



# Dissolution and Calling of Parliament Act 2022

## 2022 CHAPTER 11

An Act to make provision about the dissolution and calling of Parliament, including provision for the repeal of the Fixed-term Parliaments Act 2011; and for connected purposes. [24th March 2022]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### 1 Repeal of the Fixed-term Parliaments Act 2011

The Fixed-term Parliaments Act 2011 is repealed.

#### Commencement Information

II S. 1 in force at Royal Assent, see [s. 6\(3\)](#)

### 2 Revival of prerogative powers to dissolve Parliament and to call a new Parliament

- (1) The powers relating to the dissolution of Parliament and the calling of a new Parliament that were exercisable by virtue of Her Majesty's prerogative immediately before the commencement of the Fixed-term Parliaments Act 2011 are exercisable again, as if the Fixed-term Parliaments Act 2011 had never been enacted.
- (2) For the purposes of [subsection \(1\)](#), the powers relating to the calling of a new Parliament include powers to order the issue of—
  - (a) writs of summons to attend the House of Lords, and

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- (b) writs for parliamentary elections (see rule 3 in Schedule 1 to the Representation of the People Act 1983).

**Commencement Information**

**I2** S. 2 in force at Royal Assent, see [s. 6\(3\)](#)

**3 Non-justiciability of revived prerogative powers**

A court or tribunal may not question—

- (a) the exercise or purported exercise of the powers referred to in [section 2](#),
- (b) any decision or purported decision relating to those powers, or
- (c) the limits or extent of those powers.

**Commencement Information**

**I3** S. 3 in force at Royal Assent, see [s. 6\(3\)](#)

**4 Automatic dissolution of Parliament after five years**

If it has not been dissolved earlier, a Parliament dissolves at the beginning of the day that is the fifth anniversary of the day on which it first met.

**Commencement Information**

**I4** S. 4 in force at Royal Assent, see [s. 6\(3\)](#)

**5 Minor and consequential amendments and savings**

- (1) The Schedule contains minor and consequential amendments.
- (2) The repeal of the Fixed-term Parliaments Act 2011 by [section 1](#) does not affect the amendments and repeals made by the Schedule to that Act.

**Commencement Information**

**I5** S. 5 in force at Royal Assent, see [s. 6\(3\)](#)

**6 Extent, commencement and short title**

- (1) This Act extends to England and Wales, Scotland and Northern Ireland, subject to subsection (2).
- (2) An amendment, repeal or revocation made by this Act has the same extent as the provision amended, repealed or revoked.
- (3) This Act comes into force on the day on which it is passed.
- (4) This Act may be cited as the Dissolution and Calling of Parliament Act 2022.

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**Commencement Information**

**I6** S. 6 in force at Royal Assent, see **s. 6(3)**

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## SCHEDULE

Section 5

## MINOR AND CONSEQUENTIAL AMENDMENTS

*Succession to the Crown Act 1707 (c. 41)*

- 1 In section 7 of the Succession to the Crown Act 1707 (preservation of prerogative powers), after “prorogue” insert “or dissolve”.

**Commencement Information**

**I7** Sch. para. 1 in force at Royal Assent, see [s. 6\(3\)](#)

*Representation of the People Act 1867 (c. 102)*

- 2 In section 51 of the Representation of the People Act 1867 (continuation of Parliament on demise of the Crown), after “prorogued” insert “or dissolved”.

**Commencement Information**

**I8** Sch. para. 2 in force at Royal Assent, see [s. 6\(3\)](#)

*Regency Act 1937 (c. 16)*

- 3 In section 6 of the Regency Act 1937 (power to delegate royal functions to Counsellors of State), in subsection (1), after “power” insert “to dissolve Parliament otherwise than on the express instructions of the Sovereign, or”.

**Commencement Information**

**I9** Sch. para. 3 in force at Royal Assent, see [s. 6\(3\)](#)

*Representation of the People Act 1983 (c. 2)*

- 4 The Representation of the People Act 1983 is amended as follows.

**Commencement Information**

**I10** Sch. para. 4 in force at Royal Assent, see [s. 6\(3\)](#)

- 5 In section 28 (discharge of returning officer’s functions in England and Wales), after subsection (3) insert—

“(3A) For the purposes of subsection (3), the writ is to be taken to have been received—

- (a) in the case of a general election, on the day after the date of the dissolution of Parliament, and
- (b) in the case of a by-election, on the day after the date of the warrant for the writ.”

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**Commencement Information**

**I11** Sch. para. 5 in force at Royal Assent, see **s. 6(3)**

- 6 In section 76ZA (limitation of pre-candidacy election expenses for certain general elections), in subsection (3)(a), omit “or after”.

**Commencement Information**

**I12** Sch. para. 6 in force at Royal Assent, see **s. 6(3)**

- 7 In section 95 (schools and rooms for parliamentary election meetings), after subsection (1) insert—

“(1A) For the purposes of subsection (1), the writ is to be taken to have been received—

- (a) in the case of a general election, on the day after the date of the dissolution of Parliament, and
- (b) in the case of a by-election, on the day after the date of the warrant for the writ.”

**Commencement Information**

**I13** Sch. para. 7 in force at Royal Assent, see **s. 6(3)**

- 8 (1) Schedule 1 (parliamentary elections rules) is amended as follows.
- (2) In rule 1, in the election timetable—
- (a) in the entry relating to “Issue of writ”, in the second column, omit “by section 3(1) of the Fixed-term Parliaments Act 2011”;
  - (b) for the entry relating to “Publication of notice of election” substitute—

“Publication of notice of election	In the case of a general election, not later than 4 in the afternoon on the second day after that on which the writ is received (and for these purposes the writ is to be taken to have been received on the day after the date of the dissolution of Parliament).	In the case of a by-election, not later than 4 in the afternoon on the second day after that on which the writ is received (and for these purposes the writ is to be taken to have been received on the day after the date of the warrant for the writ).”;
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- (c) in the entry relating to “Delivery of nomination papers”—
  - (i) in the second column, omit “by section 3(1) of the Fixed-term Parliaments Act 2011”;
  - (ii) in the third column, at the end insert “(and for these purposes the writ is to be taken to have been received on the day after the date of the warrant for the writ)”;

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- (d) in the entry relating to “Polling”, in the second column, for “day determined under section 1 of the Fixed-term Parliaments Act 2011 or appointed under section 2(7) of that Act” substitute “19th day after the last day for delivery of nomination papers”.
- (3) In rule 2 (computation of time)—
- (a) in paragraph (1), at the end insert “, and any such day is not to be treated as a day for the purpose of any proceedings in the Timetable up to the completion of the poll, nor is the returning officer obliged to proceed with the counting of the votes on such a day.”;
- (b) omit paragraphs (1A) and (1B);
- (c) in paragraph (2A), for sub-paragraphs (a) and (b) substitute “the day was not fixed or appointed as such before the dissolution of Parliament.”
- (4) In the form of writ in the Appendix of Forms at the end of Schedule 1, omit “by section 3(1) of the Fixed-term Parliaments Act 2011”.

**Commencement Information**

**I14** Sch. para. 8 in force at Royal Assent, see [s. 6\(3\)](#)

**Commencement Information**

**I10** Sch. para. 4 in force at Royal Assent, see [s. 6\(3\)](#)

**I11** Sch. para. 5 in force at Royal Assent, see [s. 6\(3\)](#)

**I12** Sch. para. 6 in force at Royal Assent, see [s. 6\(3\)](#)

**I13** Sch. para. 7 in force at Royal Assent, see [s. 6\(3\)](#)

**I14** Sch. para. 8 in force at Royal Assent, see [s. 6\(3\)](#)

*Representation of the People Act 1985 (c. 50)*

- 9 (1) Section 20 of the Representation of the People Act 1985 (demise of the Crown and parliamentary elections etc) is amended as follows.
- (2) In subsection (1)—
- (a) after “proclamation” insert “dissolving Parliament or”;
- (b) omit “(see section 3(4) of the Fixed-term Parliaments Act 2011)”.
- (3) In subsection (2)—
- (a) for “(6)” substitute “(6A)”;
- (b) for paragraphs (a) and (b) substitute “at any time between the dissolution of Parliament and the polling day for the next parliamentary general election (“the current election”).”.
- (4) After subsection (3) insert—
- “(3A) But the Sovereign may by royal proclamation, made on the advice of the Privy Council, appoint an alternative polling day, in place of the day that would otherwise have been the polling day under subsection (3)(a) (“the subsection (3)(a) polling day”), which may be—
- (a) no earlier than the 7th day before the subsection (3)(a) polling day,  
and

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- (b) no later than the 7th day after the subsection (3)(a) polling day.
- (3B) If an alternative polling day is appointed under subsection (3A), subsection (3) applies as if—
- (a) for paragraph (a) there were substituted—
    - “(a) the polling day shall be the day appointed by the proclamation under subsection (3A);”;
  - (b) in paragraph (b)—
    - (i) in a case where the alternative polling day is before the subsection (3)(a) polling day, for “13 days” there were substituted “*x* days” where *x* is 13 minus the number of days that the alternative polling day is before the subsection (3)(a) polling day;
    - (ii) in a case where the alternative polling day is after the subsection (3)(a) polling day, for “13 days” there were substituted “*y* days” where *y* is 13 plus the number of days that the alternative polling day is after the subsection (3)(a) polling day.”
- (5) Omit subsection (4).
- (6) After subsection (6) insert—
- “(6A) But the Sovereign may by royal proclamation, made on the advice of the Privy Council, appoint an alternative day for the meeting of the new Parliament, in place of the day that would otherwise have been the day for the meeting of the new Parliament under subsection (6).”
- (7) In subsection (7), for “by section 3(1) of the 2011 Act, subsections (2) to (6)” substitute “, subsections (2) to (6A)”.

**Commencement Information**

**I15** Sch. para. 9 in force at Royal Assent, see [s. 6\(3\)](#)

*Scotland Act 1998 (c. 46)*>

10 The Scotland Act 1998 is amended as follows.

**Commencement Information**

**I16** Sch. para. 10 in force at Royal Assent, see [s. 6\(3\)](#)

11 In section 2 (ordinary general elections), in subsection (2A)(a), omit “(other than an early parliamentary general election)”.

**Commencement Information**

**I17** Sch. para. 11 in force at Royal Assent, see [s. 6\(3\)](#)

12 In section 12A (power of the Secretary of State to make provision about the combination of polls)—

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- (a) in subsection (1)—
  - (i) in paragraph (a), for “the elections listed in subsection (2)” substitute “parliamentary by-elections”;
  - (ii) in paragraph (b), for “the elections listed in subsections (2) and (3)” substitute “parliamentary by-elections or parliamentary general elections”;
- (b) omit subsections (2) and (3).

**Commencement Information**

**I18** Sch. para. 12 in force at Royal Assent, see [s. 6\(3\)](#)

**Commencement Information**

**I16** Sch. para. 10 in force at Royal Assent, see [s. 6\(3\)](#)

**I17** Sch. para. 11 in force at Royal Assent, see [s. 6\(3\)](#)

**I18** Sch. para. 12 in force at Royal Assent, see [s. 6\(3\)](#)

*Political Parties, Elections and Referendums Act 2000 (c. 41)*

13 The Political Parties, Elections and Referendums Act 2000 is amended as follows.

**Commencement Information**

**I19** Sch. para. 13 in force at Royal Assent, see [s. 6\(3\)](#)

14 In section 63 (weekly donation reports during general election period), in subsection (6)(a), omit “by section 3(1) of the Fixed-term Parliaments Act 2011”.

**Commencement Information**

**I20** Sch. para. 14 in force at Royal Assent, see [s. 6\(3\)](#)

- 15 (1) Section 95A (quarterly donation reports) is amended as follows.
- (2) Omit subsection (2).
  - (3) In subsection (3)—
    - (a) in paragraph (a), for “first day of a qualifying regulated period” substitute “day that is the fourth anniversary of the day on which the Parliament then in existence first met”;
    - (b) in paragraph (b), omit “(or the last day) during that qualifying regulated period”.
  - (4) After subsection (3) insert—
    - “(3A) In a case where the pre-dissolution period is 3 months or less, the reporting period is the pre-dissolution period.
    - (3B) In a case where the pre-dissolution period is more than 3 months, the reporting periods are—



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- (a) the period of 3 months beginning with the first day of the pre-dissolution period,
  - (b) any succeeding period of 3 months falling within the pre-dissolution period, and
  - (c) any final period of less than 3 months falling within that period.”
- (5) Omit subsections (4) and (5).
- (6) In subsection (7), omit paragraph (a) (and the “and” immediately following it).

**Commencement Information**

**I21** Sch. para. 15 in force at Royal Assent, see [s. 6\(3\)](#)

- 16 In Schedule 9 (limits on campaign expenditure)—
- (a) in paragraph 1(3)(a), omit “by section 3(1) of the Fixed-term Parliaments Act 2011”;
  - (b) in paragraph 9(6)(b), omit “by section 3(1) of the Fixed-term Parliaments Act 2011”.

**Commencement Information**

**I22** Sch. para. 16 in force at Royal Assent, see [s. 6\(3\)](#)

- 17 In Schedule 10 (limits on controlled expenditure)—
- (a) in paragraph 1(2)(a), omit “by section 3(1) of the Fixed-term Parliaments Act 2011”;
  - (b) in paragraph 9(6)(b), omit “by section 3(1) of the Fixed-term Parliaments Act 2011”.

**Commencement Information**

**I23** Sch. para. 17 in force at Royal Assent, see [s. 6\(3\)](#)

**Commencement Information**

**I19** Sch. para. 13 in force at Royal Assent, see [s. 6\(3\)](#)  
**I20** Sch. para. 14 in force at Royal Assent, see [s. 6\(3\)](#)  
**I21** Sch. para. 15 in force at Royal Assent, see [s. 6\(3\)](#)  
**I22** Sch. para. 16 in force at Royal Assent, see [s. 6\(3\)](#)  
**I23** Sch. para. 17 in force at Royal Assent, see [s. 6\(3\)](#)

*Government of Wales Act 2006 (c. 32)*

- 18 The Government of Wales Act 2006 is amended as follows.

**Commencement Information**

**I24** Sch. para. 18 in force at Royal Assent, see [s. 6\(3\)](#)

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- 19 In section 3 (ordinary general elections), in subsection (1A)(a), omit “(other than an early parliamentary general election)”.

**Commencement Information**

**I25** Sch. para. 19 in force at Royal Assent, see [s. 6\(3\)](#)

- 20 In section 13A (power of the Secretary of State to make provision about the combination of polls)—
- (a) in subsection (1)—
- (i) in paragraph (a), for “the elections listed in subsection (2)” substitute “parliamentary by-elections”;
- (ii) in paragraph (b), for “the elections listed in subsections (2) and (3)” substitute “parliamentary by-elections or parliamentary general elections”;
- (b) omit subsections (2) and (3).

**Commencement Information**

**I26** Sch. para. 20 in force at Royal Assent, see [s. 6\(3\)](#)

**Commencement Information**

**I24** Sch. para. 18 in force at Royal Assent, see [s. 6\(3\)](#)

**I25** Sch. para. 19 in force at Royal Assent, see [s. 6\(3\)](#)

**I26** Sch. para. 20 in force at Royal Assent, see [s. 6\(3\)](#)

*Welfare Reform Act 2012 (c. 5)*

- 21 In section 96A of the Welfare Reform Act 2012 (review of benefit cap)—
- (a) in subsection (1), for “in each Parliament” substitute “every five years”;
- (b) omit subsection (9).

**Commencement Information**

**I27** Sch. para. 21 in force at Royal Assent, see [s. 6\(3\)](#)

*Electoral Registration and Administration Act 2013 (c. 6)*

- 22 In section 14 of the Electoral Registration and Administration Act 2013 (extension of timetable for parliamentary elections), omit subsection (1) (amendment of section 3 of Fixed-term Parliaments Act 2011).

**Commencement Information**

**I28** Sch. para. 22 in force at Royal Assent, see [s. 6\(3\)](#)

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### *Wales Act 2014 (c. 29)*

- 23 In section 1 of the Wales Act 2014 (frequency of Assembly ordinary general elections), omit subsection (2) (amendment of section 5 of Fixed-term Parliaments Act 2011).

#### **Commencement Information**

**I29** Sch. para. 23 in force at Royal Assent, see **s. 6(3)**

### *Recall of MPs Act 2015 (c. 25)*

- 24 The Recall of MPs Act 2015 is amended as follows.

#### **Commencement Information**

**I30** Sch. para. 24 in force at Royal Assent, see **s. 6(3)**

- 25 (1) Section 5 (Speaker’s notice that a recall condition has been met) is amended as follows.
- (2) In subsection (2)(a), after “with the” insert “last possible”.
- (3) After subsection (2), insert—
- “(2A) For the purposes of subsection (2)(a), the last possible polling day is the day on which polling would take place, according to the election timetable in rule 1 of Schedule 1 to the Representation of the People Act 1983, if the Parliament then in existence were dissolved by virtue of section 4 of the Dissolution and Calling of Parliament Act 2022 (automatic dissolution of Parliament after five years).”
- (4) Omit subsection (3).

#### **Commencement Information**

**I31** Sch. para. 25 in force at Royal Assent, see **s. 6(3)**

- 26 (1) Section 13 (early termination of recall petition process) is amended as follows.
- (2) In subsection (2), for paragraphs (a) and (b) substitute “Parliament is dissolved.”
- (3) In subsection (6), after “Speaker” insert “(or, in a case where this section applies by virtue of the first condition, the person who was the Speaker immediately before Parliament was dissolved)”.
- (4) In subsection (9), at the beginning insert “Except in a case where this section applies by virtue of the first condition (dissolution of Parliament),”.

#### **Commencement Information**

**I32** Sch. para. 26 in force at Royal Assent, see **s. 6(3)**

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**Commencement Information**

- I30** Sch. para. 24 in force at Royal Assent, see [s. 6\(3\)](#)  
**I31** Sch. para. 25 in force at Royal Assent, see [s. 6\(3\)](#)  
**I32** Sch. para. 26 in force at Royal Assent, see [s. 6\(3\)](#)

*Small Business, Enterprise and Employment Act 2015 (c. 26)*

27 The Small Business, Enterprise and Employment Act 2015 is amended as follows.

**Commencement Information**

- I33** Sch. para. 27 in force at Royal Assent, see [s. 6\(3\)](#)

28 In section 21 (duty on Secretary of State to publish business impact target etc)—

- (a) omit subsection (8);
- (b) in subsection (10), for the words from “an early” to “2011” substitute “a parliamentary general election is to take place”.

**Commencement Information**

- I34** Sch. para. 28 in force at Royal Assent, see [s. 6\(3\)](#)

29 In section 23 (duty of Secretary of State to publish reports)—

- (a) in subsection (8), for the words from “an early” to “2011” substitute “a parliamentary general election is to take place”;
- (b) in subsection (10)(b), for “before the dissolution of Parliament” substitute “no later than three months after the commencement of the new Parliament”;
- (c) omit subsection (11).

**Commencement Information**

- I35** Sch. para. 29 in force at Royal Assent, see [s. 6\(3\)](#)

30 In section 24A (duty on relevant regulators to assess economic impact etc), in subsection (4), for paragraphs (a) and (b) substitute “they must be published no later than two months after the commencement of the new Parliament.”

**Commencement Information**

- I36** Sch. para. 30 in force at Royal Assent, see [s. 6\(3\)](#)

31 In section 25 (appointment of body to verify assessments and lists in reports), omit subsection (7).

**Commencement Information**

- I37** Sch. para. 31 in force at Royal Assent, see [s. 6\(3\)](#)

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**Commencement Information**

**I33** Sch. para. 27 in force at Royal Assent, see **s. 6(3)**

**I34** Sch. para. 28 in force at Royal Assent, see **s. 6(3)**

**I35** Sch. para. 29 in force at Royal Assent, see **s. 6(3)**

**I36** Sch. para. 30 in force at Royal Assent, see **s. 6(3)**

**I37** Sch. para. 31 in force at Royal Assent, see **s. 6(3)**

*Early Parliamentary General Election Act 2019 (c. 29)*

32 The Early Parliamentary General Election Act 2019 is repealed.

**Commencement Information**

**I38** Sch. para. 32 in force at Royal Assent, see **s. 6(3)**

*Referendums (Scotland) Act 2020 (asp 2)*

33 In section 3 of Referendums (Scotland) Act 2020 (power to change date of referendum if UK election on same date)—

(a) in subsection (2), after “UK” insert “parliamentary general”;

(b) in subsection (7), omit the definition of “date of a UK election”.

**Commencement Information**

**I39** Sch. para. 33 in force at Royal Assent, see **s. 6(3)**

*Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)*

34 In regulation 98 of the Representation of the People (England and Wales) Regulations 2001 (supply of free copy of full register for electoral purposes and restrictions on use), in paragraph (5)(a)(i), omit “in accordance with section 3(1) of the Fixed-term Parliaments Act 2011”.

**Commencement Information**

**I40** Sch. para. 34 in force at Royal Assent, see **s. 6(3)**

*Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)*

35 In regulation 97 of the Representation of the People (Scotland) Regulations 2001 (supply of free copy of full register for electoral purposes and restrictions on use), in paragraph (4)(a)(i), omit “in accordance with section 3(1) of the Fixed-term Parliaments Act 2011”.

**Commencement Information**

**I41** Sch. para. 35 in force at Royal Assent, see **s. 6(3)**

**Status:**

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**Changes to legislation:**

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