



Other titles in this series:

- 1 *Parliamentary Elections*
- 2 *House of Commons*
- 3 *Parliament & Government*
- 4 *Making a Law*
- 5 *Debates in Parliament*
- 6 *House of Lords*

Parliament Explained

An Introduction to Parliament

Parliament is responsible for making and repealing laws in the UK and for scrutinising the work of the Government.



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What is Parliament?	1
Parliament and Government	2
The House of Commons	3
How laws are made	8
The House of Lords	11
The Government	13
The Monarchy	14

What is Parliament?

Parliament is the highest legislative authority in the United Kingdom – the institution responsible for making and repealing UK law – and is also responsible for scrutinising (checking) the work of the Government.

Parliament consists of:

- **The House of Commons** (646 elected Members of Parliament or MPs)
- **The House of Lords** (approximately 750 Members)
- **The Queen** (our hereditary monarch)

All three combine to carry out the work of Parliament.



Parliament and Government

What is the Government?

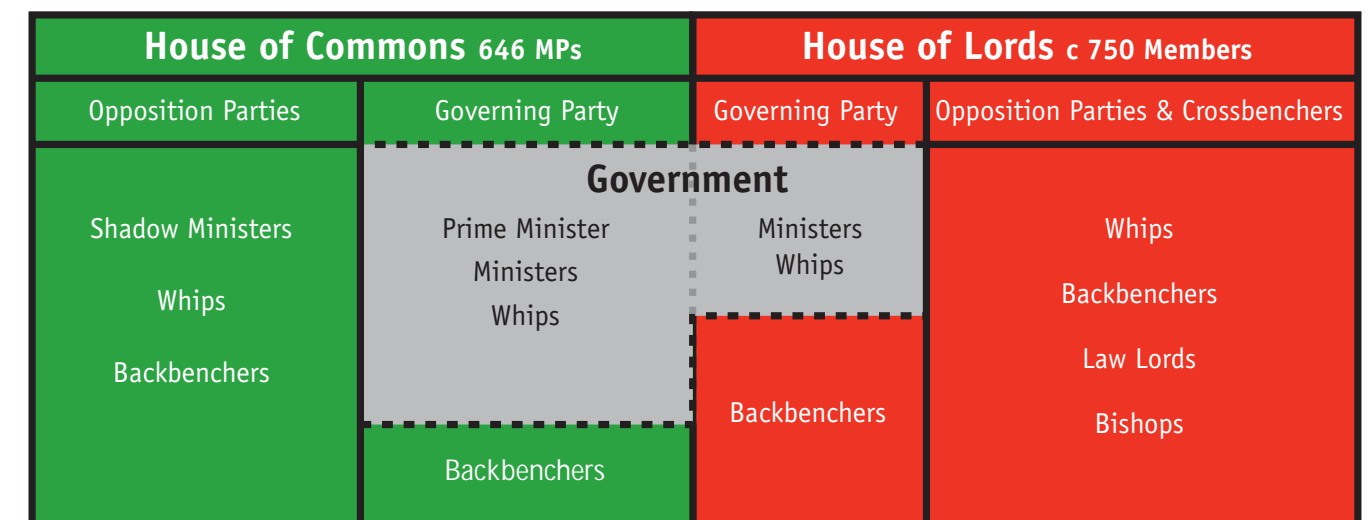
The Government is made up of approximately 100 members of the political party which has the majority of seats in the House of Commons following a general election. Most of these will come from the House of Commons, the elected Chamber, but there will also be some from the House of Lords.

What is the difference between Parliament and Government?

Parliament is the supreme authority in the UK, made up of nearly 1,400 elected and unelected Members and the monarch. Parliament can use its power to limit the actions of Government in a number of ways and thus prevent it from becoming too dominant.



Parliament



The House of Commons

What is the House of Commons?

The House of Commons consists of 646 Members of Parliament (MPs) who are democratically elected by voters (the 'electorate') to each represent an area of the UK known as a constituency or seat.

The main functions of the House of Commons are:

- to pass laws;
- to provide (by voting for taxation) the means of carrying on the work of government;
- to scrutinise government policy and administration, including proposals for expenditure; and
- to debate the major issues of the day.

The political party which wins the most seats in the House of Commons at a general election is known as the governing party and its leader becomes the Prime Minister. The second largest party is known as the Official Opposition and its leader is the Leader of the Opposition. All other parties are known as opposition parties even though some of them will support the governing party.

Elections

What is a general election?

Fair and free elections are an essential part of a democracy, allowing citizens to determine how they want the country to be governed. A general election is held when Parliament is dissolved by the Queen on the advice of the Prime Minister of the day. All seats in the House of Commons are then vacant and the leader of the party that wins the most seats in the Commons in the subsequent general election forms the government. In the United Kingdom we do not have fixed-term Parliaments, and there is no minimum length of a Parliament. The maximum life of a Parliament is five years and within that period it is up to the Prime Minister to decide when to call a general election. Thursdays are popular days for elections although there is no law that says this must be so.

What role do political parties play?

A political party is a group of people who seek to influence or form the government according to their agreed views and principles. Political parties are essential in a democracy to provide voters with a choice between options. The Westminster Parliament has traditionally been dominated by the two-party system, with two main parties forming the Government and Official Opposition. A number of other smaller parties and, occasionally independent candidates, also win seats in Parliament.

Who can stand as a candidate in a general election?

Most people who are British, Commonwealth or Irish Republic citizens may stand as a candidate at a parliamentary election providing they are aged 18 or over. However, a number of people (e.g. members of the House of Lords and those who need to be politically impartial while carrying out their jobs such as judges and senior civil servants) are disqualified. Anyone wishing to stand for election must be nominated on an official nomination paper together with the names of ten electors who will support him or her. A £500 deposit must be paid and this is lost if the candidate does not secure 5% of the total number of votes cast in the constituency. To stand a realistic chance of being elected under our present system a candidate needs to represent one of the three main political parties in Great Britain (Conservative, Labour and Liberal Democrat) or a nationalist or unionist party in Scotland, Wales or Northern Ireland. Each party has its own method of selecting candidates. People can also stand as independent candidates. The fact that almost anyone can stand for election to the House of Commons is one of the essential freedoms in our democracy and provides voters with a choice.

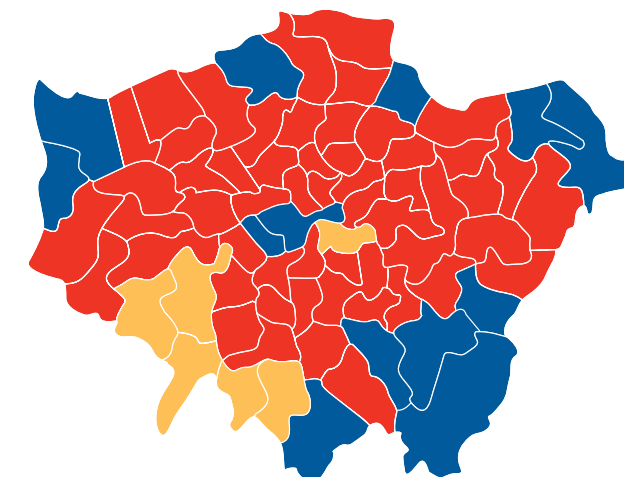
Who is able to vote in parliamentary elections?

All British, Irish and Commonwealth citizens are entitled to register to vote in elections to the House of Commons providing they are 18 or over and are not disqualified in any way. Irish and Commonwealth citizens must be resident in the UK. Those who cannot vote are members of the House of Lords, offenders detained in mental hospitals, prisoners who have been sentenced to more than 12 months imprisonment, those convicted of corrupt or illegal practices at elections within the previous five years, citizens of countries other than the Commonwealth or Republic of Ireland and those who on polling day, cannot make a reasoned judgement. This is very different from the situation in the early 19th century when only around 3 adults in every 100 were eligible to vote.

The franchise (right to vote) has been gradually extended over the past two centuries. Most women over 30 were allowed to vote for the first time in 1918 and the Representation of the People Act 1969 lowered the voting age from 21 to 18. You can only vote if your name appears on the electoral register. Each autumn a form is sent to every household to be completed with details of all occupants who are eligible to vote as well as those who will be 18 during the next year. Voting is not compulsory and can be done in person or, on application, by post or proxy.

What is a constituency?

The United Kingdom is divided up into areas known as constituencies. You live in a constituency and can register to vote there when 18. Each party contesting a constituency (seat) will select one prospective candidate to be the MP. There may also be independent candidates. You have one vote that you cast for the person who you wish to represent you in Parliament. Through this you also vote for the party that you wish to be in Government.



A constituency map of London

There are currently 646 constituencies in the United Kingdom containing an average of 68,500 electors. Constituency boundaries are determined by a number of factors such as geographical features, local government boundaries, area and electorate. They are kept under review by the Boundary Commissions who report at regular intervals, recommending any changes due to factors such as population growth.

What happens during an election campaign?

Once the Prime Minister decides to call a general election he or she will go to see the Monarch to request that Parliament is dissolved. Once Parliament is dissolved the Government continues but there cease to be any MPs. All those MPs seeking re-election return to their former constituencies as prospective candidates and they fight the election campaign on the same basis as all other candidates. Election campaigns are national events using all aspects of the media to publicise party policies and personalities. Each of the main political parties will publish a manifesto setting out its policies on all major issues and will produce a wide range of publicity material. There are limits to how much each party and individual candidates can spend on their election campaigns. Paying for political advertising on radio and television is not permitted but political advertising is allowed in the press and on billboards. Television and radio coverage of elections is required to be impartial. Locally, candidates will hold meetings and will be out and about to meet as many constituents as possible in such places as shopping centres and by knocking on doors to canvas support. Candidates may each post one communication relating to the election to each household in the constituency free of charge. Despite all of this, evidence suggests that the majority of voters have decided how they are going to vote before the election campaign begins and few people are influenced by what they read or hear.



What happens on polling day?

On election day voting takes place between 07.00 and 22.00 in a number of places in each constituency, known as polling stations; these are usually in public places such as schools and town or village halls. Only those voters whose names appear on the electoral register are eligible to vote. Voting is by secret ballot. Each voter is given a ballot paper listing the names of candidates in alphabetical order. The voter marks the ballot paper with a cross in the box opposite the name of the candidate of his or her choice and folds the paper to conceal the vote before placing it in the ballot box. At the end of the day the ballot boxes are then sealed and delivered to a central point, where all of the votes are counted and the result announced by the Returning Officer.

Which electoral system do we use?

The electoral system used in the United Kingdom is the single member constituency with simple majority, known as the first-past-the-post system. As previously explained, the country is divided up into single constituencies. Each party wishing to contest the constituency (seat) offers one candidate. Each voter has one vote that he or she casts for the party or representative of their choice. The candidate with the largest number of votes is elected to be the Member of Parliament for that constituency. Once elected, the MP is the representative of everyone in their constituency, regardless of how, or whether, they voted.

What is a by-election?

A by-election occurs when a Member dies, retires or is disqualified from membership of the House of Commons. Voting only takes place in the constituency without a Member. If there are several vacant seats then a number of by-elections can be held on the same day.

What do MPs do?

There is no job description for an MP. There are many calls on the time of MPs and, as individuals, it is up to them to decide how best to carry out their role. When Parliament is in session most MPs will spend Monday to Thursday, and occasionally part of Friday, in Westminster and the remaining time in their constituency. During the time when Parliament is not in session, recess, MPs are able to spend more time in their constituencies. Most MPs hold advice surgeries at different venues in their constituencies where constituents can go to raise their concerns. They attend functions, visit schools and businesses, give talks and generally try to meet as many people as possible. At Westminster MPs are involved in a variety of work in the House of Commons to take forward issues affecting their constituents, to promote their party and to participate in the general work of Parliament.

Making Laws

New laws are needed to deal with our constantly changing society and the House of Commons spends nearly half its time making new laws. Laws are made in different ways, for example, some are made by the European Union because when we joined in 1973, we agreed to obey all past and future European laws. England also has a body of law known as Common Law which has developed over hundreds of years from judgements given in the courts. Laws made by Parliament are known as Statute Laws.

Controlling Finance

Before the Government can raise taxes or spend money, it must have agreement from the House of Commons. Each year, usually in March or April, the Chancellor of the Exchequer presents his budget statement to the Commons. In this he explains how the Government intends to raise the money it needs to finance public services during the following year, including any proposals to change taxes. On behalf of the people, the House of Commons has a duty to make sure that taxes are not raised without good reason and it will therefore examine and discuss the Budget proposals very carefully. Most of the Government's proposed tax changes are incorporated in the *Finance Bill* which will go through all its stages like any other bill although there is no detailed discussion in the House of Lords.

The House of Commons also has to give its approval before money can be spent by the Government. Each year the Government presents its 'Estimates' to the House of Commons for approval. These set out the amounts of public finance required by each government department. Three days are set aside under House of Commons rules for discussion of Estimates. A Select Committee known as the Public Accounts Committee keeps a check on government departments' finances to see whether money has been properly and wisely spent. The Committee can see any accounts or documents it considers necessary and can question witnesses. Once a series of investigations is complete the Committee presents a report to the House of Commons which may choose to debate anything that it considers particularly serious.



Examining the work of the Government

Parliament has a duty to examine or scrutinise the work of the Government on behalf of the public. It does this in a number of ways:

By Select Committees (Committees of Inquiry)

Select Committees of the House of Commons monitor the work of Government Departments. There is a select committee to examine each major government department. Select committees are set up after each general election and are usually made up of eleven back-bench Members with parties represented in proportion to the number of seats they have in the House of Commons. Each committee will choose particular areas of the work of their department into which to conduct an inquiry. Committees take written evidence and examine witnesses, usually in public. At the end of their inquiry, the Committee publishes a report which may be debated in Parliament and will be available to the public and to the press. The Government must respond to all reports.

By Asking Questions

All ministers are responsible to Parliament for the work of their department. Each department has at least one minister in the House of Commons who can answer questions. The majority of questions asked each year receive written answers but some are answered orally at Question Time, which in the House of Commons lasts for nearly an hour Monday to Thursday. Each department has a 'slot', about once a month, when its ministers answer oral questions. The Prime Minister answers questions each Wednesday for 30 minutes on his own work as head of the Government, usually on a wide range of subjects.

During Adjournment Debates

At the end of each day's sitting the House adjourns (suspends its proceedings) until the next sitting and always finishes with a half-hour Adjournment Debate. This is a chance for an individual MP to raise a matter of special concern and get a detailed explanation from the Minister involved. Since 1999 sittings have also taken place in Westminster Hall Chamber to allow more time for private Members' debates.

On Opposition Days

The Opposition can select the topic for debate on twenty Opposition Days each year. On seventeen of these the subject for discussion is chosen by the Leader of the Opposition. On the remaining three, the choice lies with the smaller opposition parties.

Controlling indirect law-making (Delegated Legislation)

As central government has taken on more work and Parliament has become short of time, ministers often have to make laws affecting their own area of responsibility using delegated legislation. Parliament keeps overall control by passing a 'parent' act which lays down limits which must not be overstepped by the minister. As Parliament has given them this power – delegated power – this process is known as delegated legislation. Most of these laws (Statutory Instruments) are laid before Parliament and some are debated before taking effect. They are also examined by the Select Committee on Statutory Instruments.

Examining European proposals

When Britain joined the European Economic Community (EEC), or European Union as it is now known, in 1973 it was agreed that Britain should obey EU laws. Both Houses of Parliament have committees which examine European proposals before they become law – in the House of Commons this is the Select Committee on European Legislation. The likely effects of European laws are therefore known before they are passed. The UK sometimes has to alter its own laws to bring them into line with new European laws.

Protecting the Individual

MPs represent all of the people living in their constituency and consequently deal with complaints made by their constituents who feel that they have been unfairly treated by central government. Most people will write to their MP but some prefer to meet their MP in person. This can be done either in the constituency – most MPs hold local advice bureaux, often called surgeries, – or in the House of Commons. Anyone can go to Central Lobby when the House of Commons is in session and fill out a green card which will then be taken around the building to be given to their MP. Upon receiving a complaint against central government an MP will normally write to the appropriate minister. If the MP is still not satisfied then he or she can raise the matter at question time and perhaps later in an adjournment debate, or in a case of maladministration by a government department, may refer it to the Ombudsman. An MP can also raise issues in the form of a Private Members' Bill – although few of these actually become law it is a way of drawing attention to a problem and it may be that the Government will take action as a result.

Parliament therefore challenges the Government and makes it accountable for its actions.



How is the House of Commons organised?

Since the majority of the electorate vote for the candidate who is representing the party which they support rather than the individual, MPs are expected to support their party's policies. Communication between MPs in a small party is straightforward as they can meet regularly for informal discussion. On the other hand the larger parties have to organise themselves carefully to ensure that there is proper communication between all Members.

Much of this communication is done by important officials known as Whips. The larger parties will have a Chief Whip and 10-12 Assistant Whips who are responsible for seeing that Members are kept informed about forthcoming business and that they know which issues matter most to the party.

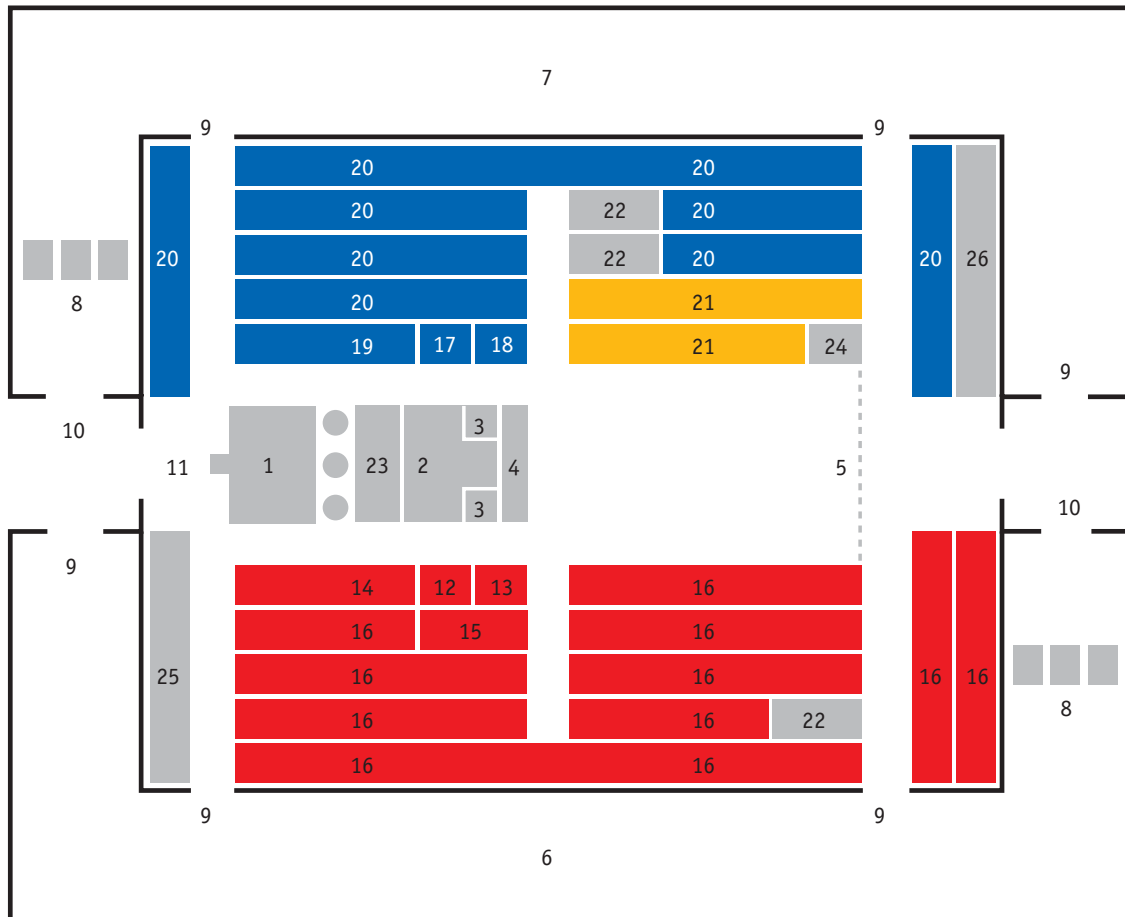
Each week a whip sends the MPs in his or her party a notice, also known as The Whip, giving the order of business in the following week. Each matter to be discussed will be underlined once, twice or three times, according to its importance.

If it is underlined once then it is not a particularly important issue and attendance is merely requested. A rather more important matter will be underlined twice meaning that attendance is particularly requested. When a matter is underlined three times (a 'three-line whip') then attendance is essential and a Member will be expected to attend unless he or she is either seriously ill or has the permission of the whips to carry out extremely urgent

business elsewhere. If a Member chooses not to obey the Party Whip he or she can be warned several times. Continued defiance may eventually result in either the Whip being withdrawn or the Member resigning the Whip. In both cases the Member is no longer considered to belong to the party in Parliament. If the Whip is not restored, then without the party backing the Member's seat is likely to be lost at the next election.

Whips are also an important channel of communication between ministers who sit on the front benches and back-benchers and can make recommendations to the party leader as to which back-benchers are likely to make good ministers.

In the Chamber it is the Speaker who controls the proceedings. The Speaker is an MP and is elected to represent a constituency in the same way as all other MPs. He or she is elected by Members of the House of Commons to be their chairperson. Once elected as Speaker, they must give up any party views and act as an independent chairperson. It is the Speaker who decides who will speak in a debate, who can ask a Supplementary Question at Question Time and determines whether the correct procedure is being followed. 'Order, order' are the Speaker's most well known words as a noisy House of Commons is brought under control. He or she will hold constituency surgeries and spend time in the constituency making visits and talking to people in a similar way to other Members. The Speaker may not be able to speak in the Chamber on behalf of his or her constituents but will work with ministers and officials to ensure that their concerns are dealt with.



The Commons Chamber

- 1 Speaker's Chair
- 2 Table of the House
- 3 Dispatch boxes
- 4 The Mace
- 5 The Bar of the House
- 6 Aye Division Lobby
- 7 No Division Lobby
- 8 Division Clerks Desks
- 9 Entrances to Lobbies
- 10 Exits from Lobbies
- 11 Petition Bag
- 12 Prime Minister
- 13 Government Whips
- 14 Other Ministers
- 15 Parliamentary Private Secretaries
- 16 Government Back-benches
- 17 Leader of Opposition
- 18 Opposition Whips
- 19 Shadow Ministers
- 20 Opposition Back-benches
- 21 Liberal Democrats
- 22 Other smaller Parties
- 23 Clerks at the Table
- 24 Serjeant at Arms
- 25 Civil Servants
- 26 Guests

How Laws Are Made

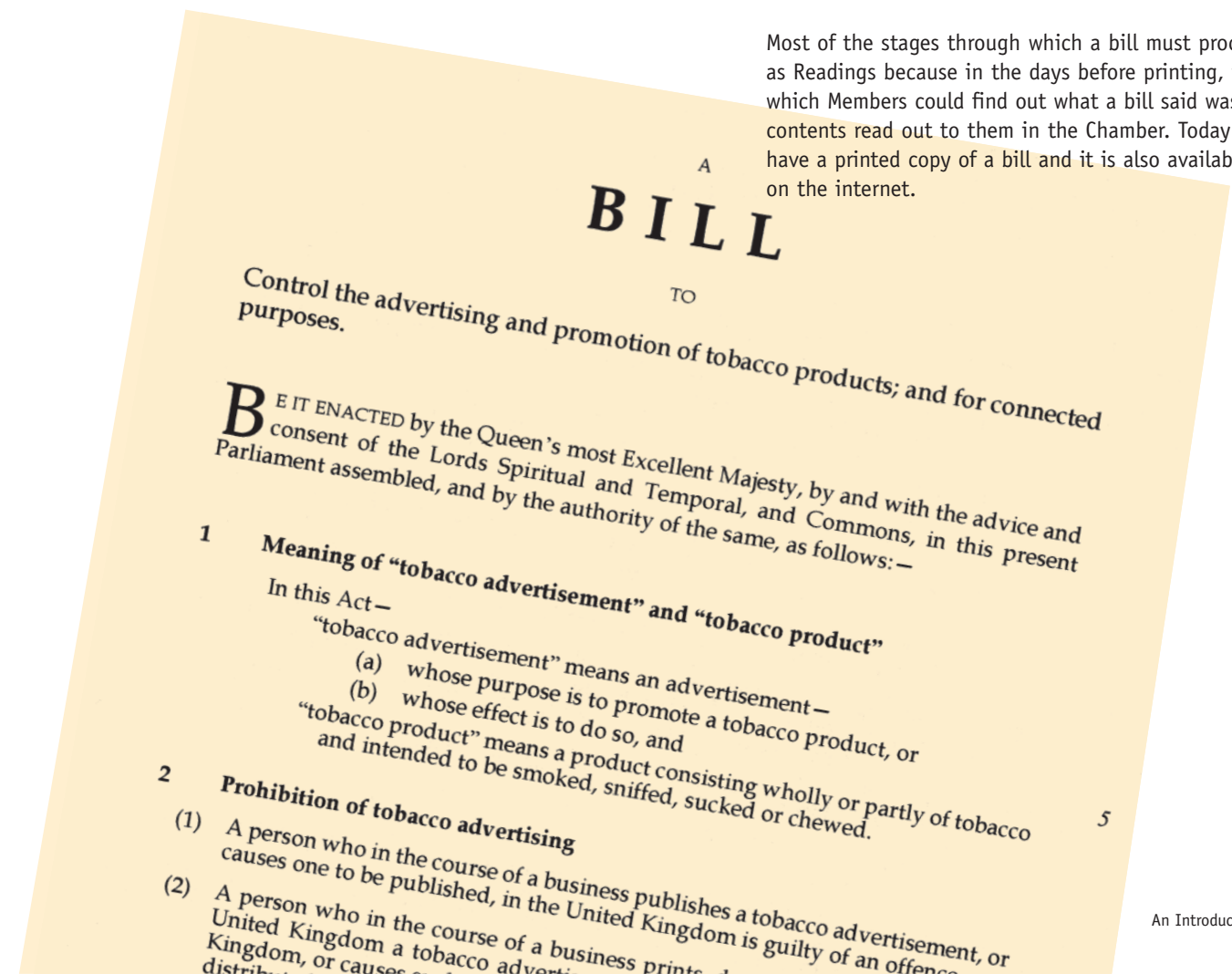
No new law can be made by Parliament unless it has completed a number of stages in both the House of Commons and the House of Lords, and has been agreed by both Houses. The Queen also has to sign it to show that it has been given Royal Assent (a formality). Only after the Royal Assent does it become a new law or Act of Parliament. Before this, while it is still going through Parliament, it is called a Bill. Bills can begin in either the House of Commons or the House of Lords.

There are two main types of bill: Private Bills and Public Bills. Private Bills are only intended to affect one particular area or organisation. Occasionally a type of Private Bill known as a Personal Bill is presented to Parliament. Personal Bills affect only one or two people. These always begin in the House of Lords. Public Bills, unlike Private Bills, are intended to affect the public as a whole. There are two types of Public Bill – Government Bills and Private Members' Bills. The majority of Public Bills which succeed in becoming Acts of Parliament are sponsored by the Government and succeed because the Government has a majority in the House of Commons.

Before a bill is introduced into Parliament there is often consultation with those who are likely to be affected. Within the sponsoring government Department, both the ministers and the civil servants will be involved in the consultation process. Sometimes the Government will set out its ideas for a bill in a discussion document or consultation paper known as a Green Paper. Organisations can then send their comments back to the department. As a result of this process firm proposals may then be produced in a White Paper which will form the basis of the bill to be introduced into Parliament. Not all bills have green papers and white papers. The contents of the bill then have to be written down, a process known as drafting. This work is carried out by a small number of specially trained lawyers called Parliamentary Draftsmen. The wording of the bill has to be exact and must not leave any loopholes as once a bill becomes an act then others, including judges, will have to enforce it. If the law is not clear, a judge may take it to mean something different to what was intended and it could also mislead others such as solicitors and members of the public.

Before being formally presented to Parliament some bills are considered in draft by select committees in a process which is known as pre-legislative scrutiny. This enables Members with an interest and expertise in the subject area to make suggestions and recommendations at an early stage.

Most of the stages through which a bill must proceed are known as Readings because in the days before printing, the only way in which Members could find out what a bill said was by having the contents read out to them in the Chamber. Today everyone can have a printed copy of a bill and it is also available to the public on the internet.



Stages of a Bill

For the purpose of the process diagram below, the bill is assumed to have started in the Commons. However, bills can begin in either House. Bills which start in the Lords go through the same stages.



The House of Commons

First Reading

This is when a bill is introduced into Parliament and is really just a way of letting Members know that a bill is coming up for discussion. A date for the Second Reading will be announced although this may well be several weeks ahead. There is no discussion or vote at this stage so the bill automatically proceeds.

Second Reading

This is the first really important stage of the Bill when the Minister in charge explains its main purpose and will answer any general questions about the Bill. There will then be time for debate, at the end of which the House must vote for the bill to pass to the next stage.

Committee Stage

In the House of Commons most Government bills are considered by a small committee of between 15 and 50 MPs known as a General Committee. A separate committee is formed for each bill and the number of Members from each party is roughly in proportion to the overall number of seats each party has in the Commons. Committee proceedings take place in one of the smaller committee rooms and the rules of debate are more flexible than those for the main Chamber. Often members will indicate their willingness to serve on a particular general committee because they have a specific interest in the subject. The committee stage allows the examination of all of the detail of the bill for the first time. Members may suggest changes or amendments to the bill and these will be voted on. A bill which has constitutional significance or requires a very swift passage will be heard by a Committee of the Whole House, i.e.; in the Chamber, so that all Members can contribute.

Report Stage

If there have been any amendments made by the committee then the bill will have to be reprinted so that the whole House of Commons will have an opportunity to see how the changes fit into the bill as a whole. Further changes can be suggested at this stage.

Third Reading

This gives the House of Commons the chance to look at the bill as a whole with all of the amendments and decide whether it should progress further. The bill cannot be changed at this stage – it is either accepted or rejected. Often bills pass their Report and Third Reading stages on the same day. A clerk will then take the bill to the House of Lords so that they can also consider it

The House of Lords

The Bill is reprinted in the form finally agreed by the Commons and formally announced in the Lords. It follows a similar series of stages in the Lords but with the following differences:

Government Bills included in the election manifesto are, by convention, not opposed at the Second Reading, but 'reasoned' amendments may be tabled as a means of indicating dissent and can be voted on.

Bills usually go to a Committee of the Whole House in the Chamber or Grand Committee away from the Chamber. Any Member can participate but in the Commons only those amendments selected by the Speaker are debated. In the Lords, there is no selection of amendments – all can be considered. Unlike in the Commons, there are no time limits on debates and discussion of amendments is unrestricted.

A further chance to amend the bill. Can be spread over several days.

Third Reading is not normally taken on the same day as the Report Stage ends, and unlike in the Commons, amendments can be made at Third Reading providing the issue has not been voted on at an earlier stage.

Royal Assent

Once the House of Commons has considered any amendments suggested by the House of Lords, and both have agreed to the final wording of the bill, it has to go to the Queen for Royal Assent. In the past the monarch would have signed all bills in person. Now the Queen signs what are known as Letters Patent confirming the Royal Assent. Unless a bill is urgent it will be kept waiting until a number of other bills have reached the same stage. At the end of each session the Queen signs a document known as a Commission which commands certain Lords known as Royal Commissioners to go to the House of Lords and let Members of both Houses know that Royal Assent has been given.

Once a bill has received Royal Assent it becomes an Act of Parliament. A bill may take many months to complete all its stages in Parliament although when there is an urgent need a bill may go through in a few days or even in a matter of hours. Even after an Act has received Royal Assent, it may not come into force straightaway. Some Acts require a special order called a Commencement Order before they take effect, usually because those affected by the new Act need time to adapt to the changed situation.

The House of Lords

What is the House of Lords?

The House of Lords is the second Chamber of the UK's two-chamber Parliament. Its main functions are:

- to pass laws;
- to scrutinise government policy and administration;
- to debate the major issues of the day; and
- judicial work - it is the highest court of appeal in the U.K.

Unlike the House of Commons, the House of Lords does not have a role in approving Government taxation and expenditure.

There are approximately 750 Members in the House of Lords. Members, except those paid a salary as a minister or a Law Lord, are not paid but are able to claim certain allowances to cover their attendance. Attendance is not compulsory. A number of Members do not belong to any of the three main party groups these are known as Crossbenchers.

There are four types of Member:

Life peers – who make up the majority of the membership. They are appointed by the monarch on the advice of the Prime Minister, who will in turn take advice from others. Life peers are often appointed for services to the country and will have expertise in many different fields. They are appointed for the duration of their life-time and their title ceases on death.

Law Lords – up to 12 Lords of Appeal in Ordinary are appointed to hear appeals from the lower courts. They are paid a salary and can continue to hear appeals until they are 70 although they can continue to sit in the House of Lords as life peers after this age.

Bishops – the 26 most senior archbishops and bishops of the Church of England are entitled to sit in the House of Lords because the Church of England is the 'established' Church of the State. They cease to be Members of the Lords when they retire.

Hereditary peers – those Members who have inherited their titles from their family. Until the House of Lords Act 1999 all had the right to sit and vote in the Lords. This was reduced to 92 hereditary peers who were able to remain until the next stage of reform was implemented. These consisted of: 15 'office-holders' who were elected by the whole House; two who hold royal appointments; and 75 Members elected by their own party group or the Crossbenchers.

What does the House of Lords do?

It makes laws

The House of Lords is an integral part of the law making process. All bills must be agreed by both Houses of Parliament before receiving Royal Assent and becoming law. The House of Lords reviews all bills that come from the Commons and will often use the expertise of its Members and the additional time which it has to propose changes. A number of bills begin their life in the Lords before passing to the Commons. Such bills are usually technical rather than political and enable the expertise of the Lords to be used in the early stages of debate.

Usually both Houses reach agreement but if this cannot be achieved then the powers of the Lords are limited under the terms of the Parliament Acts of 1911 and 1949: it can now only delay the passage of a bill for about one year. By convention the Lords do not reject bills which were announced in the Government's manifesto (election pledge). The Lords have no power over Money Bills and can only delay them for one month. These limitations are to ensure that the wishes of the House of Commons, the elected Chamber, and the Government of the day, prevail. The only type of Bill introduced in the Commons that the Lords could reject would be a Bill to allow the Commons to extend a Parliament beyond five years – this remains as a constitutional safeguard to prevent an unpopular Government from trying to retain power.

It scrutinises government

It is the duty of Parliament as a whole to keep an eye on the work of the Government by making ministers answer for the work they do and the decisions they make. The House of Lords does this in a number of ways:

Question time

The House of Lords, like the House of Commons, makes government ministers answer questions about their work. At the beginning of each sitting day in the Lords, oral questions are asked. on a wide range of subjects Question time in the Lords takes about half an hour and includes opportunities for supplementary questions.

General debates

General debates are discussions which will usually tackle a matter of public interest or provide an opportunity to discuss a report which has just come out. The House of Commons has less time for general debates of this kind so the Lords provides a valuable opportunity for discussing important matters, drawing on its Members' wide range of expertise.

Short-debates

These take the form of a question to the Government which then leads to a short debate followed by the Government's reply.

Written questions

Questions are put down for written answer and full replies are usually provided within a fortnight.

Statements

Government statements on important or urgent matters are made by the Minister responsible for the subject in the House of Lords, usually repeating what is being said in the Commons. This is followed by limited time for immediate questioning.

It provides independent expertise

The Lords has a number of select committees. They carry out important investigative work on matters of public interest. Unlike the Commons, Lords' committees do not mirror the work of government departments. Instead they deal with broader issues and draw on the wide-ranging experience of Members and, in this way, complement the scrutiny of the executive carried out by the Commons. The main areas are: Europe, science, the economy, the constitution and the Communications Committee – although a one-off committee can be set up to deal with a particular issue. When a committee completes its work on a particular matter, it issues a report of its conclusions for the House to debate, and for the public to see what it has discovered. These reports are highly respected for their balance, independence and authority.

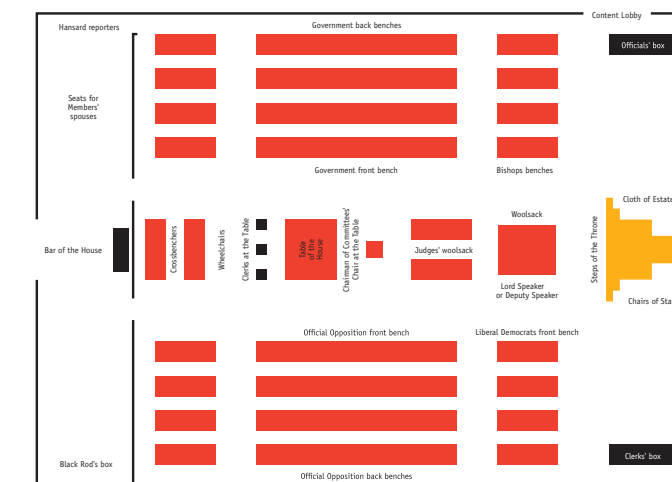
Another committee, the Delegated Powers and Regulatory Reform Committee, makes reports, usually weekly, on bills which give powers to government ministers to make laws ("delegated legislation"). The Committee's authoritative reports often lead to bills being amended in the House.

It carries out judicial work

The House of Lords is the highest court in the land – the supreme court of appeal. It acts as the final court on points of law for the whole of the U.K. in civil cases and for England, Wales and Northern Ireland in criminal cases. Its decisions are binding for all other UK courts. This judicial work is carried out only by highly qualified judges called Law Lords. Only cases of public importance where a significant point of law is involved are heard by the Law Lords. Once it is decided that a case should go before the Law Lords, appeal proceedings take place – these are usually held in a committee room and are open to the public. Once their conclusions are reached, the result, or judgment as it is known, is announced in the Lords Chamber. The Constitutional Reform Act 2005 sets up a new Supreme Court (from October 2009), separating the judiciary from Parliament.

How does the House of Lords organise itself?

The House of Lords is organised on a party basis much the same as in the House of Commons but with important differences: Members of the House of Lords are less rigidly partisan than in the Commons, whose elected Members are more sensitive to political and constituency interests. Many Members of the House do not belong to one of the three main party groups and



are known as Independents or Crossbenchers. All political parties in the Lords, as in the Commons, have business managers or 'Whips' who, together with the party leaders, are known as the 'usual channels'. Party discipline and the Whips are not as strong in the Lords as Members are not elected so it cannot be predicted how the Lords will vote. The House of Lords' contribution to the parliamentary process is characterised by its independence of thought and its breadth of specialist expertise and in this way it complements the work of the Commons.

Ministers in the Lords

Most heads of government departments sit in the Commons and are therefore not permitted to represent their departments in the Lords. In order that government policy can be explained and questions answered in the Lords one minister from each government department will usually be a Member of the House of Lords and will represent his or her department when required. When a department does not have a minister in the Lords then the Whips will help out and act as spokesmen on different subjects for different departments. The Leader of the House is a government minister but has a responsibility to the House as a whole as well as being the Leader in the Lords of the party in government. Members look to the Leader and the Lord Speaker for advice and leadership on points of order and procedure. but no one is in charge - it is the responsibility of all the Members present to keep order. Lords business is expected to be conducted in an orderly and polite fashion without the need for active intervention.

The Government

What is the Government?

The Government is made up of approximately 100 members of the political party which has the majority of seats in the House of Commons. It is like the management of the country and proposes policies which determine how the country is run. The Conservative party won the general elections in 1979, 1983, 1987 and 1992 so we had a Conservative Government for eighteen years. Since their election victory in 1997, 2001 and again in 2005 we have had a Labour Government.

One of the functions of Parliament is to scrutinise – keep a check on – the work of the Government. A Government can only remain in office as long as it can get support in the House of Commons for its main policies.

What is the Cabinet?

Members of the Cabinet are senior ministers chosen by the Prime Minister. Heads of government departments and senior figures such as the Leader of the Lords will be included in the Cabinet. There is no set number for the size of the Cabinet but it must be large enough to include all senior ministers yet small enough to allow for constructive discussion.



The majority of members of the Cabinet come from the House of Commons but there will also be a few Members of the House of Lords. Cabinet meetings are usually held on a Thursday morning in the Cabinet room at 10 Downing Street. The Prime Minister can summon the Cabinet to meet at any time and meetings will be more frequent when the political situation requires.

What are government departments?

The work of the Government is divided between departments of state which each specialise in a particular subject. The number and responsibilities of government departments can be changed by the Prime Minister according to the needs of the country.

The Minister in charge of a department is usually of Cabinet rank. He or she may have been chosen for his or her special interest in, or knowledge of, the subjects handled by the Department and will make all the important decisions affecting the Department. The Minister is usually assisted by one or more junior ministers who are not in the Cabinet and who have a variety of titles. Some of the more senior are known as Ministers of State, others are called Parliamentary Under Secretaries of State or Parliamentary Secretaries. The majority of members of the Government belong to the House of Commons, but the major departments often have at least one minister who sits in the House of Lords. He or she will then be able to answer any questions which are asked and speak on behalf of the Department in the House of Lords.

Who are civil servants?

Government departments are staffed by permanent officials who are known as civil servants. They are politically neutral and serve each government, regardless of which party is in power. Some ministers stay in a post for only a short time before moving elsewhere. Civil servants, on the other hand, may spend years in one department and therefore have the time to become experts in the work of their department. Ministers rely on civil servants for advice and information that will help when policies are being worked out but must be the ones who make important decisions based on the facts before them. Civil servants also have a wide range of professional and technical skills in order to run services throughout the country such as the tax and welfare systems.

The Monarchy

What type of monarchy do we have?

At one time the monarch was the most powerful person in the country but gradually these powers have been passed to Parliament as a result of successive social and political changes. The UK now has what is known as a constitutional monarchy which is also hereditary. The monarchy is financed from the Civil List. This is money voted by Parliament to enable the monarch to carry out official duties.

What are the powers of the monarch?

The power of the monarch to act without consulting Parliament is known as the Royal Prerogative. In the past the monarch was able to act without reference to Parliament but over time these powers have become very restricted and are today mostly exercised by the Government.

The theoretical powers of the monarch include:

- **Appointing the Prime Minister after a general election.** Today each of the political parties have their own processes for electing their leaders. After a general election the monarch invites the leader of the party which has won the most seats in the House of Commons to become Prime Minister and to form a government.
- **Appointing government ministers.** These are chosen by the Prime Minister who will discuss his or her choices with the monarch.
- **Summoning, proroguing or dissolving Parliament.** This is done on the advice of the Prime Minister.
- **Opening Parliament with the Queen's Speech.** This is written by the Prime Minister and his or her team and outlines what the Government intends to do in the forthcoming session of Parliament.
- **Giving Royal Assent to legislation.** This is given as a formality and has not been refused since 1707.
- **Power of patronage in making official appointments and conferring honours.** With rare exceptions such as the Order of the Garter, these are made on the advice of the Prime Minister who will have consulted widely with interested parties.
- **Power to declare war and to make peace.** Decisions such as these are all made by the Government.
- **Head of the Commonwealth.** A position which carries considerable influence but all foreign affairs are conducted by the Government in accordance with its foreign policy.

Maintaining the position of the monarch within our constitutional system provides a figurehead outside of political influence who can command respect and authority. The monarch can also provide the benefit of his or her knowledge, having dealt with many individual officials and foreign leaders, and can offer advice based on past experience (to date 10 Prime Ministers have served the Queen since she succeeded her father in 1952).

Find out more

Parliamentary Archives

Archives from 1497, including original Acts of Parliament, are kept in the Parliamentary Archive, which is open to the public. To view records on request tel: 020 7219 3074. email: archives@parliament.uk

Hansard

The day's proceedings are printed in the Official Report, (separate volumes are produced for the Commons and Lords) referred to as Hansard after its original printer. It is also available at: www.parliament.uk by 8.00 the following morning.

Television

The televising of Parliament was pioneered by the House of Lords in 1985, followed by the House of Commons in 1989. Proceedings of both Houses can be seen on BBC Parliament or online at: www.parliamentlive.tv.

Website

Go to www.parliament.uk for general information on the role and function of both Houses, details of membership, future business, legislation and select committee activity. For a live **webcast** of parliamentary proceedings go to: www.parliamentlive.tv.

A website for young people can be found at www.explore.parliament.uk.

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