

# PARLIAMENTARY VOTING SYSTEM AND CONSTITUENCIES ACT 2011

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## EXPLANATORY NOTES

### SUMMARY

#### *Background*

#### **Part 2: Parliamentary constituencies**

21. There are four Boundary Commissions in the UK: one each for England, Wales, Scotland and Northern Ireland. The Boundary Commissions are permanent bodies, of which the Speaker of the House of Commons is Chair, constituted under the Parliamentary Constituencies Act 1986 (“the 1986 Act”) which requires all the Commissions to keep the parliamentary constituencies under continuous review and periodically (every 8 to 12 years) to submit to the Secretary of State a report of their recommendations as to the constituencies into which their part of the UK should be divided. When a Commission submits a report to the Secretary of State, an Order in Council is laid before Parliament to give effect to the Commission’s recommendations and is debated prior to being made.
22. The Commissions are independent, non-political and totally impartial bodies. They emphasise very strongly that the results of previous elections do not and should not enter their considerations when they are deciding their recommendations. Nor do the Commissions consider the effects of their recommendations on future voting patterns.
23. However, the present Rules for redistribution have been criticised by parliamentarians, academic commentators and, in its fifth Report, the Boundary Commission for England. An unintended effect of the drafting of the existing Rules according to which the Commissions make recommendations as to the boundaries of constituencies is that the number of MPs tends to increase at each general review. Furthermore, the current rules are contradictory, have no clear hierarchy, and do not prioritise equality in the number of electors per constituency, leading to large variations in the number of electors in each constituency. In addition, the review process is considered to be slow, particularly in England, where the fifth General Review took more than six years to complete. This leads to changes in boundaries which lag behind the movement of people. The inequality in electorate size also, as a result of provisions in the 1986 Act, applies between as well as within nations, resulting in fewer electors per constituency in Scotland, Northern Ireland and, in particular, Wales when compared with England.
24. **Part 2** of the Act replaces the existing Schedule 2 to the 1986 Act with a new set of Rules for the distribution of seats. The new Rules fix the size of the House of Commons at 600 members, provide for the number of constituencies in each part of the UK to be determined by reference to the size of the electorate in each part of the UK, and place a limit on the permitted variation in the number of registered electors for a constituency recommended by a Boundary Commission. As exceptions to this principle of electoral parity, the Act provides for two preserved constituencies in Scotland and for two constituencies on the Isle of Wight. The Act places a limit on the

*These notes refer to the Parliamentary Voting System and Constituencies Act 2011 (c.1) which received Royal Assent on 16 February 2011*

geographical size of a constituency, and makes provision to address the potential impact of rounding to a whole number when apportioning constituencies to Northern Ireland. Part 2 of the Act also reforms the process for conducting boundary reviews; in particular ending the practice of holding local inquiries. Instead there will be a longer period for written representations, public hearings to allow oral representations to be made, and the publication of representations received followed by an opportunity to make further written representations in response to them. Reports are due from the Commissions under this legislation before 1 October 2013 and every five years from that point. Finally, the legislation breaks the present link between Westminster constituencies and constituencies of the National Assembly for Wales.