

## SCHEDULES

### SCHEDULE 2

Section 3 and Schedule 1, para. 1.

#### ASSEMBLY CONSTITUENCIES IN GREAT BRITAIN

##### PART I

###### REPORTS OF BOUNDARY COMMISSION AND ORDERS IN COUNCIL

- 1 As soon as may be after the passing of this Act each Boundary Commission shall submit to the Secretary of State a report showing the Assembly constituencies into which they recommend that the part of Great Britain with which they are concerned should be divided in order to give effect to the provisions of paragraph 1(2) of Schedule 1 to this Act and Part II of this Schedule.
- 2 Where the Boundary Commission for any part of Great Britain submit to the Secretary of State a report under section 2(1) of the 1949 Act, they shall submit with it a supplementary report either—
  - (a) showing the Assembly constituencies into which they recommend that that part of Great Britain should be divided in order to give effect to the provisions of paragraph 1(2) of Schedule 1 to this Act and Part II of this Schedule; or
  - (b) stating that, in the opinion of the Commission, no alteration is required to be made in the Assembly constituencies in that part of Great Britain in order to give effect to those provisions.
- 3 Where the Boundary Commission for any part of Great Britain submit to the Secretary of State a report under section 2(3) of the 1949 Act containing recommendations which, if no alteration were made in the Assembly constituencies into which that part of Great Britain is for the time being divided, would produce a result in conflict with paragraph 9 below, they shall submit with it a supplementary report showing the alterations which they recommend should be made in those Assembly constituencies in order to avoid such a result.
- 4 (1) Subject to the following sub-paragraph—
  - (a) sections 2(4), 2(5) and 3 of the 1949 Act (notice of proposed report of Boundary Commission and implementation of recommendations in report) shall apply in relation to a report or supplementary report made under this Schedule and a recommendation made or proposed to be made in such a report or supplementary report; and
  - (b) paragraph 4 of Part III of Schedule 1 to that Act (local inquiries) and section 4 of the 1958 Act (procedure) shall apply in relation to a supplementary report so made (but not to a report under paragraph 1 above) and to a recommendation made or proposed to be made in such a supplementary report.

---

*Status: This is the original version (as it was originally enacted).*

---

- (2) In their application in accordance with the preceding sub-paragraph the provisions there mentioned shall have effect with the following modifications, that is to say—
- (a) references to constituencies shall be read as references to Assembly constituencies;
  - (b) in section 3(1) of the 1949 Act, the words from "and whether " onwards shall be omitted ;
  - (c) in section 3(6) of the 1949 Act, the proviso shall be omitted ; and
  - (d) in section 4 of the 1958 Act—
    - (i) references to paragraph 3 of Part III of Schedule 1 to the 1949 Act shall be read as references to paragraph 5 of this Schedule ;
    - (ii) for the words " one hundred or more" in subsection (2) (which specify the number of electors whose objection in a body may make a local inquiry necessary) there shall be substituted the words " five hundred or more "; and
    - (iii) in subsection (2) " elector " shall mean an elector for any of the Assembly constituencies affected by the recommendation in question (and the definition of " elector " in subsection (3) shall not apply).
- 5 (1) Where a Boundary Commission have provisionally determined to make recommendations with respect to any Assembly constituency, they shall publish a notice under this paragraph in such manner as they think best calculated to bring it to the attention of those concerned.
- (2) A notice under this paragraph relating to an Assembly constituency shall state—
- (a) the effect of the proposed recommendations with respect to that constituency and (except where the proposed recommendations do not involve any alteration in that Assembly constituency) that copies of the recommendations are open to inspection at one or more specified places within each parliamentary constituency included in that Assembly constituency ; and
  - (b) that representations with respect to the proposed recommendations may be made to the Commission within one month after the first publication of the notice,
- and the Commission shall take into consideration any representations duly made in accordance with any such notice.
- 6 Section 250(2) and (3) of the Local Government Act 1972 or, as the case may be, section 210(4) and (5) of the Local Government (Scotland) Act 1973 (attendance of witnesses at inquiries) shall apply in relation to an inquiry held in pursuance of paragraph 4 above.
- 7 Nothing in paragraph 4 above shall be taken as enabling the Secretary of State to modify any recommendation or draft Order in Council in a manner conflicting with the provisions of Part II of this Schedule.
- 8 (1) An Order in Council under the provisions applied by paragraph 4 above shall apply to the first general election of representatives to the Assembly held after the Order comes into force and (subject to any further Order in Council) to any subsequent Assembly election, but shall not affect any earlier election.
- (2) The validity of an Assembly election held in an Assembly constituency consisting of an area determined by an Order in Council made under the provisions applied

---

*Status: This is the original version (as it was originally enacted).*

---

by paragraph 4 above, being an Order which applies to that election, shall not be affected by any alteration made in any parliamentary constituency since the making of that Order.

## PART II

### DIVISION OF GREAT BRITAIN INTO ASSEMBLY CONSTITUENCIES

- 9 In Great Britain—
- (a) each Assembly constituency shall consist of an area that includes two or more parliamentary constituencies ; and
  - (b) no parliamentary constituency shall be included partly in one Assembly constituency and partly in another.
- 10 The electorate of any Assembly constituency in Great Britain shall be as near the electoral quota as is reasonably practicable having regard, where appropriate, to special geographical considerations.

## PART III

### INTERPRETATION

- 11 In this Schedule—
- " the 1949 Act " means the House of Commons (Redistribution of Seats) Act 1949 ;
  - " the 1958 Act " means the House of Commons (Redistribution of Seats) Act 1958 ;
  - " Boundary Commission " means a Boundary Commission established by the 1949 Act other than the Boundary Commission for Northern Ireland.
- 12 In Part II of this Schedule and this paragraph in their application to a part of Great Britain for which there is a Boundary Commission—
- " electoral quota " means the number obtained by dividing the electorate of that part of Great Britain by the number of Assembly constituencies specified for that part in paragraph 1(2) of Schedule 1 to this Act;
  - " electorate " means—
    - (a) in relation to an Assembly constituency, the number of persons whose names appear on the relevant registers for that Assembly constituency in force on the enumeration date;
    - (b) in relation to that part of Great Britain, the number of persons whose names appear on the relevant registers for that part of Great Britain in force on the enumeration date;
  - " enumeration date " means—
    - (a) in relation to any report of a Boundary Commission under paragraph 1 above, the 16th February 1977;
    - (b) in relation to any supplementary report of a Boundary Commission under paragraph 2 or 3 above, the date on which the notice with respect to that report is published in accordance with section 2(4) of the 1949 Act;
  - " the relevant registers " means the following registers under the Representation of the People Acts, namely—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) in relation to an Assembly constituency, the registers of parliamentary electors to be used at an Assembly election in that Assembly constituency;
- (b) in relation to that part of Great Britain, the registers of parliamentary electors for the parliamentary constituencies in that part.