

PRIME MINISTER (LIMITATION OF PERIOD OF OFFICE) BILL [HL]

EXPLANATORY NOTES

INTRODUCTION

1. These notes relate to the Prime Minister (Limitation of Period of Office) Bill [HL] as introduced in the House of Lords on 11th November 2014. They need to be read together with the Bill but do not form part of the Bill and have not been endorsed by Parliament.
2. The Bill provides for a maximum limitation to the period during which a Prime Minister (“PM”) can hold office of two terms of Parliament under the Fixed-term Parliaments Act 2011, in effect a 10 year maximum period (subject to section 2 of that Act).
3. If the Fixed-term Parliaments Act 2011 were amended so that Parliament would have to dissolve after 4 years, for example, this Bill would still serve to limit the number of years a PM could hold office but to a maximum of 8 years rather than 10 years.
4. If the Fixed-term Parliaments Act 2011 is repealed altogether, new provisions would need to be made to limit the number of years a PM could hold office if there was a wish to continue with such a provision.

Clause 1

5. This clause requires the person who holds the office of PM on the day of a general election to tender his resignation to the Queen on the following day, if he or she has held office for a continuous period of the length of two parliaments.
6. The resignation would take effect when a new PM is appointed in his or her place. This also recognises that, constitutionally, it is the Queen who appoints the PM.

Clause 2

7. This clause makes any Prime Minister ineligible to hold office after he or she has held the office for an aggregate period of the life of a two term Parliament, in effect under the Fixed-term Parliaments Act 2011 a period of no longer than 10 years.

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(LIMITATION OF PERIOD OF OFFICE) BILL [HL]**

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as introduced in the House of Lords on 11th November 2014
[HL Bill 54]*

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