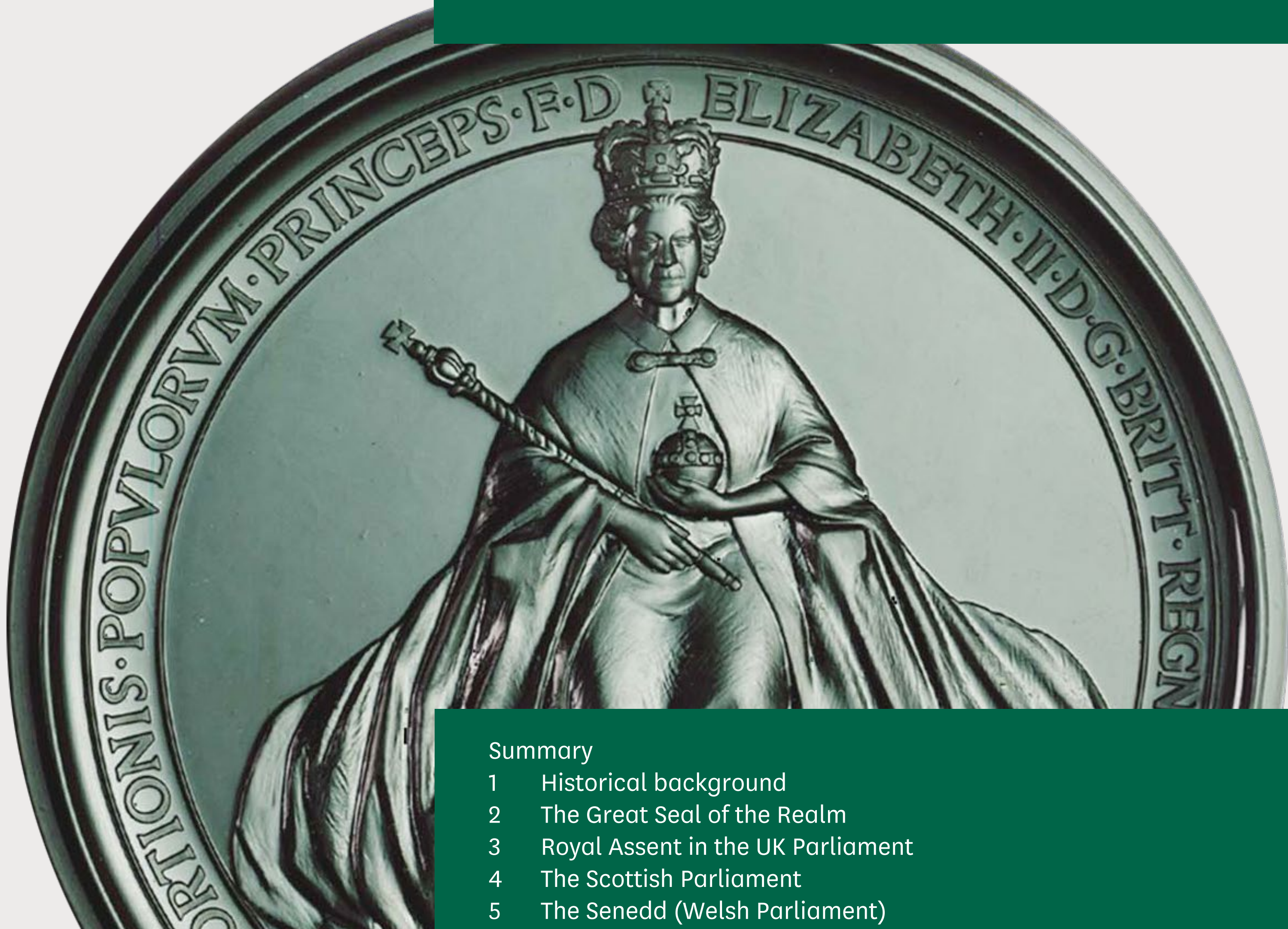
House of Commons Library

Research Briefing

By David Torrance
26 February 2024

Royal Assent



Summary
1 Historical background
2 The Great Seal of the Realm
3 Royal Assent in the UK Parliament
4 The Scottish Parliament
5 The Senedd (Welsh Parliament)
6 Northern Ireland Assembly
7 Church of England
8 The Crown Dependencies
9 Overseas Territories
10 Commonwealth Realms

commonslibrary.parliament.uk

Number CBP9466

Image Credits

The Great Seal of Queen Elizabeth II (The Royal Mint)

Disclaimer

The Commons Library does not intend the information in our research publications and briefings to address the specific circumstances of any particular individual. We have published it to support the work of MPs. You should not rely upon it as legal or professional advice, or as a substitute for it. We do not accept any liability whatsoever for any errors, omissions or misstatements contained herein. You should consult a suitably qualified professional if you require specific advice or information. Read our briefing 'Legal help: where to go and how to pay' for further information about sources of legal advice and help. This information is provided subject to the conditions of the Open Parliament Licence.

Feedback

Every effort is made to ensure that the information contained in these publicly available briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Please note that authors are not always able to engage in discussions with members of the public who express opinions about the content of our research, although we will carefully consider and correct any factual errors.

You can read our feedback and complaints policy and our editorial policy at commonslibrary.parliament.uk. If you have general questions about the work of the House of Commons email hcenquiries@parliament.uk.

Contents

Summary **5**

1 Historical background **6**

1.1 Parliament of England 6

1.2 Parliament of Scotland 8

1.3 Parliament of Great Britain 9

1.4 Parliament of the United Kingdom 10

1.5 Parliament Act 1911 11

1.6 Abdication and Ireland 12

1.7 Royal Assent Act 1967 13

2 The Great Seal of the Realm **15**

2.1 The Scottish Seal 17

2.1 The Great Seal of Northern Ireland 18

2.2 The Welsh Seal 19

2.3 New seals 20

3 Royal Assent in the UK Parliament **21**

3.2 Assent via notification 21

3.3 Assent at prorogation 24

3.4 Other Assent procedures 26

3.5 Assent under the Parliament Acts 27

3.6 Timing of Royal Assent 28

3.7 After Royal Assent 29

3.8 Regency and Counsellors of State 30

3.9 Royal Assent given by mistake 30

3.10 Royal Assent given twice 31

3.11 Is there an executive veto? 32

3.12 Could the King refuse Assent? 34

3.13 Justiciability 35

3.14 Assent for Orders in Council 36
3.15 King's Consent 37
4 The Scottish Parliament 38
4.1 Section 35 of the Scotland Act 40
5 The Senedd (Welsh Parliament) 41
6 Northern Ireland Assembly 42
7 Church of England 43
8 The Crown Dependencies 44
8.1 Channel Islands legislation 44
8.2 Isle of Man legislation 45
9 Overseas Territories 47
10 Commonwealth Realms 48
10.1 Royal Assent procedure in the Realms 48
10.2 Royal Assent by the monarch in person 49
10.3 Disallowance 50

Summary

Royal Assent is the Monarch's agreement that a bill which has completed all its stages of consideration in the UK Parliament or in one of the devolved legislatures should become a legally binding Act. By convention, this is a formality granted under the Royal Prerogative.

History of Royal Assent

The practice of a monarch signifying Royal Assent to bills passed by Parliament began during the 15th century. This was always done in person in the House of Lords, although after 1542 legislation allowed for the king to signify assent by Letters Patent which would then be communicated to Parliament. The last time a monarch granted assent in person was in 1854. After that point, it was always granted by Commission, until further legislation in 1967 allowed for a simpler procedure of notification in each House of Parliament. Royal Assent was last withheld by a monarch in 1708. Formally, Assent is provided upon advice from ministers, but also from both Houses or, if the Parliament Acts have been applied, from the Commons alone.

Procedure for Royal Assent

At Westminster, Royal Assent is granted via Commissions which, unlike other documents which pass under the Great Seal, are signed by the Monarch. This includes a Schedule with a list of bills which are, or will be, ready to receive assent. For legislation passed by the legislatures of Scotland, Wales, and Northern Ireland, assent is signified by Letters Patent under the appropriate local seal. They are also signed by the Monarch.

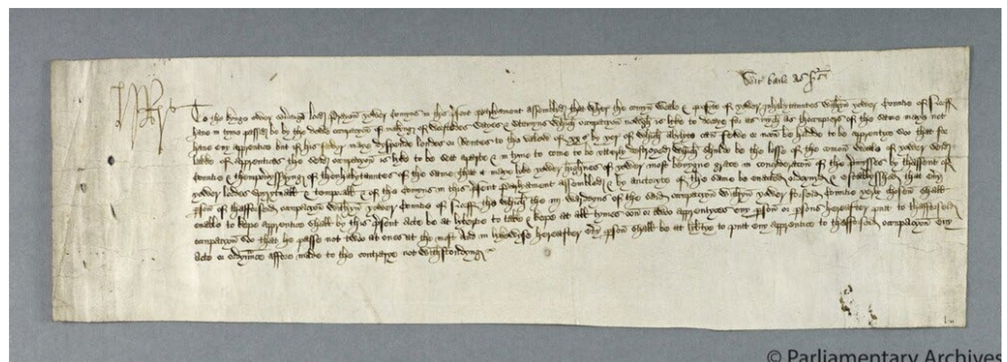
Once approved by the King, the usual method is for each House of Parliament to be notified by their respective Speakers that assent has been signified. When Parliament is prorogued, Lords Commissioners will often signify assent to outstanding bills before bringing the session to an end. It remains possible for the Monarch to signify assent in person. The devolved legislatures have no provision for assent via Commission or in person. Instead, the Presiding Officers of the Scottish and Welsh Parliaments send bills to the King for his approval, while the Speaker of the Northern Ireland Assembly asks the Secretary of State for Northern Ireland to do so. Once approved, notice of assent is posted in The Gazette.

1 Historical background

The practice of signifying Royal Assent to bills passed by Parliament began during the first reign of King Henry VI (1422-61), when the practice of introducing bills in the form of petitions was replaced by bills in the form of complete statutes.

1.1 Parliament of England

Upon arriving at the House of Lords, the Clerk of the Parliaments would present the monarch with a list of bills that had been passed and receive the Sovereign's commands. Then, Members of the House of Commons would be sent for. Once they had arrived, the Clerk of the Crown in Chancery would stand by the Table and read out the title of each bill after which the Clerk of the Parliaments (standing on the other side of the Table) would turn to MPs and pronounce a Norman French formula. For public bills that had been given assent, it would be "Le Roy le veult" (The King wills it), but if assent had been withheld the Clerk would say "Le Roy se avisera" (The King will consider it).[1]



The first act signed by King Henry VII in person (Parliamentary Archives, HL/PO/PU/1/1497/12H7n1)

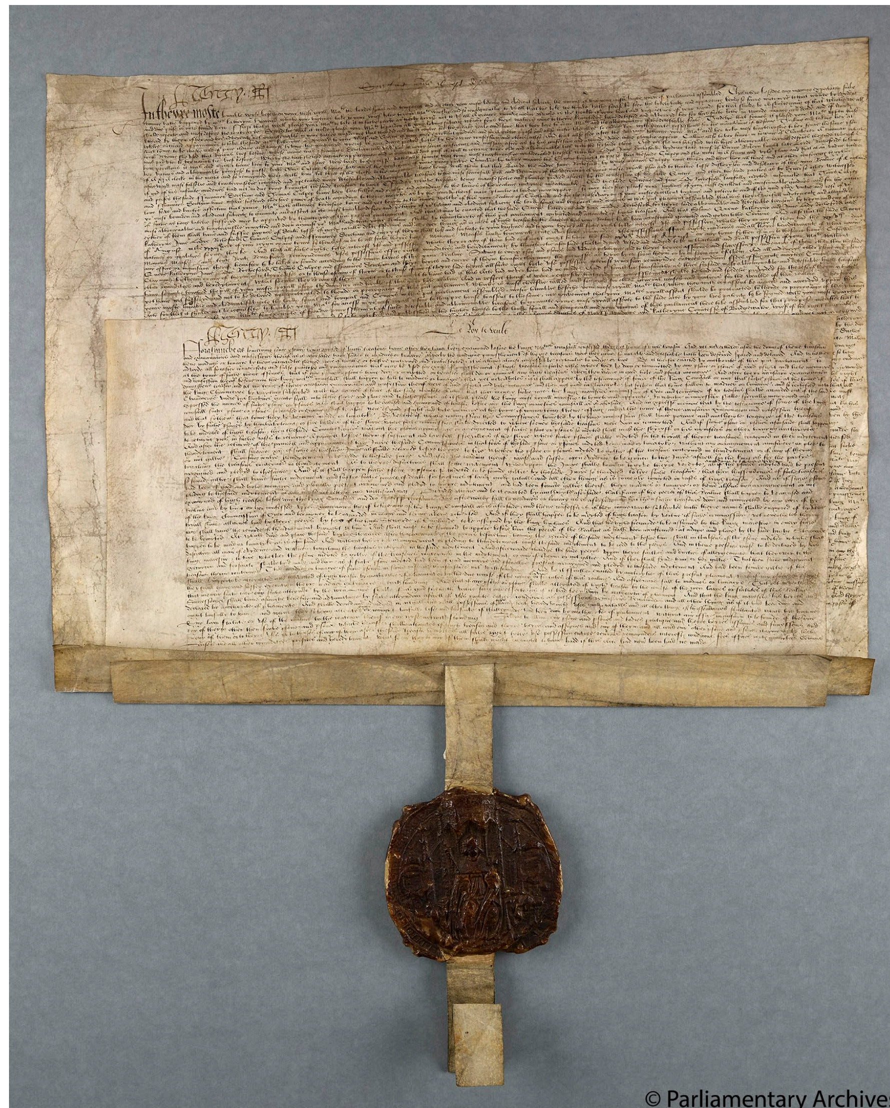
In 1542, King Henry VIII was reluctant to come to Parliament to give assent to a bill of attainder against his Queen, Catherine Howard, as he knew it would result in her execution for adultery. The Lord Chancellor informed the House of Lords that "[t]he repetition of so grievous a Story and the recital of so infamous a Crime might reopen a Wound already closing in the Royal Bosom". The bill for attainting the Queen included a clause stating that:

> Be it declared by authority of this present Parliament, that the king's royal assent, by his letters patent under his great seal and signed with his hand, and declared and notified in his absence to the lords spiritual and temporal, and to

[1] HL Deb 2 March 1967 Vol 280 cc1181-82. There was an alternative form of words if it was a personal or money bill.

> the commons, assembled together in the high house, is and ever was of good strength and force as though the king's person had been there personally present, and had assented openly and publickly to the same.[2]

Accordingly, the King signed Letters Patent granting assent to the bill of attainder and one other piece of legislation. Once assent was granted to the attainder, Catherine was condemned to death and executed on London's Tower Green.



The first act to have Royal Assent provided on behalf of the monarch (the Catherine Howard attainder) together with the Royal Commission to which the Great Seal is attached (Parliamentary Archives, HL/PO/PU/1/1541/37H8n33)

In 1547 another bill of attainder was given assent without the monarch being present. This involved the execution of the Duke of Norfolk, although when Henry VIII died the following day, Norfolk argued that the bill had not become law, as the dying King had not signed the necessary Letters Patent.[3] Five

---

2 The Statutes of the Realm, vol 3, 1817, London: Dawsons of Pall Mall, 1963, pp857-60. The provision relating to Royal Assent was later given the short title of the Royal Assent By Commission Act 1541. See A Brief History Of Royal Assent By Commission, A Venerable Puzzle blog, 29 April 2021.

3 A facsimile of the King's signature had been impressed on the Letters Patent with a wooden stamp.

years later, the English Parliament concurred with a bill confirming Norfolk's reprieve.[4]

Assent via Royal Commission remained rare and, initially, usually consisted of a single commissioner such as the Lord High Treasurer. However, Commissions for prorogation and dissolution were commonly entrusted to multiple peers, and those for Royal Assent eventually followed suit. Royal Assent was given only at the end of a session or at the end of the Parliament (it was believed that assent would bring a session to an end). During the Long Parliament, which only granted King Charles I funds a month at a time, a number of Royal Assents (for money bills) were necessary during that Parliament rather than at its end.

By the 17th century it remained unusual for Royal Assent to occur except at the end of a session. It also remained the norm for monarchs to provide assent in person: Charles II signified his assent in person 30 times out of 33; James II 3 times out of 3; and William III 62 times out of 64.[5]

1.2 Parliament of Scotland

Before the Union of the Crowns in 1603, when King James VI of Scotland also became James I of England, the King of Scots had provided Royal Assent to acts of the Scottish Parliament by touching the Scottish Sceptre (which forms part of the Honours of Scotland, or the Scottish regalia) to a copy of the bill.[6] As King James VI of Scotland observed, no law could pass "without his scepter put to it for giving force of law".

After 1603, because the King was no longer resident in Edinburgh, this procedure was carried out by a High Commissioner who acted on behalf of James VI. According to Dr Alastair J. Mann of Stirling University, this created "logistical difficulties":

> Commissioners had to be adequately instructed in London as to what was allowable before the session commenced in Edinburgh, and sometimes members opposed to court policy used the hesitancy of royal assent to criticise the competence of government ministers, as seen in the political difficulties faced by the duke of Lauderdale, Commissioner in the 1670s, or by ministers operating in the final Anglo-Scottish, pre-Union political crisis from 1703 to 1706. The sceptre being wielded by a crown servant rather than the king helped encourage the development of party politics in the second half of the seventeenth century.[7]

---

4 HL Deb 2 March 1967 Vol 280 c1182

5 HL Deb 2 March 1967 Vol 280 c1183

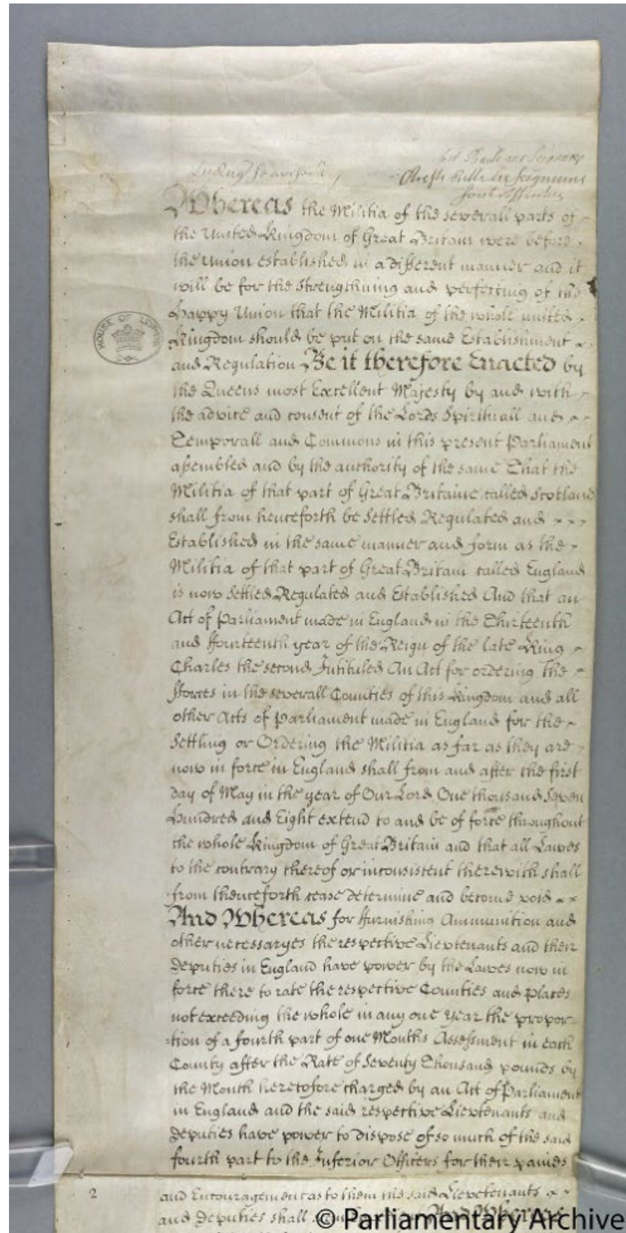
6 The Scottish Sceptre consists of a silver gilt wand with a globe of crystal and a Scottish pearl. It was presented by Pope Alexander VI to James IV in 1494.

7 Alastair J. Mann, The Scottish Parliaments: the role of ritual and procession in the pre-1707 parliament and the new parliament from 1999, Stirling University.

1.3 Parliament of Great Britain

During the reign of Queen Anne (1702-14), assent was only provided in person on 39 occasions out of 56 in the Parliament of England. Anne was Queen of Scotland, England and Ireland until the Kingdoms of Scotland and England united to form Great Britain on 1 May 1707.

A year after the Union, Royal Assent was withheld for the last time.



Whereas the Militia of the severall parts of the United Kingdom of Great Britain were before the Union established in a different manner and it will be for the strengthning and perfecting of the Happy Union that the Militia of the whole united Kingdom should be put on the same Establishment and Regulation Be it therefore Enacted by the Queens most Excellent Majesty by and with the advice and consent of the Lords Spirituall and Temporall and Commons in this present Parliament assembled and by the authority of the same That the Militia of that part of Great Britaine called Scotland shall from henceforth be settled Regulated and Established in the same manner and form as the Militia of that part of Great Britain called England is now settled Regulated and Established And that an Act of Parliament made in England in the Thirteenth and fourteenth year of the Reign of the late King Charles the second Intituled An Act for ordering the fforces in the severall Counties of this Kingdom and all other Acts of Parliament made in England for the settling or Ordering the Militia as far as they are now in force in England shall from and after the first day of May in the year of Our Lord One thousand Seven hundred and Eight extend to and be of force throughout the whole Kingdom of Great Britain and that all Lawes to the contrary thereof or inconsistent therewith shall from thenceforth cease determine and become void And Whereas for furnishing Ammunition and other necessaryes the respective Lieutenants and their Deputies in England have power by the Lawes now in force there to rate the respective Counties and places not exceeding the whole in any one year the proportion of a fourth part of one Months Assessment in each County after the Rate of Seventy Thousand pounds by the Month heretofore charged by an Act of Parliament in England and the said respective Lieutenants and Deputies have power to dispose of so much of the said fourth part to the inferior Officers for their paines and Encouragement as to them the said Lieutenants and Deputies shall

© Parliamentary Archives

The last bill passed by Parliament to be refused Royal Assent, the Scottish Militia Bill (Parliamentary Archives, HL/PO/JO/10/2/28A)

This, however, is believed to have occurred on the advice of ministers, who perhaps suspected the force envisaged by the Scottish Militia Bill would be disloyal. The Queen had just informed Parliament reports had been received of a French fleet sailing from Dunkirk, with James Edward Stuart, the "Old Pretender" to the British throne, on one of the warships.[8]

During the 18th century, assent by Royal Commission became increasingly common. During the reign of George III (1760-1820), Commissions outnumbered attendances by the monarch in person for the first time.

---

[8] House of Lords Journal Volume 18: 11 March 1708, British History Online website. See also Paul Seaward, The Veto, History of Parliament website, 15 April 2019. Seaward calls it "an odd and probably almost accidental event, still little understood".

1.4 Parliament of the United Kingdom

In 1801, the Parliament of Great Britain became the Parliament of the United Kingdom of Great Britain and Ireland following the Union between those two countries.[9]

In 1811, a bill making the Prince of Wales Regent became an act without receiving Royal Assent in the usual manner due to the fact King George III was incapacitated. Instead, a joint resolution from both Houses instructed the Lord High Chancellor of Great Britain (the Lord Chancellor) to affix the Great Seal of the Realm to Letters Patent, although these did not carry the King's signature.[10] The preamble to the Care of King during his illness etc Act 1811 still claimed to have been "enacted by the King's most Excellent Majesty" but also made reference to "the Personal Exercise of the Royal Authority by His Majesty" having been, "for the present, so far interrupted".[11]

As Cabinet and Parliament gained more power and autonomy, Royal Assent increasingly became a formality. At the same time, ministers continued to delay bills they believed would not receive the monarch's assent. King George IV, for example, was opposed to Catholic emancipation, believing it to contravene his Coronation Oath.[12] The King hinted at abdication while the Duke of Wellington, the Prime Minister, threatened to resign. Eventually the King wrote to Wellington:

> I have decided to yield my opinion to that which is considered by the Cabinet to be the immediate interests of the country. Under the circumstances you have my consent to proceed as you propose with the measure [...] God knows what pain it costs me to write these words. G.R.

On 13 April 1829, as he authorised a Royal Commission to provide Royal Assent to the Catholic Relief Bill, the King said he had "never before fixed his name, with pain or regret, to any act of the Legislature".[13] Three years later, King William IV refused to provide assent for the Reform Act 1832 in person, while Conservative peers and MPs boycotted the Commission ceremony.[14]

---

9 The pre-1800 Parliament of Ireland had long been legislatively subordinate to the Parliaments of England and Great Britain. Legislation required pre-approval from the Privy Council and English/British monarch.

10 Cobbett's Parliamentary Debates Volume 18, 1912. In 1754, the Lord Chancellor had also unilaterally affixed the Great Seal to Commissions for opening Parliament and giving Royal Assent when King George II was ill.

11 Regency Acts 1937 to 1953, Heraldica website.

12 Much later, the broadcaster Ross McWhirter contended that Queen Elizabeth II should refuse assent for the European Communities Bill on the grounds that it would fetter the powers of Parliament and thus violate her Coronation Oath.

13 Catherine Pepinster, Defenders of the Faith: The British Monarchy, Religion and the Next Coronation, London: Hodder & Stoughton, 2022, p88.

14 M. F. Bond, La Reyne le Veult: The making and keeping of Acts at Westminster, History Today VI, 1956, pp765-73.

Although Queen Victoria was known by ministers to have strong views on political matters, it had become inconceivable that she would ever withhold assent.[15] As Walter Bagehot put it, the Queen "has no such veto; She must sign her own death-warrant if the two Houses unanimously send it up to her".[16] Victoria became the last monarch to give Royal Assent in person prior to a prorogation ceremony in August 1854.[17] The Commons having been summoned to the Lords, the Commons Speaker presented:

> an Act for appropriating the sums voted for the service of the year—the Consolidated Fund (Appropriation) Bill—to which I humbly pray Your Majesty's assent.

The Speaker then delivered the money bill to the Clerk "and the Royal Assent was then pronounced to several Bills".[18]

1.5 Parliament Act 1911

In the early 20th century, the House of Lords remained a strong Upper House with wide powers of amendment or veto. Following a protracted battle over the 1909 "People's Budget", the Liberal government decided to restrict this power. It introduced the Parliament Bill, which provided for the Lords' veto over Finance Bills to be abolished, and for a bill approved by the Commons in three successive sessions to become law even if rejected by the Lords.

As this bill stood little chance of being endorsed by the Upper House, the government made it known it would be willing to advise the King to create hundreds of new peers in order to ensure its passage. H. H. Asquith, the then Prime Minister, told the Commons that the "revival" of a royal veto over such a request was "an imaginary danger".[19]

Section 2 of what became the Parliament Act 1911 provided that:

> If any Public Bill is passed by the House of Commons in three successive sessions (whether of the same Parliament or not), and, having been sent up to the House of Lords at least one month before the end of the session, is rejected by the House of Lords in each of those sessions, that Bill shall, on its rejection for the third time by the House of Lords, unless the House of Commons direct to the contrary, be presented to His Majesty and become an Act of Parliament on

---

15 It was believed Victoria might withhold assent for the Irish Church Act 1869, which disestablished the Anglican church in Ireland.

16 Walter Bagehot, The English Constitution, 1894, p57. By 1885 A.V. Dicey regarded the veto as "practically obsolete".

17 King George VI gave assent to nine bills while visiting Canada in 1939. The 1939 Royal Visit, Historical Society of Ottawa website. The Seals Act, 1939 had been passed specifically to allow the King to use the Canadian Seal rather than that of the UK.

18 HL Deb 12 August 1854 Vol 135 cc1548-54. This was also the last occasion on which a monarch prorogued Parliament in person.

19 HC Deb 21 February 1911 Vol 21 c1743 [Parliament Bill]

> the Royal Assent being signified thereto, notwithstanding that the House of Lords have not consented to the Bill.

In the absence of Lords' consent, under section 2(2) of the 1911 Act the Speaker of the House of Commons was required to sign a certificate stating that the necessary provisions had been complied with. Any amendments made by the Lords and accepted by the Commons prior to the third session would stand as part of a bill presented for Royal Assent.[20]

The Parliament Act was used only twice before 1949, to obtain Royal Assent (without Lords consent) for the Government of Ireland Act 1914, which sought to grant "Home Rule" (devolution) to Ireland, and the Welsh Church Act 1914, which disestablished the Church of England in Wales.

The Government of Ireland Act 1914 represented the last known occasion on which a monarch considered withholding assent, something King George V believed was still possible under the prerogative. He was urged to "veto" Home Rule by the Conservative opposition rather than the Liberal government. The Conservative statesman Arthur Balfour argued it was "surely obvious that if a prerogative ought rarely to be used, it cannot become obsolete merely because it is rarely used".[21] The justification was to prevent civil war and bloodshed between Unionists and Nationalists in Ireland.

Although the King took legal advice from the constitutional experts Sir William Anson and A. V. Dicey (who believed he could refuse assent), he did not withhold it, acknowledging that such an:

> extreme course should not be adopted unless there is convincing evidence that it would avert a national disaster, or at least have a tranquillizing effect on the distracting conditions of the time.[22]

1.6 Abdication and Ireland

After a devolved Parliament of Northern Ireland was established in 1921, it was the responsibility of the Governor of Northern Ireland to grant Royal Assent to bills on the monarch's behalf. The UK Home Secretary could advise the King to "reserve" a Bill in certain circumstances. This happened just once, when the Parliament of Northern Ireland passed a bill abolishing proportional representation in local government elections. When the Government of Northern Ireland threatened to resign, the UK government backed down and the bill received Royal Assent.[23]

---

20 Parliament Act 1911, section 2(4).

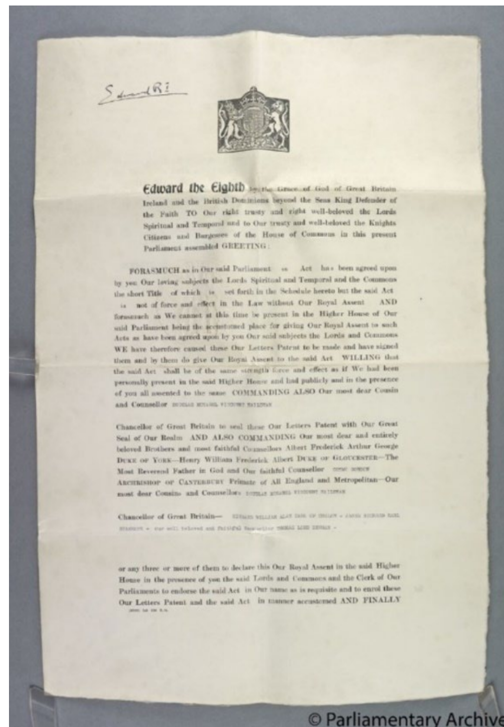
21 Vernon Bogdanor, The Monarchy and the Constitution, Oxford: Clarendon Press, 1995, p127.

22 Vernon Bogdanor, The Monarchy and the Constitution, p131. In any event, the First World War meant the bill did not come into effect. George V had no objections to the later Government of Ireland Act 1920.

23 See Commons Library research briefing CBP8884, Parliament and Northern Ireland, 1921-2021, pp37-39.

In December 1936, King Edward VIII authorised a Royal Commission to provide assent for His Majesty's Declaration of Abdication Bill. This gave effect to a legal "demise of the crown" following his decision to give up the throne, which passed to King George VI.

The Abdication crisis coincided with the passage of the Constitution (Amendment No. 27) Act 1936 in what was then the Irish Free State, a British Dominion where the King was Head of State. This Act abolished the procedure under which the Governor-General provided Royal Assent and transferred this power to the Ceann Comhairle of the Dáil (its speaker), who was not permitted to veto a bill.



Edward R I

Edward the Eighth by the Grace of God of Great Britain Ireland and the British Dominions beyond the Seas King Defender of the Faith TO Our right trusty and right well-beloved the Lords Spiritual and Temporal and to Our trusty and well-beloved the Knights Citizens and Burgesses of the House of Commons in this present Parliament assembled GREETING:

FORASMUCH as in Our said Parliament an Act has been agreed upon by you Our loving subjects the Lords Spiritual and Temporal and the Commons the short Title of which is set forth in the Schedule hereto but the said Act is not of force and effect in the Law without Our Royal Assent AND forasmuch as We cannot at this time be present in the Higher House of Our said Parliament being the accustomed place for giving Our Royal Assent to such Acts as have been agreed upon by you Our said subjects the Lords and Commons WE have therefore caused these Our Letters Patent to be made and have signed them and by them do give Our Royal Assent to the said Act WILLING that the said Act shall be of the same strength force and effect as if We had been personally present in the said Higher House and had publicly and in the presence of you all assented to the same COMMANDING ALSO Our most dear Cousin and Counsellor

Chancellor of Great Britain to seal these Our Letters Patent with Our Great Seal of Our Realm AND ALSO COMMANDING Our most dear and entirely beloved Brothers and most faithful Counsellors Albert Frederick Arthur George DUKE OF YORK—Henry William Frederick Albert DUKE OF GLOUCESTER—The Most Reverend Father in God and Our faithful Counsellor ARCHBISHOP OF CANTERBURY Primate of All England and Metropolitan—Our most dear Cousins and Counsellors

Chancellor of Great Britain—

or any three or more of them to declare this Our Royal Assent in the said Higher House in the presence of you the said Lords and Commons and the Clerk of Our Parliaments to endorse the said Act in Our name as is requisite and to enrol these Our Letters Patent and the said Act in manner accustomed AND FINALLY

© Parliamentary Archives

King Edward VIII signed the Royal Commission giving assent to the Abdication Act (Parliamentary Archives, HL/PO/JO/10/10/1175A)

A difficulty arose when it emerged that the position of Governor-General had not been fully abolished, although the resignation of the last holder in 1936 meant there was no one to provide Royal Assent. According to Anne Twomey:

> It was speculated that the power to assent would therefore default to the King. It was also suggested by an Irish official that the Irish Parliament could pass a bill conferring on the President of the Executive Council the power to assent to bills in the King's name. The Dominions Office doubted that such a bill could be given royal assent, but as no such bill was ever passed by the Irish Parliament it did not have to determine the issue.[24]

Under the 1937 Irish constitution, bills were signed into law by the new position of president. The president was also unable to veto a bill, but could refer it to Ireland's Supreme Court. This remains the procedure in what is now the Republic of Ireland.

1.7 Royal Assent Act 1967

The Royal Assent Act 1967 repealed the Royal Assent by Commission Act 1541 and provided the basis for the contemporary granting of assent. It was prompted, in part, by a desire to avoid Black Rod's interruption of Commons business, sometimes during heated debates, in order to summon MPs to the

24 Anne Twomey, The Veiled Sceptre: Reserve Powers of Heads of State in Westminster Systems, Cambridge: Cambridge University Press, 2018, p677.

Lords to hear a Royal Commission signifying Royal Assent.[25] Introducing the second reading of the Royal Assent Bill in the House of Lords in March 1967, Lord Gardiner, the then Lord Chancellor said:

> It is, I suppose, possible to think that in the conditions of to-day there is something anomalous about the representatives of the elected Chamber coming and standing at the Bar, rather like waiters, while the Members of the hereditary Chamber loll in their seats.[26]

Between 1964 and 1967, there were, respectively, 10, 9 and 10 Royal Commissions a year, more than one for every parliamentary sitting month. As the Lord Chancellor also observed, there were reasons for this increase:

> the Gas Board has run out of money, or the rebuilding of New Street station, Birmingham, would come to a dead stop unless the Post Office Subway Bill was passed; or Botswana was becoming independent, But, my Lords, however sensible the reasoning may be, I should be inclined to suggest that regard for this very old ceremony might be increased rather than diminished if it were held rather less often, and if there could be some shorter and simpler alternative way of providing for the Royal Assent.[27]

While the Bill proposed to retain the existing methods of signifying Royal Assent – by the monarch in person or via Royal Commission – it also added the "alternative and simpler" method that following the application of the Royal Sign Manual (signature) to Letters Patent, Royal Assent "be notified separately to each House of Parliament" via a brief statement from the Speaker and Lord Chancellor to the Commons and Lords respectively.[28]

The Lord Chancellor expected there still to be three or four Royal Commissions in the first year following the reform, but that in year two they would be reserved as an "end-of-term" ceremony. The Lord Chancellor rejected various alternatives, such as Royal Commissions being held at a particular time, with fewer MPs present or taking place in the Queen's Robing Room "without the proceedings in either House being interrupted".[29]

The Royal Assent Act 1967 received Royal Assent – via Royal Commission – on 10 May 1967.[30] Assent was notified under the new procedure for the first time on 12 June 1967.[31]

---

25 When a Commons debate on Malta in August 1965 was interrupted by a Royal Commission, a dozen Labour and Liberal MPs refused to leave the Chamber and carried on debating. Sir Geoffrey de Freitas suggested "some system by which we can receive in writing a notice which we can publish in the official records as a record of the Bills which have become Acts", while Jeremy Thorpe suggested Royal Assent be conveyed direct to the House by a member of the Royal Household (a government whip) or by Black Rod (The Times, 6 August 1965).

26 HL Deb 2 March 1967 Vol 280 c1183

27 HL Deb 2 March 1967 Vol 280 c1184

28 HL Deb 2 March 1967 Vol 280 c1184-86

29 HL Deb 2 March 1967 Vol 280 c1186

30 HL Deb 10 May 1967 Vol 282 c1489. The Labour MP Emrys Hughes proposed abolishing Royal Assent and having all Acts signed by the Speaker (Emrys Hughes, Parliament and Mumbo-Jumbo, London: Allen & Unwin, 1966, p33).

31 HC Deb 12 June 1967 Vol 748 c61

2 The Great Seal of the Realm

Seals have been integral to the signification of Royal Assent since the monarch stopped granting it in person. The Great Seal of the Realm is the principal seal of the Crown.[32] It is used to show the Monarch's approval of important state documents. This includes Letters Patent, which are issued to provide Royal Assent for bills passed by both Houses of Parliament or the devolved legislatures. As with Royal Assent procedure, use of the Great Seal is governed by statute.

The practice of using this seal began during the reign of Edward the Confessor in the 11th century, when a double-sided metal matrix with an image of the King was used to make an impression in wax for attachment by ribbon or cord to royal documents. This meant a monarch did not need to sign every document personally, but that authorisation could be carried out by an appointed officer.[33] In 1688, King James II dropped his Great Seal into the River Thames as he fled to France, hoping to deprive the English government of its authority. The seal, however, was discovered by a fisherman and augmented to serve as the Great Seal of King William III and Queen Mary II.[34]

A new matrix is engraved at the beginning of each reign on the order of the King. By Order in Council, the old seals are used until a new monarch directs otherwise. Long-reigning monarchs have needed more than one seal as a matrix can become worn through long usage. The late Queen Elizabeth II had two.[35] The first was designed by Gilbert Ledward and was first used in 1953.[36] In 2001 a new Great Seal, designed by sculptor James Butler and produced by the Royal Mint, came into use.[37] The obverse depicts the Queen seated and wearing coronation robes, crowned and holding the sceptre and orb. The reverse bears the full Royal Arms.[38] The Great Seal is in the custody of the Lord Chancellor.[39] When a new Great Seal is commissioned, the old one is ritually defaced by the monarch and gifted to the Lord Chancellor.[40]

---

32 It was only rebranded as such during passage of the Royal and Parliamentary Titles Act 1927.

33 Great Seal of the Realm, Royal Family website. Oliver Cromwell's Great Seal displayed a map of England, Ireland, Jersey, Guernsey and the arms of England and Ireland. On the other side was the interior of the House of Commons, with the Speaker in his chair.

34 Hilary Jenkinson, What happened to the Great Seal of James II?, Antiquaries Journal 23:1-2.

35 Queen Victoria had four, created in 1837, 1860, 1878 and, finally, in 1900. King Edward VIII did not reign for long enough to acquire a new Great Seal.

36 This, as was traditional, depicted the Queen enthroned on one side and on horseback on the other.

37 For an account of its commissioning, see The Making of the Great Seal, Royal Mint Museum website.

38 This was the first time the Royal Arms had been used on an English, British or UK Great Seal.

39 The Lord Chancellor is appointed upon delivery of the Great Seal into their custody. There was once a separate office of Lord Keeper of the Great Seal.

40 See Commons Library research briefing CBP7460, The Privy Council: history, functions and membership, pp64-65.

The current Great Seal of Realm, as commissioned in 2001. This will remain in use until a new Great Seal depicting King Charles III has been designed and a matrix produced (The Royal Mint)

The Clerk of the Crown in Chancery, who is also Permanent Secretary at the Ministry of Justice, heads the Crown Office and is responsible for the affixing of the Great Seal to documents.[41] The process of sealing takes place at the Clerk's office in the House of Lords.[42] A system of "colour coding" is used for the seal impression, depending on the type of document to which it is being affixed. Scarlet red is used for most Letters Patent.[43]

In some cases, the Great Seal is replaced by a wafer version, a smaller representation of the obverse embossed on coloured paper attached to the document which is being sealed. This does not affect its validity.[44] This simpler version is now used for Letters Patent granting Royal Assent to legislation and several other documents.[45]

2.1 The Scottish Seal

Before 1707, the Chancellor of Scotland had custody of the Great Seal of Scotland. Article 24 of the Treaty of Union provided that after the Union "there be One Great Seal for the United Kingdom of Great Britain which shall be different from the Great Seal now used in either Kingdom". It also provided that:

> [A] Seal in Scotland after the Union be alwayes kept and made use of in all things relating to private Rights or Grants which have usually passed the Great Seal of Scotland and which only concern Offices, Grants, Commissions and private Rights within that Kingdom And that until such Seal shall be appointed by Her Majesty the present Great Seal of Scotland shall be used for such purposes.[46]

Once commissioned, this new seal was **not** the Great Seal of Scotland but often continued to be referenced in this way. Under section 12 of the Treason Act 1708, it remains an act of High Treason to counterfeit the Scottish Seal.[47]

In 1885 the Secretary for Scotland (later the Secretary of State for Scotland) became Keeper of Her Majesty's Seal "appointed by the Treaty of Union to be kept and made use of in Scotland in place of the Great Seal of Scotland".[48] The Scotland Act 1998 transferred custody of the Scottish Seal to the First Minister of Scotland,[49] after which it was used to provide Royal Assent for the first time (see **Section 4**).

---

41 Great Seal (Offices) Act 1874, section 8.
42 Great Seal Act 1884, section 2.
43 Dark green seals are affixed to Letters Patent which elevate individuals to the peerage. Blue seals are used for documents relating to the close members of the Royal Family.
44 Crown Office Act 1877, section 4.
45 The Crown Office (Preparation and Authentication of Documents Rules) Order 1988, Part II.
46 Union with England Act 1707, Article XXIV.
47 By contrast, it is no longer an act of High Treason to counterfeit the Great Seal of the Realm.
48 Secretary for Scotland Act 1885, section 8.
49 Scotland Act 1998, section 45(7). Use of the Scottish Seal is not reserved.

2.1 The Great Seal of Northern Ireland

George V's Great Seal of Northern Ireland. This featured a Northern Irish version of the Royal Arms which was never used in any other context

The Irish Free State (Consequential Provisions) Act 1922 created a new Great Seal of Northern Ireland for use by the Governor of Northern Ireland.[50] It was used to seal Letters Patent on behalf of the monarch, which signified Royal Assent to Acts of the devolved Parliament of Northern Ireland.[51]

The first Great Seal of Northern Ireland was ready in time for the State Opening of the 1924 parliamentary session.[52] It was designed by Sir Neville Wilkinson, the Ulster King of Arms, and based on the Great Seal of the Realm but incorporating the Northern Ireland coat of arms.[53] The Northern Ireland (Miscellaneous Provisions) Act 1945 authorised the use of a wafer seal.[54]

In 1972 the Parliament of Northern Ireland was prorogued and in 1973 the position of Governor abolished. The Keeper of the Great Seal thus became the new Secretary of State for Northern Ireland.[55] When devolved institutions were restored in 1998, the Secretary of State remained Keeper rather than the First and deputy First Minister of Northern Ireland, although the seal itself is in the custody of the Clerk of the Crown for Northern Ireland (see **Section 6**).

50 Irish Free State (Consequential Provisions) Act 1922, section 2(4).

51 It is not clear why Northern Ireland, as a devolved part of the UK after 1921, was permitted use of a "Great" Seal when Scotland (after the 1707 Union) and Wales (after 2011) were not.

52 Until that point, the Governor, the Duke of Abercorn, used his private seal as permitted under the 1922 Act.

53 In 1985 the 1924 great seal was acquired by the Ulster Museum.

54 Northern Ireland (Miscellaneous Provisions) Act 1945, section 3.

55 By virtue of section 1(a) of the Northern Ireland (Temporary Provisions) Act 1972, although this is not explicit. See also HC Deb 18 July 1985 Vol 83 c265W.

2.2 The Welsh Seal

Historically, there was no Welsh Seal as Wales was taken to be part of England, while later, the then National Assembly for Wales lacked primary law-making powers. Provision for a Welsh Seal was made under section 116 of the Government of Wales Act 2006. The Act also designated the First Minister of Wales as "Keeper of the Welsh Seal".[56] It is used to seal Letters Patent signed by the monarch giving Royal Assent to Bills passed by the Senedd (Welsh Parliament). This makes them Acts (see **Section 5**)

The one-sided Welsh Seal as created in 2011

The Welsh Seal is one-sided and depicts the Royal Badge of Wales, the monarch, and the Badge for Welsh Assembly Government Measures.[57] Queen Elizabeth II formally delivered the seal into the custody of the then First Minister of Wales, Carwyn Jones, at a meeting of the Privy Council on 14 December 2011. Mr Jones said the:

> New seal is hugely important, both constitutionally and symbolically. It will be the first Welsh seal since the days of Owain Glyndwr. It marks a coming of age for devolved government in Wales and the new seal will highlight how we are

[56] This coincided with the then National Assembly for Wales acquiring primary law-making powers following a 2011 referendum.

[57] This name is now out of date as what is now the Welsh Government is responsible for Acts of the Senedd rather than Measures.

> using our new primary law-making powers for the benefit of the people of Wales.[58]

2.3 New seals

Established in 1922, the Royal Mint Advisory Committee advises government departments, and ultimately His Majesty the King, in matters of design with respect to coins, medals, seals and decorations.[59]

New seals for King Charles III have yet to be approved. Eighteen months elapsed between the accession of Queen Elizabeth II on 6 February 1952 and her approval of a new Great Seal at a Privy Council meeting on 1 August 1953.[60] A new Great Seal of Northern Ireland was presented to the Governor of Northern Ireland at a meeting of the Privy Council of Northern Ireland on 5 November, [61] while the Queen did not deface the existing Scottish Seal and approve its replacement until another meeting of the UK Privy Council on 15 July 1954.[62]

58 Signed, sealed, delivered: Queen approves Welsh seal, BBC News online, 15 December 2011.
59 Royal Mint Advisory Committee (RMAC) Papers, Royal Mint Museum website.
60 The Times, 3 August 1953.
61 The Times, 6 November 1953.
62 The Times, 16 July 1954.

3 Royal Assent in the UK Parliament

Once a bill has completed all of its stages in both Houses of Parliament, it is ready to receive Royal Assent. This makes the bill an act. Although assent remains a personal prerogative of the King, it has long been a strong convention that a monarch does not refuse it for a bill which has the consent of both Houses. If it has, then Erskine May states that "assent **must** be forthcoming".[63] This has also been called "a custom of the realm".[64]

The process of Royal Assent for bills passed by the UK Parliament (or Measures agreed by the General Synod and Parliament) takes place in two stages:

(1) Signification of the Royal Assent to a bill or Measure via the Royal Sign Manual (signature) on Letters Patent issued under the Great Seal of the Realm, and

(2) Communication of the King's assent to both Houses of Parliament.

Without both (1) and (2) then Royal Assent is not complete, and a bill does not become an act. If complete, then the enacting words of Acts of Parliament in the United Kingdom state:

> Be it enacted by the King'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:—[65]

The "advice" in question comes from both Houses of Parliament rather than from Ministers of the Crown.

3.2 Assent via notification

Since 1967, the more common method of Royal Assent has been "by notification" to each House sitting separately, by the Speaker of that House.

In the UK Parliament, the procedure for obtaining Royal Assent is initiated by officials in the House of Lords Public Bill Office. They produce a list of bills which are ready for Royal Assent, or which are likely to have passed both

[63] Erskine May, para 30.36

[64] Anne Twomey, The refusal or deferral of royal assent, Public Law, Autumn 2006, pp580-602.

[65] The same words are used in Finance Bills, but are preceded with a recitation making clear the House of Commons has consented to make specified financial provisions to the Crown.

Houses by the time Royal Assent is to be signified. When the list (which comprises only the short titles of any bills) is ready, it is signed by the Clerk of the Parliaments. The Crown Office's internal guidance sets out the procedure:[66]

> 1. First warning of Royal Assent will come from Public Bill Office. Check whether one Bill, Bills or Bill(s) and Measure(s). Phone Buckingham Palace for the latest time the Commission should reach there, in order for The King to be available to sign it. If there are any problems, obtain [the] King's list [of bills to receive assent] from Public Bill Office at an earlier date.
>
> 2. Prepare Submission letter for Lord Chancellor's signature.[67]
>
> 3. On receipt of The King's list (by email) [from the Public Bill Office], prepare the Royal Commission (**do not date it**) and the Speaker's Notification (which **is** dated).
>
> 4. Send the Commission, together with The King's list (which may be retained by His Private Secretary) and the Submission letter to Buckingham Palace in a (Royal Commission) Red Box.[68]
>
> 5. On the return of the Submission letter (endorsed by The King) and the signed Commission insert the date and red wafer seal the Commission. Add the Deputy Clerk of the Crown's electronic signature and the electronic Crown Office seal to the Speaker's Notification.
>
> 6. Email the Royal Commission to Public Bill Office and the Electronic Speaker's Notification to the Speakers Office. When possible take the original copy of the Royal Commission to the Public Bill Office.

The Commission for Royal Assent takes the form of Letters Patent, which are a legal instrument expressing the will of the King. Bills for granting aids and supplies to the Crown are placed first on the list (which becomes a Schedule to the Letters Patent), followed by other public bills, provisional order bills, private bills, personal bills and Measures of the General Synod. The form of Letters Patent to be used for signifying Royal Assent via notification are set out in The Crown Office (Forms and Proclamations Rules) Order 1992.[69] The wording varies slightly for other methods (see below).

The list of bills in the Schedule – which remain in the custody of the Clerk of the Parliaments – can change. As Erskine May explains:

> [A] bill not named in the Letters Patent may unexpectedly pass during the period after the submission to the Sovereign and before the Royal Assent is declared to Parliament. Since there is no authority for withholding from

66 Royal Assent, Crown Office. The author is grateful to Jason Loch for providing this document.

67 This takes the form: "The Lord Chancellor with his humble duty to Your Majesty submits for Your Majesty's signature, if you shall so please, a Commission for giving the Royal Assent to certain Bills, the Titles of which are herewith enclosed" (HL Deb 16 March 1967 Vol 281 c454 [Royal Assent Bill Hl]).

68 It seems from information provided under a Freedom of Information request that this was carried out electronically during the pandemic (FOI 3645, Process of obtaining Royal Assent for various Acts of Parliament, 22 March 2021).

69 The Crown Office (Forms and Proclamations Rules) Order 1992, Part IV(C). This Order in Council was issued under section 3 of the Crown Office Act 1877.

> inclusion in the Letters Patent any bill which has passed all its stages, a further submission by the Lord Chancellor to the Sovereign must then be made for the Royal Assent to be given to the additional bill and for its inclusion in the Letters Patent. Similarly, any bill which unexpectedly fails to pass before the declaration of Royal Assent is struck out of the Letters Patent. When the list of bills for Royal Assent is finally settled, the Clerk of the Parliaments signs it to certify the passage of the bills through both Houses, and sends it to the Lord Chancellor.[70]

In order to avoid "untimely submissions" to the Monarch, proceedings at third reading and on Lords amendments have on occasion been postponed.[71]

On receipt of the Commission (the Letters Patent), the Monarch writes "Charles R" at the top. The King does not sign any bill, for he has not received any.[72] When the signed Commission has been returned to the Crown Office, the Clerk of the Crown in Chancery[73] affixes (on behalf of the Lord Chancellor) the wafer version of Great Seal to the Schedule of the Letters Patent.[74] In the House of Lords, the Commission is taken to the Table of the House; in the House of Commons, a Notification signed by the Deputy Clerk of the Crown is given to the Speaker.[75]

Once these documents have arrived in their respective Houses, and at an appropriate break in business,[76] MPs or peers are notified that Royal Assent has been signified "by the Speaker of that House or in the case of his absence by the person acting as such Speaker".[77]

The Commons Speaker uses these words:

> I have to notify the House, in accordance with the Royal Assent Act 1967, that the King has signified his Royal Assent to the following Acts [and Measures].

Those acts and Measures are then listed. The Clerk of the Parliaments subsequently endorses the acts with the customary Norman French formulae (see **Section 3.3**), although these are not spoken in either House.[78]

The two Houses are normally notified on the same day but not necessarily at the same time.[79] If notification is given on different days to each House, the

---

70 Erskine May, para 30.36

71 On 27 June 1991, consideration by the Commons of Lords amendments to the Highland Regional Councils (Harbours) Order Confirmation Bill was not moved, as the Bill had not been included in the Letters Patent submitted to Queen Elizabeth II in preparation for declaration of Royal Assent.

72 Before 1603, acts were sometimes signed by the monarch (at their head).

73 The Clerk of the Crown in Chancery is in charge of the Crown Office (part of the Ministry of Justice) and is concurrently Permanent Secretary at the Ministry of Justice. Under section 8 of the Great Seal (Offices) Act 1874, the Clerk of the Crown is appointed by the King via a Warrant issued under the Royal Sign Manual.

74 Crown Office Act 1884, section 4.

75 This Notification states that in the absence of the monarch assent has been signified via Letters Patent to bills listed on the Schedule, which is attached to the Notification.

76 See Erskine May, para 30.37 for examples of appropriate breaks.

77 Royal Assent Act 1967, section 1(1)(b).

78 Erskine May, para 30.37.

79 Cabinet Office, Guide to Making Legislation, 2022, para 38.2.

date of Royal Assent is the date of notification in the second House.[80] Upon notification in the second House, an Act of Parliament "is duly enacted".[81]

3.3 Assent at prorogation

Royal Assent may alternatively be signified at the end of a parliamentary session, immediately before Parliament is prorogued. Section 1 of the Royal Assent Act 1967 provided that an Act is duly enacted if the King's assent is pronounced to both Houses in the House of Lords "in the form and manner customary before the passing of this Act", that is by a Royal Commission (comprising nominated representatives of the King).

For this, the wording of the Letters Patent differs from that for assent via notification. Instead of the words "that this Our Royal Assent be notified", the wording directs the names of the persons to be inserted as Commissioners – usually the Archbishop of Canterbury, the Lord Chancellor, Leader of the House of Lords, the Lord Speaker and the leaders of the two main opposition parties and the Convenor of the Crossbench peers – and that they are commanded "to declare this Our Royal Assent in the said Higher House in the presence of you the said Lords and Commons".[82] However, the Lord Chancellor and the Archbishop do not presently participate in the ceremony.

At the time appointed for Royal Assent, and if the House of Lords is sitting, the House adjourns to enable the Lords Commissioners to put on their parliamentary robes. Three or more of the Lords Commissioners then enter the Chamber and sit on a bench situated between the Throne and the Woolsack.[83] They then command Black Rod to summon the Commons to hear the commission read.[84] Once MPs arrive with their Speaker, any supply bills ready for Royal Assent are brought up by the Clerk of the House of Commons, to whom they have been previously returned. The Clerk of the Parliaments receives them from the Commons Speaker at the Bar, and brings them to the Table, bowing to the Lords Commissioners as he does so. The presiding Commissioner (usually the Leader of the House of Lords), remaining seated and covered (wearing a tricorn hat), then says:

> My Lords and Members of the House of Commons, His Majesty, not thinking fit to be personally present here at this time, has been pleased to cause a Commission to be issued under the Great Seal, and thereby given His Royal Assent to certain Acts [and Measures] which have been agreed upon by both Houses of Parliament, the Titles whereof are particularly mentioned, and by the said Commission has commanded us to declare and notify His Royal Assent

---

80 Companion to the Standing Orders of the House of Lords, para 8.202.

81 Royal Assent Act 1967, section 1(1).

82 The Crown Office (Forms and Proclamations Rules) Order 1992, Part IV(B).

83 All the Commissioners used to be peers, and included the Lord Chancellor if available. Now the Lord Chancellor may be an MP or a peer, and Jack Straw was the first non-peer to act as a Commissioner.

84 Erskine May, para 30.38.

> to the said Acts [and Measures] in the presence of you, the Lords and Commons assembled for that purpose, which Commission you will now hear read.[85]

The commission for Royal Assent and prorogation is then read by the Clerk of Parliaments. When this has been done, the presiding Commissioner says:

> In obedience to His Majesty's Commands, and by virtue of the Commission which has been now read, we do declare and notify to you, the Lords Spiritual and Temporal and Commons, in Parliament assembled, that His Majesty has given His Royal Assent to the Acts [and Measures] in the Commission mentioned, and the Clerks are required to pass the same in the usual form and words.[86]

The Clerk of the Parliaments and the Clerk of the Crown then rise and stand at the Despatch Boxes on either side of the Table, bowing to the Lords Commissioners as they reach their places. From the "temporal side" (the opposition front bench) the Clerk of the Crown reads out the short title of each bill in turn. As soon as each title has been read, both clerks bow to the Lords Commissioners.[87]

The Clerk of the Parliaments then turns towards the Bar, where the Commons are assembled, and pronounces the appropriate formula in Norman French:[88]

- For a supply bill this is: "Le Roy remercie ses bons sujets, accepte leur benevolence, et ainsi le veult" (the King thanks his loyal subjects, accepts their bounty and wills it so).[89]
- For each other public or private bill and (Church) Measure, it is: "Le Roy le veult" (The King wills it).[90]
- And for a personal bill (such as a marriage or estate bill), it is: "Soit fait comme il est desire" (Let it be done as it is desired).[91]
- If assent was ever to be refused, then the formula would be: "Le Roy se avisera" (the King will consider).

When this process is complete, the Clerk of the Parliaments and the Clerk of the Crown bow to the Lords Commissioners and return to their places at the Table. The Lord Privy Seal then reads the King's Speech. Finally, the presiding

---

85 Companion to the Standing Orders of the House of Lords, Appendix F. In practice, the wording as spoken in the Chamber can vary. See HL 12 May 2016 Vol 771 c1831 [Royal Commission].

86 Companion to the Standing Orders of the House of Lords, Appendix F.

87 Companion to the Standing Orders of the House of Lords, Appendix F.

88 Norman French was once the standard language of the educated classes and of the law in England.

89 When the monarch is female, "Le Roy" is replaced by "La Reyne". Spelling has varied over the centuries, with "La Raine" and "La Roi" used instead of "La Reyne" and "La Roy".

90 According to Rodney Brazier, when the Clerk declared "La Reyne le veult" to the Hunting Bill in 2004, a loud stage whisper of "no she doesn't!" could be heard, something he called "an intriguing breach of Parliamentary protocol" (Rodney Brazier, Royal Assent to legislation, fn52).

91 Companion to the Standing Orders of the House of Lords, Appendix F.

Commissioner announces Parliament's prorogation. The Commissioners leave the Chamber.

When the Commons have returned from the House of Lords to their own Chamber, the Speaker reports that the Royal Assent has been given to certain Acts, and this is recorded in the Votes and Proceedings and Journal.[92]

Royal Assent being granted to several Bills prior to prorogation in October 2019

3.4 Other Assent procedures

It remains possible under the 1967 for a non-prorogation Royal Commission to take place.[93] Moving the second reading of the then Royal Assent Bill in the House of Commons, the Attorney General, Sir Elwyn Jones, envisaged at least one such Commission per session, "no doubt at the beginning of the Summer Recess". This, he said, was to meet "the general demand that the traditional ceremony should not be allowed to die out of Parliamentary life altogether".[94]

In practice, however, "free-standing" Commissions fell into disuse after 1967, and the only significations of Royal Assent by Commission have occurred at the end of a session (prorogation).

Section 2 of the 1967 Act also reserves the theoretical right of the Monarch to declare Royal Assent to bills in person. This has not occurred since 1854.

92 Erskine May, para 30.40.
93 In which case, the Letters Patent take the form set out in The Crown Office (Forms and Proclamations Rules) Order 1992, Part IV(A).
94 HC Deb 17 April 1967 Vol 745 c10 [Royal Assent Bill]

3.5 Assent under the Parliament Acts

The Crown Office (Forms and Proclamations Rules) Order 1992 revoked previous Rules made in 1988 in order to:

> amend the prescribed forms of words to be used in the Commissions signifying Royal Assent to allow for the situation where an Act has been passed in accordance with the Parliament Acts 1911 and 1949.[95]

The Parliament Act 1911 (as amended by the Parliament Act 1949) lays down two exceptions to the rule that an act requires the agreement of both Houses of Parliament in order to receive Royal Assent:

1. A certified money bill which
    a) is passed by the House of Commons, and
    b) is sent up to the House of Lords at least one month before the end of the session, and
    c) is not passed by the House of Lords without any amendment within one month after being sent up to them.
2. A public bill (other than a money bill or a bill to prolong the life of Parliament beyond five years) which
    a) is passed by the House of Commons in two successive sessions, and
    b) was passed by the Commons the second time not less than one year after they gave it a second reading in the first session, and
    c) was sent up to the House of Lords at least one month before the end of each of the two sessions, and
    d) is not passed by the House of Lords in the second session without any amendment (or without amendments to which the Commons disagree)[96]

Use of the Parliament Acts is rare. Three Acts were passed under the provisions of the 1911 Act, the Government of Ireland Act 1914, the Welsh Church Act 1914 and the Parliament Act 1949. Four further Acts have been passed under the Parliament Act procedure since the 1949 Act itself, the War

[95] The Crown Office (Forms and Proclamations Rules) Order 1992, Explanatory Note.
[96] Francis Bennion, Modern Royal Assent Procedure at Westminster, p142.

Crimes Act 1991, the European Parliamentary Elections Act 1999, the Sexual Offences (Amendment) Act 2000 and the Hunting Act 2004.[97]

If a bill is to receive assent without Lords consent, then the appropriate Letters Patent are altered accordingly. A bill other than a money bill, when presented to the King for assent pursuant to section 2 of the 1911 Act, must be endorsed with the signed certificate of the Commons Speaker that the provisions of that section have been complied with.[98]

If prorogation is imminent and a bill has not been returned to the Commons in the normal way, the Clerk of the House of Commons requests the Clerk of the Parliaments, immediately before the bill is to be certified, to return it for that purpose.[99]

Once assent has been signified, the words of enactment state:

> Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Commons in this present Parliament assembled, in accordance with the provisions of the Parliament Acts 1911 and 1949, and by the authority of the same, as follows:—

3.6 Timing of Royal Assent

According to Francis Bennion, it is:

> the duty of the Clerk of the Crown, in consultation with the Government, to procure the signifying of the Royal Assent at the earliest opportunity after a Bill becomes ready for assent (that is when both Houses have passed the Bill, and have agreed together on all amendments made to it).

Otherwise, a government has very little discretion over Royal Assent. As Bennion added:

> When a date has been fixed for Royal Assent all Bills which have been agreed to by both Houses must be presented for Assent by the Clerk of the Crown. There is no power to withhold a Bill from assent, whether on the instructions of the Government or anyone else.[100]

The Cabinet Office's Guide to Making Legislation states that the Monarch should not:

---

97 Erskine May, para 30.50. The Lords Hansard record of Royal Assent for the Hunting Act 2004 includes this preamble: "The following Act, passed in accordance with the provisions of the Parliament Acts 1911 and 1949, received Royal Assent" (HL Deb 18 November 2004 Vol 666 c1659 [Royal Assent]).

98 Erskine May, para 30.55. Recent jurisprudence suggests there is no scope for such a certificate to be questioned in judicial review proceedings.

99 Erskine May, para 30.55.

100 Francis Bennion, Modern Royal Assent Procedure at Westminster, p138.

> be asked to give Royal Assent too frequently so a bill that has completed its passage may have to wait until a suitable date (for example, when other bills have also completed passage) before receiving Royal Assent.[101]

It is possible for a government to make a request through the Lords Whips' Office for Royal Assent to be notified on a particular date if the occasion is "important" and the timing "reasonable", but no "guarantees can be given that this will be possible". The Guide to Making Legislation adds that:

> This is different from requests for Royal Assent before a particular deadline. These latter requests must be made when bidding for a slot in the legislative programme, and must be agreed to by the [Parliamentary Business Legislation] Committee. Such requests should only be made where absolutely necessary, and should be made as early as possible to allow Business Managers to plan business accordingly if the request is sufficiently pressing.[102]

There are occasions when Royal Assent has been urgently required. For example, the Coronavirus Act 2020, the Parliamentary Voting and Constituencies Act 2011, some Brexit legislation, and the Economic Crime (Transparency and Enforcement) Act 2022. For the last of those acts, Royal Assent was notified to the House of Lords at 12:50am on 15 March 2022.[103] As the necessary Letters Patent had been signed by the Queen earlier the previous day, there was no need to disturb the monarch at that early hour.

3.7 After Royal Assent

Acts are numbered according to the order in which they received Royal Assent. The Acts of Parliament (Commencement) Act 1793 requires the Clerk of the Parliaments to "endorse on every Act the time it receives the royal assent". Under section 4 of the Interpretation Act 1978, an act or provision of an act comes into force:

> (a) where provision is made for it to come into force on a particular day, at the beginning of that day;
>
> (b) where no provision is made for its coming into force, at the beginning of the day on which the Act receives the Royal Assent.[104]

Commencement provisions are designed to bring into force the whole or part of an Act of Parliament at a date later than the date of the Royal Assent. If there is no commencement provision, the act will come into force from midnight at the start of the day of Royal Assent.

His Majesty's Declaration of Abdication Act 1936, which gave legal effect to the abdication of King Edward VIII, had to be drafted in a way which avoided the monarch being "treated as having abdicated some hours before he gave

---

101 Guide to Making Legislation, para 38.3.
102 Guide to Making Legislation, para 38.4.
103 HL Deb 14 March 2022 Vol 820 c156 [Royal Assent]
104 Interpretation Act 1978, section 4.

his Royal Assent to it".[105] Section 1(1) therefore excluded the usual legal rule by providing that it would come into effect "Immediately upon the Royal Assent being signified to this Act…"

An entry for each Letters Patent is made in the Crown Office Docquet Book (a record which is designated for permanent preservation).[106]

3.8 Regency and Counsellors of State

In pursuance of the Regency Acts 1937, 1943 and 1953, a Commission for Royal Assent may be signed by a Regent or Counsellors of State appointed under these Acts. Both carry out certain royal functions if a monarch is, respectively, incapacitated/a minor or temporarily incapacitated/absent from the Realm.

Section 4(2) of the 1937 Act, however, followed the precedent of seven previous Regency statutes in prohibiting a Regent or Counsellors of State from granting Royal Assent to:

- A bill which changes the line of succession to the Crown
- A bill to repeal or alter "An Act for Securing the Protestant Religion and Presbyterian Church Government"

The former restriction provides a safeguard against a Regent (or Parliament) seeking to take advantage of a monarch's minority or incapacity by attempting to substitute different successors.[107] The latter reflects the status of an act which effectively established the "national" Church of Scotland shortly before the Anglo-Scottish Union of 1707.[108]

3.9 Royal Assent given by mistake

In 1844 there were two Eastern Counties Railway Bills before Parliament. One had passed through all its stages, and the other was still pending in the House of Lords, when on 10 May Royal Assent was given, by mistake, to the latter instead of to the former. On the discovery of the error another act was passed by which it was enacted that when the former act:

105 Sir Harold S. Kent, In on the Act: Memoirs of a Lawmaker, London: Macmillan, 1979, p71.

106 PQ 199271, Letters Patent, 5 June 2014.

107 See Joseph Jaconelli, Regency and parliamentary sovereignty, Public Law, Autumn 2002, pp449-55, for analysis of a hypothetical scenario under which a Regent assents to a bill altering the line of succession.

108 Protestant Religion and Presbyterian Church Act 1707. Rodney Brazier notes that no legal impediment is placed on a Regent preventing Royal Assent being given to a bill to disestablish the Church of England (Royal Incapacity and Constitutional Continuity, Cambridge Law Journal 64:2, 2005, p374).

> shall have received the Royal Assent it shall be as valid and effectual from 10 May as if it had been properly inserted in the commission, and had received the Royal Assent on that day; and that the other bill shall be in the same state as if its title had not been inserted in the commission, and shall not be deemed to have received the Royal Assent.[109]

In 1976, the Rent (Agriculture) Bill – a government bill – passed all its parliamentary stages, but the version prepared and submitted for Royal Assent unintentionally omitted an important amendment which had been agreed by both Houses. When the mistake was noticed, what became the Rent (Agriculture) Amendment Act 1977 was enacted to insert the missing material.[110]

3.10 Royal Assent given twice

On 24 September 2019, the UK Supreme Court declared that the purported prorogation of Parliament (by commission) earlier that month had been "unlawful, null and of no effect".[111] The Letters Patent underpinning the prorogation (signed by Queen Elizabeth II on 10 September) had also provided for Royal Assent in relation to the Parliamentary Buildings (Restoration and Renewal) Bill (the R&R Bill).

This raised the question of whether the Royal Assent granted in respect of the R&R Bill was valid, or whether it too was "unlawful, null and of no effect". [112] The Supreme Court did not address this question in its judgment.

The conclusion of parliamentary authorities was that the Royal Assent for the R&R Bill was invalid, or at any rate that there was doubt as to its validity. Therefore, the view was taken that Royal Assent ought to be re-signified, under new Letters Patent.

When both Houses resumed sitting on 25 September, having never been prorogued, their respective Speakers delivered statements which confirmed, among other things, that the bill required re-signification, which it received on 8 October 2019 as part of another prorogation commission.[113] This is the only example of a bill receiving Royal Assent twice.

The law lecturer Dr Yuan Yi Zhu has argued that the Speakers wrongly understood the Supreme Court's judgment to have invalidated the signification of Royal Assent on 10 September:

---

109 Erskine May, para 30.87.

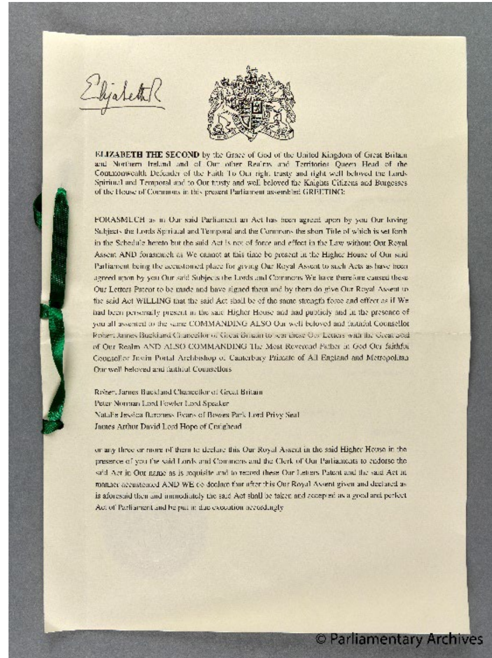
110 Rodney Brazier, Royal Assent to legislation, pp184-204.

111 *R (Miller) v The Prime Minister* [2019] UKSC 41

112 Two other bills received Royal Assent during the sitting on 9 September 2019, but this was by separate Letters Patent and notified to the House by the Lord Speaker in advance of the prorogation ceremony.

113 HL 8 October 2019 Vol 799 c2074 [Royal Assent]

> The Supreme Court's "blank sheet of paper" metaphor, whilst certainly memorable, caused considerable confusion, and it is unsurprising that it encouraged the parliamentary authorities to reason—or to fear—that Royal Assent had also been invalidated. The Court should have made crystal clear that its decision to quash the advice to prorogue and the prorogation itself had no effect on the signification of Royal Assent.[114]



Elizabeth R

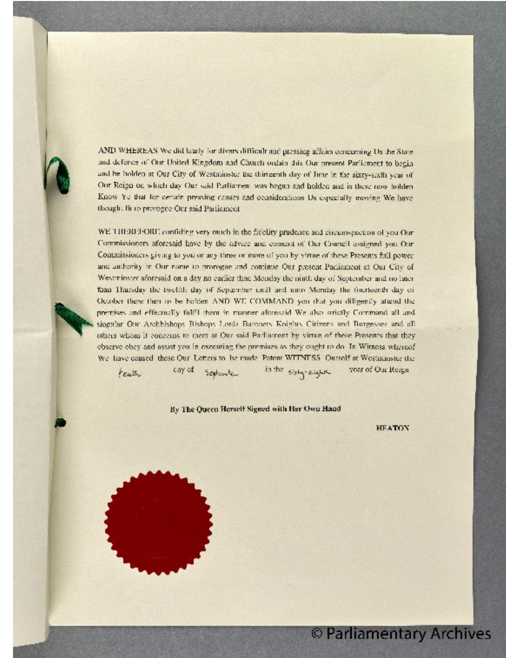
ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To Our right trusty and right well beloved the Lords Spiritual and Temporal and to Our trusty and well beloved the Knights Citizens and Burgesses of the House of Commons in this present Parliament assembled GREETING:

FORASMUCH as in Our said Parliament an Act has been agreed upon by you Our loving Subjects the Lords Spiritual and Temporal and the Commons the short Title of which is set forth in the Schedule hereto but the said Act is not of force and effect in the Law without Our Royal Assent AND forasmuch as We cannot at this time be present in the Higher House of Our said Parliament being the accustomed place for giving Our Royal Assent to such Acts as have been agreed upon by you Our said Subjects the Lords and Commons We have therefore caused these Our Letters Patent to be made and have signed them and by them do give Our Royal Assent to the said Act WILLING that the said Act shall be of the same strength force and effect as if We had been personally present in the said Higher House and had publicly and in the presence of you all assented to the same COMMANDING ALSO Our well beloved and faithful Counsellor Robert James Buckland Chancellor of Great Britain to seal these Our Letters with the Great Seal of Our Realm AND ALSO COMMANDING The Most Reverend Father in God Our faithful Counsellor Justin Portal Archbishop of Canterbury Primate of All England and Metropolitan Our well beloved and faithful Counsellors

Robert James Buckland Chancellor of Great Britain
Peter Norman Lord Fowler Lord Speaker
Natalie Jessica Baroness Evans of Bowes Park Lord Privy Seal
James Arthur David Lord Hope of Craighead

or any three or more of them to declare this Our Royal Assent in the said Higher House in the presence of you the said Lords and Commons and the Clerk of Our Parliaments to endorse the said Act in Our name as is requisite and to record these Our Letters Patent and the said Act in manner accustomed AND WE do declare that after this Our Royal Assent given and declared as is aforesaid then and immediately the said Act shall be taken and accepted as a good and perfect Act of Parliament and be put in due execution accordingly

© Parliamentary Archives



AND WHEREAS We did lately for divers difficult and pressing affairs concerning Us the State and defence of Our United Kingdom and Church ordain this Our present Parliament to begin and be holden at Our City of Westminster the thirteenth day of June in the sixty-sixth year of Our Reign on which day Our said Parliament was begun and holden and is there now holden Know Ye that for certain pressing causes and considerations Us especially moving We have thought fit to prorogue Our said Parliament

WE THEREFORE confiding very much in the fidelity prudence and circumspection of you Our Commissioners aforesaid have by the advice and consent of Our Council assigned you Our Commissioners giving to you or any three or more of you by virtue of these Presents full power and authority in Our name to prorogue and continue Our present Parliament at Our City of Westminster aforesaid on a day no earlier than Monday the ninth day of September and no later than Thursday the twelfth day of September until and unto Monday the fourteenth day of October there then to be holden AND WE COMMAND you that you diligently attend the premises and effectually fulfil them in manner aforesaid We also strictly Command all and singular Our Archbishops Bishops Lords Barons Knights Citizens and Burgesses and all others whom it concerns to meet at Our said Parliament by virtue of these Presents that they observe obey and assist you in executing the premises as they ought to do In Witness whereof We have caused these Our Letters to be made Patent WITNESS Ourself at Westminster the tenth day of September in the sixty-eighth year of Our Reign

By The Queen Herself Signed with Her Own Hand

HEATON

© Parliamentary Archives

The Commission for Royal Assent (and prorogation) signed by Queen Elizabeth II on 10 September 2019. A Schedule listed the Parliamentary Buildings (Restoration and Renewal) Bill (Parliamentary Archives, HL/PO/JO/10/28/6)

3.11 Is there an executive veto?

Royal Assent has not been refused to a Bill since 1708.[115]

The passage of two opposition bills concerning Brexit, what became the "Cooper-Letwin" Act of April 2019 and the "Benn-Burt" Act of September 2019, raised the question of whether the Prime Minister could have advised the monarch to withhold assent. In January 2019 the Daily Telegraph reported that "a senior government minister confirmed that one option was for the Queen to be asked not to give royal assent to any backbench legislation" intended to frustrate Brexit.[116]

---

114 Yuan Yi Zhu, Putting Royal Assent in Doubt: One Implication of the Supreme Court's Prorogation Judgment, Policy Exchange, 2019, p6.

115 The basis of Mike Bartlett's play King Charles III (2014) was predicated on the new monarch refusing Royal Assent to a bill which restricted freedom of the press.

116 Where next: With Theresa May losing control of Brexit which rival plans have a chance of success?, Telegraph, 21 January 2019.

This prompted debate as to whether Royal Assent was a legislative power triggered by the successful passage of a bill through both Houses of Parliament or an executive power effectively in the hands of the government.[117] The Australian scholar Anne Twomey pointed to several precedents in former Dominions where the Sovereign "frequently and recently refused assent to bills passed by the legislatures of British colonies". In 1980 the UK Government had been prepared to advise Queen Elizabeth II to refuse assent for a bill from New South Wales, which was instead allowed to lapse.[118]

According to Bradley and Ewing, while "the Queen may not of her own initiative refuse the royal assent, the position might be different if ministers themselves advised her to do so".[119] Robert Blackburn has argued that the automaticity of the Royal Assent procedure in Parliament is "an internal rule about delivery of the document, and not an instruction, advice or authority from the two Houses on whether or not Assent should be given".[120]

Several constitutional scholars wrote to The Times in April 2019 arguing that:

> once a bill has been passed by parliament the Queen's role is purely ceremonial. And this is for good reason. Any attempt to advise refusal of royal assent to a bill passed by parliament would stand constitutional principle on its head. It would presume a governmental power to override parliament, yet it is in parliament, not the executive, that sovereignty resides. It would also give rise to a conflict between parliament and government into which the Queen would inescapably be drawn, compromising her position above political controversy. Given that Brexit is the most politically explosive and divisive issue of our day, the notion of involving the Queen in vetoing a Brexit bill ought to be regarded as inconceivable.[121]

In the event, the Prime Ministers (Theresa May and Boris Johnson) decided not to intervene, while during a debate on the motion which led to the Benn-Burt Act, the SNP MP David Linden asked the Leader of the House, Jacob (later Sir Jacob) Rees-Mogg, if he could be "crystal clear" that if the bill passed both Houses "the Government will not stop it getting Royal Assent". Rees-Mogg replied:

> The law will be followed. We are a country that follows the rule of law and this Government assiduously follow constitutional conventions, unlike some other Members of this House.[122]

---

117 The situation is arguably complicated in the UK given that the Head of State forms part of both the executive and of the legislature.

118 Anne Twomey, The Veiled Sceptre, p638. The Bill sought to abolish appeals to the Judicial Committee of the Privy Council.

119 A. W. Bradley and K. D. Ewing, Constitutional and Administrative Law (15th edition), London: Longman, 2010, p21.

120 Robert Blackburn, The Constitutional Role and Working of the Monarchy in the United Kingdom in O. Lepsius et al (eds), Jahrbuch des öffentlichen Rechts der Gegenwart 70, p189fn.

121 Times letters: Indicative votes, missing MPs and cabinet rifts, The Times (£), 3 April 2019.

122 HC Deb 3 September 2019 Vol 664 c97 [European Union (Withdrawal)]

Having analysed the events of 2019, Paul Evans, a former Commons clerk, concluded they demonstrated that:

> in all foreseeable circumstances short of a revolution (or counter-revolution perhaps) there is no executive veto in the British constitution over legislation after it has been agreed by parliament.[123]

3.12 Could the King refuse Assent?

Paul Evans also concluded that:

> The theoretical possibility of the denial of royal assent to an Act passed by both chambers of parliament is too dormant to be relevant to the current constitutional settlement.[124]

Rodney Brazier, however, has argued that Royal Assent "is part of the royal prerogative, which is part of the common law" and that no part of the common law "loses its legal effect through desuetude".[125]

Elsewhere, Brazier suggested Royal Assent might be withheld from a bill on ministerial advice, if it disregarded "mandatory procedural requirements" or if there was a change of government (without an election) "within the brief interval between the passage of the bill and its presentation for assent".[126] Nick Barber, however, argued that it was "the duty of the Monarch is to give assent – irrespective of the advice of her Ministers". He added:

> There is no room for discretion. On its best interpretation, this is what the convention requires: if the Monarch were to accept the advice of her Prime Minister on this issue, she would be acting unconstitutionally.[127]

Brazier also acknowledged the remoteness of this prospect, suggesting that if a monarch had concerns about bills (or Orders in Council) then their weekly audience with the Prime Minister would be a more suitable point at which "a royal perspective" could be given "to the legislative process from an early stage".[128] Graham Wheeler has stated that not only do ministers not advise on Royal Assent, but there "is not even any formal process by which they might do so".[129]

---

[123] Paul Evans, Braking the law: Is there, and should there be, an executive veto over legislation in the UK constitution?, Constitution Unit, October 2020, p11.

[124] Paul Evans, Braking the law: Is there, and should there be, an executive veto over legislation in the UK constitution?, Constitution Unit, October 2020, p23.

[125] Rodney Brazier, Royal Assent to Legislation, Law Quarterly Review 129, April 2013, pp184-204. "Desuetude" means a state of disuse.

[126] Stanley de Smith and Rodney Brazier, Constitutional and Administrative Law (8th edition), London: Penguin, 1998, p127.

[127] Nick Barber, Can Royal Assent Be Refused on the Advice of the Prime Minister? – UK Constitutional Law Association, UK Constitutional Law Blog, 25 September 2013.

[128] Rodney Brazier, Royal Assent to legislation, pp184-204.

[129] Graham Wheeler, Royal Assent in the British Constitution, Law Quarterly Review 132, 2016, p500.

Anne Twomey has suggested that in the UK the Monarch "acts on implied ministerial advice to assent to all Bills unless otherwise advised".[130] Elsewhere, she observed that the mere threat of withholding assent could be effective:

> As with most reserve powers, formal use of it is an indicator of its failure to be effective. The true value of the power lies in its influence over behaviour so that its formal exercise proves to be unnecessary.[131]

If, however, a head of state did refuse assent to a bill contrary to the advice of their chief minister, then that chief minister might resign in protest at having his or her advice rejected. Alternatively, Twomey has observed that the chief minister "might seek the removal of the head of state on the ground that the working relationship between the head of state and the chief minister had broken down irretrievably".[132] This occurred in St Kitts and Nevis when a Governor-General was removed following his refusal to grant assent to several bills.

Robert Blackburn has argued that if a monarch could not "in good conscience" give assent to a bill contrary to his or her conscience, then a brief Regency might be declared under the 1937 Act.[133] Blackburn noted that when this issue arose in Belgium in 1990, due to the King's moral objection to assenting to a bill permitting abortion, King Badouin was declared "unable to reign" for a day and a half, which allowed the Council of Ministers to give assent upon his behalf, as permitted under the Belgian constitution.[134]

3.13 Justiciability

The Bill of Rights provides that "proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament".[135]

In R v Lord Chancellor ex p Green an application was brought to prevent the Lord Chancellor from placing the Family Law Bill before Queen Elizabeth II for Royal Assent. The grounds were that the bill undermined the permanence of marriage and was thus contrary to part of the Queen's Coronation Oath in which she pledged to "maintain the laws of God and the true profession of the Gospel". Sedley J, refused the application, holding that:

> The court is here to give effect to legislation if and when it is the will of Parliament that it should become part of our statute law. Her Majesty, too, is constitutionally called upon to give her assent to those statutory measures which it is the will of the Lords and Commons should become law. It is to that

130 Anne Twomey, The refusal or deferral of royal assent.
131 Anne Twomey, The Veiled Sceptre, p635.
132 Anne Twomey, The Veiled Sceptre, pp689-90.
133 A monarch cannot unilaterally declare a Regency.
134 Robert Blackburn, The Royal Assent to Legislation and a Monarch's Fundamental Human Rights, Public Law, Summer 2003, p207.
135 Bill of Rights [1688]

> and no other end that the Lord Chancellor will place the measure before Her Majesty. It will be his duty to do so.[136]

3.14 Assent for Orders in Council

Orders in Council – which have the force of law – may be legislative, executive, or judicial. Orders can provide for everything from the constitution of an Overseas Territory to the setting up of a new government department or the outcome of an appeal to the Judicial Committee of the Privy Council. These can be made under the authority of statute or of the royal prerogative. Both require the Monarch's approval, which is provided at a meeting of the Privy Council.

If the Order is statutory, it must normally first involve a degree of parliamentary oversight, either under the affirmative or negative procedure. If the Order is prerogative, then it goes straight from a government department to the Privy Council. As Rodney Brazier has explained:

> An item of business requiring the approval of the Queen in Council is notified by the drafter to the Privy Council Office. That Office is responsible for adding the business to a Privy Council agenda. The Office also provides a short factual briefing note on the item of business to be approved, and the agenda and notes are sent to the Palace before each Privy Council meeting.[137]

Meetings of the Privy Council take place, on average, once a month. Only those Privy Counsellors summonsed (usually Cabinet ministers) by the Lord President of the Council attend, the quorum being three. The King presides, and the meeting is attended by the Clerk of the Privy Council, who authenticates the Monarch's approval of the Orders with their own signature and records the names of those present. All stand during the meeting. The monarch says "approved" or "referred" in response to each item of business, which includes Orders in Council.[138]

If a Royal Proclamation is brought before the Council, it is subsequently authenticated by the Royal Sign Manual usually right after the meeting. Orders of Council, that is, Orders made by ministers as "Lords of the Privy Council", do not require the Monarch's approval at a Privy Council or otherwise.

Under section 20 of the Civil Contingencies Act 2004 a senior minister could enact statutory emergency regulations if "it would not be possible, without

---

136 Quoted in Graeme Watt, The Coronation Oath, Ecclesiastical Law Journal 19:3, September 2017, pp325-41.

137 Rodney Brazier, Royal Assent to legislation, pp184-204.

138 See Commons Library research briefing CBP7460, The Privy Council: history, functions and membership for a full explanation of Orders in Council.

serious delay, to arrange for an Order in Council”. Under this scenario, the Sovereign’s approval would not be necessary.[139]

3.15 King’s Consent

Royal Assent should not be confused with King’s Consent, which is a pre-legislative requirement that the Monarch’s consent be obtained before a bill is passed if that bill affects the prerogative or interests of the monarch or their hereditary revenues (including the Duchy of Lancaster), personal property, or personal interests. The consent of the Prince of Wales is also required for bills affecting the Duchy of Cornwall, the Principality of Wales and the Earldom of Chester.[140]

[139] Rodney Brazier, Royal Assent to legislation, pp184-204.

[140] House of Commons Political and Constitutional Reform Committee, The impact of Queen’s and Prince’s Consent on the legislative process, HC 784, 26 March 2014.

4 The Scottish Parliament

Bills passed by the devolved Scottish Parliament also require Royal Assent. Section 28 of the Scotland Act 1998 provides that bills receive this at the beginning of the day on which Letters Patent under the Scottish Seal[141] signed "with His Majesty's own hand signifying His Assent are recorded in the Register of the Great Seal".[142] As with UK acts, the granting of Royal Assent is a formality.

In other respects, the procedure differs from that in the UK Parliament:

- The day after the bill is passed in the (unicameral) Scottish Parliament, letters are sent to the law officers (Advocate General for Scotland, the Lord Advocate and the Attorney General) advising them of the four-week period in which they can raise legal objection to the bill.[143]
- If no objection is made by the law officers, or the four-week period has passed, the Presiding Officer writes to the King enclosing the bill and a warrant for the Royal Sign Manual (the King's signature). These are then delivered to Buckingham Palace.
- When the bill and Letters Patent have been returned to the Scottish Parliament, they are hand-stitched together.
- The documents are then delivered to the Registers of Scotland, followed by the National Records of Scotland, where the Scottish Seal is affixed.
- Notice of the Letters Patent are then placed in the official journals of record: the London, Edinburgh and Belfast Gazettes (collectively known as "The Gazette") which signals that Royal Assent has been granted.[144]

The form of the Letters Patent is set out in The Scottish Parliament (Letters Patent and Proclamations) Order 1999:

> CHARLES THE THIRD by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories King Head of the Commonwealth Defender of the Faith To Our trusty and well beloved the members of the Scottish Parliament

[141] That appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal of Scotland (Scotland Act 1998, section 2(6)).

[142] Scotland Act 1998, section 28(3).

[143] Scotland Act 1998, section 32.

[144] Royal Assent and the Great Seal of Scotland, Scottish Parliament website. See, for example, Scottish Parliament, The Gazette, 14 August 2023.

GREETING:

FORASMUCH as various Bills have been passed by the Scottish Parliament and have been submitted to Us for Our Royal Assent by the Presiding Officer of the Scottish Parliament in accordance with the Scotland Act 1998 the short Titles of which Bills are set forth in the Schedule hereto but those Bills by virtue of the Scotland Act 1998 do not become Acts of the Scottish Parliament nor have effect in the Law without Our Royal Assent signified by Letters Patent under Our Scottish Seal (that is Our Seal appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal of Scotland) signed with Our own hand and recorded in the Register of the Great Seal We have therefore caused these Our Letters Patent to be made and have signed them and by them do give Our Royal Assent to those Bills COMMANDING ALSO the Keeper of Our Scottish Seal to seal these Our Letters with that Seal.

IN WITNESS WHEREOF we have caused these Our Letters to be made Patent.

WITNESS Ourself at [location] on the [date] in the [number] year of Our Reign.

By The King Himself Signed with His Own Hand.

SCHEDULE

[Bill or Bills][145]

The Scottish Seal affixed to Letters Patent signifying Royal Assent for an Act of the Scottish Parliament (Scottish Parliament Licence)

The Scottish Seal matrix, which was created for Queen Elizabeth II in 1954, is used to cast the double-sided wax seal. A conservator hand crafts every seal using beeswax collected from hives which are kept on the roof of the Scottish Parliament building in Edinburgh.[146]

---

[145] The Scottish Parliament (Letters Patent and Proclamations) Order 1999, Schedule Part I.

[146] How many bees does it take to seal an Act of Parliament?, BBC News online, 20 August 2023.

If the First Minister (who is Keeper of the Scottish Seal) so directs, a wafer Scottish Seal can be used for the same purpose.[147] Everything that passes under the Scottish Seal is recorded in the Register of the Great Seal. The Keeper of the Registers of Scotland is the Deputy Keeper of the Great Seal and is in practice responsible for its use.

The Scottish Seal matrix (Scottish Parliament Licence)

4.1 Section 35 of the Scotland Act

Section 35 of the Scotland Act 1998 gives the Secretary of State for Scotland the power, in certain circumstances, to "veto" legislation enacted by the Scottish Parliament, even if it relates to a devolved matter. If section 35 is exercised, then the Secretary of State "may make an order prohibiting the Presiding Officer from submitting the Bill for Royal Assent". The Order (a Statutory Instrument) must identify the bill and the provisions in question while also stating the reasons for making the Order. This is laid before the UK Parliament under the negative procedure.

This power has been used only once. On 17 January 2023 Alister Jack, the Scottish Secretary, made The Gender Recognition Reform (Scotland) Bill (Prohibition on Submission for Royal Assent) Order 2023. This was later laid before Parliament and came into force on 18 January 2023.[148] The Scottish Government lodged a petition for a judicial review of the Secretary of State's decision with the Court of Session on 19 April 2023.[149]

For more details see Commons Library research briefing CBP9705, The Secretary of State's veto and the Gender Recognition Reform (Scotland) Bill.

---

147 Scotland Act 1998, section 38.

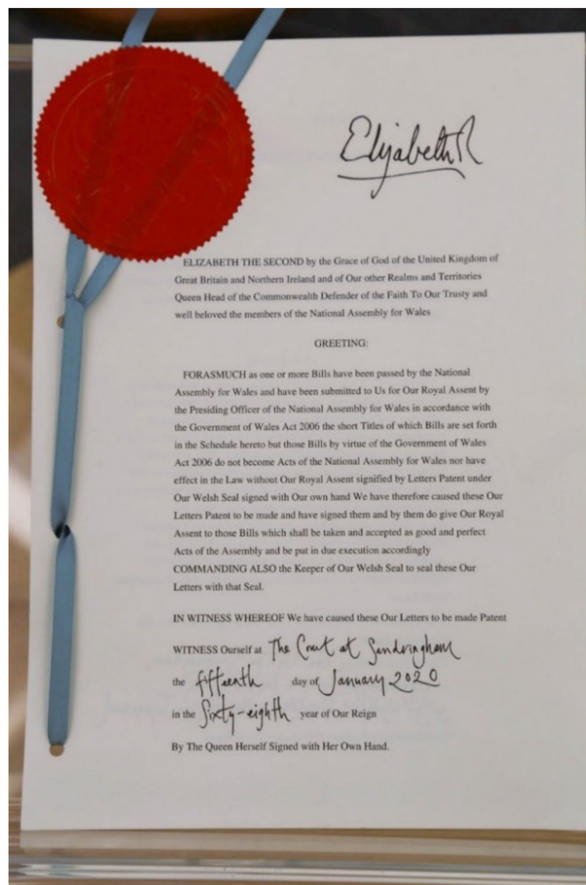
148 Timeline – SI 2023/41 – Statutory Instruments, UK Parliament website.

149 Gender recognition reform: Section 35 Order challenge – petition, Scottish Government website, 19 April 2023.

5 The Senedd (Welsh Parliament)

Since 2011, when the then National Assembly for Wales gained primary law-making powers,[150] the procedure for Royal Assent in the Senedd (Welsh Parliament) has been similar to that in Scotland.

Once the (unicameral) Senedd has passed a Bill, the Presiding Officer submits it to the King for Royal Assent. As in Scotland, the Presiding Officer may not do so if that bill has been referred to the Supreme Court by one of the law officers. A bill receives Royal Assent "when Letters Patent under the Welsh Seal signed with His Majesty's own hand signifying His Assent are notified to the Clerk".[151] Unlike in Scotland, a wafer version of the Welsh Seal is applied to the Letters Patent. Notice of Royal Assent is then posted in The Gazette.[152]



Elizabeth R

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To Our Trusty and well beloved the members of the National Assembly for Wales

GREETING:

FORASMUCH as one or more Bills have been passed by the National Assembly for Wales and have been submitted to Us for Our Royal Assent by the Presiding Officer of the National Assembly for Wales in accordance with the Government of Wales Act 2006 the short Titles of which Bills are set forth in the Schedule hereto but those Bills by virtue of the Government of Wales Act 2006 do not become Acts of the National Assembly for Wales nor have effect in the Law without Our Royal Assent signified by Letters Patent under Our Welsh Seal signed with Our own hand We have therefore caused these Our Letters Patent to be made and have signed them and by them do give Our Royal Assent to those Bills which shall be taken and accepted as good and perfect Acts of the Assembly and be put in due execution accordingly COMMANDING ALSO the Keeper of Our Welsh Seal to seal these Our Letters with that Seal.

IN WITNESS WHEREOF We have caused these Our Letters to be made Patent

WITNESS Ourself at The Court at Sandringham

the fifteenth day of January 2020

in the Sixty-eighth year of Our Reign

By The Queen Herself Signed with Her Own Hand.

It is the responsibility of the Keeper of the Welsh Seal (the First Minister of Wales) to arrange for the Letters Patent to be sent to the National Library of Wales.[153]

Standing Orders include provision for the Clerk to notify the Senedd of the date of Royal Assent to an act.[154]

Section 114 of the Government of Wales Act 2006 allows the Secretary of State for Wales to prohibit the Presiding Officer from submitting a bill to the King for assent. This power has never been used.[155]

Letters Patent granting Royal Assent to an Act of the Senedd (Senedd Commission/Welsh Government)

---

[150] Between 2007 and 2011 proposed Measures passed by the National Assembly were subject to "Royal Approval" as signified at a meeting of the Privy Council.

[151] Government of Wales Act 2006, section 115(4).

[152] See, for example, National Assembly for Wales, The Gazette, 23 June 2023.

[153] The form of Letters Patent is set out in The National Assembly for Wales (Letters Patent) Order 2011.

[154] Standing Orders of the Welsh Parliament, para 26.75.

[155] Government of Wales Act 2006, section 114(1)(a) & (c).

6 Northern Ireland Assembly

The procedure for Royal Assent to acts of the Northern Ireland Assembly (when fully functioning) is slightly different to that in Scotland and Wales:

- Once the unicameral Assembly has passed all the stages of a bill, and if the law officers (the Attorney General for Northern Ireland and the Advocate General for Northern Ireland) do not refer it to the Supreme Court on the basis of legislative competence, then the Speaker writes to the Secretary of State for Northern Ireland requesting that Royal Assent be arranged.[156]
- The Secretary of State submits the relevant paperwork to the Palace. The King signs the Letters Patent, which are then sent to the Royal Courts of Justice in Belfast.
- The Clerk to the Crown for Northern Ireland then affixes the Great Seal of Northern Ireland to the Letters Patent and subsequently notifies the Speaker of the Assembly.[157]
- The bill becomes an Act of the Northern Ireland Assembly at the beginning of the day on which the Speaker has been notified that the Great Seal has been affixed.
- A notice advising of Royal Assent is placed in the Belfast Gazette.[158]
- The Speaker can announce that a bill has received Royal Assent at the next plenary sitting of the Assembly.[159]

The form of Letters Patent signifying Royal Assent to Acts of the Assembly is set out in a Schedule to The Northern Ireland (Royal Assent to Bills) Order 1999.

Section 14 of the Northern Ireland Act 1998 also provides that the Secretary of State "may decide not to submit for Royal Assent a Bill" under certain circumstances. This power has never been used.

156 Northern Ireland Act 1998, section 14.

157 Section 49 of the Northern Ireland Act 1998 empowers the First and deputy First Minister acting jointly to make provision for a wafer Great Seal of Northern Ireland to be on Letters Patent signifying Royal Assent. The current Clerk of the Crown for Northern Ireland is Andy Wells.

158 See, for example, Northern Ireland Assembly, The Gazette, 12 August 2016.

159 Law Making in the Northern Ireland Assembly, Northern Ireland Assembly website.

7 Church of England

The Church of England Assembly (Powers) Act 1919 gave the Church Assembly the power to legislate by Measure, with Parliament keeping the power to consider the Measures (but not to amend them) and to decide whether or not they should be presented to the monarch for the Royal Assent. The Synodical Government Measure 1969 transferred the powers of the Church Assembly to the General Synod (with Parliament's powers unchanged).[160]

Measures are treated like Acts of Parliament for the purposes of Royal Assent. The wording of Letters Patent as set out in The Crown Office (Forms and Proclamations Rules) Order 1992 are simply altered depending on whether Measures are to receive Royal Assent via notification, at prorogation or by the King in person. As with acts, the most common method is via notification.[161] Royal Assent for a Measure at prorogation is rare. The fact that a Measure has received assent may be mentioned at the Synod's next meeting, although this does not appear to be mandatory.

The Great Seal as affixed to an Amending Canon

Canons are another form of primary legislation which have a more limited scope than Measures. These deal with issues such as who may be ordained in the Church of England, and which forms of service may be used. The Synod has a role in making, enacting and promulging canons after the King has issued his Royal Assent and License (a unique instrument that is not contained in the 1992 Order). Parliament is not involved with Canons.

160 Legislation, Church of England website.

161 See, for example, HL Deb 20 October 2021 Vol 815 c129 [Royal Assent]

8 The Crown Dependencies

Legislation made by the Crown Dependencies also requires Royal Assent. Guernsey, Jersey, and the Isle of Man are self-governing jurisdictions which are not part of the United Kingdom.

8.1 Channel Islands legislation

Once acts are passed by the Jersey States Assembly, its law officer writes an "opinion letter" to the Bailiff and Deputy Greffier which is incorporated into a petition sent to the Lieutenant-Governor, who then transmits the petition to the UK Ministry of Justice. Acts are usually scrutinised by the Ministry of Justice to check there is no breach of international obligations, for which the UK is responsible.[162] Advice is also sought from Ministry of Justice lawyers before submission to the Committee of Council for the Affairs of Jersey and Guernsey, which is a committee of the Privy Council.[163] This then advises the Privy Council as to whether the King should make an assenting Order in Council,[164] usually stating that:

> The Committee have considered the Act and have agreed to report that it may be advisable for Your Majesty to approve and ratify it.

Following what is known as "Royal Sanction", the Clerk of the Privy Council signs the Order in Council which is then sent to the Ministry of Justice to be entered (alongside the act) in the Registers of Guernsey or Jersey "and observed accordingly".[165] At this point acts become law.

Projets de Loi (legislation) approved by the States of Guernsey, the States of Alderney or the Chief Pleas of Sark have, as of 29 February 2024, been subject to a different procedure. Projets "wholly relating" to internal affairs can instead be submitted to the Lieutenant-Governor for assent on behalf of the King in Council. The Lieutenant-Governor, however, shall reserve for the

162 Legislation and Legal Resources, Guernsey Royal Court website.

163 The Committee comprises the Secretary of State for Justice and the Lord President of the Council. It was reconstituted by the Royal Assent to Legislation and Petitions (Bailiwick of Jersey) Order 2022 and a similar Order regarding its duties in respect of Guernsey.

164 See Ministry of Justice, Background briefing on the Crown Dependencies: Jersey, Guernsey and the Isle of Man. Such Orders in Council are made by the King as Orders in right of the Crown and not in right of the United Kingdom.

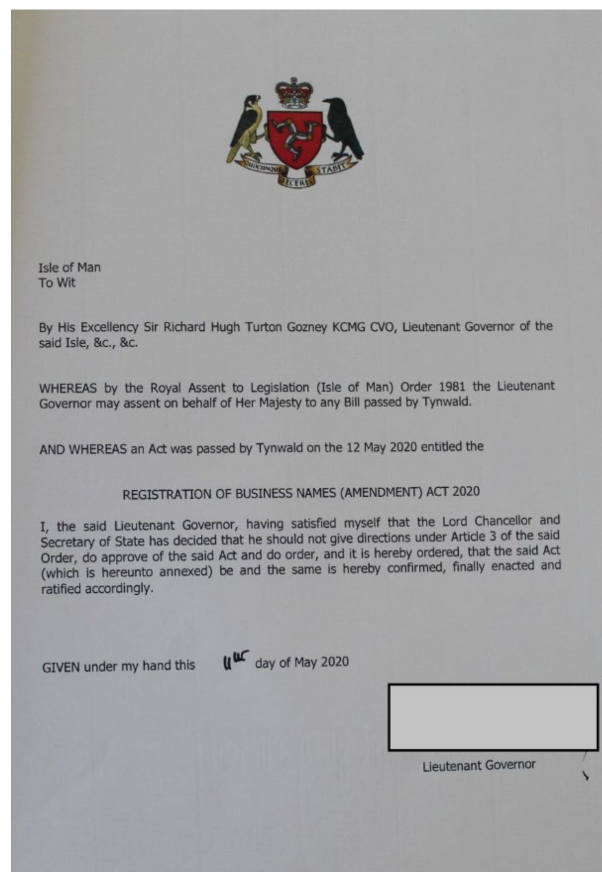
165 In the case of Guernsey, its Royal Court can direct that Orders in Council applicable to Alderney and Sark be transmitted to those semi-autonomous islands.

"signification of His Majesty's pleasure" any Projet de Loi they believe ought to be reserved, or as directed to do so by the Lord Chancellor.[166]

In both Jersey and Guernsey, the Lord Chancellor can recommend that Royal Assent be withheld, although this is rare. In 2008 Jack Straw initially advised against Royal Assent for the first formulation of a new democratic legislature for Sark on the basis that it was "inconsistent with basic democratic principles, some of which were set out in the European Convention on Human Rights". When a revised law was resubmitted by Sark, the Lord Chancellor judged it to be acceptable and recommended it for Royal Assent, which it duly received.[167]

8.2 Isle of Man legislation

Historically, Royal Assent for Isle of Man legislation was also granted via the Privy Council. Since 1981, however, most bills (and Measures of the Sodor and Man Diocesan Synod) are submitted to the Lieutenant Governor for assent.[168] The Ministry of Justice still reviews the legislation and advises the Lieutenant Governor as to whether they ought to grant assent.[169]



Isle of Man
To Wit

By His Excellency Sir Richard Hugh Turton Gozney KCMG CVO, Lieutenant Governor of the said Isle, &c., &c.

WHEREAS by the Royal Assent to Legislation (Isle of Man) Order 1981 the Lieutenant Governor may assent on behalf of Her Majesty to any Bill passed by Tynwald.

AND WHEREAS an Act was passed by Tynwald on the 12 May 2020 entitled the

REGISTRATION OF BUSINESS NAMES (AMENDMENT) ACT 2020

I, the said Lieutenant Governor, having satisfied myself that the Lord Chancellor and Secretary of State has decided that he should not give directions under Article 3 of the said Order, do approve of the said Act and do order, and it is hereby ordered, that the said Act (which is hereunto annexed) be and the same is hereby confirmed, finally enacted and ratified accordingly.

GIVEN under my hand this 11th day of May 2020

Lieutenant Governor

166 Royal Assent to Legislation (Delegation to Lieutenant-Governor) (Bailiwick of Guernsey) Order 2024.

167 House of Commons Justice Committee, Crown Dependencies, 23 March 2010, p18.

168 Under delegated powers contained in the Royal Assent to Legislation (Isle of Man) Order 1981.

169 Royal Assent To Legislation And Sodor And Man Diocesan Synod Measures (Isle of Man) Order 2022

As soon as a bill has completed its passage through Tynwald (the House of Keys and Legislative Council), the Attorney-General for the Isle of Man writes to the Ministry of Justice stating that s/he has no objection to the bill passing into law. Then, once:

> notification has been received from the Ministry of Justice that the Lieutenant Governor may use his delegated powers to grant Royal Assent, the Royal Assent copy is forwarded to the Clerk of Tynwald's Office and is circulated for signing during a sitting of Tynwald Court. Once signed in Tynwald Court, it is sent to Government House where the Lieutenant Governor adds his or her signature.[170]

Once the Lieutenant Governor has signified Royal Assent, notification is sent to the Legislative Buildings. The President of Tynwald announces during a sitting of Tynwald Court that Royal Assent has been granted. It is at this point that, in the absence of express provision to the contrary, the act comes into effect.[171] The Clerk of Tynwald arranges for every act to be promulgated (ie announced) at the next practicable Tynwald Day.[172]

[170] Tynwald – Making Legislation, Tynwald website.

[171] Standing Orders of Tynwald Court, September 2021.

[172] Promulgation is not necessary before an act comes into operation but must take place within 18 months of the act being passed or it will cease to have effect.

9 Overseas Territories

There are 14 UK Overseas Territories (OT) around the world, of which ten are permanently inhabited by UK nationals.

All the Territories have historic links to the UK and, together with the UK and the Crown Dependencies, form one undivided Realm where the King is sovereign. The inhabited Territories have democratically elected legislatures with responsibility for domestic affairs.

In these 10 Territories, the Governors (or their equivalents) grant or refuse the Royal Assent for territorial legislation. They may also "reserve" a bill for a UK Secretary of State to decide if the legislation appears repugnant to the territorial constitution (among other reasons, these vary between Territories). In some Territories, certain categories of legislation must also be reserved for assent by a UK Secretary of State. Even if a law is granted assent by a Governor, for most Territories this can subsequently be disallowed by a UK Secretary of State (in Gibraltar, the Cayman Islands, and Bermuda there are only very limited grounds on which this power can be used, if at all).[173]

For more information on the assent procedure in each Overseas Territory, see Commons Library research briefing CBP9583, The UK Overseas Territories and their Governors.

The UK government generally makes laws for the Overseas Territories in "reserved" areas via Orders in Council, which receive Royal Assent at a meeting of the Privy Council (see Section **3.14**). All constitutional Orders in Council are made under statutory powers, except those made under the Anguilla and Cyprus Acts (1980 and 1960 respectively), and must also be laid before both Houses of Parliament.[174]

[173] When Hong Kong was under British rule, bills passed by its Legislative Council were required to have Royal Assent signified by the Governor. After that territory's transfer of sovereignty to become a special administrative region of the People's Republic of China, bills have been signed and promulgated by the Chief Executive, who is both head of the territory and head of government, to become ordinances.

[174] Commons Foreign Affairs Committee, Overseas Territories, HC 147-I, 6 July 2008, paras 27-28.

10 Commonwealth Realms

In the 14 other Commonwealth Realms, independent countries where the King is also Head of State, it is usually the Governor-General who provides Royal Assent in the name of, and on behalf of, the Monarch. By and large, the same principles apply as in the United Kingdom, although the existence of codified constitutions usually means there is explicit provision for the power to withhold assent.[175]

In the older Realms, including Canada, Australia and New Zealand, discretion was conferred expressly upon the Governor-General to refuse assent,[176] although some academics believe this has subsequently lapsed through lack of use.[177] An exception arises in Papua New Guinea. There, the Governor-General does not give assent to bills. Instead, under section 110 of its constitution, the Speaker provides certification under the National Seal that a law has been made by parliament.[178]

10.1 Royal Assent procedure in the Realms

As in the UK, the older Realms have largely abandoned the traditional Royal Assent ceremony. Until the early 21st century, the federal Canadian parliament in Ottawa retained one which closely resembled that last used at Westminster in 1854. Once the House of Commons had been summoned to the Senate chamber by Black Rod, a formal request was made to the Governor-General as follows:

> May it please Your Excellency: The Senate and the House of Commons have passed the following Bill, to which they humbly request Your Excellency's Assent.

The title of the bill was then read and the Governor General or their nominated deputy signified assent with a nod of the head.

However, the Canadian parliament passed the Royal Assent Act 2002 which – much like the 1967 Act in the UK – allowed for a simpler procedure (a written declaration), while preserving use of the traditional ceremony at least twice

175 Anne Twomey, The Veiled Sceptre, p635.
176 Anne Twomey, The Veiled Sceptre, p637.
177 Anne Twomey, The Veiled Sceptre, pp641-42.
178 Anne Twomey, The Veiled Sceptre, p616-17.

each calendar year and in the case of the first appropriation bill of each session of parliament.[179]

This sort of ceremony has not taken place in Australia since the early years of the Commonwealth. Instead, the usual practice is for parliament to transmit copies of a bill to the residence of the Governor-General. Once the Governor-General has affixed his or her signature, assent is made known by messages to the president of the Senate and speaker of the House of Representatives, who duly notify their respective chambers.[180] In South Australia, assent is formally given in that state's Executive Council. In all other states Royal Assent is given by the Governor by signing a certificate at the foot of a bill.[181]

In New Zealand, the Governor-General has not attended in person to prorogue parliament or assent to bills since 1875. Rather, bills are presented for Royal Assent at Government House where the Governor-General assents by signing two copies and returning these to the House with a message informing it that assent has been granted in the name of the King. The message, if received while the House is sitting, is read to the House by its Speaker.[182]

10.2 Royal Assent by the monarch in person

During the reigns of King George VI and Queen Elizabeth II, Royal Assent was occasionally provided by the monarch while visiting an overseas Realm (or one of its constituent parts). This took place for the first time when George VI (and his consort Queen Elizabeth) visited Canada during 1939. While in the Senate, the King gave Royal Assent to nine bills, taking the place of the Governor-General, Lord Tweedsmuir (the novelist John Buchan).[183]

Under the federal Australian constitution, the Governor-General can either assent in the King's name, withhold or "reserve" a law for "the King's pleasure", ie their personal assent. Identical provision exists in Canada's Constitution Acts.[184] Governors in most Australian states held similar powers.

During her post-coronation visit to Australia, Queen Elizabeth II personally assented to the Flags Act 1953 on 14 February 1954.[185] She did so by adding her signature and the date to the bill itself. On a subsequent visit to the Queensland Parliament in Brisbane, the Queen personally granted Royal Assent to the James Cook University of North Queensland Act 1970. Three

179 Canadian Parliamentary Review. For an example of a contemporary written declaration of assent for a bill, see Royal Assent Ceremony to Bill C-4, Governor General of Canada website.

180 Presentation of bills for assent, Parliament of Australia website.

181 Anne Twomey, The refusal or deferral of royal assent.

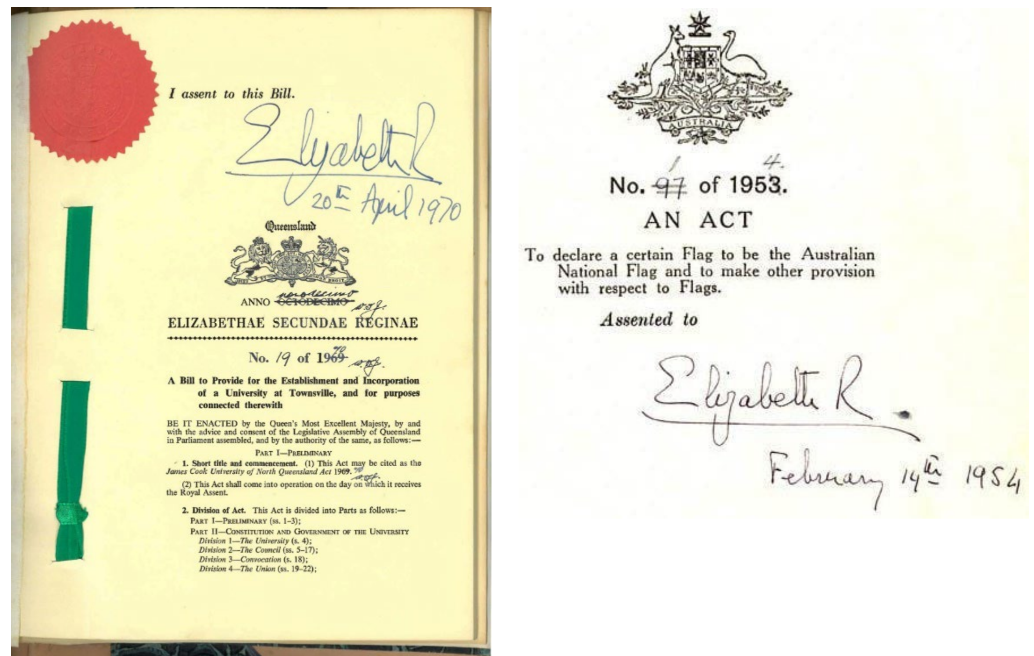
182 The Royal Assent – turning bills into law, New Zealand Parliament website.

183 The 1939 Royal Visit, Historical Society of Ottawa website. The King also ratified two treaties.

184 The Constitution Acts, 1867 to 1982, section 55.

185 Earlier in the same Commonwealth tour, the Queen provided Royal Assent to the Judicature Amendment Act 1954 after opening the New Zealand Parliament in Wellington.

years later, the Queen assented to the federal Royal Style and Titles Act 1973. Instead of it being signed by the Governor General, Sir Paul Hasluck wrote: "I reserve this proposed law for Her Majesty's pleasure." The Queen signed the bill at Government House in Canberra.[186]



Queen Elizabeth II's personal Assent to Bills from the Parliaments of Queensland and Australia

The last Australian bill reserved for a monarch's assent was the Privy Council (Appeals from the High Court) Act 1975. However, the Australia Act 1986 came into operation following a proclamation by the Queen during a visit to Australia.[187] Section 7(4) of that Act provides that if the King is "personally present in a State" he can exercise "all powers and functions" normally carried out by its Governor.

10.3 Disallowance

Under section 59 of the Australian constitution, the King may "disallow" any federal law within a year of the Governor-General's assent. Such disallowance on being made known by the Governor-General by speech or message to each of House of Parliament, or by proclamation, would annul the law from the day on which the disallowance was made known. This action has never been taken. Similar provision exists in section 56 of the Canadian constitution, while section 16 of the New Zealand Constitution Act 1986 is much narrower in scope, providing only that a bill "shall become law" when "the Sovereign or the Governor-General assents to it".

[186] Documenting a Democracy, Museum of Australian Democracy website.

[187] This act ended a procedure under which bills from Australian states were reserved for assent by the Queen in Council. In Ottawa on 17 April 1982, the Queen signed a proclamation bringing into effect the Canada Act 1982, which "repatriated" the Canadian constitution.

The House of Commons Library is a research and information service based in the UK Parliament. Our impartial analysis, statistical research and resources help MPs and their staff scrutinise legislation, develop policy, and support constituents.

Our published material is available to everyone on commonslibrary.parliament.uk.

Get our latest research delivered straight to your inbox. Subscribe at commonslibrary.parliament.uk/subscribe or scan the code below: