



# Parliamentary Constituencies Act 1986

## 1986 CHAPTER 56

### 1 Parliamentary constituencies.

- (1) There shall for the purpose of parliamentary elections by the county and borough constituencies (or in Scotland the county and burgh constituencies), each returning a single member, which are described in Orders in Council made under this Act.
- (2) In this Act and, except where the context otherwise requires, in any Act passed after the Representation of the <sup>M1</sup>People Act 1948, “constituency” means an area having separate representation in the House of Commons.

#### Marginal Citations

M1 1948 c. 65.

### 2 The Boundary Commissions.

- (1) For the purpose of the continuous review of the distribution of seats at parliamentary elections, there shall continue to be four permanent Boundary Commissions, namely a Boundary Commission for England, a Boundary Commission for Scotland, a Boundary Commission for Wales and a Boundary Commission for Northern Ireland.
- (2) Schedule 1 to this Act shall have effect with respect to the constitution of, and other matters relating to, the Boundary Commissions.

### 3 Reports of the Commissions.

- (1) Each Boundary Commission shall keep under review the representation in the House of Commons of the part of the United Kingdom with which they are concerned and shall, in accordance with subsection (2) below, submit to the Secretary of State reports with respect to the whole of that part of the United Kingdom, either—
  - (a) Showing the constituencies into which they recommend that it should be divided in order to give effect to the rules set out in paragraphs 1 to 6 of Schedule 2 to this Act (read with paragraph 7 of that Schedule), or

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- (b) stating that, in the opinion of the Commission, no alteration is required to be made in respect of that part of the United Kingdom in order to give effect to the said rules (read with paragraph 7).
- (2) Reports under subsection (1) above shall be submitted by a Boundary Commission [<sup>F1</sup>not less than eight or more than twelve years] from the date of the submission of their last report under that subsection.
- [<sup>F2</sup>(2A) A failure by a Boundary Commission to submit a report within the time limit which is appropriate to that report shall not be regarded as invalidating the report for the purposes of any enactment.]
- (3) Any Boundary Commission may also from time to time submit to the Secretary of State reports with respect to the area comprised in any particular constituency or constituencies in the part of the United Kingdom with which they are concerned, showing the constituencies into which they recommend that that area should be divided in order to give effect to the rules set out in paragraphs 1 to 6 of Schedule 2 to this Act (read with paragraph 7 of that Schedule).
- (4) A report of a Boundary Commission under this Act showing the constituencies into which they recommend that any area should be divided shall state, as respects each constituency, the name by which they recommend that it should be known, and whether they recommend that it should be a county constituency or a borough constituency (or in Scotland a county constituency or a burgh constituency).
- (5) As soon as may be after a Boundary Commission have submitted a report to the Secretary of State under this Act, he shall lay the report before Parliament together, except in a case where the report states that no alteration is required to be made in respect of the part of the United Kingdom with which the Commission are concerned, with the draft of an Order in Council for giving effect, whether with or without modifications, to the recommendations contained in the report.
- (6) Schedule 2 to this Act which contains the rules referred to above and related provisions shall have effect.
- [<sup>F3</sup>(7) For the purposes of the application of the rules in paragraph 4 of Schedule 2 to this Act (relationship between constituencies and certain local government boundaries) a report of a Boundary Commission under subsection (1) above shall take account only of those boundaries (whether of counties, London boroughs, local authority areas in Scotland or wards in Northern Ireland) which are in operation at whichever is the earlier of—
- (a) the date of the report; and
  - (b) the tenth anniversary of the date of the submission of the most recent report of the Commission under subsection (1) above;
- but nothing in this subsection shall prevent a Boundary Commission publishing proposed recommendations which take account of boundaries which at the time of publication are prospective only.
- (8) For the purposes of subsection (7) above, a boundary shall be regarded as prospective at any time if, at that time, it is specified in a provision of an Act, Measure of the Northern Ireland Assembly, statutory instrument or statutory rule but the boundary has not yet come into operation.]

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#### Textual Amendments

- F1** Words in [s. 3\(2\)](#) substituted (12.11.1992) (except as respects a report to which [s. 2\(2\)](#) of the substituting Act applies) by [Boundary Commissions Act 1992 \(c. 55\), s. 2\(2\)\(3\)](#)
- F2** [S. 3\(2A\)](#) inserted (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\), s. 2\(4\)](#)
- F3** [S. 3\(7\)\(8\)](#) added (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\), s. 3\(1\)-\(3\)](#)

#### Modifications etc. (not altering text)

- C1** [S. 3\(1\)](#) amended (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\), s. 2\(1\)\(2\)](#)
- C2** [S. 3\(7\)](#) modified (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\), s. 3\(2\)\(3\)](#)

PROSPECTIVE

### **<sup>F4</sup>3A** Reviews and proposed recommendations by Boundary Committees.

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#### Textual Amendments

- F4** [S. 3A](#) inserted (prosp.) by [2000 c. 41, ss. 16, 163\(2\), Sch. 3 Pt. 1 para. 3 \(with s. 156\(6\)\)](#) (which amending [Sch. 3 Pt. 1](#) was repealed (1.4.2010) by [2009 c. 20, ss. 61\(3\)\(d\)\(e\), 148\(3\)\(b\), Sch. 7 Pt. 3; S.I. 2009/3318, art. 4\(j\)\(hh\)](#))

## **4** [<sup>F5</sup>Orders in Council.]

- (1) The draft of any Order in Council laid before Parliament by the Secretary of State under this Act for giving effect, whether with or without modifications, to the recommendations contained in the report of a Boundary Commission may make provision for any matters which appear to him to be incidental to, or consequential on, the recommendations.
- (2) Where any such draft gives effect to any such recommendations with modifications, the Secretary of State shall lay before Parliament together with the draft a statement of the reasons for the modifications.
- (3) If any such draft is approved by resolution of each House of Parliament, the Secretary of State shall submit it to Her Majesty in Council.
- (4) If a motion for the approval of any such draft is rejected by either House of Parliament or withdrawn by leave of the House, the Secretary of State may amend the draft and lay the amended draft before Parliament, and if the draft as so amended is approved by resolution of each House of Parliament, the Secretary of State shall submit it to Her Majesty in Council.
- (5) Where the draft of an Order in Council is submitted to Her Majesty in Council under this Act, Her Majesty in Council may make an Order in terms of the draft which (subject to subsection (6) below) shall come into force on such date as may be specified in the Order and shall have effect notwithstanding anything in any enactment.
- (6) The coming into force of any such Order shall not affect any parliamentary election until a proclamation is issued by Her Majesty summoning a new Parliament, or affect

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the constitution of the House of Commons until the dissolution of the Parliament then in being.

- (7) The validity of any Order in Council purporting to be made under this Act and reciting that a draft of the Order has been approved by resolution of each House of Parliament shall not be called in question in any legal proceedings whatsoever.

#### Textual Amendments

- F5** S. 3A inserted (prosp.) by 2000 c. 41, ss. 16, 163(2), Sch. 3 Pt. 1 para. 3 (with s. 156(6)) (which amending Sch. 3 Pt. 1 was repealed (prosp.) by 2009 c. 20, ss. 61(3)(d), 146, 148(3), Sch. 7 Pt. 3)

#### Modifications etc. (not altering text)

- C3** S. 4 modified (19.11.1998) by 1998 c. 46, s. 1, Sch. 1 para. 4 (with s. 126(3)-(11))

## 5 Notices.

- (1) Where a Boundary Commission intend to consider making a report under this Act they shall, by notice in writing, inform the Secretary of State accordingly, and a copy of the notice shall be published—
- (a) in a case where it was given by the Boundary Commission for England or the Boundary Commission for Wales, in the London Gazette.
  - (b) in a case where it was given by the Boundary Commission for Scotland, in the Edinburgh Gazette, and
  - (c) in a case where it was given by the Boundary Commission for Northern Ireland, in the Belfast Gazette.
- (2) Where a Boundary Commission have provisionally determined to make recommendations affecting any constituency, they shall publish in at least one newspaper circulating in the constituency a notice stating—
- (a) the effect of the proposed recommendations and (except in a case where they propose to recommend that no alteration be made in respect of the constituency) that a copy of the recommendations is open to inspection at a specified place within the constituency, and
  - (b) that representations with respect to the proposed recommendations may be made to the Commission within one month after the publication of the notice;
- and the Commission shall take into consideration any representations duly made in accordance with any such notice.
- (3) Where a Boundary Commission revise any proposed recommendations after publishing a notice of them under subsection (2) above, the Commission shall comply again with that subsection in relation to the revised recommendations, as if no earlier notice had been published.

## 6 Local inquiries.

- (1) A Boundary Commission may, if they think fit, cause a local inquiry to be held in respect of any constituency or constituencies.
- (2) Where, on the publication of the notice under section 5(2) above of a recommendation of a Boundary Commission for the alteration of any constituencies, the Commission receive any representation objecting to the proposed recommendation from an

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interested authority or from a body of electors numbering one hundred or more, the Commission shall not make the recommendation unless, since the publication of the notice, a local inquiry has been held in respect of the constituencies.

- (3) Where a local inquiry was held in respect of the constituencies before the publication of the notice mentioned in subsection (2) above, that subsection shall not apply if the Commission, after considering the matters discussed at the local inquiry, the nature of the representations received on the publication of the notice and any other relevant circumstances, are of opinion that a further local inquiry would not be justified.
- (4) In subsection (2) above, “interested authority” and “elector” respectively mean, in relation to any recommendation, a local authority whose area is wholly or partly comprised in the constituencies affected by the recommendation, and a parliamentary elector for any of those constituencies; and for this purpose “local authority” means—
  - (a) in England and Wales, the council of a county [<sup>F6</sup>county borough], London borough or district,
  - (b) in Scotland, [<sup>F7</sup>a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994], and
  - (c) in Northern Ireland, the council of a district.
- (5) Subsections (2) and (3) of section 250 of the <sup>M2</sup>Local Government Act 1972 (which relate to the attendance of witnesses at inquiries) shall apply in relation to any local inquiry which the Boundary Commission for England or the Boundary Commission for Wales may cause to be held in pursuance of this Act.
- (6) In relation to any local inquiry which the Boundary Commission for Scotland may cause to be held in pursuance of this Act, the said subsections (2) and (3) shall apply as if that Act applied to Scotland but with the substitution of references to an order for references to a summons.
- (7) In relation to any local inquiry which the Boundary Commission for Northern Ireland may cause to be held in pursuance of this Act, sections 19 and 20 of the <sup>M3</sup>Poor Relief (Ireland) (No. 2) Act 1847 shall apply.

#### Textual Amendments

**F6** Words in s. 6(4)(a) inserted (E.W.) by 1994 c. 19, s. 66(3)(6), **Sch. 16 para. 80** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

**F7** Words in s. 6(4)(b) substituted (s.) (1.4.1996) by 1994 c. 39, ss. 180(1), **Sch. 13 para. 150**; S.I. 1996/323, **art. 4(1)(b)(c)**

#### Marginal Citations

**M2** 1972 c. 70.

**M3** 1847 c. 90.

### [<sup>F8</sup>6A Functions of the Lord Chancellor

<sup>F9</sup> .....

#### Textual Amendments

**F8** S. 6A inserted (25.11.2002) by The Transfer of Functions (Transport, Local Government and the Regions) Order 2002 (S.I. 2002/2626), art. 20, **Sch. 2** {para. 14}

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**F9** S. 6A repealed (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, [Sch. 2 para. 7](#)

## **7 Consequential amendments.**

Schedule 3 to this Act shall have effect.

## **8 Repeals and revocation.**

- (1) The enactments specified in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (2) Article 2(7) of the <sup>M4</sup>Local Government Reorganisation (Consequential Provisions) (Northern Ireland) Order 1973 is hereby revoked.
- (3) Where a period of time specified in any enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of this Act had been in force when the period began to run.

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### **Marginal Citations**

**M4** [S.I. 1973/2095](#).

## **9 Citation commencement and extent.**

- (1) This Act may be cited as the Parliamentary Constituencies Act 1986, and shall be included among the Acts which may be cited as the Representation of the People Acts.
- (2) This Act shall come into force at the end of the period of three months beginning with the day on which it is passed.
- (3) This Act extends to Northern Ireland.

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