PARLIAMENTARY VOTING SYSTEM AND CONSTITUENCIES ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Parliamentary constituencies

Section 12: Boundary Commission proposals: publicity and consultation

- 54. Section 12 sets out the Boundary Commissions' responsibilities for publicising their provisional recommendations, and the consultation process once those recommendations have been publicised. Subsection (1) substitutes a new section 5 in the 1986 Act.
- 55. Subsection (1) of new section 5 requires the Commissions to inform people in the proposed constituencies of the provisional recommendations. It gives the Commissions discretion as to how to inform people. This replaces the existing requirement to give notification through a local newspaper. There is also a requirement to make a copy of the provisional recommendations available for inspection within the proposed constituency, except where no alteration is proposed to a constituency. There is provision for an initial twelve-week consultation period during which written representations on the provisional recommendations may be submitted to the relevant Commission. Subsection (1)(b) of new section 5 makes provision for public hearings to be held between the fifth week and the tenth week of the initial twelve-week consultation period. Subsection (3) of new section 5 provides that public hearings will be subject to the further provisions in Schedule 2A to the 1986 Act (set out at Schedule 11 to this Act). Subsection (4) of new section 5 requires the Boundary Commissions to publish, in such manner as they see fit, the representations made during the initial consultation period and records of public hearings. It also makes provision for a secondary four-week consultation period in which people can comment on representations made during the initial twelve-week consultation. Subsections (5) and (6) of new section 5 require that, if a Boundary Commission revises its provisional recommendations following the secondary four-week consultation period, the revised recommendations will also have to be publicised and consulted upon, during a period of 8 weeks; but this does not apply if the Commission revises its recommendations a second time. Subsection (7) of new section 5 provides that the steps taken by Boundary Commissions to publicise the secondary four-week consultation and any consultation on revised recommendations need not be of the same type as those taken to publicise the initial provisional recommendations and twelve-week consultation period. Subsection (8) of new section 5 requires the Boundary Commissions to take into consideration all written representations duly made and representations made at public hearings. Subsection (9) of new section 5 provides that, other than as set out in new section 5 and new Schedule 2A, the Boundary Commissions may not hold public inquiries or public hearings. Subsection (10) of new section 5 sets out that, where the Boundary Commissions publish general information on their proposed approach to a review, it is for them to decide whether and how to invite representations on this.

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

56. Subsection (2) provides for the insertion of Schedule 11 of this Act into the 1986 Act as new Schedule 2A. Subsection (3) repeals section 6 of the 1986 Act, thereby removing the practice of holding local inquiries.