

FIXED-TERM PARLIAMENTS ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 2: Early parliamentary general elections

27. *Section 2* provides for the circumstances in which an early parliamentary general election can be held, that is, an election with a date of poll which must be earlier than the date of poll for an election under section 1. *Subsection (1)* provides for an early election if the House of Commons passes a motion that there should be such an election. It also states that where such a motion is passed on a division of the House of Commons, the number of members who voted in favour must be at least two thirds of the number of seats in the House, including any vacant seats.
28. *Subsection (3)* provides the second trigger for an early election. Where the House of Commons passes a motion of no confidence in the Government, an election must be held, unless within the period of 14 days, the House passes a motion expressing confidence in a Government. The intention is to provide an opportunity for an alternative Government to be formed without an election.
29. *Subsections (2), (4) and (5)* set out the exact form of motions for early election, votes of no confidence and of confidence in the Government respectively, which can be passed by the House of Commons in order to generate an early general election.
30. *Subsection (7)* provides that the Queen sets the date for an early election by proclamation on the recommendation of the Prime Minister. This means that, taken in conjunction with the rules in section 3, a suitable date for an election can be set. Dissolution does not follow immediately on the triggering event, but can be timed so that, for example, essential business can be completed or the date of the election can be set to fall on a Thursday.