

# **Prime Minister (Temporary Replacement) Bill**

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[AS INTRODUCED]

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[AS INTRODUCED]

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# B I L L

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Make provision for the carrying out of the functions of the Prime Minister in the event that a Prime Minister, or a person temporarily carrying out the functions of the Prime Minister, is incapacitated; and for connected purposes.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## **1 Temporary appointment of the Prime Minister**

- (1) Nothing in this Act prevents Her Majesty appointing a Prime Minister.
- (2) The office of Prime Minister and First Lord of the Treasury shall, in the event of the temporary or permanent incapacitation of the person holding such office, be conferred upon another Secretary or Minister of State in accordance with the order of succession in Schedule 1. 5
- (3) Where the next Secretary or Minister of State in the order of succession in Schedule 1 is temporarily or permanently incapacitated, the office shall be conferred upon the first Secretary or Minister of State not so incapacitated, in accordance with the order of succession in Schedule 1. 10
- (4) Any salary payable to the Prime Minister under the Ministerial and other Salaries Act 1975 shall instead be payable to the Secretary or Minister of State assuming the office of Prime Minister and First Lord of the Treasury, in accordance with the provisions of that Act.
- (5) Any functions or responsibilities of the Prime Minister, whether statutory or otherwise, shall be transferred to the Secretary or Minister of State assuming the office of Prime Minister and First Lord of the Treasury. 15
- (6) But a Secretary or Minister of State may not assume the office of Prime Minister and First Lord of the Treasury if they are a member of a different political party to the person they replace under subsection (2). 20
- (7) A person who assumes the office of Prime Minister and First Lord of the Treasury under this Act must relinquish that office as soon as—
  - (a) the Prime Minister they temporarily replaced is no longer incapacitated, or

- (b) Her Majesty appoints a Prime Minister (unless the temporary Prime Minister is so appointed).
- (8) In this Act, “Minister of State” has the same meaning as in the House of Commons Disqualification Act 1975.

## **2 Extent, commencement and short title**

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- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Prime Minister (Temporary Replacement) Act 2022.

SCHEDULE

Section 1

ORDER OF SUCCESSION

- 1 In the event of the death or incapacitation of a person holding the title of Prime Minister and First Lord of the Treasury, the title, salary and functions of that role shall be conferred upon another Secretary or Minister of State in accordance with the following order of precedence— 5
- (a) person bearing the designation of Deputy Prime Minister;
  - (b) person bearing the designation of First Secretary of State;
  - (c) Chancellor of the Exchequer;
  - (d) Secretary of State with responsibility for Foreign and Commonwealth Affairs; 10
  - (e) Secretary of State with responsibility for Home Affairs;
  - (f) Lord Chancellor;
  - (g) Secretary of State with responsibility for Levelling Up, Housing and Communities 15
  - (h) Secretary of State with responsibility for Defence;
  - (i) Secretary of State with responsibility for Health and Social Care;
  - (j) Secretary of State with responsibility for Business, Energy and Industrial Strategy;
  - (k) President of the Board of Trade; 20
  - (l) Secretary of State with responsibility for Work and Pensions;
  - (m) Secretary of State with responsibility for Environment, Food and Rural Affairs;
  - (n) Secretary of State with responsibility for Transport;
  - (o) Secretary of State with responsibility for Northern Ireland; 25
  - (p) Secretary of State with responsibility for Scotland;
  - (q) Secretary of State with responsibility for Wales;
  - (r) Lord Privy Seal;
  - (s) Secretary of State with responsibility for Culture, Media and Sport;
  - (t) Minister without Portfolio; 30
  - (u) Chief Secretary to the Treasury;
  - (v) Lord President of the Council;
  - (w) Chief Whip;
  - (x) Attorney General.

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*Presented by Mr Peter Bone*

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Ordered, by The House of Commons, to be  
Printed, 21st June 2021.

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