

RECALL OF MPS ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS (AND SCHEDULES)

Section 13: Early termination of recall petition process

63. **Section 13** sets out four circumstances in which the recall petition process will be terminated before the end of the usual six week signing period. The four circumstances are:
- (i) the date of the next UK Parliamentary general election is brought forward under section 2(7) of the Fixed-term Parliaments Act 2011 to a date which falls within six months after the date of the Speaker's notice (*subsection (2)*);
 - (ii) the MP's seat is vacated (by the MP's disqualification, death or otherwise) (*subsection (3)*);
 - (iii) where the first recall condition was met, the MP's conviction, sentence or order in question is overturned on appeal (*subsection (4)*); and
 - (iv) where the third recall condition was met, the MP's conviction is overturned on appeal (*subsection (5)*).
64. *Subsection (6)* provides that, as soon as reasonably practicable after becoming aware that one of these circumstances has occurred, the Speaker must notify the petition officer.
65. *Subsection (7)* provides that, once the petition officer receives the Speaker's notice that an early termination condition has been met, the duties that relate to making the petition available for signing cease to have effect and no further action is to be taken pursuant to the Act or regulations made under it on the process relating to the signing of the petition, except for the steps specified in *subsection (8)* and any other steps specified in regulations.
66. *Subsection (8)* provides that, as soon as reasonably practicable after receiving the notice, the petition officer must take any steps necessary to terminate the process relating to the signing of the petition and give a public notice of the termination. The Speaker must lay before the House of Commons the notice given to the petition officer under *subsection (6)* (*subsection (9)*).