

# The National Assembly election 2011

Your questions answered



The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

## The National Assembly election 2011

### Your questions answered

On 05 May 2011, you will have the opportunity to vote on who you would like to represent you as your Assembly Members, when the National Assembly for Wales holds an election.

This document aims to answer your questions to ensure that you have all the information you need to make an informed decision on election day.

We have grouped questions under the following subject areas:

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## National Assembly election 2011

### How many Assembly Members are there?

There are 60 elected Assembly Members.

### How are Assembly Members elected?

Everyone in Wales has five Assembly Members; one for the constituency you live in and four that represent the region you live in.

When you vote in a National Assembly for Wales election you have two votes – one to elect your constituency member and one to elect your regional members (for North Wales, Mid and West Wales, South Wales East, South Wales West or South Wales Central).

### Why do I vote separately for my constituency and region?

There are 40 constituencies across Wales. Whichever candidate gains the most votes within each constituency will be elected. This is known as the 'first past the post' system – this is how Members of Parliament are currently elected in Westminster.

Regional Assembly Members are decided by a type of proportional representation. Each political party must supply a list of candidates to stand as regional Assembly Members, ranked in order of preference. Independent candidates can stand as well. The top four candidates are chosen for each of the five regions, based on a formula which takes into account the number of constituency seats a party has already won.

### Why are Assembly elections held?

An Assembly lasts four years, and the Members need to be elected for each Assembly.

### How often do elections to the National Assembly for Wales take place?

Elections for the National Assembly for Wales take place every four years. The next election is scheduled to take place in May 2011.

### Does an Assembly last for exactly four years?

The Government of Wales Act 2006 states that an Assembly election should be held on the first Thursday in May every four years. However, the Secretary of State for Wales has the power to move the election date by up to a month before or after this date.

### **Will I be able to vote for my Assembly Member in the election?**

Yes, if you are registered to vote in Wales. You need to be on the electoral register to vote in elections and referenda in Wales. You can get information about how to register and vote on the 'About my Vote' website: [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

### **Do elections have to be held on Thursdays?**

No, but Thursday has become the traditional day for elections.

### **Do the National Assembly for Wales and the UK Parliament split Wales up into the same 40 constituencies?**

At the moment the Government of Wales Act 2006 provides for the 40 constituency seats for Assembly elections to be the same as those for Westminster elections. However, the new UK Government is proposing to reduce the number of seats in Parliament and it is likely the number of Welsh seats will be cut.

### **Is there a map of the National Assembly for Wales's constituencies and regions?**

Yes. This can be obtained from the website by following this link: [www.assemblywales.org/memhome/member-search.htm](http://www.assemblywales.org/memhome/member-search.htm)

### **Where can I find guidance on how National Assembly for Wales elections are conducted?**

Guidance for members of the public, candidates and electoral officials is provided by the Electoral Commission. This guidance is published on the Electoral Commission's website in the months leading up to an election.

The Electoral Commission is an independent body set up by the UK Parliament. It sets the standards for running elections and reports on how well this is done. Its main aim is to increase public confidence in the democratic process.

### **Who is responsible for the funding of National Assembly for Wales elections?**

The Welsh Government funds National Assembly for Wales elections. Funding is provided to local authorities who arrange the elections in their area.

### **Who is entitled to vote in National Assembly for Wales elections?**

The 'About my Vote' website has been created by the Electoral Commission to provide information on voting. To register to vote you must be 16 or over (but you cannot vote until you are 18) and a citizen of the UK or Republic of Ireland. Qualifying Commonwealth citizens are also eligible to vote. Qualifying Commonwealth citizens are: those who have leave to enter or remain in the UK, or do not require such leave; citizens of a European Union country living in the UK and citizens of the Channel Islands, the Isle of Man or a British Overseas Territory living in the UK. How you register to vote depends on your circumstances. Visit [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk) for more information.

### **Who can stand as an Assembly Member?**

Candidates must be at least 18 years of age and a British citizen or a citizen of a Commonwealth country, the Irish Republic or another member state of the European Union. Some people are disqualified from standing, for example, judges, civil servants, members of the armed forces and the police, and people holding other kinds of public appointment.

### **Where can I find information about standing as a candidate in National Assembly for Wales elections?**

The Electoral Commission produces guidance for candidates in advance of Assembly elections. Your local authority's electoral services department will also be able to provide advice.

### **Where can I find a list of candidates?**

You should contact your local elections office to find out who is standing. Your local electoral registration office will display the names of all the candidates before polling day. Information is also normally available in local newspapers. There is no official source of information about candidates, so you should visit candidate websites, party websites, or write to the party. Candidates may send information about themselves to you and there may be public meetings where you have the opportunity to hear all the candidates speak.

**Can an MP or MEP stand as a candidate?**

Yes.

**What are the advantages and disadvantages of the Additional Member system?**

The Additional Member System is a type of hybrid voting system. In Wales the constituency representatives are elected under the 'first past the post' voting system and regional representatives are elected under proportional representation; the individuals selected come from lists drawn up by the political parties before the election. There is also the facility for an individual to be a candidate for a region in their own right, without party support. Each voter gets two votes – one for a person, and one for a party. The party list element is added to make the result more proportional. Small parties have a theoretical advantage as a result of the system. The Additional Member System does not usually produce governments with a decisive majority, and so coalition governments are common.

**Where can I get copies of election manifestos?**

The National Assembly for Wales is politically neutral and therefore does not distribute copies of the manifestos produced by the political parties. These may be available on the websites of the political parties or independent candidates. You can find links to the websites of all registered political parties on the Electoral Commission website.

## Dissolution

### **What is dissolution?**

Dissolution is the official term for the end of an Assembly. It occurs before elections to the National Assembly for Wales take place, as the seats of the existing Assembly Members must be vacated prior to being contested in the election. Following new provisions in the Government of Wales Act 2006, this will be the first time that the Assembly has been dissolved.

### **What happens at the dissolution of the Assembly?**

The Assembly is “dissolved” – it is no longer constituted as a democratic legislature until a new Assembly is elected. There are no Assembly Members during this period.

### **What happens to the Welsh Government when a general election is called?**

The Government does not resign when the Assembly is dissolved; essential business must continue and Welsh Government Ministers remain in office until after the result of the election is known. The new First Minister is nominated by the Assembly and then appointed by the Queen. The First Minister will announce the Welsh Ministers soon after.

### **What happens in government during the period of dissolution?**

During this period Government Ministers and civil servants cannot carry out any activity which could give rise to the criticism that public resources are being used for party political purposes or, in the case of civil servants, could call into question their political impartiality. However, this does not mean that Government business ceases.

### **How will the work of committees be affected before the election – will they pull back on new inquiries/report launches etc and what work will they be carrying out during dissolution?**

Because committees know they are likely to come to an end around April 2011 they will plan their work to come to an end at that date. If they want to have a government response and Plenary debate on an inquiry they are undertaking they will need to report by the end of January. They can still carry on working after this, and may want to publish or launch reports. As soon as dissolution happens committees stop existing so cannot continue with the work.

### **Will the present committees cease to exist?**

As soon as dissolution happens there are no Assembly Members. As only Assembly Members can be members of Assembly committees, all committees cease to exist.

### **Can I submit a petition while the Assembly is dissolved?**

Petitions submitted to the National Assembly for Wales are considered by the Petitions Committee. The Committee decides what action should be taken. All committees cease to exist when the Assembly is dissolved. It is therefore not possible for new petitions or new e-petitions to be formally received until the new Assembly session begins after the election.

### **What happens to existing petitions when the Assembly is dissolved?**

Petitions that have begun to be considered by the Petitions Committee in the present session will continue into the next Assembly. However, as no committees will exist during dissolution, consideration of petitions will start again only when the new Committee has been appointed.

### **What will happen to my e-petition that is collecting signatures?**

E-petitions that have been submitted before dissolution will remain on the website and can continue to gather support.

### **What happens to the legislation that is in progress when the Assembly is dissolved? (Legislative Competence Orders and Measures)**

When the Assembly is dissolved, Assembly Members cease to be Members and so all business considered at that time will remain incomplete. After the election, it is up to the new Government whether or not they wish to continue with consideration of legislation from the previous Assembly.

Proposed Measures which have not reached the final stage before dissolution will fall. Proposed Orders also fall at dissolution. It is not appropriate for legislation to be simply carried over from one Assembly to the next since this would mean new Assembly Members having to stick to decisions made by their predecessors.

A proposed Order which has not been followed up with a draft Order will fall, but a new Government could introduce the same Order in the Fourth Assembly and the Assembly could then agree to bypass the committee stage.

After the election, it is up to the new Government whether or not they wish to continue with consideration of legislation from the previous Assembly.

### **What happens to statutory instruments when the Assembly is dissolved?**

The Government's business continues during dissolution and therefore statutory instruments can continue to be drafted. However, the Assembly would have been dissolved and it would therefore not be possible for any statutory instruments to be scrutinised and/or approved by the Assembly. Any statutory instruments that remain to be laid prior to dissolution will therefore have to be considered by the new Assembly after the election.

### **Can Assembly Members deal with issues raised by constituents during the dissolution period?**

Officially there are no Assembly Members from dissolution until the result of the election is known (a few weeks later). Once dissolution takes place then the Member ceases to be a Member and cannot take on cases from constituents.

If candidates for election are approached for help by constituents during dissolution then they can choose to take on the case but they would not be doing so as an Assembly Member.

**What will happen with Assembly events during dissolution?**

The Assembly can only use its resources for events which are relevant to the Assembly and all events that take place at the Senedd/Pierhead and Tŷ Hywel require sponsorship from an Assembly Member. As there will be no Assembly Members during dissolution it will not be possible for an Assembly Member to sponsor an event for that time. More information about events is available on our website:

**[www.assemblywales.org/gethome/get-events.thm](http://www.assemblywales.org/gethome/get-events.thm)**

**What do Assembly staff do during dissolution?**

Assembly staff will continue to work during dissolution, preparing for the new Assembly term following the election. This will involve preparations for welcoming Members, providing information and services to enable the Member to start working effectively as soon as possible and delivering a comprehensive induction programme.

**Can I still visit the National Assembly for Wales during the pre-election period?**

The Senedd, Pierhead and Tŷ Hywel will be open to the public in the normal way during the period of dissolution. All visits and tours will carry on as normal but without Assembly Member involvement.

**What happens to Cross-Party Groups when the Assembly is dissolved?**

Cross-Party Groups may be set up by Members in respect of any subject area relevant to the Assembly. A Group must include Members from three political party groups represented within the Assembly. Cross-Party Groups are not formal Assembly groupings and are not bound by any of the Assembly's Standing Orders. They have no formal role in policy development. The activities of Cross-Party Groups are unlikely to run during dissolution and no support/facilities would be provided by the Assembly if they did.

## After the election

### When will the new Assembly Members be sworn in?

The Members must take the Oath of Allegiance or the Affirmation of Allegiance, in public or in private, before the Clerk of the Assembly. This may be taken as soon as possible after the election if both the Member and Clerk are present.

### When will committee work resume?

After the election the Members who have been elected will decide together what committees should be established. Once this has been done each political party will nominate Members to sit on these committees. Once committees have members they can start working.

### When does the Assembly meet after an election?

During its first meeting after an election, the Assembly must elect a Presiding Officer and Deputy Presiding Officer. In 2007, the Assembly met on the Wednesday after the election (9 May) but it did not meet again until 25 May because of the coalition negotiations.

By this time it was obliged, under the Government of Wales Act 2006, to nominate a First Minister to be appointed by the Queen. If a First Minister is not appointed within a month of the election another election must be held. How quickly business resumes after the 2011 election will depend on the election result and, in the event of no party winning a majority, subsequent coalition negotiations.

### How soon after the election can I contact an Assembly Member? How do I go about this?

You may contact your Assembly Member immediately after the election. You can telephone 0845 010 5500 or email **[assembly.info@wales.gov.uk](mailto:assembly.info@wales.gov.uk)**

### Where can I get the results of the election?

The results of the National Assembly for Wales election will be made available on our website, **[www.assemblywales.org](http://www.assemblywales.org)**, once the Assembly has been notified of the result by the returning officer.

**Will the recommendations in the Getting it Right for Wales report have any effect on the election?**

Some of the recommendations in the Getting it Right for Wales White Paper have already been implemented, such as the Remuneration Board; others will be implemented after the election. For example, rules about which Assembly Members are entitled to second homes in Cardiff will come into force.

**How soon after the election will a government be formed?**

The time it takes for a government to be formed after the election will depend on the outcome of the election and any coalition negotiations if these are necessary. The Welsh Government is formed from the party or parties holding the most seats in the Assembly and is led by the First Minister.

**What happens in the event of no overall majority for any party?**

As in 2007, parties may enter into discussion about coalition. However, it is possible that the largest party may seek to govern as a minority government, as Labour did after the 2003 election.

## Assembly Members' pay

### What does an Assembly Member get paid?

Details about Assembly Members' salaries, including historical rates of pay since 1998 and documents relating to the Assembly Members' Pension Scheme, are all available on the National Assembly for Wales website. The website also contains details about Assembly Members' allowances, a summary of allowance entitlement limits and the full Determination rules surrounding allowance entitlements. Anyone can use the Assembly's website to see allowances and expenses claims made by Assembly Members. The new Remuneration Board determines Assembly Members' pay.

### Do Assembly Members get paid during dissolution?

Assembly Members who are standing for re-election continue to be paid up to the date of the election. If they are successful their pay carries on from this date. Members who are not standing for re-election stop being paid on the date of dissolution.

### What are the financial arrangements for Assembly Members who are not re-elected or those who do not stand for re-election?

Assembly Members who stand for re-election but are unsuccessful are paid up to the date of the election. Assembly Members who do not stand are paid up to the date of dissolution.

### What pay would an Assembly Member receive if they were an Assembly Member and a Member of Parliament at the same time?

An Assembly Member who is elected to be a Member of Parliament (and who also retains his or her Assembly seat) is entitled to be paid the MP salary plus one-third of the normal Member salary.

## Voting

### What happens at the polling station?

Voting at a polling station is very straightforward and there is always help available. Information on how to fill in your ballot paper will be provided by the polling clerk at your polling station. You can find out more at [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

### Is there an alternative to going to the polling station?

In the UK, there are three different ways you can vote. How you vote is up to you. Most people vote in person at a polling station. However, if you are not able to go to the polling station in person on election day, you can apply to vote by post or by proxy (someone voting on your behalf). If you opt to vote by post or proxy, your local electoral registration office will provide information on how to fill out the ballot paper in your ballot pack.

### Are there special provisions for those with disabilities, and those who cannot read or write? What are they?

The 'About my Vote' website has been created by the Electoral Commission to tell everyone how to register to vote, and how to vote, including how to apply to vote by post or to have someone else vote for you (vote by proxy). If you are disabled and need help getting to the polling station, contact your local elections office to find out what help is available. You can also ask to have a companion with you when you vote. Find out more at [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

### What if I can't get to the polling station on election day?

The 'About my Vote' website has been created by the Electoral Commission to tell everyone how to register to vote, as well as how to actually vote, including how to apply to vote by post or to have someone else vote for you (vote by proxy). You can apply to vote by emergency proxy for medical reasons up until 17.00 on polling day. Find out more at [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

### What happens when the polling stations close?

Votes are counted once the polling station closes. If you would like to find out what happens in your area, contact your local elections office.

T 0845 010 5500  
[www.vote2011.org](http://www.vote2011.org)  
[www.assemblywales.org](http://www.assemblywales.org)  
[assembly.info@wales.gov.uk](mailto:assembly.info@wales.gov.uk)  
[assembly.bookings@wales.gov.uk](mailto:assembly.bookings@wales.gov.uk)

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