



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The Fixed-term Parliaments Act 2011 is repealed.

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

3 Non-justiciability of revived prerogative powers

A court or tribunal may not question—

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- (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.

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.

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.

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- (2) An amendment, repeal or revocation made by this Act has the same extent as the provision amended, repealed or revoked.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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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”.

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”.

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”.

Representation of the People Act 1983 (c. 2)

- 4 The Representation of the People Act 1983 is amended as follows.
- 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.”
- 6 In section 76ZA (limitation of pre-candidacy election expenses for certain general elections), in subsection (3)(a), omit “or after”.
- 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.”
- 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—

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“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)”;
- (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”.

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—