



Factsheet P11 Procedure Series

Revised November 2002

Contents

Resignation of Members of Parliament	2
<i>Current procedure</i>	2
Historical background	2
<i>Offices of profit</i>	2
<i>The Chiltern Hundreds</i>	3
<i>Manor of Northstead</i>	3
Appendix A	4
<i>Map of the Chiltern Hundreds</i>	4
Appendix B	5
<i>Appointments to the Chiltern Hundreds and Manor of Northstead Stewardships: 1970-2001</i>	5
Contact information	6
Feedback form	7

House of Commons Information Office

The Chiltern Hundreds

Under a Resolution of the House of 2 March 1623, Members of Parliament cannot directly resign their seat. Death, disqualification, elevation to the Peerage, dissolution or expulsion are the only causes by which a Member's seat can be vacated. Therefore a Member wishing to resign has to go through the process of applying for a paid office of the Crown, which automatically disqualifies the Member from holding a seat in the House of Commons. There are two such offices: Crown Steward and Bailiff of the Chiltern Hundreds and the Manor of Northstead. This Factsheet describes the process in more detail and lists all those who have taken such offices since 1970.

This Factsheet is available on the Internet through:
<http://www.parliament.uk/directories/hcio.cfm>

November 2002
FS No.P11 Ed 3.1
ISSN 0144-4689

© Parliamentary Copyright
(House of Commons) 2002
May be reproduced for purposes of
private study or research without
permission.

Reproduction for sale or other
commercial purposes not permitted.

Resignation of Members of Parliament

In the past, serving in Parliament was often regarded as an obligation to be accepted only reluctantly, not an honour eagerly to be sought. Therefore, it was necessary to discourage resignation. Under a Resolution of the House of 2 March 1623, which is still in force, Members of Parliament cannot directly resign their seat. One way that a Member could legally vacate his or her seat was by accepting a paid office of the Crown. This was because it was assumed that a Member receiving a salary from the Crown could not be expected to scrutinise the actions of the Crown or the Crown's government. Until 1919 Ministers, on their acceptance of office, were disqualified from sitting, and had to submit to an election. Acceptance of certain paid offices (e.g. a judge) still disqualifies a Member. The last Member to give up his seat from appointment to an actual paid office was Sir Thomas Williams, appointed a circuit judge on 1 June 1981. Details of paid offices of the Crown can be found in Schedule 1 of the *House of Commons Disqualification Act 1975* (chapter 24).

The Crown once had many offices, with many different duties at its disposal, to which appointments could be made. Two of these offices have been retained. They are those of Crown Steward and Bailiff of the three Chiltern Hundreds of Stoke, Desborough and Burnham, and of the Manor of Northstead. These offices have been retained as nominal offices of profit solely to meet the requirements of the *House of Commons Disqualification Act 1975*.

Current procedure

A Member wishing to resign applies to the Chancellor of the Exchequer for one of the offices, which he or she retains until the Chancellor appoints another applicant or until the holder applies for release from it. (Every new warrant issued revokes the last holder). It is usual to grant the offices alternately; as this enables two Members to retire at precisely the same time. Indeed, on 17 December 1985, fifteen Ulster Unionist MPs resigned on the same day.

Upon receipt of a Member's application for the Chiltern Hundreds, a warrant of appointment is signed (in the presence of a witness) by the Chancellor of the Exchequer. Since 1850, these have been registered and retained in the Treasury. On the day the warrant is signed a letter is sent to the Member, omitting the letters MP after his name, to inform him that he has been appointed to the office. Letters of notification are also sent at the same time to the Offices of the Speaker and the Government and Opposition Whips. As soon as practical, the appointment is noted in the *London Gazette*. It is also the practice for the Treasury to issue a brief press notice.

If a Stewardship is granted during a recess, the new writ for a by-election cannot be issued until the House meets again. If it is granted during the Session, the party's Whip is free to move for a new writ immediately after the Chancellor of the Exchequer has signed the warrant of appointment (see also **Factsheet M7** Parliamentary Elections).

Historical background

Offices of profit

Other nominal offices of profit under the Crown have included the Stewardships of the Manors of Old Shoreham, East Hendred, Poynings and Hempholme, last used in 1799, 1840, 1843 and 1865, respectively. In the Irish Parliament, two other offices, the Escheatorships of Munster and Ulster, were used as laid down by an Act of 1793; after the Union, these continued in the Westminster Parliament, under an Act of 1801. In these cases, appointment was made by Letters Patent under the Great Seal by the Lord-Lieutenant of Ireland. These offices lapsed after the 1830s, though Munster, together with Chiltern Hundreds, Northstead, Hempholme and East

Hundred were retained under section 4 of the *Elections of Members during Recess Act 1858* (Cap 110), which was in force until 1975.

The Chiltern Hundreds

The Hundreds of Stoke, Desborough and Burnham are in Buckinghamshire, and include the towns of Amersham, Beaconsfield, High Wycombe, Marlow, Eton and Chesham. They extend from the Middlesex border west across most of the county and from the Hertfordshire border to the Thames. The Hundreds belonged to the Crown as early as the 13th century and were administered as a Royal bailiwick (run on behalf of the Crown). There was another Royal bailiwick of the Chiltern Hundreds, this being the four and a half hundreds of Burfield, Langtree, Lewknor, Pirton and Ewelme in Oxfordshire. During the seventeenth century - a hundred years after any records of their actual administration cease - the office of Steward became divorced from any former actual duties, and ceased to enjoy any revenues from the area.

The Stewardship of the Chiltern Hundreds is thought to have been used for the first time as a means of resignation from the House of Commons on 17 January 1751 by John Pitt, who wanted to vacate his seat for Wareham and stand for Dorchester. In October 1750, Pelham wrote to William Pitt "*I find Jack Pitt is very anxious about quitting his seat in Parliament in order to be chosen at Dorchester. You know the only difficulty. I have assured him I will do my best when the King comes over ... I hope, when I can speak myself, it will do. I must beg you to make him easy*". The King did indeed grant him the Stewardship, and John Pitt was later returned unopposed for Dorchester.

In 1842, the grant of the Chiltern Hundreds was refused to Viscount Chelsea.

Manor of Northstead

The Manor of Northstead consisted of a number of fields and farms in the parish of Scalby in the North Riding of Yorkshire. In 1600 the main property of this manor was described as "an old chamber ... a low house under it, unfit for habitation. Sir Richard Cholmley's shepherd dwelt there until it fell down".

The Manor of Northstead was first granted in March 1844 to Sir George Rose, Member for Christchurch.

In 1861-62, there was some controversy about these offices. Gladstone evidently favoured the possibility of straightforward resignation, as he was worried about the honour conferred by the appointment. He thought people such as Edwin James, who had been appointed to the Chiltern Hundreds after he had fled to America owing £10,000, unworthy of the title. This led to a re-working of the letter of appointment to omit any reference to the Stewardship being a matter of honour.

Appendix A Map of the Chiltern Hundreds



Map showing Chiltern Hundreds of Stoke (Stoches), Desborough (Dustenberge) and Burnham (Burneham) in Buckinghamshire. Taken from the Victoria County History of Buckinghamshire, Volume 1.

Appendix B

Appointments to the Chiltern Hundreds and Manor of Northstead Stewardships: 1970-2001

Date of appointment	Member's name	Office
2 Apr 1970	William James Owen	Northstead
11 Jan 1971	Horace Maybray King	Chiltern Hundreds
3 Feb 1971	Walter Harold Alldritt	Northstead
30 Mar 1972	Raymond Jones Gunter	Chiltern Hundreds
16 Oct 1972	Dick Taverne	Northstead
29 Dec 1972	George Thomson	Chiltern Hundreds
16 Feb 1973	Maurice Foley	Northstead
1 Jun 1973	Antony Lambton	Chiltern Hundreds
11 Feb 1976	Selwyn Lloyd	Northstead
27 Aug 1976	John Stonehouse	Chiltern Hundreds
12 Oct 1976	Edward Short	Northstead
12 Nov 1976	David Lane	Chiltern Hundreds
5 Jan 1977	Christopher Tugendhat	Northstead
5 Jan 1977	Roy Jenkins	Chiltern Hundreds
5 Apr 1977	David Marquand	Northstead
16 Jun 1977	Brian Walden	Chiltern Hundreds
25 Jul 1977	John Cordle	Northstead
6 Apr 1978	Sir Peter Rawlinson	Chiltern Hundreds
6 Nov 1978	John Davies	Northstead
24 Oct 1979	Geoffrey Dodsworth	Chiltern Hundreds
5 May 1982	Bruce Douglas-Mann	Northstead
1 Nov 1982	Robert Mellish	Chiltern Hundreds
19 Jan 1984	Eric Varley	Northstead
17 Dec 1985	James Molyneaux	Chiltern Hundreds
17 Dec 1985	Rev Ian Paisley	Northstead
17 Dec 1985	Roy Beggs	Chiltern Hundreds
17 Dec 1985	Clifford Forsythe	Northstead
17 Dec 1985	Harold McCusker	Chiltern Hundreds
17 Dec 1985	Ken Maginnis	Northstead
17 Dec 1985	William Ross	Chiltern Hundreds
17 Dec 1985	Peter Robinson	Northstead
17 Dec 1985	John D Taylor	Chiltern Hundreds
17 Dec 1985	Rev Martin Smyth	Northstead
17 Dec 1985	James Kilfedder	Chiltern Hundreds
17 Dec 1985	A Cecil Walker	Northstead
17 Dec 1985	James Nicholson	Chiltern Hundreds
17 Dec 1985	J Enoch Powell	Northstead
17 Dec 1985	Rev Robert McCrea	Chiltern Hundreds
17 Apr 1986	Matthew Parris	Northstead
24 Jun 1986	John Golding	Chiltern Hundreds
1 Oct 1986	Robert Kilroy-Silk	Northstead
18 Oct 1988	Bruce Millan	Chiltern Hundreds
31 Dec 1988	Leon Brittan	Northstead
18 May 1989	Stuart Holland	Chiltern Hundreds
16 May 1994	Bryan Charles Gould	Northstead
20 Jan 1995	Neil Gordon Kinnock	Chiltern Hundreds
27 Oct 1997	Piers Merchant	Northstead
28 Jun 1999	Alastair Goodlad	Chiltern Hundreds
10 Jan 2000	Cynog Dafis	Northstead
23 Oct 2000	Betty Boothroyd	Chiltern Hundreds
21 Nov 2000	Dennis Canavan	Northstead

Contact information

House of Commons Information Office
House of Commons
London SW1A 2TT
Phone 020 7219 4272
Fax 020 7219 5839
hcinfo@parliament.uk
www.parliament.uk

House of Lords Information Office
House of Lords
London SW1A 0PW
Phone 020 7219 3107
Fax 020 7219 0620
hcinfo@parliament.uk

Parliamentary Education Unit
House of Commons
London SW1A 2TT
Phone 020 7219 2105
Fax 020 7219 0818
edunit@parliament.uk

House of Lords Record Office
House of Lords
London SW1A 0PW
Phone 020 7219 3074
Fax 020 7219 2570
hiro@parliament.uk

Parliamentary Bookshop
12 Bridge Street
Parliament Square
London SW1A 2JX
Phone 020 7219 3890
Fax 020 7219 3866
bookshop@parliament.uk

Factsheet P11 The Chiltern Hundreds

It would help greatly to ensure that Factsheets fulfil their purpose if users would fill in and return this brief pre-addressed questionnaire, or email a response. Negative responses can be as useful as positive.

For your purposes, did you find this Factsheet

- | | | | | | |
|----------------|--------------------------|------------------|--------------------------|----------------|--------------------------|
| 1. Very useful | <input type="checkbox"/> | Fairly useful | <input type="checkbox"/> | Not much use | <input type="checkbox"/> |
| 2. Too long | <input type="checkbox"/> | The right length | <input type="checkbox"/> | Too short | <input type="checkbox"/> |
| 3. Clear | <input type="checkbox"/> | Not always clear | <input type="checkbox"/> | Rather unclear | <input type="checkbox"/> |

Any comments?

Please write to:
Bryn Morgan
Head of Office
House of Commons Information Office
London SW1A 2TT

If you prefer, please email to:
hcinfo@parliament.uk

If you require a reply, please print your name and address below

Name

Address

