

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 2.

THE BOUNDARY COMMISSIONS

Constitution

- 1 The Speaker of the House of Commons shall be the chairman of each of the four Commissions.
- 2 Each of the four Commissions shall consist of the chairman, a deputy chairman and two other members appointed by the Secretary of State.
- 3 The deputy chairman—
- (a) in the case of the Commission for England shall be a judge of the High Court appointed by the Lord Chancellor,
 - (b) in the case of the Commission for Scotland shall be a judge of the Court of Session appointed by the Lord President of the Court of Session,
 - (c) in the case of the Commission for Wales shall be a judge of the High Court appointed by the Lord Chancellor,
 - (d) in the case of the Commission for Northern Ireland shall be a judge of the High Court in Northern Ireland appointed by the Lord Chief Justice of Northern Ireland.
- 4 A Member of any Commission (other than the chairman) shall hold his appointment for such term and on such conditions as may be determined before his appointment by the person appointing him.
- ^{F1}^{F2}4A In the case of a member of a Commission other than the chairman or deputy chairman, the conditions referred to in paragraph 4 above may include such provisions with respect to remuneration as the Secretary of State may determine with the approval of the Treasury.]

Textual Amendments

- F1** Sch. 1 para. 4A explained (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\), s. 1\(3\)](#)
- F2** Sch. 1 para. 4A inserted (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\), s. 1\(1\)\(2\)](#)

Officers

- 5 The officers of each Commission shall include, as assessors, the following persons—
- (a) in the case of the Commission for England, [^{F3} the Statistics Board] and the Director General of Ordnance Survey,
 - (b) in the case of the Commission for Scotland, the Registrar General of Births, Deaths and Marriages for Scotland and the Director General of Ordnance Survey,

Status: Point in time view as at 16/02/2011.

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- (c) in the case of the Commission for Wales, [^{F3} the Statistics Board] and the Director General of Ordnance Survey,
- (d) in the case of the Commission for Northern Ireland, the Registrar General of Births and Deaths in Northern Ireland, the Commissioner of Valuation for Northern Ireland [^{F4}, the] Chief Electoral Officer for Northern Ireland [^{F5} and the Chief Survey Officer of Land and Property Services].

Textual Amendments

- F3** Words in Sch. 1 para. 5(a)(c) substituted (1.4.2008) by [Statistics and Registration Service Act 2007 \(c. 18\)](#), ss. 25(3), 74, **Sch. 1 para. 10**; S.I. 2008/839, **art. 2**
- F4** Word in Sch. 1 para. 5(d) substituted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **10(9)(a)**, 19(1) (with s. 13(5))
- F5** Words in Sch. 1 para. 5(d) inserted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **10(9)(b)**, 19(1) (with s. 13(5))

Modifications etc. (not altering text)

- C1** Sch. 1 para. 5(a)(c): functions transferred (1.4.2008) by [Statistics and Registration Service Act 2007 \(c. 18\)](#), ss. **25(2)(c)**, 74; S.I. 2008/839, **art. 2**

- 6 (1) The Secretary of State may, at the request of any Commission, appoint one or more assistant Commissioners [^{F6} to assist the Commission in the discharge of their functions.]
- (2) Any such assistant Commissioner shall be appointed either for a certain term or for the purposes of a particular [^{F7} matter], and on such conditions as to remuneration and otherwise as may be determined before his appointment by the Secretary of State with the approval of the Treasury.

Textual Amendments

- F6** Words in Sch. 1 para. 6(1) substituted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **10(10)(a)**, 19(1) (with s. 13(5))
- F7** Word in Sch. 1 para. 6(2) substituted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **10(10)(b)**, 19(1) (with s. 13(5))

- 7 The Secretary of State shall appoint a secretary to each of the Commissions, and may appoint such other officers of any Commission as he may determine with the approval of the Treasury, and the term and conditions of any such appointment shall be such as may be so determined.

Expenses

- 8 The expenses of each Commission, [^{F8} including the remuneration and travelling and other expenses of the members, assistant Commissioners], secretary and other officers, shall be paid out of money provided by Parliament.

Textual Amendments

- F8** Words in Sch. 1 para. 8 substituted (12.11.1992) by [Boundary Commissions Act 1992 \(c. 55\)](#), s. **1(4)**

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

Proceedings and instruments

- 9 A Commission shall have power to act notwithstanding a vacancy among their members, and at any meeting of a Commission two, or such greater number as the Commission may determine, shall be the quorum.
- 10 For the purpose of considering any matter of common concern, the Commissions, or any two or three of them, may hold joint meetings.
- 11 Subject to the provisions of this Act, each of the Commissions shall have power to regulate their own procedure.
- 12 Every document purporting to be an instrument made or issued by a Commission and to be signed by the secretary or any person authorised to act in that behalf, shall be received in evidence and shall, until the contrary is proved, be deemed to be an instrument made or issued by the Commission.

[F⁹SCHEDULE 2

Section 3

RULES FOR DISTRIBUTION OF SEATS

Textual Amendments

- F9** Sch. 2 substituted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. **11(1)**, **19(1)** (with s. 13(5))

Number of constituencies

- 1 The number of constituencies in the United Kingdom shall be 600.

Electorate per constituency

- 2 (1) The electorate of any constituency shall be—
- (a) no less than 95% of the United Kingdom electoral quota, and
 - (b) no more than 105% of that quota.
- (2) This rule is subject to rules 4(2), 6(3) and 7.
- (3) In this Schedule the “United Kingdom electoral quota” means—

U596

where U is the electorate of the United Kingdom minus the electorate of the constituencies mentioned in rule 6.

Allocation of constituencies to parts of the United Kingdom

- 3 (1) Each constituency shall be wholly in one of the four parts of the United Kingdom (England, Wales, Scotland and Northern Ireland).
- (2) The number of constituencies in each part of the United Kingdom shall be determined in accordance with the allocation method set out in rule 8.

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

Area of constituencies

- 4 (1) A constituency shall not have an area of more than 13,000 square kilometres.
- (2) A constituency does not have to comply with rule 2(1)(a) if—
- (a) it has an area of more than 12,000 square kilometres, and
 - (b) the Boundary Commission concerned are satisfied that it is not reasonably possible for the constituency to comply with that rule.

Factors

- 5 (1) A Boundary Commission may take into account, if and to such extent as they think fit—
- (a) special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - (b) local government boundaries as they exist on the most recent ordinary council-election day before the review date;
 - (c) boundaries of existing constituencies;
 - (d) any local ties that would be broken by changes in constituencies;
 - (e) the inconveniences attendant on such changes.
- (2) The Boundary Commission for England may take into account, if and to such extent as they think fit, boundaries of the electoral regions specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the most recent ordinary council-election day before the review date.
- (3) This rule has effect subject to rules 2 and 4.

Protected constituencies

- 6 (1) There shall be two constituencies in the Isle of Wight.
- (2) There shall continue to be—
- (a) a constituency named Orkney and Shetland, comprising the areas of the Orkney Islands Council and the Shetland Islands Council;
 - (b) a constituency named Na h-Eileanan an Iar, comprising the area of Comhairle nan Eilean Siar.
- (3) Rule 2 does not apply to these constituencies.

Northern Ireland

- 7 (1) In relation to Northern Ireland, sub-paragraph (2) below applies in place of rule 2 where—
- (a) the difference between—
 - (i) the electorate of Northern Ireland, and
 - (ii) the United Kingdom electoral quota multiplied by the number of seats in Northern Ireland (determined under rule 8),
 exceeds one third of the United Kingdom electoral quota, and
 - (b) the Boundary Commission for Northern Ireland consider that having to apply rule 2 would unreasonably impair—

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

- (i) their ability to take into account the factors set out in rule 5(1), or
(ii) their ability to comply with section 3(2) of this Act.
- (2) The electorate of any constituency shall be—
- (a) no less than whichever is the lesser of—

NA

and 95% of the United Kingdom electoral quota, and

- (b) no more than whichever is the greater of—

N+A

and 105% of the United Kingdom electoral quota,

where—

N is the electorate of Northern Ireland divided by the number of seats in Northern Ireland (determined under rule 8), and

A is 5% of the United Kingdom electoral quota.

The allocation method

- 8 (1) The allocation method referred to in rule 3(2) is as follows.
- (2) The first constituency shall be allocated to the part of the United Kingdom with the greatest electorate.
- (3) The second and subsequent constituencies shall be allocated in the same way, except that the electorate of a part of the United Kingdom to which one or more constituencies have already been allocated is to be divided by—

$2C+1$

where C is the number of constituencies already allocated to that part.

- (4) Where the figure given by sub-paragraph (3) above is the same for two or more parts of the United Kingdom, the part to which a constituency is to be allocated shall be the one with the smaller or smallest actual electorate.
- (5) This rule does not apply to the constituencies mentioned in rule 6, and accordingly—
- (a) the electorate of England shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(1);
- (b) the electorate of Scotland shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(2).

Interpretation

- 9 (1) This rule has effect for the purposes of this Schedule.
- (2) The “electorate” of the United Kingdom, or of a part of the United Kingdom or a constituency, is the total number of persons whose names appear on the relevant version of a register of parliamentary electors in respect of addresses in the United Kingdom, or in that part or that constituency.

For this purpose the relevant version of a register is the version that is required by virtue of subsection (1) of section 13 of the Representation of the People Act 1983 to be published no later than the review date, or would be so required but for—

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

- (a) any power under that section to prescribe a later date, or
 - (b) subsection (1A) of that section.
- (3) “Local government boundaries” are—
- (a) in England, the boundaries of counties and their electoral divisions, districts and their wards, London boroughs and their wards and the City of London,
 - (b) in Wales, the boundaries of counties, county boroughs, electoral divisions, communities and community wards,
 - (c) in Scotland, the boundaries of local government areas and the electoral wards into which they are divided under section 1 of the Local Government (Scotland) Act 2004, and
 - (d) in Northern Ireland, the boundaries of wards.
- (4) “Ordinary council-election day” is—
- (a) in relation to England and Wales, the ordinary day of election of councillors for local government areas;
 - (b) in relation to Scotland, the day on which the poll is held at ordinary elections of councillors for local government areas;
 - (c) in relation to Northern Ireland, the day of an election for any district council (other than an election to fill a casual vacancy).
- (5) The “review date”, in relation to a report under section 3(1) of this Act that a Boundary Commission is required (by section 3(2)) to submit before a particular date, is two years and ten months before that date.
- (6) “The United Kingdom electoral quota” has the meaning given by rule 2(3).
- (7) A reference in rule 6 to an area is to the area as it existed on the coming into force of Part 2 of the Parliamentary Voting System and Constituencies Act 2011.]

[^{F10}SCHEDULE 2A

Section 5

PUBLIC HEARINGS ABOUT BOUNDARY COMMISSION PROPOSALS

Textual Amendments

F10 Sch. 2A inserted (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), [Sch. 11](#) (with s. 13(5))

Purpose of hearings

- 1 The purpose of a public hearing is to enable representations to be made about any of the proposals with which the hearing is concerned.

Number of hearings

- 2 (1) In relation to any particular report under section 3(1)(a) of this Act—
- (a) the Boundary Commission for England shall cause at least two and no more than five public hearings to be held in each English region;

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

- (b) the Boundary Commission for Scotland shall cause at least two and no more than five public hearings to be held in Scotland;
 - (c) the Boundary Commission for Wales shall cause at least two and no more than five public hearings to be held in Wales;
 - (d) the Boundary Commission for Northern Ireland shall cause at least two and no more than five public hearings to be held in Northern Ireland.
- (2) The public hearings in an English region shall be concerned with proposals for that region, and shall between them cover the whole region.
- (3) The public hearings in Scotland shall be concerned with proposals for Scotland, and shall between them cover the whole of Scotland.
- (4) The public hearings in Wales shall be concerned with proposals for Wales, and shall between them cover the whole of Wales.
- (5) The public hearings in Northern Ireland shall be concerned with proposals for Northern Ireland, and shall between them cover the whole of Northern Ireland.

Chair of hearing

- 3 For each public hearing the Boundary Commission concerned shall appoint a person to chair the hearing.

Length of hearings

- 4 A public hearing shall be completed within two days.

Procedure at hearings

- 5 It is for the chair of each public hearing to determine the procedure that is to govern that hearing.
- 6 The chair shall make arrangements for a public hearing to begin with an explanation of—
- (a) the proposals with which the hearing is concerned;
 - (b) how written representations about the proposals may be made (as mentioned in section 5(1)(a), (4)(b) or (5)(c) of this Act).
- 7 (1) The chair of a public hearing must allow representations to be made—
- (a) by each qualifying party;
 - (b) by any other persons (whether individuals or organisations) considered by the chair to have an interest in any of the proposals with which the hearing is concerned.

Paragraph (b) above has effect subject to sub-paragraph (3)(b) below.

- (2) The chair may restrict the amount of time allowed for representations—
- (a) by qualifying parties, and
 - (b) by other persons,
- and need not allow the same amount to each.
- (3) The chair may determine—
- (a) the order in which representations are made, and

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

(b) if necessary because of shortage of time, which of those wishing to make representations are not allowed to do so, in whatever way the chair decides.

- 8 (1) The chair may put questions, or allow questions to be put, to a person present at the hearing.
- (2) If questions are allowed to be put, the chair may regulate the manner of questioning or restrict the number of questions a person may ask.

Interpretation

9 In this Schedule—

“the chair” means the person appointed under paragraph 3 above;

“English region” means an electoral region specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the day referred to in rule 5(2) of Schedule 2 to this Act;

“public hearing” means a hearing under section 5(1)(b) of this Act;

“qualifying party” means a party that is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 and either—

- (a) has at least one Member of the House of Commons representing a constituency in the region, or (as the case may be) the part of the United Kingdom, in which the hearing is held, or
- (b) received at least 10% of the votes cast in that region or part in the most recent parliamentary general election.]

SCHEDULE 3

Section 7.

CONSEQUENTIAL AMENDMENTS

The Northern Ireland Constitution Act 1973

F11₁

Textual Amendments

F11 Sch. 3 para. 1 repealed (2.12.1999) by 1998 c. 47, s. 100(2), Sch. 15 (with s. 95): S.I. 1999/3209, art. 2, Sch.

F12₂

Textual Amendments

F12 Sch. 3 para. 2 repealed (2.12.1999) by 1998 c. 47, s. 100(2), Sch. 15 (with s. 95): S.I. 1999/3209, art. 2, Sch.

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

The House of Commons Disqualification Act 1975

- 3 In Part III of Schedule 1 to the ^{M1}House of Commons Disqualification Act 1975 for the words “Part I or Part II of Schedule 1 to the House of Commons (Redistribution of Seats) Act 1949” there shall be substituted the words “Schedule 1 to the Parliamentary Constituencies Act 1986”.

Marginal Citations

M1 1975 c. 24.

The Northern Ireland Assembly Disqualification Act 1975

- 4 In Part III of Schedule 1 to the ^{M2}Northern Ireland Assembly Disqualification Act 1975 for the words “Part I or Part II of Schedule 1 to the House of Commons (Redistribution of Seats) Act 1949” there shall be substituted the words “Schedule 1 to the Parliamentary Constituencies Act 1986”.

Marginal Citations

M2 1975 c. 25.

The [^{F13}European Parliamentary] Elections Act 1978

Textual Amendments

F13 Words substituted retrospectively by virtue of [European Communities \(Amendment\) Act 1986 \(c. 58, SIF 29:5\)](#), [s. 3\(1\)\(b\)\(3\)](#)

^{F14}5

Textual Amendments

F14 Sch. 3 para. 5 repealed (1.5.1999) by [1999 c. 1, s. 3\(3\)](#), [Sch. 4](#); [S.I. 1999/717, art. 2\(1\)](#) (with [art. 2\(3\)](#))

The Finance (No. 2) Act 1983

^{F15}6

Textual Amendments

F15 Sch. 3 para. 6 repealed (6.3.1992 with effect as mentioned in s. 289(1)(2) of the repealing Act) by [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#), [ss. 289, 290](#), [Sch.12](#) (with [s. 201\(3\)](#), [Sch. 11 paras. 22, 26\(2\), 27](#))

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

SCHEDULE 4

Section 8.

REPEALS

Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 65.	The Representation of the People Act 1948.	Section 1(1). Section 81.
12, 13 & 14 Geo. 6. c. 66.	The House of Commons (Redistribution of Seats) Act 1949.	The whole Act.
6 & 7 Eliz. 2. c. 26.	The House of Commons (Redistribution of Seats) Act 1958.	The whole Act.
1963 c. 33.	The London Government Act 1963.	Section 4(7)(c). Section 8(1). In Schedule 3, in Part II, paragraph 21.
1973 c. 36.	The Northern Ireland Constitution Act 1973.	Section 28(7).
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 3, paragraphs 1 and 19.
1979 c. 15.	The House of Commons (Redistribution of Seats) Act 1979.	The whole Act.
1986 c. 12.	The Statute Law (Repeals) Act 1986.	In Schedule 2, paragraph 4(1).

PROSPECTIVE

TABLE OF DERIVATIONS

Note: The following abbreviations are used in this Table:—

1949 =

The House of Commons (Redistribution of Seats) Act 1949 (12, 13 & 14 Geo. 6 c. 66)

Status: Point in time view as at 16/02/2011.

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1958 =	The House of Commons (Redistribution of Seats) Act 1958 (6 & 7 Eliz. 2. c. 26)
1963 =	The London Government Act 1963 (c. 33)
1972 =	The Local Government Act 1972 (c. 70)
1973 =	The Local Government (Scotland) Act 1973 (c. 65)
1979 =	The House of Commons (Redistribution of Seats) Act 1979 (c. 15)
SL(R) 1986 =	The Statute Law Repeals Act 1986 (c. 12)
S.I. 1951/753 =	The Transfer of Function (Minister of Health and Minister of Local Government and Planning) (No. 2) Order 1951 (S.I. 1951/753)
S.I. 1968/1656 =	The Minister for the Civil Service Order 1968 (S.I. 1968/1656)
S.I. 1970/1681 =	The Secretary of State for the Environment Order 1970 (S.I. 1970/1681)
S.I. 1973/2095 =	The Local Government reorganisation (Consequential Provisions) (Northern Ireland) Order 1973 (S.I. 1973/2095)
S.I. 1981/1670 =	The Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670)
<hr/>	
Provision	Derivation
1(1)	Representation of the People Act 1948 (c. 65) s. 1(1); SL(R) 1986 Sch. 2, para. 4(1).
(2)	1949 s. 4.
2(1)	1949 s. 1(1).
(2)	Introduces Schedule 1.
3(1)	1949 s. 2(1); 1958 s. 2(2).
(2)	1958 s. 2(1).
(3)	1949 s. 2(3); 1958 s. 2(2).
(4)	1949 ss. 3(1), 6.
(5)	1949 s. 2(5).
(6)	Introduces Schedule 2.
4(1)(4)	1949 s. 3(2)(5).
(5),(6)	1949 s. 3(6).

Status: Point in time view as at 16/02/2011.

Changes to legislation: *There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)*

(7)	1949 s. 3(7).
5(1)	1949 s. 2(4).
(2)	1949 Sch. 1 Pt.III, para. 3.
(3)	1958 s. 4(1).
6(1)	1949 Sch. 1 Pt. III, para. 4.
(2),(3)	1958 s. 4(2).
(4)	1958 s. 4(3), (4); 1972 s. 179(3); 1973 Sch. 3, para. 19; S.I. 1973/2095 Art. 2(7).
(5),(6)	1949 Sch. 1 Pt. III, para. 5(1)(2); 1972 s. 272(2).
(7)	1949 Sch. 1 Pt. III, para. 5(3).
79	
Sch. 1	
para.1)	1949 Sch. 1 Pt. I, para. 1.
2	1949 Sch. 1 Pt. I, paras, 25; 1958 Sch., para. 1; S.I. 1951/753 Art. 8(1); S.I. 1970/1681 Art. 6(3).
3	1958 s. 1(1), Sch. para. 1.
4	1949 Sch. 1 Pt. I, para. 8; 1958 s. 1(1).
5	1958 s. 1(2); Northern Ireland Constitution Act 1973 (c. 36) s. 28(7).
6, 7	1949 Sch. 1 Pt. II, paras. 1, 2; S.I. 1968/1656 Art. 3(2); S.I. 1981/1670 Art. 3(5).
8	1949 Sch. 1 Pt. II, para. 3.
9, 10	1949 Sch. 1 Pt. III, paras. 1, 2.
11, 12	1949 Sch. 1 Pt. III, paras. 6, 7.
Provision	Derivation
Sch. 2	
1(1)(3)	1949 Sch. 2, para. 1.
(4)	1949 Sch. 2, para. 1; 1979 s. 1(1), (2).
2, 3	1949 Sch. 2, paras. 2, 3.
4	1949 Sch. 2, para. 4; 1963 Sch. 3 Pt. II, para. 21; 1973 Sch. 3, para. 1; S.I. 1973/2095 Art. 2(7).
5, 6	1949 Sch. 2, paras. 5, 6.
7	1958 s. 2(2).
8	1949 Sch. 2, para. 7; 1958 s. 3, Sch., para. 2.
9	Interpretation.

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Constituencies Act 1986. (See end of Document for details)

Sch. 3.

Sch. 4

Status:

Point in time view as at 16/02/2011.

Changes to legislation:

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