



Parliamentary Voting System and Constituencies Act 2011

2011 CHAPTER 1

PART 2

PARLIAMENTARY CONSTITUENCIES

10 **Boundary Commissions: reports etc**

(1) In the Parliamentary Constituencies Act 1986 (“the 1986 Act”) section 3 (reports of the Boundary Commissions) is amended as set out in subsections (2) to (7).

(2) In subsection (1)—

- (a) in paragraph (a), for “paragraphs 1 to 6 of Schedule 2 to this Act (read with paragraph 7 of that Schedule)” there is substituted “ Schedule 2 to this Act ”;
- (b) in paragraph (b), the words “(read with paragraph 7)” are repealed.

^{F1}(3)

(4) After subsection (2A) there is inserted—

“(2B) In relation to any report which a Boundary Commission are required by subsection (2) above to submit before a particular date but have not yet submitted (a “pending boundary report”), the Commission shall submit to the Speaker of the House of Commons—

- (a) during the January that begins one year and nine months before that date, and
- (b) during each subsequent January,

a report setting out what progress they have made with the preparation of the pending boundary report, with particular reference to the requirement in subsection (2) above.

(2C) On receiving a report under subsection (2B) above, the Speaker shall lay it before Parliament.”

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- (5) Subsection (3) is repealed.
- ^{F2}(6)
- (7) Subsections (7) and (8) are repealed.
- ^{F3}(8)
- (9) In Schedule 1 to the 1986 Act (the Boundary Commissions), in paragraph 5(d) (assessor officers of the Boundary Commission for Northern Ireland)—
- (a) for “and the” there is substituted “, the”;
 - (b) at the end there is inserted “ and the Chief Survey Officer of Land and Property Services ”.
- (10) In paragraph 6 of that Schedule (assistant Commissioners)—
- (a) in sub-paragraph (1), for the words after “assistant Commissioners” there is substituted “ to assist the Commission in the discharge of their functions. ”;
 - (b) in sub-paragraph (2), for “inquiry” there is substituted “ matter ”.
- ^{F4}(11)

Textual Amendments

- F1** S. 10(3) omitted (14.12.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), s. 14(2), [Sch. para. 9\(a\)](#) (with s. 13(2))
- F2** S. 10(6) omitted (14.12.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), s. 14(2), [Sch. para. 9\(a\)](#) (with s. 13(2))
- F3** S. 10(8) omitted (14.12.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), s. 14(2), [Sch. para. 9\(a\)](#) (with s. 13(2))
- F4** S. 10(11) omitted (14.12.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), s. 14(2), [Sch. para. 9\(b\)](#) (with s. 13(2))

11 Number and distribution of seats

- (1) For Schedule 2 to the 1986 Act there is substituted—

“SCHEDULE 2

Section 3

RULES FOR DISTRIBUTION OF SEATS

Number of constituencies

- 1 The number of constituencies in the United Kingdom shall be 600.

Electorate per constituency

- 2 (1) The electorate of any constituency shall be—
- (a) no less than 95% of the United Kingdom electoral quota, and
 - (b) no more than 105% of that quota.
- (2) This rule is subject to rules 4(2), 6(3) and 7.
- (3) In this Schedule the “United Kingdom electoral quota” means—

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$$\frac{U}{596}$$

where U is the electorate of the United Kingdom minus the electorate of the constituencies mentioned in rule 6.

Allocation of constituencies to parts of the United Kingdom

- 3 (1) Each constituency shall be wholly in one of the four parts of the United Kingdom (England, Wales, Scotland and Northern Ireland).
- (2) The number of constituencies in each part of the United Kingdom shall be determined in accordance with the allocation method set out in rule 8.

Area of constituencies

- 4 (1) A constituency shall not have an area of more than 13,000 square kilometres.
- (2) A constituency does not have to comply with rule 2(1)(a) if—
 - (a) it has an area of more than 12,000 square kilometres, and
 - (b) the Boundary Commission concerned are satisfied that it is not reasonably possible for the constituency to comply with that rule.

Factors

- 5 (1) A Boundary Commission may take into account, if and to such extent as they think fit—
 - (a) special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - (b) local government boundaries as they exist on the most recent ordinary council-election day before the review date;
 - (c) boundaries of existing constituencies;
 - (d) any local ties that would be broken by changes in constituencies;
 - (e) the inconveniences attendant on such changes.
- (2) The Boundary Commission for England may take into account, if and to such extent as they think fit, boundaries of the electoral regions specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the most recent ordinary council-election day before the review date.
- (3) This rule has effect subject to rules 2 and 4.

Protected constituencies

- 6 (1) There shall be two constituencies in the Isle of Wight.
- (2) There shall continue to be—
 - (a) a constituency named Orkney and Shetland, comprising the areas of the Orkney Islands Council and the Shetland Islands Council;

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- (b) a constituency named Na h-Eileanan an Iar, comprising the area of Comhairle nan Eilean Siar.
- (3) Rule 2 does not apply to these constituencies.

Northern Ireland

- 7 (1) In relation to Northern Ireland, sub-paragraph (2) below applies in place of rule 2 where—
- (a) the difference between—
 - (i) the electorate of Northern Ireland, and
 - (ii) the United Kingdom electoral quota multiplied by the number of seats in Northern Ireland (determined under rule 8),
 exceeds one third of the United Kingdom electoral quota, and
 - (b) the Boundary Commission for Northern Ireland consider that having to apply rule 2 would unreasonably impair—
 - (i) their ability to take into account the factors set out in rule 5(1), or
 - (ii) their ability to comply with section 3(2) of this Act.
- (2) The electorate of any constituency shall be—
- (a) no less than whichever is the lesser of—

$$N - A$$

- and 95% of the United Kingdom electoral quota, and
- (b) no more than whichever is the greater of—

$$N + A$$

- and 105% of the United Kingdom electoral quota,
- where—
- N is the electorate of Northern Ireland divided by the number of seats in Northern Ireland (determined under rule 8), and
 - A is 5% of the United Kingdom electoral quota.

The allocation method

- 8 (1) The allocation method referred to in rule 3(2) is as follows.
- (2) The first constituency shall be allocated to the part of the United Kingdom with the greatest electorate.
 - (3) The second and subsequent constituencies shall be allocated in the same way, except that the electorate of a part of the United Kingdom to which one or more constituencies have already been allocated is to be divided by—

$$2C + 1$$

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where C is the number of constituencies already allocated to that part.

- (4) Where the figure given by sub-paragraph (3) above is the same for two or more parts of the United Kingdom, the part to which a constituency is to be allocated shall be the one with the smaller or smallest actual electorate.
- (5) This rule does not apply to the constituencies mentioned in rule 6, and accordingly—
 - (a) the electorate of England shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(1);
 - (b) the electorate of Scotland shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(2).

Interpretation

- 9 (1) This rule has effect for the purposes of this Schedule.
- (2) The “electorate” of the United Kingdom, or of a part of the United Kingdom or a constituency, is the total number of persons whose names appear on the relevant version of a register of parliamentary electors in respect of addresses in the United Kingdom, or in that part or that constituency.

For this purpose the relevant version of a register is the version that is required by virtue of subsection (1) of section 13 of the Representation of the People Act 1983 to be published no later than the review date, or would be so required but for—

 - (a) any power under that section to prescribe a later date, or
 - (b) subsection (1A) of that section.
- (3) “Local government boundaries” are—
 - (a) in England, the boundaries of counties and their electoral divisions, districts and their wards, London boroughs and their wards and the City of London,
 - (b) in Wales, the boundaries of counties, county boroughs, electoral divisions, communities and community wards,
 - (c) in Scotland, the boundaries of local government areas and the electoral wards into which they are divided under section 1 of the Local Government (Scotland) Act 2004, and
 - (d) in Northern Ireland, the boundaries of wards.
- (4) “Ordinary council-election day” is—
 - (a) in relation to England and Wales, the ordinary day of election of councillors for local government areas;
 - (b) in relation to Scotland, the day on which the poll is held at ordinary elections of councillors for local government areas;
 - (c) in relation to Northern Ireland, the day of an election for any district council (other than an election to fill a casual vacancy).
- (5) The “review date”, in relation to a report under section 3(1) of this Act that a Boundary Commission is required (by section 3(2)) to submit before a particular date, is two years and ten months before that date.

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- (6) “The United Kingdom electoral quota” has the meaning given by rule 2(3).
- (7) A reference in rule 6 to an area is to the area as it existed on the coming into force of Part 2 of the Parliamentary Voting System and Constituencies Act 2011.”

^{F5}(2)

- (3) In Part 4 of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying for particular constituencies)—
- (a) in the entry for Member of Her Majesty's Commission of Lieutenancy for the City of London, for “The constituency comprising the whole of” there is substituted “ Any constituency comprising the whole or part of ”;
- (b) in the entry for Governor of the Isle of Wight, for “The Isle of Wight” there is substituted “ Any constituency comprising any part of the Isle of Wight ”.
- (4) In section 8 of the Representation of the People Act 1983 (registration officers), for paragraph (b) of subsection (2) there is substituted—
- “(b) in relation to any constituency part of which consists of some or all of the area of the City and the Inner and Middle Temples, the Common Council shall appoint an officer to be registration officer for that part of the constituency.”

Textual Amendments

- F5** S. 11(2) omitted (14.12.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), s. 14(2), [Sch. para. 9\(c\)](#) (with s. 13(2))

12 Boundary Commission proposals: publicity and consultation

- (1) For section 5 of the 1986 Act (notices) there is substituted—

“5 Publicity and consultation

- (1) Once a Boundary Commission have decided what constituencies they propose to recommend in a report under section 3(1)(a) above—
- (a) the Commission shall take such steps as they think fit to inform people in each of the proposed constituencies—
- (i) what the proposals are,
- (ii) that a copy of the proposals is open to inspection at a specified place within the proposed constituency, and
- (iii) that written representations with respect to the proposals may be made to the Commission during a specified period of 12 weeks (“the initial consultation period”);
- (b) the Commission shall cause public hearings to be held during the period beginning with the fifth week of the initial consultation period and ending with the tenth week of it.
- (2) Subsection (1)(a)(ii) above does not apply to a constituency with respect to which no alteration is proposed.

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- (3) Schedule 2A to this Act, which makes further provision about public hearings under subsection (1)(b) above, has effect.
 - (4) After the end of the initial consultation period the Commission—
 - (a) shall publish, in such manner as they think fit, representations made as mentioned in subsection (1)(a) above and records of public hearings held under subsection (1)(b) above;
 - (b) shall take such steps as they think fit to inform people in the proposed constituencies that further written representations with respect to the things published under paragraph (a) above may be made to the Commission during a specified period of four weeks (“the secondary consultation period”).
 - (5) If after the end of the secondary consultation period the Commission are minded to revise their original proposals so as to recommend different constituencies, they shall take such steps as they see fit to inform people in each of those revised proposed constituencies—
 - (a) what the revised proposals are,
 - (b) that a copy of the revised proposals is open to inspection at a specified place within the revised proposed constituency, and
 - (c) that written representations with respect to the revised proposals may be made to the Commission during a specified period of eight weeks.
 - (6) Subsection (5) above does not apply to any proposals to make further revisions.
 - (7) Steps taken under subsection (4) or (5) above need not be of the same kind as those taken under subsection (1) above.
 - (8) A Boundary Commission shall take into consideration—
 - (a) written representations duly made to them as mentioned in subsection (1)(a), (4)(b) or (5)(c) above, and
 - (b) representations made at public hearings under subsection (1)(b) above.
 - (9) Except as provided by this section and Schedule 2A to this Act, a Boundary Commission shall not cause any public hearing or inquiry to be held for the purposes of a report under this Act.
 - (10) Where a Boundary Commission publish—
 - (a) general information about how they propose to carry out their functions (including, in the case of the Boundary Commission for England, information about the extent (if any) to which they propose to take into account the boundaries mentioned in rule 5(2) of Schedule 2 to this Act), or
 - (b) anything else to which subsection (1), (4) or (5) above does not apply, it is for the Commission to determine whether to invite representations and, if they decide to do so, the procedure that is to apply.”
- (2) After Schedule 2 to the 1986 Act there is inserted the Schedule set out in Schedule 11 to this Act.
 - (3) Section 6 of the 1986 Act (local inquiries) is repealed.

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13 National Assembly for Wales

(1) In section 2 of the Government of Wales Act 2006 (Assembly constituencies and electoral regions), for subsection (1) there is substituted—

“(1) The Assembly constituencies are the constituencies specified in the Parliamentary Constituencies and Assembly Electoral Regions (Wales) Order 2006 (S.I. 2006/1041) as amended by—

- (a) the Parliamentary Constituencies and Assembly Electoral Regions (Wales) (Amendment) Order 2008 (S.I. 2008/1791), and
- (b) any Order in Council under the Parliamentary Constituencies Act 1986 giving effect (with or without modifications) to a report falling within section 13(3) or (4) of the Parliamentary Voting System and Constituencies Act 2011.”

(2) The following provisions of the Government of Wales Act 2006 are repealed—

- (a) section 2(5) and (6);
- (b) Schedule 1;
- (c) paragraph 1 of Schedule 11.

- F⁶(3)
- F⁶(4)
- F⁶(5)
- F⁶(6)
- F⁶(7)
- F⁶(8)

Textual Amendments

F6 S. 13(3)-(8) omitted (14.12.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), s. 14(2), [Sch. para. 9\(d\)](#) (with s. 13(2))

F⁷14 Review of reduction in number of constituencies

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Textual Amendments

F7 S. 14 omitted (retrospective to 31.5.2020) by virtue of [Parliamentary Constituencies Act 2020 \(c. 25\)](#), [s. 11\(1\)\(2\)](#) (with s. 13(2))

Changes to legislation:

There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, PART 2.