

Fixed-term Parliaments Act 2011 (Repeal) Bill [HL]

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TO

Repeal the Fixed-term Parliaments Act 2011; to make provision about the dissolution of Parliament and the determination of polling days for parliamentary general elections; and for connected purposes.

BE 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 Repeal of the Fixed-term Parliaments Act 2011

The Fixed-term Parliaments Act 2011 is repealed.

2 Polling days for parliamentary general elections

- (1) This section applies for the purposes of the Timetable in rule 1 in Schedule 1 to the Representation of the People Act 1983 and is subject to section 3. 5
- (2) The polling day for the next parliamentary general election after the passing of this Act is to be 2 May 2024, unless an early general election is called in accordance with section 3.
- (3) The polling day for each subsequent parliamentary general election is to be the first Thursday following the elapse of five years from the polling day for the previous parliamentary general election unless an early general election is called in accordance with section 3. 10
- (4) The Parliament then in existence dissolves at the beginning of the 25th working day before the polling day for the next parliamentary general election.

3 Early parliamentary general elections 15

- (1) An early parliamentary general election is to take place if Her Majesty by proclamation dissolves the Parliament then in existence.
- (2) If the Parliament then in existence is dissolved in accordance with subsection (1), the proclamation referred to in that subsection is to appoint the polling day for that election. 20

- 4 Dissolution of Parliament**
- (1) The dates of polling day and dissolution are to be determined only in accordance with section 2(2) to (4) or section 3, and may not be altered by resolution or otherwise.
- (2) Once Parliament dissolves, the Lord Chancellor and, in relation to Northern Ireland, the Secretary of State have the authority to have the writs for the election sealed and issued (see rule 3 in Schedule 1 to the Representation of the People Act 1983). 5
- (3) Once Parliament dissolves, Her Majesty may issue the proclamation summoning the new Parliament which may – 10
- (a) appoint the day for the first meeting of the new Parliament;
- (b) deal with any other matter which was normally dealt with before the passing of the Fixed-term Parliaments Act 2011 by proclamations summoning new Parliaments.
- (4) In section 2(4) “working day” means any day other than – 15
- (a) a Saturday or Sunday;
- (b) a Christmas Eve, Christmas Day or Good Friday;
- (c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom;
- (d) a day appointed for public thanksgiving or mourning. 20
- (5) But, if –
- (a) on a day (“the relevant day”) one or more working days are fixed or appointed as bank holidays or days for public thanksgiving or mourning, and
- (b) as a result, the day for the dissolution of a Parliament would (apart from this subsection) be brought forward from what it was immediately before the relevant day to a day that is earlier than 30 days after the relevant day, 25
- the day or days in question are to continue to be treated as working days.
- 5 Supplementary provisions** 30
- (1) This Act does not affect Her Majesty’s power to prorogue Parliament until such date as She, and only She, appoints by proclamation.
- (2) This Act does not affect the way in which the sealing of a proclamation summoning a new Parliament may be authorised; and the sealing of a proclamation to be issued under section 4(3) may be authorised in the same way. 35
- (3) The exercise by Her Majesty of the powers under this Act, and the advice provided to Her Majesty in relation to the exercise of those powers, may not be impeached or questioned in any court.
- 6 Short title, commencement and extent** 40
- (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 Fixed-term Parliaments Act 2011 (Repeal) Act 2020.

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To repeal the Fixed-term Parliaments Act 2011; to make provision about the dissolution of Parliament and the determination of polling days for parliamentary general elections; and for connected purposes.

Lord Mancroft

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