

## PARLIAMENTARY FACTSHEET 1: AN INTRODUCTION TO PARLIAMENT

### 1. Structure of Parliament

Parliament is made up of the House of Commons, the House of Lords and the Crown.

#### 1.1. The Commons

Members of the Commons (MPs) are publicly elected and nearly all represent a political party. As at 27 January 2011, the House of Commons was made up of 305 Conservative MPs, 254 Labour MPs, 57 Liberal Democrat MPs and 34 MPs from other political groups, including nationalist organisations like Plaid Cymru (Wales) and the Scottish National Party, Northern Ireland's various political parties, and minority parties like the Green Party. For details of the current state of the parties in the Commons, see: <http://www.parliament.uk/mps-lords-and-offices/mps/state-of-the-parties/>.

Whichever party has the largest number of MPs forms the Government. Government ministers are chosen from MPs and Lords in Parliament.

#### 1.2. The Lords

The House of Lords is the second chamber or Upper House of the UK Parliament. Members of the House of Lords (Lords or "peers") fall into either of the following categories: Lords Spiritual or Lords Temporal. The Lords Spiritual are made up of a limited number (26) of Church of England archbishops and bishops. The Lords Temporal comprise a majority of members appointed by the Queen and a fixed number of members elected internally. Unlike the Lords Spiritual, Lords Temporal may be publicly partisan, aligning themselves with one or another of the political parties that dominate the House of Commons. Publicly non-partisan Lords are called "cross-benchers". As at 1 February 2011, there were 217 Conservative Peers, 242 Labour Peers, 91 Liberal Democrat Peers and 184 cross-benchers.

#### 1.3. The Cabinet

The Cabinet is the committee at the centre of the British political system and the supreme decision-making body in government. It consists of a maximum of twenty-two government ministers chosen by the Prime Minister who may be Members of either House of Parliament. A list of current Cabinet Ministers is available here: <http://www.parliament.uk/mps-lords-and-offices/government-and-opposition1/her-majestys-government/>.

#### 1.4. Committees

Much of the work of the Commons and the Lords takes place in committees made up of around 10 to 50 MPs or Lords. These committees conduct a detailed examination of issues such as government policy and proposed new laws, as well as wider topics such as the economy. The main types of committee are as follows:

- i. Select Committees: these work in both Houses. They check and report on areas such as the work of government departments. The results of their inquiries are public and may require a response from the Government. An example is the

Environment, Food and Rural Affairs Committee which is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Environment, Food and Rural Affairs and its associated public bodies.

- ii. Joint Committees: these consist of MPs and Lords (peers). They have similar powers to Select Committees. Some are set up on a permanent basis, others for specific purposes. An example is the Joint Committee on Human Rights which is a permanent committee that considers matters relating to human rights in the UK. A Joint Committee was also set up to consider and report on the draft Marine and Coastal Access Bill.
- iii. General Committees (including Public Bill Committees): these are unique to the Commons and mainly look at proposed legislation in detail.<sup>1</sup> A Public or Private Bill Committee is appointed for each Bill that goes through Parliament. The committees reflect the political makeup of the House therefore the Government always has a majority.
- iv. Grand Committees: the Commons has three Grand Committees which look at questions on Scotland, Wales and Northern Ireland. In the Lords, most Bills which are not committed to a Committee of the Whole House are instead sent to a Grand Committee. The proceedings are identical to those in a Committee of the Whole House except that all decisions must be made unanimously. Any Member of the House of Lords may attend a Grand Committee. A House of Lords Grand Committee Debate on the draft UK Marine Policy Statement was held on 15 December 2010.

## 2. Parliamentary elections

### 2.1. General election

When Parliament is dissolved<sup>2</sup>, every seat in the House of Commons becomes vacant and a general election is held. General elections are currently held at least every five years.<sup>3</sup> The last general election took place on 6 May 2010.

The period between the time an election is announced and the time it is held is known as the pre-election period or “purdah”. The Cabinet Office issues guidance to civil servants regarding their conduct during this period. The guidance for the 2010 election<sup>4</sup>, as in previous years, states that:

...it is customary for Ministers to observe discretion in initiating any new action of a continuing or long-term character. Decisions on matters of policy on which a new Government might be expected to want the opportunity to take a different view from the present Government should be postponed until after the Election, provided that

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<sup>1</sup> The Lords meet as a Whole House in this function (in the debating chamber) or as a Grand Committee away from the chamber.

<sup>2</sup> See section 6 below.

<sup>3</sup> After the 2010 general election, the coalition government introduced the Fixed-term Parliaments Bill currently before Parliament which would set fixed term parliaments of five years. If the Bill becomes law, the next general election will be held on 7 May 2015, with subsequent elections held every five years on the first Thursday of May.

<sup>4</sup> <http://webarchive.nationalarchives.gov.uk/20100421074139/http://cabinetoffice.gov.uk/media/354815/2010electionguidance.pdf>

such postponement would not be detrimental to the national interest or wasteful of public money.<sup>5</sup>

This limits the lobbying activity that may be undertaken by NGOs during the pre-election period. In particular, Government departments are not permitted to communicate with members of the public about any new or controversial Government initiatives (such as modernisation initiatives, administrative or legislative changes).

Each constituency in the UK elects one MP to sit in the House of Commons. There are currently 650 constituencies in the UK.<sup>6</sup> MPs are elected from a choice of candidates by a simple majority system in which each person casts one vote.

## **2.2. By-election**

A “by-election” takes place when a seat in the Commons becomes vacant between general elections by reason of an MP’s resignation, death, bankruptcy, mental illness or conviction for a serious criminal offence. The procedure for a by-election is typically initiated by the Chief Whip of the political party of the MP who held the vacant seat. This takes the form of a motion in the Commons known as “moving the Writ” and generally occurs within three months of the vacancy arising.

## **3. Devolution**

A series of successful referendums on devolution in the late 1990s led to the establishment of separate Parliaments or Assemblies in Scotland, Wales and Northern Ireland. A number of decisions that the UK Parliament used to control are now taken by the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly: “devolved powers”. “Reserved powers” on the other hand are those decisions that have remained with the UK Parliament and include nuclear energy, electricity, coal, oil and gas, foreign affairs and defence.

## **4. Rules and customs**

The numerous rules about how Parliament is run may be written down in “Standing Orders” or set out in resolutions of the House. Standing Orders regulate how Members behave, Bills are processed and debates are organised. However, a number of rules have been established through continued use over time and are known as “custom and practice”.

## **5. Parliamentary functions**

Parliamentary business takes place in two Houses: the House of Commons and the House of Lords. The work of the Houses is similar, namely to:

- i. Examine and challenge the work of government (scrutiny)
- ii. Debate and pass laws (legislation)
- iii. Debate current issues.

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<sup>5</sup> *Ibid.*, preface.

<sup>6</sup> The Parliamentary Voting System and Constituencies Act allows for a referendum on changing to an “alternative vote” system for general elections to be held on 5 May 2011 and the redrawing of constituency boundaries to reduce the size of the House of Commons from 650 seats to 600.

The House of Commons is also responsible for approving Bills that raise taxes. While the Lords can consider these Bills, they are unable to block or amend them. In general, decisions made in one House must be approved by the other House.

### **5.1. Scrutiny**

Both Houses are responsible for examining and challenging the work of government, however, their procedures for doing so vary. The main methods used are as follows:

i. Questions to Government Ministers

These may be answered orally or in writing. For further information, see section 7.1 below and Parliamentary Factsheet 4.

ii. Debates

Debates are designed to assist MPs and Lords in reaching an informed decision on a given subject. They also allow MPs to voice the concerns and interests of their constituents and Members of the House of Lords to speak about issues brought to their attention by the public. For further information, see section 7.3 below.

iii. Investigative work of committees

Committees are smaller groups of MPs and/or Lords which look in detail at specific policy issues or pieces of legislation. Committees of either House may be permanent or temporary and, in some cases, MPs and Lords will work together in Joint Select Committees. The roles of Committees include providing advice, producing reports or amending legislation. The Government will usually issue a response to committee reports. For further information, see section 1.4 above.

### **5.2. Legislation**

Parliament is the highest legislative authority in the UK and is also known as the Legislature. Every year the Government informs Parliament of its plans for new legislation in the Queen's Speech.<sup>7</sup> However, before a proposal can become law it must be debated and voted upon by both the House of Commons and the House of Lords. For further information on Parliament's legislative role, see Parliamentary Factsheet 2.

## **6. Parliamentary timetable**

Each Parliament lasts up to five years. The Crown opens Parliament through the State Opening and dismisses Parliament before a general election at the request of the Prime Minister ("dissolution").

A Parliament is divided into annual sessions. A parliamentary session commences with the Queen's Speech in the House of Lords. The speech is written by the Government and outlines the Government's policies and proposed legislative programme for the new session.

A list of previous Queen's Speeches may be accessed at:

<http://www.parliament.uk/about/how/occasions/stateopening/queensspeeches/>.

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<sup>7</sup> See section 6 below.

At present, parliamentary sessions generally run from November to November.<sup>8</sup> The period between the end of a parliamentary session and the State Opening of Parliament is known as “prorogation”. While there is no definitive timetable for a parliamentary session, Parliament will normally sit for the following periods:

- State Opening (usually November) until shortly before Christmas
- Early January until Easter (with a recess week in February)
- Easter until late July (with a recess week at the Spring Bank Holiday)
- Early October until prorogation (usually in November)

It should also be noted that the parliamentary session immediately before or after a general election may be shorter or longer than usual.

The provisional recess dates for 2010 to 2012 are as follows:

- **House of Commons (State Opening: 25 May 2010)**

<b>Recess</b>	<b>House rises</b>	<b>House returns</b>
Whitsun	27 May 2010	2 June 2010
Summer	27 July 2010	6 September 2010
Conference Recess	16 September 2010	11 October 2010
Christmas	21 December 2010	10 January 2011
Half term	17 February 2011	28 February 2011
Easter	5 April 2011	26 April 2011
Whitsun	24 May 2011	7 June 2011
Summer	19 July 2011	5 September 2011
Conference	15 September 2011	10 October 2011
Christmas	20 December 2011	10 January 2012

- **House of Lords (State Opening: 25 May 2010)**

<b>Recess</b>	<b>House rises</b>	<b>House returns</b>
Whitsun	26 May 2010	2 June 2010
Summer	28 July 2010	5 October 2010
Christmas	22 December 2010	10 January 2011
Half term	16 February 2011	28 February 2011
Easter	6 April 2011	26 April 2011
Whitsun	25 May 2011	6 June 2011
Summer	20 July 2011	5 September 2011
Conference	15 September 2011	10 October 2011
Christmas	21 December 2011	10 January 2012

## 7. Daily business

The business of both Houses follows a similar daily pattern. The key items are detailed below. A timetable of Parliamentary business for the coming weeks may be accessed at: <http://services.parliament.uk/calendar/>.

<sup>8</sup> It should be noted that on same day as the Second Reading of the Fixed-term Parliaments Bill, the Government announced that future sessions of Parliament would last from spring to spring to tie in with regular May general elections. The Government also announced that the current session of Parliament would last until spring 2012. Therefore, subject to the Bill being passed, the 2011 Queen’s Speech would be cancelled with the next Queen’s Speech to take place in spring 2012.

## **7.1. Question Time**

This is an opportunity for MPs and Members of the House of Lords to ask Government Ministers questions.

In the Commons, Question Time takes place for an hour on Monday to Thursday. Each Government department attends on a rotational basis to answer oral questions relating to its responsibilities. These questions are set out in the Order of Oral Questions. Questions must be tabled by MPs at least three days in advance. The last part of Question Time is reserved for “topical questions” when MPs can ask supplementary questions on any subject relating to the department’s responsibilities.

The Prime Minister answers questions from MPs in the Commons for half an hour every Wednesday from 12pm.

In the House of Lords, Question Time takes place at the beginning of the day’s business for up to 30 minutes on Mondays to Thursdays. Questions in the Lords are to the Government as a whole rather than to particular departments. Lords questions may be tabled at any point between 1 month and 24 hours in advance of Question Time. There are also slots reserved for topical questions, tabled two days in advance.

## **7.2. Ministerial statements**

Following Question Time, a Minister may make an oral statement to the House. Notice of statements is not usually given until the day they are to be made.

Statements in the Commons usually relate to matters of policy or government actions. Business statements may also be made in which the future business of the Commons is announced. At the end of a statement MPs may respond or question the Minister on its contents. Commons statements may also be repeated in the Lords. Ministerial statements are published in Hansard.<sup>9</sup>

Ministers may also make written statements to Parliament. They are normally used to put the day-to-day business of government on the official record and in the public domain.

## **7.3. Main business (debates)**

The main business in both Houses usually takes the form of a debate, which is a formal discussion on legislation, general topics of interest or issues selected by the major parties. In the Commons, debates look at both national and international issues on any subject following which a vote (“division”) may be taken to determine whether a majority of MPs either support or reject the discussed proposals. In the Lords, one day a week is given over to general debates and, in addition, short debates of one and a half hours take place on most days. There are no votes on such debates.

Members take it in turns to speak on a given subject introduced as a proposal/motion by Members. The debate is strictly controlled by Standing Orders. The Speaker chairs debates in the Commons, the Lord Speaker in the Lords. Public debates and results of divisions in the chamber and committees of both Houses are published in Hansard.

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<sup>9</sup> Hansard (the Official Report) is the edited verbatim report of proceedings of both the House of Commons and the House of Lords (<http://www.parliament.uk/business/publications/hansard/>).

Early day motions (EDMs) are formal motions speculatively tabled for debate in the House of Commons (for further information on EDMs, see Parliamentary Factsheet 3).

#### **7.4. Written answers**

In addition to oral questions, MPs and Peers can ask Government Ministers questions for a written answer. These are generally used to obtain more detailed information about policies and statistics on the activities of Government departments.

In the Commons, “ordinary” questions do not have to be answered on a specific date. However, the convention is that the MP can expect it to be answered within seven days of the question being tabled. “Named day” questions are those where the MP tabling the question specifies the date on which they should receive an answer. They only occur in the Commons and the MP must give a minimum of two days’ notice for these types of question.

All House of Lords written questions follow a similar procedure. Lords can expect an answer to a written question within fourteen days.

#### **8. Resources**

Guide to Parliamentary business: <http://www.parliament.uk/documents/commons-information-office/business-of-the-house-and-its-cttees.pdf>

Overview of Parliamentary structure and function: <http://www.parliament.uk/about/how/>

Timetable of Parliamentary business: <http://services.parliament.uk/calendar/>

**Wildlife and Countryside Link  
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