the Senedd Cymru election is or includes a regional election, the regional returning officer”;
- (b) in the Welsh language text, after “cydlynol” insert “, a phan fo’r etholiad Senedd Cymru yn etholiad rhanbarthol neu pan fo’n cynnwys etholiad rhanbarthol, y swyddog canlyniadau rhanbarthol,”.