

What happens when Parliament is dissolved? ^[1]



The Early Parliamentary General Election Bill – a bill to hold an [early general election](#) ^[2] on 12 December, bypassing the limits on triggering an early poll in the Fixed-term Parliaments Act – has received Royal Assent.

Parliament will now be dissolved at 00:01 on 6 November 2019.

What is dissolution? ^[3]

Dissolution is the formal term for the end of a Parliament. It occurs ahead of a general election for a new Parliament.

How does dissolution differ from prorogation, recess and adjournment? ^[4]

Dissolution brings a Parliament to a close.

Prorogation signals the end of a parliamentary session – the parliamentary ‘year’. This brings nearly all parliamentary business – including most bills and all motions and parliamentary questions – to a close. Parliament then reconvenes when a new session starts – marked by a Queen’s Speech, which outlines a new programme of legislation. The main difference between dissolution and [prorogation](#) ^[5] is that, after prorogation the same ‘Parliament’ (including the same MPs) reconvene, whereas after dissolution, an election takes place and a new ‘Parliament’ is formed.

Adjournments are routine breaks in parliamentary activity. Parliament usually adjourns every night and over weekends. They do not affect the usual business of Parliament.

Recesses are breaks during the year when a House of Parliament does not meet. These are technically a form of adjournment, and are formally called ‘periodic adjournments’. In both Houses, the government proposes recess dates which MPs or peers must approve through a vote. While MPs and peers will not meet in the main chambers during recesses, other parliamentary business, such as select committee work and the tabling of parliamentary questions, can continue.

When is Parliament dissolved? ^[6]

The Fixed-term Parliaments Act (FPTA) 2011 requires Parliament to be dissolved at the beginning of the 25th working day before a general election. It states that Parliament cannot be dissolved at any other time.

The Act also governs when general elections must take place. Ordinarily, general elections must be held every five years. However, it is also possible for an early election to be held if either:

- two thirds of MPs agree to a motion for an early election, or
- MPs vote down a government in a formal vote of no confidence under the FPTA and do not pass a vote of confidence in a government within 14 calendar days.

Before the Fixed-term Parliaments Act, the government had the power to call elections at a time of its choosing.

Parliament may also be prorogued before it is ‘dissolved’ prior a general election, to wrap up parliamentary business early and allow MPs to focus on the election campaign. If Parliament has been dissolved, it cannot then be prorogued, as there is no longer a Parliament to be suspended.

Who decides when Parliament is dissolved? ^[7]

The process for dissolving Parliament depends on how an election has been called:

- If an election has been called because the five-year parliamentary term provided for in the Fixed-term Parliaments Act is about to expire, then Parliament is *automatically dissolved* at the start of the 25th working day before the election date mandated by the Act. This provision also applies to the Act to trigger an early general election in December 2019.
- If an early election is agreed to by MPs [8], the date of dissolution (and the early general election) is *announced by proclamation* – made by the Queen on advice from the government (in effect, allowing the government to set the date of the election). This was the case ahead of the 2017 General Election. On 18 April 2017, MPs voted by two-thirds majority to trigger an early general election. A proclamation outlining the date of the election and dissolution was announced on 25 April 2015, and Parliament was dissolved on 3 May 2017.

What does dissolution mean for MPs? [9]

When Parliament is dissolved, every seat in the House of Commons becomes vacant. This means there are no longer any MPs. Those who were MPs before dissolution cease to represent their constituents and lose access to parliamentary facilities and resources. They no longer refer to themselves as Members of Parliament.

The Speaker's [10] parliamentary seat also becomes vacant, and they must stand for re-election as an MP. However, by convention, the 'Speaker seeking re-election' stands unopposed by the main political parties.

What does dissolution mean for parliamentary business (including legislation)?

[11]

When Parliament is dissolved, all unfinished parliamentary business falls – including any bills that have not received Royal Assent. Bills cannot be carried over from one Parliament to another, reflecting the convention that no Parliament can bind its successor. This differs from prorogation, where the government can choose to carry over bills [12] between parliamentary sessions.

To prevent unfinished parliamentary business falling, governments will usually try complete as much unfinished business as possible in the time between an election being called and Parliament being dissolved (or prorogued) – known as the 'wash-up' period. Fast-tracking legislation [13] during the wash-up requires the co-operation of opposition MPs and peers, and it is not uncommon for bills to be amended to remove contentious elements and increase their likelihood of passing. For instance, in 2017 over half the clauses of the Finance (No2) Bill were removed to ensure its passage before dissolution, and other contentious bills – like the Prison and Courts Bill – were dropped entirely.

The length of the wash-up period varies. Ahead of the 2017 election, the wash-up period lasted 13 days, during which 13 government bills received Royal Assent.

The Fixed-term Parliaments Act [14] was designed to provide greater certainty over the date of general elections – allowing parliamentary business to be scheduled with election dates in mind and reducing the need to rush through unfinished parliamentary business during a wash up. However, the Act does not provide such certainty if an early general election is called – necessitating a wash-up period.

There are currently 14 government bills before Parliament, including the Domestic Abuse Bill, which was 'carried over' [12] from the previous parliamentary session. It is unclear whether there will be sufficient parliamentary time for the Domestic Abuse Bill to make it onto the statute book during any 'wash up' period. If not, it will fall and will have to be reintroduced from scratch in the next Parliament.

It also remains unclear if Parliament will be able to pass the Historical Institutional Abuse (Northern Ireland) Bill – which would allow compensation to be paid to victims of historical institutional abuse – before Parliament is dissolved.

The Northern Ireland Budget Bill (needed in the absence of an executive in Northern Ireland) is more likely to become law before Parliament is dissolved. Like previous Northern Ireland legislation [15], this bill is being fast-tracked through Parliament.

What does dissolution mean for government? [16]

Government ministers remain in post and continue to run their departments when Parliament is dissolved. They are only replaced when a new government is formed following a general election.

By convention, dissolution also marks the start of the purdah period [17], the time during an election campaign when there are restrictions on what the government can do – both in initiating policy and in the use of official resources.

What would dissolution mean for Brexit? ^[18]

Dissolution would mean that the [Withdrawal Agreement Bill](#) ^[19], needed to implement the government's [Withdrawal Agreement](#) ^[20] in domestic law, would fall.

The bill would then have to be reintroduced from scratch in the next Parliament, if the next government wishes to ratify the draft Withdrawal Agreement. This is because there is unlikely to be sufficient parliamentary time to pass the bill during any 'wash up' period before Parliament is dissolved. The government has also indicated it will not attempt to pass the bill before dissolution.

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- [3] <http://twitter.com/intent/tweet?text=What%20is%20dissolution%20of%20Parliament%3F>
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- [12] <https://www.instituteforgovernment.org.uk/explainers/carried-over-bills>
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- [16] <http://twitter.com/intent/tweet?text=What%20does%20dissolution%20mean%20for%20government%3F>
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