



# Boundary Commissions Act 1992

## 1992 CHAPTER 55

An Act to make further provision with respect to the membership of the Boundary Commissions, the timing of their reports and the local government boundaries of which account is to be taken in their reports. [12th November 1992]

We it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Remuneration of members of Boundary Commissions**

- (1) For the purpose of enabling remuneration to be paid to members of the Boundary Commissions, in the Parliamentary Constituencies Act 1986 (in this Act referred to as “the 1986 Act”) Schedule 1 (which provides for the constitution of, and other matters relating to, the Boundary Commissions) shall be amended in accordance with this section.
- (2) After paragraph 4 (terms and conditions of appointment of members) there shall be inserted the following paragraph—

“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.”
- (3) In the case of a member of a Boundary Commission appointed before the passing of this Act, the power to make a determination under paragraph 4A (as set out in subsection (2) above) may be exercised at any time after the passing of this Act.
- (4) In paragraph 8 (expenses of the Commissions) for the words from “including” to “assistant Commissioners” there shall be substituted “including the remuneration and travelling and other expenses of the members, assistant Commissioners”.

## **2 Time limits for submission of reports**

- (1) This section has effect with respect to reports of the Boundary Commissions under subsection (1) of section 3 of the 1986 Act (in this section referred to as “mandatory reports”).
- (2) The first mandatory report of each Boundary Commission which falls to be made after the passing of this Act shall be submitted to the Secretary of State not later than 31st December 1994, instead of fifteen years from the date of the submission of the Commission’s last mandatory report.
- (3) Except as respects a report to which subsection (2) above applies, subsection (2) of section 3 of the 1986 Act shall have effect with the substitution for the words “not less than ten or more than fifteen years” of the words “not less than eight or more than twelve years”.
- (4) After subsection (2) of section 3 of the 1986 Act there shall be inserted the following subsection—

“(2A) A failure by a Boundary Commission to submit a report within the time limit which is appropriate to that report shall not be regarded as invalidating the report for the purposes of any enactment.”

## **3 Local government boundaries to be taken into account in reports**

- (1) Subject to subsections (2) and (3) below, at the end of section 3 of the 1986 Act there shall be added the following subsections—

“(7) For the purposes of the application of the rules in paragraph 4 of Schedule 2 to this Act (relationship between constituencies and certain local government boundaries) a report of a Boundary Commission under subsection (1) above shall take account only of those boundaries (whether of counties, London boroughs, local authority areas in Scotland or wards in Northern Ireland) which are in operation at whichever is the earlier of—
  - (a) the date of the report; and
  - (b) the tenth anniversary of the date of the submission of the most recent report of the Commission under subsection (1) above;but nothing in this subsection shall prevent a Boundary Commission publishing proposed recommendations which take account of boundaries which at the time of publication are prospective only.

(8) For the purposes of subsection (7) above, a boundary shall be regarded as prospective at any time if, at that time, it is specified in a provision of an Act, Measure of the Northern Ireland Assembly, statutory instrument or statutory rule but the boundary has not yet come into operation.”
- (2) In its application to a report to which subsection (2) of section 2 above applies, subsection (7) of section 3 of the 1986 Act (as set out in subsection (1) above) shall have effect as if for paragraph (b) there were substituted—

“(b) 1st June 1994”.
- (3) For the purposes of the application of subsection (7) of section 3 of the 1986 Act (as set out in subsection (1) above) to that report of the Boundary Commission for Wales which is a report to which subsection (2) of section 2 above applies—

- (a) a boundary which, apart from this subsection, would not be regarded as in operation on a particular date shall be so regarded if it is specified in an Act passed on or before that date, whether or not the Act (or any provision of it) is in force on that date; and
- (b) a boundary which has not yet come into operation on a particular date and which, apart from this subsection, would not be regarded as prospective on that date shall be so regarded if it is specified in a Bill which, on or before that date, has been read a second time by the House of Commons.

#### **4 Financial provision**

There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums payable out of such money under the 1986 Act.

#### **5 Short title, citation and extent**

- (1) This Act may be cited as the Boundary Commissions Act 1992.
- (2) This Act shall be included among the Acts which may be cited as the Representation of the People Acts.
- (3) This Act extends to Northern Ireland.