

This assumes that the party machinery can also be set up in time.

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PRIME MINISTER

Boundary Commission Reports and General
Election Dates

I commissioned the attached note from the Home Office to clear up what seemed to me a certain amount of confusion about the time needed between the Order in Council enacting the new boundaries and the time at which you could call an election on those boundaries. The key paragraphs in the note are 4, 5 and 6. The conclusion is that if next week the House of Lords refuse to hear the Labour Party's Appeal and the Orders are taken at the Privy Council meeting on 16 March the earliest an election could be held would be on 5 May. If the House of Lords decided to hear the Appeal and does so within about a month the Orders could be taken at the Privy Council in late April and an election held on 16, 23 or 30 June.

The assumption that we have been making all along therefore that if the House of Lords chose to hear the Labour Party's Appeal a June election would be ruled out is wrong. The only thing which would impede a June election would be if the House of Lords heard the Appeal and found in favour of the Labour Party which is extraordinarily unlikely.

4 February 1983

This note deals with the timing of any General Election in relation to the progress of the 3 Parliamentary Boundary Commissions' reports. The steps which have to be gone through for each report are:

- a. lay draft Constituencies Order and report;
- b. draft Constituencies Order considered by Joint Committee;
- c. debate draft Constituencies Order and have it approved in both Houses;
- d. Constituencies Order made by HM in Council;
- e. Order designating returning officers for new constituencies made and considered by Joint Committee;
- f. registration officers adapt electoral registers to new constituencies;
- g. Constituencies Order comes into operation;
- h. Designation Order comes into operation.

Constituencies Orders

2. The Welsh report and draft Constituencies Order are to be laid on 7 February. Provided the English and Scottish reports are received in good time the draft Constituencies Orders can be considered by the Joint Committee and debated and approved in both Houses in time to be made at the Privy Council meeting on 16 March. They will come into operation 14 days later. Once made, an Order requires electoral registration officers to adapt their registers to the new constituencies. It is difficult to say how long this will take. It depends in each case on the extent of the changes, how the existing register is ordered and whether it is computerised. But at least 2 weeks should be allowed for this if complaints from registration officers (who are also returning officers) are to be avoided. More time should be allowed if Bank Holidays or the Easter break intervene.

Designation Order

3. A Designation Order is needed for England and Wales only. A draft Designation Order will be sent to returning officers on the day the relevant draft Constituencies Order is laid and comments will be sought in time for the Designation Order to be ready to be made on 16 March. The Designation Order must be in operation before the General Election machinery can start because the writs have to be sent to returning officers. The Designation Order cannot come into operation, however, until after the Constituencies Orders come into operation, because it is only then that the constituencies it refers to will actually exist.

So the earliest the Designation Order could come into operation is 15 days after the Constituencies Orders are made. This 2 week period should also give sufficient time for electoral registers to be re-arranged before any General Election is announced (see paragraph 2).

4. To summarise: on the fastest timetable, which assumes that all 3 draft Constituencies Orders are approved in time for the Privy Council meeting on 16 March, the electoral machinery could be ready for an announcement of a General Election in early April. Political parties will, however, need time to reorganise constituency parties and choose candidates for the new constituencies.

General Election timetable

5. The present timetable for calling a General Election provides that the Royal Proclamation must be issued 16 days before, not counting Saturdays, Sundays and Bank Holiday breaks. This means that if a General Election is to be held on a Thursday in May or June the Royal Proclamation must be issued on the following dates:-

<u>Royal Proclamation</u>	<u>General Election</u>
8 April	5 May
15 April	12 May
22 April	19 May
4 May	26 May
6 May	2 June
13 May	9 June
20 May	16 June
1 June	23 June
8 June	30 June

(5 May is local elections day and legislation would be needed - as in 1979 - if local elections were to be combined with a General Election).

6. If the target of the Privy Council meeting on 16 March is met it would, in theory, be possible to hold a General Election as early as 5 May. If the 16 March meeting was missed there is likely to be a Privy Council meeting in late April. This would rule out a May election but not one in June.

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QUEEN ANNE'S GATE LONDON SW1H 9AT

2 February 1983

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Dear Michael

IMPLEMENTATION OF THE REPORT OF THE PARLIAMENTARY
BOUNDARY COMMISSION FOR ENGLAND

Following the decision at Cabinet last week that the report of the Parliamentary Boundary Commission for England should be laid before Parliament as soon as possible after receipt I am writing to let you know how I intend to proceed.

Our aim is to have all three draft Constituencies Orders (for England, Wales and Scotland) debated and approved by both Houses in time for submission to the Privy Council meeting on 16 March. I do not know when I will receive the English report, but this timetable may of itself dictate that it be laid (together with the draft Constituencies Order) very quickly.

I therefore propose to make preparations for laying the report and draft Order within 24 to 48 hours of receipt (72 hours if received on a Friday). A draft Constituencies Order has been prepared on the basis of the last published recommendations of the Commission and will be checked against the report's recommendations when it is received. I have also asked officials to ensure that any representations or other possible modifications are brought to my attention as soon as the report is received so that I can consider them overnight or over the weekend with the report. These arrangements will ensure that any criticisms, eg that I did not consider possible modifications or that I had insufficient time to produce a draft Constituencies Order, can be rebutted.

I would welcome your assurance that what I propose to do will not leave my action open to challenge in the courts.

The Rt Hon Sir Michael Havers, QC, MP

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Antwerp,
Feb 81,
Boundary Commission.

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