



# 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 [<sup>F1</sup>Schedule 2 to this Act],
  - 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 <sup>F2</sup>....

<sup>F3</sup>(2) A Boundary Commission shall submit reports under subsection (1) above periodically—

- (a) [<sup>F4</sup>before 1st October 2018 but not before 1st September 2018], and
- (b) before 1st October of every fifth year after that.]

<sup>F5</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.]

<sup>F6</sup>(2B) In relation to any report which a Boundary Commission are required by subsection (2) above to submit before a particular date but have not yet submitted (a “pending boundary report”), the Commission shall submit to the Speaker of the House of Commons—

- (a) during the January that begins one year and nine months before that date, and
- (b) during each subsequent January,

a report setting out what progress they have made with the preparation of the pending boundary report, with particular reference to the requirement in subsection (2) above.

(2C) On receiving a report under subsection (2B) above, the Speaker shall lay it before Parliament.]

<sup>F7</sup>(3) .....

- (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).

<sup>F8</sup>(5) As soon as may be after the submission of a report under subsection (1) above, the Secretary of State shall lay the report before Parliament.

(5A) As soon as may be after the submission of all four reports under subsection (1) above that are required by subsection (2) above to be submitted before a particular date, the Secretary of State shall lay before Parliament the draft of an Order in Council for giving effect to the recommendations contained in them.

(5B) Where—

- (a) a Boundary Commission have submitted a report under subsection (1) above (but no draft under subsection (5A) above has yet been laid in relation to the report),
- (b) the Commission notify the Secretary of State that the recommendations contained in the report are to have effect with specified modifications, and
- (c) the Commission submit to the Secretary of State a statement of the reasons for those modifications,

the draft under subsection (5A) above shall give effect to the recommendations with those modifications.

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(5C) Subsections (5A) and (5B) above do not apply where each of the reports mentioned in subsection (5) above states that no alteration is required to be made in respect of the part of the United Kingdom with which the Commission in question are concerned.]

(6) Schedule 2 to this Act which contains the rules referred to above <sup>F9</sup>... shall have effect.

<sup>F10</sup>( 7 ) .....

<sup>F11</sup>(7A) .....

<sup>F10</sup>(8) .....

#### Textual Amendments

- F1** Words in s. 3(1)(a) substituted (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(2)(a)**, 19(1) (with s. 13(5))
- F2** Words in s. 3(1)(b) repealed (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(2)(b)**, 19(1), **Sch. 12** (with s. 13(5))
- F3** S. 3(2) substituted (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(3)**, 19(1) (with s. 13(5))
- F4** Words in s. 3(2)(a) substituted (23.4.2013) by Electoral Registration and Administration Act 2013 (c. 6), **ss. 6(1)**, 27(1) (with Sch. 5); S.I. 2013/969, art. 2
- F5** S. 3(2A) inserted (12.11.1992) by Boundary Commissions Act 1992 (c. 55), **s. 2(4)**
- F6** S. 3(2B)(2C) inserted (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(4)**, 19(1) (with s. 13(5))
- F7** S. 3(3) repealed (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(5)**, 19(1), **Sch. 12** (with s. 13(5))
- F8** S. 3(5)-(5C) substituted for s. 3(5) (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(6)**, 19(1) (with s. 13(5))
- F9** Words in s. 3(6) omitted (16.2.2011) by virtue of Parliamentary Voting System and Constituencies Act 2011 (c. 1), **s. 19(1)**, **Sch. 12 Pt. 2** (with s. 13(5))
- F10** S. 3(7)(8) repealed (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), **ss. 10(7)**, 19(1), **Sch. 12** (with s. 13(5))
- F11** S. 3(7A) omitted (25.7.2018) by virtue of The Transfer of Functions (Parliamentary Constituencies Act 1986) Order 2018 (S.I. 2018/780), arts. 1(2), **6(3)(a)**

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

- C1** Ss. 3, 4 functions transferred (9.11.2016) by The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), arts. 1(2), **5** (with arts. 6, 12)
- C2** S. 3 concurrent functions transferred (25.7.2018) by The Transfer of Functions (Parliamentary Constituencies Act 1986) Order 2018 (S.I. 2018/780), arts. 1(2), **3** (with arts. 4, 5)
- C3** S. 3(1) amended (12.11.1992) by Boundary Commissions Act 1992 (c. 55), **s. 2(1)(2)**

PROSPECTIVE

<sup>F12</sup>**3A** **Reviews and proposed recommendations by Boundary Committees.**

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#### Textual Amendments

- F12** 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 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 [<sup>F13</sup>the statement submitted under section 3(5B)(c) above] 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 [<sup>F14</sup>or] 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.

<sup>F15</sup>(8) .....

#### Textual Amendments

- F13** Words in s. 4(2) substituted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **10(8)**, **19(1)** (with s. 13(5))
- F14** Word in s. 4(6) substituted (15.9.2011) by [Fixed-term Parliaments Act 2011 \(c. 14\)](#), s. 7(2), **Sch. para. 17** (with s. 6)
- F15** S. 4(8) omitted (25.7.2018) by virtue of [The Transfer of Functions \(Parliamentary Constituencies Act 1986\) Order 2018 \(S.I. 2018/780\)](#), arts. 1(2), **6(3)(b)**

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

- C1** Ss. 3, 4 functions transferred (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), arts. 1(2), **5** (with arts. 6, 12)
- C4** S. 4 modified (19.11.1998) by [1998 c. 46, s. 1, Sch. 1 para. 4](#) (with s. 126(3)-(11))
- C5** S. 4 concurrent functions transferred (25.7.2018) by [The Transfer of Functions \(Parliamentary Constituencies Act 1986\) Order 2018 \(S.I. 2018/780\)](#), arts. 1(2), **3** (with arts. 4, 5)

**[<sup>F16</sup>5 Publicity and consultation**

- (1) Once a Boundary Commission have decided what constituencies they propose to recommend in a report under section 3(1)(a) above—
  - (a) the Commission shall take such steps as they think fit to inform people in each of the proposed constituencies—
    - (i) what the proposals are,
    - (ii) that a copy of the proposals is open to inspection at a specified place within the proposed constituency, and
    - (iii) that written representations with respect to the proposals may be made to the Commission during a specified period of 12 weeks (“the initial consultation period”);
  - (b) the Commission shall cause public hearings to be held during the period beginning with the fifth week of the initial consultation period and ending with the tenth week of it.
- (2) Subsection (1)(a)(ii) above does not apply to a constituency with respect to which no alteration is proposed.
- (3) Schedule 2A to this Act, which makes further provision about public hearings under subsection (1)(b) above, has effect.
- (4) After the end of the initial consultation period the Commission—
  - (a) shall publish, in such manner as they think fit, representations made as mentioned in subsection (1)(a) above and records of public hearings held under subsection (1)(b) above;
  - (b) shall take such steps as they think fit to inform people in the proposed constituencies that further written representations with respect to the things published under paragraph (a) above may be made to the Commission during a specified period of four weeks (“the secondary consultation period”).
- (5) If after the end of the secondary consultation period the Commission are minded to revise their original proposals so as to recommend different constituencies, they shall take such steps as they see fit to inform people in each of those revised proposed constituencies—
  - (a) what the revised proposals are,
  - (b) that a copy of the revised proposals is open to inspection at a specified place within the revised proposed constituency, and
  - (c) that written representations with respect to the revised proposals may be made to the Commission during a specified period of eight weeks.
- (6) Subsection (5) above does not apply to any proposals to make further revisions.
- (7) Steps taken under subsection (4) or (5) above need not be of the same kind as those taken under subsection (1) above.

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- (8) A Boundary Commission shall take into consideration—
  - (a) written representations duly made to them as mentioned in subsection (1)(a), (4)(b) or (5)(c) above, and
  - (b) representations made at public hearings under subsection (1)(b) above.
- (9) Except as provided by this section and Schedule 2A to this Act, a Boundary Commission shall not cause any public hearing or inquiry to be held for the purposes of a report under this Act.
- (10) Where a Boundary Commission publish—
  - (a) general information about how they propose to carry out their functions (including, in the case of the Boundary Commission for England, information about the extent (if any) to which they propose to take into account the boundaries mentioned in rule 5(2) of Schedule 2 to this Act), or
  - (b) anything else to which subsection (1), (4) or (5) above does not apply,
 it is for the Commission to determine whether to invite representations and, if they decide to do so, the procedure that is to apply.]

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**Textual Amendments**

**F16** S. 5 substituted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **12(1)**, 19(1)

**F17** **6 Local inquiries.**

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**Textual Amendments**

**F17** S. 6 repealed (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. 12(3), 19(1), **Sch. 12**

**[F18** **6A Functions of the Lord Chancellor**

**F19** .....]

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**Textual Amendments**

**F18** 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}

**F19** 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**

**F20** **6B Functions of the Chancellor of the Duchy of Lancaster**

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**Textual Amendments**

**F20** S.6B omitted (9.11.2016) by [S.I. 2016/997](#), [Sch. 2 para. 5\(4\)](#) (with [art. 12, 1\(2\)](#))

[<sup>F21</sup>**6C. Functions of the Minister for the Cabinet Office**

In this Act “the Secretary of State” means the Secretary of State or the Minister for the Cabinet Office.]

**Textual Amendments**

**F21** S. 6C inserted (25.7.2018) by [The Transfer of Functions \(Parliamentary Constituencies Act 1986\) Order 2018 \(S.I. 2018/780\)](#), arts. 1(2), [6\(2\)](#)

**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>M2</sup>Local Government Reorganisation (Consequential Provisions) (Northern Ireland) Order 1973 is hereby revoked.

<sup>F22</sup>(3) . . . . .

**Textual Amendments**

**F22** S. 8(3) repealed (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), [Sch. 12 Pt. 2](#) (with s. 13(5))

**Marginal Citations**

**M2** [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.

**Status:**

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**Changes to legislation:**

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