

*These notes refer to the House of Lords Act 1999 (c.34)  
which received Royal Assent on Thursday 11 November 1999*

# HOUSE OF LORDS ACT 1999

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Section 5: Commencement and transitional provision*

19. The Act, apart from section 5 and section 6, comes into force at the end of the Session of Parliament in which it is passed. Section 5 and section 6 come into force on Royal Assent. The Act received Royal Assent and Parliament was prorogued on the same day, Thursday 11 November 1999.
20. [Section 5\(2\)](#) overturns any presumption that a hereditary peer whose membership of the House of Lords is ended by section 1 might have a right or obligation to sit and vote in the House of Lords for the rest of the current Parliament by virtue of having already received a writ of summons for this Parliament. A writ of summons is a document issued by the Crown under the Royal Prerogative calling the person addressed to attend Parliament. On commencement of the Act, no hereditary peer who has received a writ of summons for the current Parliament has any right or obligation to sit or vote in the House for the remainder of the Parliament unless he is one of the excepted peers under section 2. Writs of summons issued to excepted peers identified as such before the end of the session continue to have effect.
21. The disqualifications explained above in paragraph 18 are removed in respect of hereditary peers whose membership is ended by section 1 at the end of the Session in which the Act is passed. Those entitled to vote on the qualifying date (15 September 1999 in Northern Ireland and 10 October 1999 in Great Britain) are included in the electoral register which operates from the following February. As the Session ended after 10 October 1999, no hereditary peers were entitled to vote on that date. Therefore they will not be able to vote in elections until February 2001. It is intended to make an order under the transitional provision in section 5(3) of the Act to enable hereditary peers to vote in Parliamentary elections from February 2000. Such an order will cover all hereditary peers excluded from the House of Lords, whether resident in the United Kingdom or overseas. The order can also ensure that all existing hereditary peers will be able to use their entitlement under the transitional provision to vote in European Parliamentary elections.