



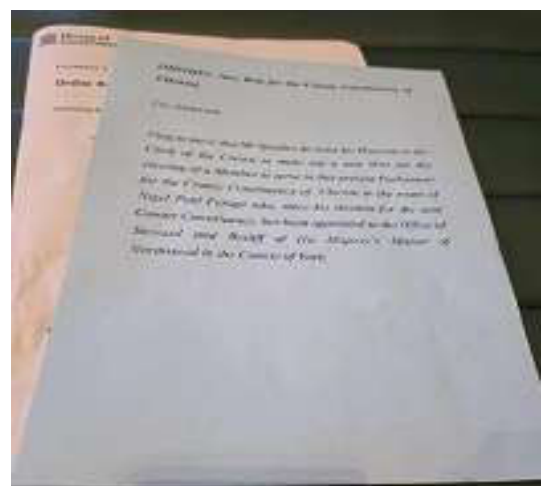
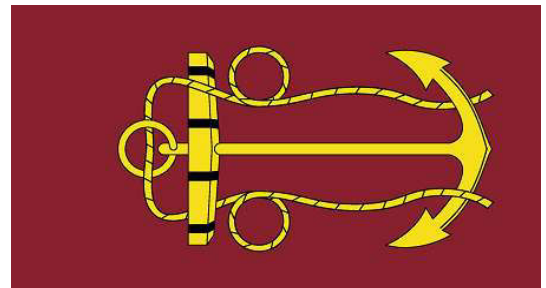
ELECTIONS

Nigel Farage: "Clacton will be a People versus the Establishment by-election"

BY REFORM DAILY TEAM | 7 JULY 2026

[Read the full story →](#)

The Nullity of the disqualification of Nigel Farage by Rachel Reeves's appointment of him to the position of Crown Steward and Bailiff of the Manor of Northstead



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Part 1

House of Commons

Thursday 11 July 2024

The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Members Sworn

Mr Speaker: I remind the House that I expect to be in the Chair today until 11.30 am. I will make an announcement later about when the House will meet next week.

Can I encourage all Members who have not already taken the Oath to come to the Chamber this morning and do so?

Will Members wishing to take their seats please come to the Table?

The following Members took and subscribed the Oath, or made and subscribed the Affirmation required by law:

Right honourable David Gordon Mundell, *for* Dumfriesshire, Clydesdale and Tweeddale

Helen Elaine Maguire, Epsom and Ewell

Tahir Ali, Birmingham Hall Green and Moseley

Alistair Scott Carns, Birmingham Selly Oak

Georgia Anne Rebuck Gould, Queen's Park and Maida Vale

Torcuil Crichton, Na h-Eileanan an Iar

Rebecca Gittins, Clwyd East

James Richard Frith, Bury North

Nicholas James Timothy, West Suffolk

Liam Joseph Conlon, Beckenham and Penge

Miatta Nema Fahnbulleh, Peckham

Joshua Cameron Simons, Makerfield

9.54 am

Sitting suspended.

10.28 am

On resuming—

The following Members took and subscribed the Oath, or made and subscribed the Affirmation required by law:

Lewis Malcolm Atkinson, *for* Sunderland Central

Juan Timothy Charles Roca, Macclesfield

Amanda Louise Martin, Portsmouth North

Michelle Welsh, Sherwood Forest

Nigel Paul Farage, Clacton

Kirsty Ann Blackman, Aberdeen North

Right honourable Sue-Ellen Cassiana Braverman, Fareham and Waterlooville

Andrew Graham Cooper, Mid Cheshire

Jennifer Craft, Thurrock

Paul Christopher Kohler, Wimbledon

Carolyn Harris, Neath and Swansea East

Graham Leadbitter, Moray West, Nairn and Strathspey

Sarah Madeleine Webster Smith, Hyndburn

Shockat Hussain Adam, Leicester South

Iqbal Hussain Mohamed, Dewsbury and Batley

Right honourable Thomas Georg John Tugendhat, Tonbridge

10.53 am

Sitting suspended.

11.16 am

On resuming—

The following Members took and subscribed the Oath, or made and subscribed the Affirmation required by law:

Rushanara Ali, *for* Bethnal Green and Stepney

Mary Helen Creagh, Coventry East

Natalie Sarah Fleet, Bolsover

ADJOURNMENT

Resolved, That this House do now adjourn until Tuesday 16 July.—(*Gerald Jones.*)

11.33 am

House adjourned.



Oaths Act 1978

1978 CHAPTER 19

PART I

ENGLAND, WALES AND NORTHERN IRELAND

1 Manner of administration of oaths.

- (1) Any oath may be administered and taken in England, Wales or Northern Ireland in the following form and manner:—
The person taking the oath shall hold the New Testament, or, in the case of a Jew, the Old Testament, in his uplifted hand, and shall say or repeat after the officer administering the oath the words “I swear by Almighty God that”, followed by the words of the oath prescribed by law.
- (2) The officer shall (unless the person about to take the oath voluntarily objects thereto, or is physically incapable of so taking the oath) administer the oath in the form and manner aforesaid without question.
- (3) In the case of a person who is neither a Christian nor a Jew, the oath shall be administered in any lawful manner.
- (4) In this section “officer” means any person duly authorised to administer oaths.

Modifications etc. (not altering text)

- C1 S. 1 applied (with modifications) (31.10.2009) by [The Court Martial Appeal Court Rules 2009 \(S.I. 2009/2657\)](#), [rule 15](#), Sch. 1
- C2 S. 1 applied (with modifications) (31.10.2009) by [The Armed Forces \(Court Martial\) Rules 2009 \(S.I. 2009/2041\)](#), [rule 21](#)
- C3 S. 1 applied (with modifications) (31.10.2009) by [The Armed Forces \(Summary Hearing and Activation of Suspended Sentences of Service Detention\) Rules 2009 \(S.I. 2009/1216\)](#), [rule 14](#)
- C4 S. 1 applied (with modifications) (31.10.2009) by [The Armed Forces \(Summary Appeal Court\) Rules 2009 \(S.I. 2009/1211\)](#), [rule 28](#)
- C5 S. 1 applied (with modifications) (31.10.2009) by [The Armed Forces \(Service Civilian Court\) Rules 2009 \(S.I. 2009/1209\)](#), [rule 20](#)

Changes to legislation: There are currently no known outstanding effects
for the Oaths Act 1978, Section 1. (See end of Document for details)

- C6** S. 1 applied (with modifications) (31.10.2009) by [The Armed Forces \(Warrants of Arrest for Service Offences\) Rules 2009 \(S.I. 2009/1110\)](#), **rule 16**
- C7** S. 1 applied (with modifications) (31.10.2009) by [The Armed Forces \(Custody Proceedings\) Rules 2009 \(S.I. 2009/1098\)](#), **rule 21**
- C8** S. 1 modified (31.1.1999) by [S.I. 1998/1504 \(N.I. 9\)](#), **art. 19(1)(3)**; [S.R. 1999/25](#), **art. 2**
S. 1 modified (4.11.1996) by [S.I. 1995/755 \(N.I. 2\)](#), **art. 169(1)**; [S.R. 1996/297](#), **art. 2(2)**

Changes to legislation:

There are currently no known outstanding effects for the Oaths Act 1978, Section 1.



Oaths Act 1978

1978 CHAPTER 19

PART II

UNITED KINGDOM

Oaths

4 Validity of oaths.

- (1) In any case in which an oath may lawfully be and has been administered to any person, if it has been administered in a form and manner other than that prescribed by law, he is bound by it if it has been administered in such form and with such ceremonies as he may have declared to be binding.
- (2) Where an oath has been duly administered and taken, the fact that the person to whom it was administered had, at the time of taking it, no religious belief, shall not for any purpose affect the validity of the oath.

Modifications etc. (not altering text)

- C1 S. 3-6 applied (with modifications) (31.10.2009) by [The Court Martial Appeal Court Rules 2009 \(S.I. 2009/2657\)](#), [rule 15](#), Sch. 1
- C2 S. 3-6 applied (with modifications) (31.10.2009) by [The Armed Forces \(Court Martial\) Rules 2009 \(S.I. 2009/2041\)](#), [rule 21](#)
- C3 S. 3-6 applied (with modifications) (31.10.2009) by [The Armed Forces \(Summary Hearing and Activation of Suspended Sentences of Service Detention\) Rules 2009 \(S.I. 2009/1216\)](#), [rule 14](#)
- C4 S. 3-6 applied (with modifications) (31.10.2009) by [The Armed Forces \(Summary Appeal Court\) Rules 2009 \(S.I. 2009/1211\)](#), [rule 28](#)
- C5 S. 3-6 applied (with modifications) (31.10.2009) by [The Armed Forces \(Service Civilian Court\) Rules 2009 \(S.I. 2009/1209\)](#), [rule 20](#)
- C6 S. 3-6 applied (with modifications) (31.10.2009) by [The Armed Forces \(Warrants of Arrest for Service Offences\) Rules 2009 \(S.I. 2009/1110\)](#), [rule 16](#)

Changes to legislation: There are currently no known outstanding effects
for the Oaths Act 1978, Section 4. (See end of Document for details)

C7 S. 3-6 applied (with modifications) (31.10.2009) by [The Armed Forces \(Custody Proceedings\) Rules 2009 \(S.I. 2009/1098\)](#), **rule 21**

Changes to legislation:

There are currently no known outstanding effects for the Oaths Act 1978, Section 4.



Interpretation Act 1978

1978 CHAPTER 30

Statutory powers and duties

12 Continuity of powers and duties.

- (1) Where an Act confers a power or imposes a duty it is implied, unless the contrary intention appears, that the power may be exercised, or the duty is to be performed, from time to time as occasion requires.
- (2) Where an Act confers a power or imposes a duty on the holder of an office as such, it is implied, unless the contrary intention appears, that the power may be exercised, or the duty is to be performed, by the holder for the time being of the office.

Changes to legislation:

There are currently no known outstanding effects for the Interpretation Act 1978, Section 12.

The Code of Conduct for Members of Parliament

Prepared pursuant to the Resolution of the House of 19 July 1995

A – The purpose of the Code

The purpose of the Code of Conduct is to:

- a) build a common understanding of what behaviour and attitudes the House wishes to promote or considers unacceptable;
- b) ensure the openness and accountability essential to the proper functioning of a representative democracy;
- c) protect and enhance the reputation of the House of Commons, in order that the public can have justifiable confidence in it;
- d) ensure all Members can and do speak and act without fear or favour; and
- e) give clarity for Members and the public about the rules of conduct which underpin these standards, which are expected of all Members in undertaking their duties.

B – The scope of the Code

The Code applies to Members in all aspects of their public life. It does not seek to regulate what Members do in their purely private and personal lives. The obligations set out in this Code are complementary to the procedural and other rules of the House, the Oath or Affirmation of allegiance to the Crown, the rulings of the Chair and the Ministerial Code. In addition, no Member is above the law.

The application of this Code shall be a matter for the House of Commons, and particularly for the Committee on Standards, the Independent Expert Panel and the Parliamentary Commissioner for Standards in accordance with Standing Orders.

The Parliamentary Commissioner for Standards may investigate a specific matter relating to a Member's adherence to the rules of conduct under the Code and the rules relating to upholding the Code, under the provisions of Standing Order No. 150(2)(e). The Commissioner is not able to investigate alleged breaches of the Seven Principles of Public Life in themselves, but will take the Principles into account when considering allegations of breaches of the rules.

C – Seven Principles of Public Life

The House of Commons Code of Conduct is inspired and informed by the Seven Principles of Public Life. The Principles apply across the public services.

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

D - Rules of conduct

1. Members must treat their staff and all those visiting or working for or with Parliament with dignity, courtesy and respect.¹
2. Members must base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
3. The acceptance by a Member of a bribe to influence his or her conduct as a Member, including any fee, compensation or reward in connection with the promotion of, or opposition to, any Bill, Motion, or other matter submitted, or intended to be submitted to the House, or to any Committee of the House, is contrary to the law of Parliament.
4. Members must rigorously follow the rules on lobbying set out in the Guide to the Rules.
5. Members must fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests. New Members must register all their current financial interests, and any registrable benefits (other than

1 Resolution of 19 July 2018

earnings) received in the 12 months before their election within one month of their election, and Members must register any change in those registrable interests within 28 days.

6. Members must always be open and frank in declaring any relevant interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members, public officials or public office holders.

7. Members must only use information which they have received in confidence in the course of their parliamentary activities in connection with those activities, and never for other purposes.

8. Excepting modest and reasonable personal use, Members must ensure that the use of facilities and services provided to them by Parliament, including an office, is in support of their parliamentary activities, and is in accordance with all relevant rules.

9. Members must not provide, or agree to provide, paid parliamentary advice, including undertaking, or agreeing to undertake services as a Parliamentary strategist, adviser or consultant.

10. A Member who is the Chair and Registered Contact of an All-Party Parliamentary Group must ensure that the Group and any secretariat observe the rules set down for such Groups.

11. Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally.

E – Rules relating to upholding the Code

12. Members must co-operate at all times with the Parliamentary Commissioner for Standards in the conduct of any investigation and with the Committee on Standards and the Independent Expert Panel in any subsequent consideration of a case.

13. Members must not disclose details in relation to: (i) any investigation by the Parliamentary Commissioner for Standards except when required by law to do so, or authorised by the Commissioner; nor (ii) the proceedings of the Committee on Standards or the Independent Expert Panel in relation to a complaint unless required by law to do so, or authorised by the Committee or the Panel respectively.

14. Members must not lobby a member of the Committee on Standards, the Independent Expert Panel or the Parliamentary Commissioner for Standards, or their staff, in a manner calculated or intended to influence their consideration of whether a breach of the Code of Conduct has occurred, or in relation to the imposition of a sanction.

15. Members must not seek to influence, encourage, induce or attempt to induce, a person making a complaint in an investigation to withdraw or amend their complaint, or any witness or other person participating in a complaint to withdraw or alter their evidence.

16. Members must comply with any sanction imposed by the Independent Expert Panel.

17. Members must comply with a sanction imposed by the Committee on Standards or the House relating to withdrawal of services or facilities from a Member.

3 The Commissioner's processes

The role of the Parliamentary Commissioner for Standards

14. The Parliamentary Commissioner for Standards is appointed to investigate allegations of breaches of the Code of Conduct for Members of Parliament. The role and powers of the Commissioner are set out in [Standing Order No. 150](#).

What the Commissioner can investigate

15. The Commissioner can investigate alleged breaches of the rules of conduct, and the associated rules which are set out in the [Guide to the Rules](#), and alleged breaches of the rules relating to upholding the Code.

16. The Commissioner can investigate alleged breaches of the rules for All-Party Parliamentary Groups, under paragraph 10 of the Code.

What the Commissioner cannot investigate

17. The Commissioner cannot investigate allegations solely about breaches of the Seven Principles of Public Life.

18. The Commissioner cannot investigate the following, unless as part of an investigation into an alleged breach of paragraph 11 of the Code:

- a) policy matters;
- b) a Member's views or opinions, including those expressed on social media;
- c) a Member's handling of or decision about their casework, including their handling of correspondence, whether or not anyone involved is a constituent of the Member.

19. The Commissioner cannot investigate in any circumstances:

- a) conduct in the Chamber, which is a matter for [the Speaker](#);
- b) alleged breaches of the scheme for parliamentary expenses, which are matters for the [Independent Parliamentary Standards Authority](#) (IPSA);
- c) allegations of criminal misconduct, which are normally a matter for the police;
- d) the funding of political parties and the permissibility of donations, which are matters for the [Electoral Commission](#);
- e) allegations of breaches of the [Ministerial Code](#), which governs the conduct of government Ministers in their capacity as Ministers and which are matters for the Cabinet Office;
- f) allegations relating to a Member's purely private and personal life.

20. Complaints of harassment, bullying or sexual harassment must be made through the Independent Complaints and Grievance Scheme (ICGS) in the first instance, not to the Commissioner.

Initiating an investigation

21. The Commissioner can start an investigation into an alleged breach of the rules that have been brought to their attention in the following ways:

- a) allegations brought to their attention by a complainant;
- b) matters brought to their attention by the Member concerned (self-referral);
- c) investigations on their own initiative;
- d) matters which arise during the course of an investigation; and
- e) matters referred to them by IPSA and certain other bodies.⁴

22. The Commissioner cannot accept complaints about paragraphs 1 or 16 of the Code, which are provisions relating to the Independent Complaints and Grievance Scheme.

Accepting or rejecting allegations

23. Before beginning a formal investigation, the Commissioner must first be satisfied that the matter falls within their remit. They will then consider whether the evidence provided is sufficient to justify beginning an investigation. The Commissioner may sometimes ask for more information from a complainant before deciding whether to open an investigation.

24. It is for the Commissioner alone to decide whether a formal investigation would be justified or proportionate. The House has approved the general principle that the Committee on Standards does not seek to direct the Commissioner's operational decision-making.⁵

25. The Commissioner may ask the Member or third parties straightforward factual questions before reaching a decision on whether to begin a formal investigation. For example, in stationery complaints they may seek confirmation that House-provided stationery was used.

26. If the Commissioner decides to conduct a formal investigation, they will write to the person who has made the allegation and provide them with a copy of this Protocol. The receipt of a complaint or the initiation of an investigation by the Commissioner does not imply that there has been a breach of the rules of the House.

4 Complaints about the misuse of the scheme for parliamentary expenses since May 2010 are a matter for the Independent Parliamentary Standards Authority. However, where the Independent Parliamentary Standards Authority or its Compliance Officer consider that a Member's conduct justifies it, they shall refer that Member, with the relevant evidence, to the Commissioner for the Commissioner to decide whether to investigate a potential breach of the Code of Conduct and its associated rules.

5 Votes and Proceedings, 7 January 2019; which approved the Committee on Standards' Fifth Report of Session 2019–21.

27. If the Commissioner considers that:

- a) the allegations fall within their remit;
- b) there is sufficient evidence to justify the initiation of an investigation into whether a Member has breached the Code of Conduct; and
- c) an investigation would be proportionate—

then the Commissioner will initiate the investigation.

28. If the Commissioner decides that:

- a) there is not sufficient evidence of a breach; or
- b) that an investigation would be disproportionate (given the nature and/or relative seriousness of the allegation); or
- c) that the matter falls outside their remit—

then they will not initiate an investigation, and will write to the person who has made the allegation giving brief reasons for their decision.

29. The Commissioner will report briefly to the Committee on formal complaints and allegations submitted.

30. The Commissioner's decision not to conduct a formal investigation is final and cannot be appealed. However, if additional evidence comes to light, the allegation can be resubmitted, and the Commissioner will consider it afresh.

Starting a formal investigation

31. If the Commissioner decides to begin a formal investigation, they will do the following:

- a) Write to the person who made the allegation to tell them of the decision to begin an investigation and explain that their correspondence is confidential and subject to parliamentary privilege.
- b) Send an "initiation letter" to the Member. This will:
 - i) include a copy of the complaint, along with the evidence provided in support of the allegation;
 - ii) set out what will be investigated and provide details of the relevant rules engaged; and
 - iii) inform the Member about the confidentiality requirements that apply to their investigations.
- c) Ask the Member for their response to the allegation, and ask any questions that the Commissioner deems appropriate.
- d) Offer a meeting with the Member at the outset of the investigation.

During the investigation

32. Paragraph 12 of the Code provides that

Members must co-operate at all times with the Parliamentary Commissioner for Standards in the conduct of any investigation and with the Committee on Standards and the Independent Expert Panel in any subsequent consideration of a case.

33. Members should respond personally to the Commissioner during an investigation. The Commissioner will not normally correspond with a legal adviser or other third party responding on behalf of a Member (though Members may take legal advice during an investigation).

34. The Commissioner will disclose to the Member all the evidence they consider as part of an investigation.

Meetings with the Commissioner

35. A Member under investigation may request to meet the Commissioner during the investigation, for example, to ask the Commissioner to explain the procedure of their investigation. Such a meeting may be in person or online. A Member may be accompanied by a legal adviser at any meeting with the Commissioner.

36. The Commissioner will always make a contemporaneous note or a recording of any interview or meeting with the Member and any witnesses (unless the meeting relates solely to a Member's welfare), and agree the accuracy of that note or transcript of the recording with the Member/witness.

Extending scope

37. If, during the course of an investigation, the evidence causes the Commissioner to identify a possible additional breach of the rules, they will draw that to the attention of the Member, setting out the relevant rule(s) and giving the Member a fair opportunity to respond to that specific matter.

Steps the Commissioner may take during an investigation

38. The Commissioner may take any of the following actions during their investigation, at their sole discretion:

- a) Ask the Member follow-up questions during the investigation, in interview, or by letter;
- b) Request the Member to attend for formal interview, either in person or remotely, at any stage;
- c) Seek evidence from witnesses, including any identified by the Member (the Commissioner will normally reimburse the reasonable cost of travel to London by a witness, though lost earnings are not paid);
- d) Consult authorities, such as the relevant Department of the House of Commons or the Registrar of Members' Financial Interests;

- e) Refer a point of principle to the Committee on Standards (before completion of the investigation); and/or
- f) Ask the Committee on Standards to use its powers to summon persons, papers, or records in support of their investigation.

Suspension of investigations

39. The Commissioner has the discretion to suspend investigations at any time. This may, for example, happen if the Member suffers ill health or a bereavement during the investigation, or where a related police investigation is taking place.

40. If Parliament is dissolved or the Member otherwise ceases to be a Member while an investigation is in progress, the Commissioner will suspend their investigation until the Member is re-elected. If the Member is not returned to Parliament, the Commissioner will decide if it is appropriate and proportionate to resume their investigation.

Outcomes of an investigation

41. The Commissioner will not provide details about the progress of the investigation to the person who made the allegation before it is concluded. At the end of their investigation, the Commissioner will write to the Member and the person who made the allegation, informing them of the Commissioner's opinion as to whether there has been a breach of the Code.

42. The Commissioner may take the Seven Principles of Public Life into account when considering whether or not there has been a breach of the Code.

43. There are three possible outcomes of an investigation: the Commissioner may—

- a) consider that there has not been a breach of the Code;
- b) consider that there has been a breach of the Code and conclude the investigation using the rectification procedure; or
- c) consider that there has been a breach of the Code and refer the case to the Committee on Standards for a decision.

No breach

44. If the evidence does not substantiate the allegation on the balance of probabilities, the Commissioner will report that they consider that there has been “no breach”.

45. The letter containing the outcome, the Commissioner's reasoning, and the evidence relevant to that investigation, will be published on the Commissioner's webpages, unless the procedure set out in paragraph 46 is adopted. The Commissioner will notify the Committee on Standards when they report on a case where there has been “no breach”.

46. The Commissioner may decide to submit a memorandum to the Committee into an allegation where the Commissioner considers there has been no breach. This may

be because of the particular seriousness of the allegation or because the investigation raises matters of wider interest or relevance. The Committee will then consider the Commissioner's conclusions and submit its own report to the House.

Rectification

47. If, on the balance of probabilities, the evidence demonstrates a breach of the rules, the Commissioner will report that they consider that there has been a breach of the Code.

48. In circumstances defined by Standing Order No. 150(4), the Commissioner may then conclude the investigation using the rectification procedure, without making a referral to the Committee on Standards.

49. The rectification procedure can only be used for some rules in the Code of Conduct. Concluding an investigation through rectification requires that a Member agrees with the Commissioner's opinion that there has been a breach, and takes any remedial action that the Commissioner considers appropriate. The Commissioner will require an apology from the Member as part of any rectification.

50. If the Member does not agree with the Commissioner's opinion that there has been a breach of the Code, or does not undertake (or agree to undertake) the remedial action, then the Commissioner will refer the case to the Committee on Standards.

51. The actions open to the Commissioner to require as part of any rectification procedure include:

Remedial action	Details
Words of advice to the Member	Either informal or formal
Written apology	
Apology on a point of order	
Correction and annotation of the Register of Members' Financial Interests	Normally required where a registered interest has been subject to the rectification procedure.
Repayment of money	Normally required where House-provided resources have been misused or wrongly claimed, for example, stationery or room bookings.

52. The letter containing the outcome, the Commissioner's reasoning, and the evidence relevant to that investigation, will be published on the Commissioner's webpages. The Commissioner will notify the Committee on Standards when they conclude an investigation through the rectification procedure.

Referral to the Committee on Standards

53. If the Commissioner considers that, in their opinion, there has been a breach of the Code, but that:

- a) it is unsuitable for the rectification procedure; or
- b) the Member does not accept their opinion that there has been a breach; or

- c) the investigation raises issues of wider importance—

then the Commissioner must make a referral to the Committee on Standards.

54. The referral will take the form of a memorandum. In the memorandum, the Commissioner will report their opinion on issues of fact and their opinion as to whether there has been a breach of the Code. The Committee will then decide whether there has been a breach of the Code (see Chapter 4).

55. Before sending a memorandum to the Committee, the Commissioner will provide the Member with an opportunity to comment on the draft of the factual sections of any written evidence or memorandum.

56. The Commissioner will give careful consideration to any comments received by the Member. However, the final decision on the contents of the memorandum is a matter for the Commissioner alone. The Commissioner will append to the memorandum all the evidence which they have received and considered in the investigation.

UK Parliament

[UK Parliament](#) > [Site information](#) > [Glossary](#) > Chiltern Hundreds and the Manor of Northstead

Chiltern Hundreds and the Manor of Northstead

All	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
P	Q	R	S	T	U	V	W	X	Y	Z					

The Steward and Bailiffs of the Chiltern Hundreds and of the Manor of Northstead were positions traditionally paid for by the Crown. In modern times they are unpaid, formal titles that are applied for when an MP needs to disqualify themselves from the Commons.

An elected MP has no right to resign: unless they die or are expelled they must become disqualified if they wish to retire before the end of a Parliament. By law, taking on one of these titles immediately bars a person from being an MP.

- [Research Briefing: Resignation from the House of Commons](#)
- [Research Briefing: Appointments to the Chiltern Hundreds and Manor of Northstead Stewardships since 1880](#)

Find out more

Who works in Parliament?

- [MPs, Lords and Offices](#)

News story

Manor of Northstead

The Chancellor of the Exchequer has this day appointed Nigel Paul Farage to be Steward and Bailiff of the Manor of Northstead.

From: **HM Treasury (/government/organisations/hm-treasury)**

Published 8 July 2026



The Chancellor of the Exchequer has this day appointed Nigel Paul Farage to be Steward and Bailiff of the Manor of Northstead.

Published 8 July 2026

House of Commons

Thursday 9 July 2026

The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

NEW WRIT

Ordered,

That the Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in the present Parliament for the County constituency of Clacton, in the room of Nigel Paul Farage, who since his election to the said County constituency has been appointed to the Office of Steward and Bailiff of His Majesty's Manor of Northstead in the County of York.—(*Lee Anderson.*)

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Farm Business Sustainability

1. **Dave Robertson** (Lichfield) (Lab): What steps she is taking to support the long-term financial sustainability of farm businesses. [900890]

16. **Anna Gelderd** (South East Cornwall) (Lab): What steps she is taking to support the long-term financial sustainability of farm businesses. [900907]

The Secretary of State for Environment, Food and Rural Affairs (Emma Reynolds): My hon. Friend the Member for Portsmouth South (Stephen Morgan), the new farming and food Minister, and I published our new farming road map, which is the first ever long-term strategy for farming. It sets out a vision for a more productive, profitable, sustainable and resilient sector. The primary purpose of farming, as set out in the road map, is food production, which goes hand in hand with improving the environment. We are driving towards a lower-input, more nature-friendly farming system.

Dave Robertson: Farmers across Lichfield, Burntwood and the villages know that one of the most important things for them to make their businesses work is access to fertiliser at a price that allows them to be profitable. What can the Government do to ensure that fertiliser prices do not spike, as we have seen in the last couple of years, and remain stable in the long term?

Emma Reynolds: My hon. Friend is right to raise this issue. We are engaging with the National Farmers' Union on this; we know it is a great concern for farmers. We have asked the Agriculture and Horticulture Development Board to increase fertiliser price reporting, so it is now doing that weekly rather than monthly. We have already consulted on suspending tariffs for certain fertilisers, and we have rolled out an online tool to help farmers use fertilisers more efficiently.

Anna Gelderd: Food producers in South East Cornwall, including our farmers and fishermen, are at the heart of our community, economy and food security, so I really welcome the work the Government have done to develop the new farming road map in partnership with farmers and the recognition that profitable farm businesses are essential to food security. As I will be meeting farmers at the Liskeard show later this week, will the Secretary of State set out immediate opportunities in the road map and explain how the Farming and Food Partnership Board will ensure that farmers like mine continue to shape its implementation, giving them clarity and confidence to invest in the long-term profitability and resilience of their business?

Emma Reynolds: I pay tribute to the work my hon. Friend does representing her local farmers, and I hope the Liskeard show goes well later this week. The Farming and Food Partnership Board, which has already been established, is working on two sector growth plans, starting with poultry and horticulture, to bring down barriers to growth. We are taking forward the road map's vision to ensure that farmers are more productive and profitable; that is how we will proceed.

Rishi Sunak (Richmond and Northallerton) (Con): Attracting the next generation of farmers is key to the long-term sustainability of the sector. I recently visited Great Smeaton young farmers' club, and it was wonderful to see both their contribution to the local community and their commitment to farming. Groups like that are vital to engaging young people in farming. Will the Secretary of State join me in paying tribute to Great Smeaton YFC and the National Federation of Young Farmers' Clubs for their important contribution to our national life?

Emma Reynolds: I could not agree more. I absolutely pay tribute to the right hon. Gentleman's local young farmers' club. As he knows, the Department for Environment, Food and Rural Affairs supports the National Federation of Young Farmers' Clubs, and we engaged with it on the drafting of the farming road map. We always have young farmers in our minds when we are designing policy, because we are committed to ensuring that the next generation can enter the sector. We are looking particularly in the road map at encouraging longer-term tenancies, which we know is an easier way to get into the sector. We have also asked the Law Commission to review legislation on farming tenancies. Like him, I am committed to ensuring that the next generation has a voice in our policies.

Caroline Voaden (South Devon) (LD): The NFU is concerned that the £240 million allocated for new sustainable farming incentive agreements in 2026 does not match the scale of farmers' environmental ambitions and will not allow all farmers with expiring agreements a reasonable opportunity to access ongoing environmental land management schemes funding. How will the Government support farmers like mine in South Devon, who are keen to protect the environment while producing food but are unable to secure a new SFI agreement under this limited budget, to continue their valuable environmental work?

Emma Reynolds: I reassure the hon. Lady that those farmers whose agreements are coming to an end towards the end of this year or early next year—there are obviously

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Elections & Voting

Date set for Clacton constituency by-election

July 10, 2026





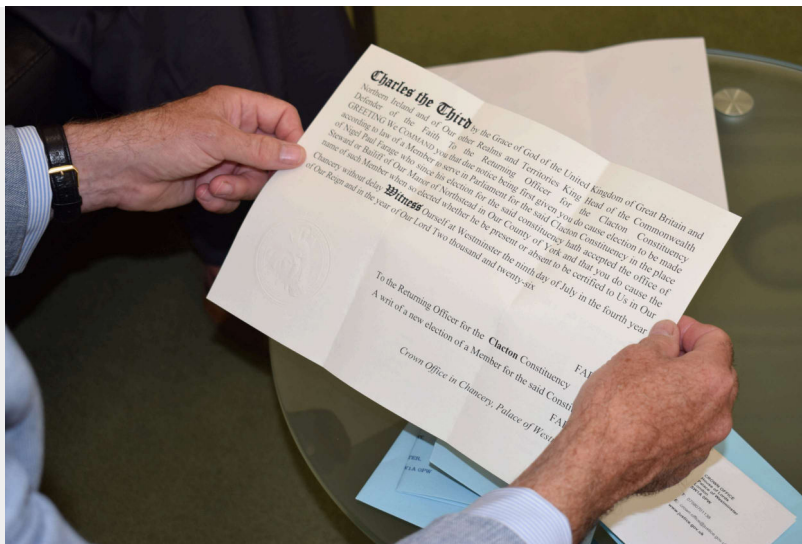
A date has been set for a Parliamentary by-election in Clacton.

Following receipt of the Writ from the Clerk of the Crown in Chancery by the Acting Returning Officer this morning (Friday, 10 July), the timetable is now set for the election – with polling day on Thursday, 13 August.

The poll was triggered by the resignation of the sitting MP, and the publication of the Notice of Election will take place on Monday (13 July).

Potential candidates will then have four days, from Tuesday 14 July to Friday 17 July at 4pm, to submit their nominations.

Residents not already on the electoral register have until 28 July to apply to vote in time for the by-election, and until 5pm the following day (29 July) to apply for a postal or postal proxy vote.



Meanwhile the deadline to apply for a proxy vote is 5pm on 5 August, which is the same deadline to apply for a Voter Authority Certificate – a form of ID valid when casting your vote.

Ian Davidson, Acting Returning Officer for the election, encouraged eligible residents to register for their vote.

“The electoral timetable is set out by law and so we are bound by these dates,” he said.

“If residents want to have their democratic say then they must be registered, so anyone who wants to vote in the upcoming by-election should make sure they can by registering in time.

“You can register to vote online, or you can contact our team who will be happy to help you.

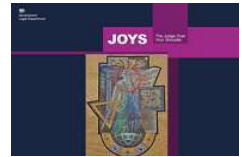
“I would also encourage people to check now that they have valid ID to enable them to vote at a polling station; and if they do not, then to apply for the free alternative Voter Authority Certificate.

“We want to make sure that everyone is still able to cast their vote next month.”

The forms of photo ID that are accepted include a UK passport or driving licence, a Blue Badge, older or disabled person’s bus pass, PASS card or Defence Identity Card – but you can see the full list at www.tendringdc.gov.uk/services/elections-and-voting.

To register to vote visit www.gov.uk/register-to-vote or contact the Election Registration team by email at elections@tendringdc.gov.uk or call on 01255 686575.

MEDIA ADVISORY: Media outlets wishing to accredit to attend the election count should indicate their interest by completing this form by 9am on Thursday, 6 August: [Tendring District Council - Media accreditation request form – Fill in form](#). Application does not guarantee entry but helps us to manage a safe and secure count.



Part 2



Wording of The Privy Council Oath

When a new Member of the Privy Council is inducted in the presence of The King, they are required to take an Oath, or make Solemn Affirmation. In its current form, the wording of the Oath dates back to Tudor times. At a meeting where new Members are inducted, they are not required to repeat the words of the Oath, simply to respond "I do" at the conclusion of the reading, which is done by the Clerk of the Council. The form of words for the Privy Council Oath is below:

"You do swear by Almighty God to be a true and faithful Servant unto The King's Majesty as one of His Majesty's Privy Council. You will not know or understand of any manner of thing to be attempted, done or spoken against His Majesty's Person, Honour, Crown or Dignity Royal, but you will lett and withstand the same to the uttermost of your power, and either cause it to be revealed to His Majesty Himself, or to such of His Privy Council as shall advertise His Majesty of the same. You will in all things to be moved, treated and debated in Council, faithfully and truly declare your Mind and Opinion, according to your Heart and Conscience; and will keep secret all matters committed and revealed unto you, or that shall be treated of secretly in Council. And if any of the said Treaties or Counsels shall touch any of the Counsellors you will not reveal it unto them but will keep the same until such time as, by the consent of His Majesty or of the Council, Publication shall be made thereof. You will to your uttermost bear Faith and Allegiance unto the King's Majesty; and will assist and defend all Jurisdictions, Pre-eminences, and Authorities, granted to His Majesty and annexed to the Crown by Acts of Parliament, or otherwise, against all Foreign Princes, Persons, Prelates, States, or Potentates. And generally in all things you will do as a faithful and true Servant ought to do to His Majesty. So help you God."



Act of Settlement (1700)

1700 CHAPTER 2 12 and 13 Will 3

IV The Laws and Statutes of the Realm confirmed.

And whereas the Laws of England are the Birthright of the People thereof and all the Kings and Queens who shall ascend the Throne of this Realm ought to administer the Government of the same according to the said Laws and all their Officers and Ministers ought to serve them respectively according to the same The said Lords Spirituall and Temporall and Commons do therefore further humbly pray That all the Laws and Statutes of this Realm for securing the established Religion and the Rights and Liberties of the People thereof and all other Laws and Statutes of the same now in Force may be ratified and confirmed And the same are by His Majesty by and with the Advice and Consent of the said Lords Spirituall and Temporall and Commons and by Authority of the same ratified and confirmed accordingly.

Status:

Point in time view as at 26/03/2015.

Changes to legislation:

There are currently no known outstanding effects for the Act of Settlement (1700), Section IV.

Notice details

Notice category:

State

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Crown Office

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19966

Crown Office

THE KING has been pleased by Letters Patent under the Great Seal of the Realm dated 9th October 2025 to appoint:

The Right Honourable Sir Keir Rodney Starmer, K.C.B., K.C.,

The Right Honourable Rachel Jane Reeves,

Christian Wakeford,

Genevieve Victoria Kitchen,

Lilian Rachel Greenwood,

Stephen James Morgan, and

Taiwo Victoria Owatemi,

to be Lords Commissioners of His Majesty’s Treasury

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Part A | Ministers’ Standards of Conduct

Chapter 1: Ministers of the Crown

General principle

- 1.1 Ministers are expected to maintain high standards of behaviour and to behave in a way that upholds the highest standards of propriety.**
- 1.2** Ministers are expected to embody the principles of public service and to set a positive example as they govern in the national interest. Ministers should recognise that as office-holders, they are held to the highest possible standards of proper conduct, and ensure that they are living up to those standards in their words and actions.
- 1.3** Ministers are responsible for their own behaviour, and are ultimately accountable to the Prime Minister for their conduct under this Code.

The Seven Principles of Public Life

- 1.4** Ministers are expected to adhere to the *Seven Principles of Public Life* (also known as the ‘*Nolan Principles*’), which are set out by the Committee on Standards in Public Life and apply to all public office holders:
 - a. Selflessness:** Holders of public office should act solely in terms of the public interest.
 - b. Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

- c. **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- d. **Accountability:** Holders of public office are accountable for their decisions and actions and must submit themselves to whatever scrutiny necessary to ensure this.
- e. **Openness:** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.
- f. **Honesty:** Holders of public office should be truthful.
- g. **Leadership:** Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Public service

- 1.5** Serving the country and the public in ministerial office is a privilege. Ministers should be courteous and professional in all their dealings and treat all those with whom they come into contact with consideration and respect. Working relationships, including with civil servants, ministerial and parliamentary colleagues and parliamentary staff should be proper and appropriate. Harassing, bullying or other inappropriate or discriminatory behaviour wherever it takes place is not consistent with the *Ministerial Code* and will not be tolerated.

- 1.6** The *Ministerial Code* should be read against the background of the overarching duty on ministers to comply with the law, including international law and treaty obligations, and to protect the integrity of public life. Ministers are expected to observe the following principles of ministerial conduct:
- a. The principle of collective responsibility applies to all government ministers.
 - b. Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments and agencies.
 - c. It is of paramount importance that ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister.
 - d. Ministerial office requires candour and openness. Ministers should demand and welcome candid advice. They should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest which should be decided in accordance with the relevant statutes and the *Freedom of Information Act 2000*. Ministers should be open and candid with public inquiries.

- e. Ministers should similarly require civil servants who give evidence before parliamentary committees and committee inquiries on their behalf and under their direction to be as helpful as possible in providing accurate, truthful and full information in accordance with the duties and responsibilities of civil servants as set out in the *Civil Service Code*.
- f. Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests.
- g. Ministers should not accept any gift, hospitality or service which would, or might reasonably appear to, compromise their judgement or place them under any obligation to people or organisations that might try inappropriately to influence their work in government. The same principle applies if gifts etc are offered to a member of their family.
- h. Ministers in the House of Commons must keep separate their roles as minister and constituency Member.
- i. Ministers must not use government resources for party political purposes.
- j. Ministers must uphold the political impartiality of the Civil Service and not ask civil servants to act in any way which would conflict with the *Civil Service Code* as set out in the *Constitutional Reform and Governance Act 2010*.

Parliamentary requirements

- 1.7** Ministers must also comply at all times with the requirements which Parliament itself has laid down in relation to the accountability and responsibility of ministers. For ministers in the Commons, these are set by the Resolution carried on 19 March 1997 (*Official Report* columns 1046-47), the terms of which are included at **paragraphs 1.6 b. to e.** above. For ministers in the Lords, the Resolution can be found in the *Official Report* of 20 March 1997 column 1057. Ministers must also comply with the codes of conduct for their respective Houses and also any requirements placed on them by the Independent Parliamentary Standards Authority.

Ministers and civil servants

- 1.8** The relationship between ministers and civil servants is a partnership underpinned by their common duty of public service as set out in this Code and in the *Civil Service Code*. Ministers must uphold the political impartiality of the Civil Service, and not ask civil servants to act in any way which would conflict with the *Civil Service Code* and the requirements of the *Constitutional Reform and Governance Act 2010*. Ministers should be professional in their working relationships with the Civil Service and treat all those with whom they come into contact with consideration and respect.

1.9 Ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice in reaching policy decisions, and should have regard to the *Principles of Scientific Advice to Government*.

1.10 Ministers should ensure that government resources (which includes Civil Service activity) are not used for party political purposes. They should be mindful of the requirements set out in *Managing Public Money*, and of the Accounting Officer's role as steward of the department's resources.

Ministers and security

1.11 Ministers have an important role to play in maintaining the security of government business. They should ensure that they follow the advice in the *Security of Government Business*. If in doubt about any particular arrangements, ministers should in the first instance consult their permanent secretary for advice.

Ministers and permanent secretaries

1.12 Permanent secretaries are the most senior civil servants in government departments. They are the principal advisers to departmental ministers and are responsible for translating ministers' ambitions into a clear vision to staff, and upholding the rules and guidance they are bound by as civil servants and Accounting Officers.

Ministers and permanent secretaries should have a trusting, positive relationship, with regular opportunities for the exchange of feedback. Any concerns about this relationship should be resolved as swiftly as possible with the Cabinet Secretary and Prime Minister.

1.13 Where a ministerial direction is required, the processes set out in *Managing Public Money* should be followed.

Severance payments

1.14 Ministers are expected to waive, on appointment, entitlement to a ministerial severance payment upon leaving office if they have served less than six months, or where they have committed a serious breach of the *Ministerial Code*, resulting in their departure (see 2.8). Equally, if a former minister is found by the Prime Minister to have seriously breached the *Business Appointment Rules* they will be expected to repay their full severance payment.

1.15 Where a former minister is appointed to a ministerial office within three months of leaving office they will be expected to forgo their salary for the period overlapping with the severance payment period.



JUDGMENT

Halliburton Company (Appellant) v Chubb Bermuda Insurance Ltd (formerly known as Ace Bermuda Insurance Ltd) (First Respondent)

before

**Lord Reed
Lord Hodge
Lady Black
Lord Lloyd-Jones
Lady Arden**

JUDGMENT GIVEN ON

27 November 2020

Heard on 12 and 13 November 2019

48. Against that background, it is necessary to consider, first, the duty of impartiality in the context of arbitration before addressing, secondly, whether an arbitrator is under a legal duty to disclose particular matters, thirdly, how far the obligation to respect the privacy and confidentiality of an arbitration constrains his or her ability to make disclosure, and fourthly, whether a failure to disclose such matters demonstrates a lack of impartiality. I also address the times at which (a) the duty of disclosure and (b) the possibility of bias fall to be assessed.

(i) The duty of impartiality

49. Impartiality has always been a cardinal duty of a judge and an arbitrator. Thus, the first of the principles set out in section 1 of the 1996 Act is that disputes should be resolved fairly by an impartial tribunal. The duty is now enshrined within section 33 of the 1996 Act, which provides:

“(1) The tribunal shall -

(a) act fairly and impartially as between the parties, giving each party a reasonable opportunity of putting his case and dealing with that of his opponent, and

(b) adopt procedures suitable to the circumstances of the particular case, avoiding unnecessary delay or expense, so as to provide a fair means for the resolution of the matters falling to be determined.

(2) The tribunal shall comply with that general duty in conducting the arbitral proceedings, in its decisions on matters of procedure and evidence and in the exercise of all other powers conferred on it.”

50. Principle (c) in section 1 of the 1996 Act (para 47 above) seeks to limit the intervention of the court in arbitral proceedings. One such power of intervention arises in section 24(1) of the 1996 Act which provides (so far as relevant):

“A party to arbitral proceedings may (upon notice to the other parties, to the arbitrator concerned and to any other arbitrator) apply to the court to remove an arbitrator on any of the following grounds:

(a) that circumstances exist that give rise to justifiable doubts as to his impartiality; ...

(d) that he has refused or failed -

(i) properly to conduct the proceedings, ...

and that substantial injustice has been or will be caused to the applicant.”

I will return to consider section 24(1)(a) later in this judgment but note at this stage (i) that by the use of the present tense of the verb “exist” the court is directed to the circumstances as they exist at the time at which it hears the application for removal of the arbitrator and (ii) that, in contrast with section 24(1)(d), the applicant does not have to show that substantial injustice has been or will be caused to it.

51. A party to arbitral proceedings is also empowered by section 68 of the 1996 Act to challenge an award in the proceedings on the ground of serious irregularity affecting the tribunal, the proceedings or the award and such serious irregularity includes a failure by the tribunal to comply with section 33 of the Act.

52. In this appeal the court is concerned with an allegation of apparent bias. We are not concerned with any disqualifying interest in the outcome of the arbitration nor are we required to “make windows into men’s souls” in search of an animus against a party or any other actual bias, whether conscious or unconscious. No such allegation is made against Mr Rokison. We are concerned only with how things appear objectively. There is no disagreement as to the relevant test. As Lord Hope of Craighead stated in *Porter v Magill* [2001] UKHL 67; [2002] 2 AC 357, para 103:

“The question is whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased.”

The courts have given further guidance on the nature of this judicial construct, the “fair-minded and informed observer” (to whom in this judgment I also refer as “the objective observer”). Thus, in *Helow v Secretary of State for the Home Department* [2008] UKHL 62; [2008] 1 WLR 2416, Lord Hope (paras 1-3) explained that the epithet “fair-minded” means that the observer does not reach a judgment on any point before acquiring a full understanding of both sides of the argument. The conclusions which the observer

reaches must be justified objectively and the “real possibility” test ensures the exercise of a detached judgment. He continued:

“Then there is the attribute that the observer is ‘informed’. It makes the point that, before she takes a balanced approach to any information she is given, she will take the trouble to inform herself on all matters that are relevant. She is the sort of person who takes the trouble to read the text of an article as well as the headlines. She is able to put whatever she has read or seen into its overall social, political or geographic context. She is fair-minded, so she will appreciate that the context forms an important part of the material which she must consider before passing judgment.” (Emphasis added)

I have added the emphasis in this citation because the context in which the test falls to be applied in this appeal is of particular importance.

53. Finally, in my consideration of the characteristics of the objective observer, I adopt Kirby J’s neat phrase in *Johnson v Johnson* (2000) 201 CLR 488, para 53, which members of the House of Lords approved in *Helow* (above, Lord Hope para 2, Lord Mance para 39) that the fair-minded and informed observer is “neither complacent nor unduly sensitive or suspicious”.

54. This objective test of the appearance of bias is similar to the test of “justifiable doubts” which is adopted in the United Nations Commission on International Trade Law (“UNCITRAL”) Model Law on International Commercial Arbitration 1985 (as amended in 2006) article 12(2) (“the UNCITRAL Model Law”), the IBA Guidelines (General Standard 2(c)) and article 10.1 of the LCIA Arbitration Rules (2014). It is not necessary to determine whether the tests as to the nature of the doubts in the UNCITRAL Model Law, the IBA Guidelines and the LCIA Rules are precisely the same as those of English law. The important point is that the test in English law, involving the fair-minded and informed observer, requires objectivity and detachment in relation to the appearance of bias.

55. The objective test of the fair-minded and informed observer applies equally to judges and all arbitrators. There is no difference between the test in section 24(1)(a) of the 1996 Act, which speaks of the existence of circumstances “that give rise to justifiable doubts as to [the arbitrator’s] impartiality” and the common law test above. But in applying the test to arbitrators it is important to bear in mind the differences in nature and circumstances between judicial determination of disputes and arbitral determination of disputes.



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Rachel Reeves ✨ @RachelReevesMP · 10h



I will accept Nigel Farage's request to be appointed Steward and Bailiff of the Manor of Northstead.

It is a farce and a desperate distraction, and the people of Clacton deserve better.

But if he wants to spend the summer arguing with a bin, I won't stop him.

💬 2.7K

↻ 5.1K

❤️ 40K

📺 2M



Rachel Reeves ✨ @RachelReevesMP · Jul 3



Hollie Ridley has been a force in the Labour Party. Her talent and hard work is unparalleled, rising from trainee organiser to General Secretary, delivering a historic election win with an impeccable ground campaign.

She has changed the country for the better. Thank you Hollie.

💬 244

↻ 56

❤️ 295

📺 58K



Rachel Reeves ✨ @RachelReevesMP · Jun 30



The first duty of any government is to protect the British people.

This Defence Investment Plan equips our Armed Forces to meet the scale of the challenges facing Britain now, and into the future.

More money, spent more effectively, to keep the country safe.



41



Part 3

*These notes refer to the Fraud Act 2006 (c.35)
which received Royal Assent on 8 November 2006*

FRAUD ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Fraud by failing to disclose information

18. [Section 3](#) makes it an offence to commit fraud by failing to disclose information to another person where there is a legal duty to disclose the information. A legal duty to disclose information may include duties under oral contracts as well as written contracts. The concept of “legal duty” is explained in the Law Commission’s Report on *Fraud*, which said at paragraphs 7.28 and 7.29:
- “7.28 ... Such a duty may derive from statute (such as the provisions governing company prospectuses), from the fact that the transaction in question is one of the utmost good faith (such as a contract of insurance), from the express or implied terms of a contract, from the custom of a particular trade or market, or from the existence of a fiduciary relationship between the parties (such as that of agent and principal).
- 7.29. For this purpose there is a legal duty to disclose information not only if the defendant’s failure to disclose it gives the victim a cause of action for damages, but also if the law gives the victim a right to set aside any change in his or her legal position to which he or she may consent as a result of the non-disclosure. For example, a person in a fiduciary position has a duty to disclose material information when entering into a contract with his or her beneficiary, in the sense that a failure to make such disclosure will entitle the beneficiary to rescind the contract and to reclaim any property transferred under it.”
19. For example, the failure of a solicitor to share vital information with a client within the context of their work relationship, in order to perpetrate a fraud upon that client, would be covered by this section. Similarly, an offence could be committed under this section if a person intentionally failed to disclose information relating to his heart condition when making an application for life insurance.



Fraud Act 2006

2006 CHAPTER 35

Fraud

4 Fraud by abuse of position

- (1) A person is in breach of this section if he—
 - (a) occupies a position in which he is expected to safeguard, or not to act against, the financial interests of another person,
 - (b) dishonestly abuses that position, and
 - (c) intends, by means of the abuse of that position—
 - (i) to make a gain for himself or another, or
 - (ii) to cause loss to another or to expose another to a risk of loss.
- (2) A person may be regarded as having abused his position even though his conduct consisted of an omission rather than an act.



Fraud Act 2006

2006 CHAPTER 35

Fraud

5 “Gain” and “loss”

- (1) The references to gain and loss in sections 2 to 4 are to be read in accordance with this section.
- (2) “Gain” and “loss”—
 - (a) extend only to gain or loss in money or other property;
 - (b) include any such gain or loss whether temporary or permanent;and “property” means any property whether real or personal (including things in action and other intangible property).
- (3) “Gain” includes a gain by keeping what one has, as well as a gain by getting what one does not have.
- (4) “Loss” includes a loss by not getting what one might get, as well as a loss by parting with what one has.



Fraud Act 2006

2006 CHAPTER 35

Fraud

7 Making or supplying articles for use in frauds

- (1) A person is guilty of an offence if he makes, adapts, supplies or offers to supply any article—
 - (a) knowing that it is designed or adapted for use in the course of or in connection with fraud, or
 - (b) intending it to be used to commit, or assist in the commission of, fraud.
- (2) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum (or to both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years or to a fine (or to both).
- (3) Subsection (2)(a) applies in relation to Northern Ireland as if the reference to 12 months were a reference to 6 months.



Hilary Term
[2019] UKSC 13

On appeal from: [2017] EWCA Civ 147

JUDGMENT

Takhar (Appellant) v Gracefield Developments Limited and others (Respondents)

before

**Lord Kerr
Lord Sumption
Lord Hodge
Lord Lloyd-Jones
Lord Briggs
Lady Arden
Lord Kitchen**

JUDGMENT GIVEN ON

20 March 2019

Heard on 10 October 2018

where that issue was not canvassed at the first trial. Likewise, it does not prohibit Mrs Takhar from pursuing her present action.

Is fraud “a thing apart”; does it “unravel all”?

43. In *HIH Casualty and General Insurance Ltd v Chase Manhattan Bank* [2003] 2 Lloyd's Rep 61, para 15, Lord Bingham of Cornhill said that:

“... fraud is a thing apart. This is not a mere slogan. It also reflects an old legal rule that fraud unravels all ... once fraud is proved, ‘it vitiates judgments, contracts and all transactions whatsoever’: *Lazarus Estates Ltd v Beasley* [1956] 1 All ER 341 at 345, [1956] 1 QB 702 at 712 per Denning LJ. Parties entering into a commercial contract will no doubt recognise and accept the risk of errors and omissions in the preceding negotiations, even negligent errors and omissions. But each party will assume the honesty and good faith of the other; absent such an assumption they would not deal.”

44. This reflects the basic principle that the law does not expect people to arrange their affairs on the basis that others may commit fraud. It also carries echoes of what Lord Wilberforce said in *The Ampthill Peerage* [1977] AC 547, 569:

“... any determination of disputable fact may, the law recognises, be imperfect: the law aims at providing the best and safest solution ... and having reached that solution it closes the book ... in the interest of peace, certainty and security it prevents further inquiry ... there are cases where the certainty of justice prevails over the possibility of truth ... and these are cases where the law insists on finality. For a policy of closure to be compatible with justice, it must be attended with safeguards: so the law allows appeals: so the law, exceptionally, allows appeals out of time: so the law still more exceptionally allows judgments to be attacked on the ground of fraud.”

45. This passage from Lord Wilberforce’s speech resonates with earlier authority. In *Hip Foong Hong v H Neotia & Co* [1918] AC 888, 894, Lord Buckmaster said:



Part 4

Correspondence for the urgent and personal attention of Mr Johnson

From: Julian Brennan

To: boris.johnson.mp@parliament.uk

Date: Saturday, 22 October 2022 at 09:15 UTC

Please ensure that the attached letter is either printed out and passed on to Mr Johnson or forwarded to him by e-mail as a matter of urgency. He will need to speak with his personal Solicitor ASAP. Thank you.
Julian Brennan



Letter of 21 October 2022 to the Rt Hon Boris Johnson MP (with Appendices).pdf
14.3MB

Julian Brennan
3 Byland Road, Skelton TS12 2NJ

21 October 2022

Ref: OLA/JGM/EE-66
(X.Ref: 208515819)

The Rt Hon Boris Johnson MP
Member of Parliament for Uxbridge and South Ruislip
Palace of Westminster
London SW1A 0AA

For sending as a pdf file to boris.johnson.mp@parliament.uk

Dear Mr Johnson

Conservative Party Leadership Election

You should not accept nominations in the election of the Leader of the Conservative and Unionist Party. If you intend to do so you will first be required to disclose honestly information about you having acted illegally at various times from 24 July 2019 to the present date. The disclosure would ensure that no Conservative MP, no donor and no party member is misled/deceived by you and can decide what to do on the basis of relevant facts.

Importantly, I have full immunity from suit in relation to Libel and Malicious Falsehood in stating this. By sensibly not issuing proceedings in defence of the reputation you falsely claim for yourself you have accepted, as a matter of fact and law, that you have acted criminally in ways that come within the scope of the Common Law offence of Misconduct in Public Office and are “guilty” of statutory fraud (*per* section 1 of the Fraud Act 2006). You have acted in breach of your “overarching duty” to comply with the law.

It is self-evident that if you disclose the information about your personal misconduct so that you cannot be accused of acting in breach of section 3 of the Fraud Act in running for election the facts which you disclose will result in nominations and donations being withdrawn, and the Conservative Whip being suspended. That of itself would rule you out from being a candidate. One of the facts that comes within the scope of my immunity from suit – and which you were provided with many opportunities to challenge – is that one of the “persons” against whom you have acted fraudulently is the Conservative Party itself. If the Conservative Party Management Board decided to allow your name to go onto the electronic “ballot paper” provided to members for use in the election, it could be challenged at law by any party member for acting in excess of its powers and/or for breach of contract.

You might think that you can get round all I say above by making a public statement saying that what I assert is not true. However, if you do that I will counter immediately with a statement saying that I will waive temporarily my immunity from suit so as to allow you to issue defamation proceedings in the High Court of Justice in The Strand on Monday 24 October 2022 and claim for defamation (within the meaning of section 1 of the Defamation Act 2013) due to me writing and publishing that “*you have acted criminally*” and that “*you are a fraudster*”. I would defend any such action robustly and defeat your claim. As I have stated before, if you act I will issue a substantial counter-claim and, subsequent to you losing in your

civil action, I will report you and your criminality – and those who can be prosecuted with you due to Joint Enterprise – to the Commissioner of the Metropolitan Police.

Please see the appended documents. These are some of the documents that would form part of my defence to any Claim you might issue and/or would put forward in response to any Application to the Court (inc for Costs). I include them here in order to stop you from issuing a Claim, as to do so would involve you acting illegally. As I have done in the past, I most emphatically discourage you from acting in any way that is in breach of law.

In all the circumstances I suggest that the only course of action open to you that is not in breach of law is to announce that you are withdrawing from the leadership election and to write to the Chancellor of the Exchequer to take the Chiltern Hundreds. I think you would be wise to keep your counsel and to say nothing which might prejudice your position or incriminate yourself. You should consult your personal Solicitor without delay.

Yours sincerely

A handwritten signature in blue ink that reads "Julian Brennan". The signature is written in a cursive style with a large, sweeping initial 'J'.

Julian Brennan

Appendices to letter of 21 October 2022 to Boris Johnson
(Redactions made to protect the national interest or the personal position of others)

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Julian Brennan
3 Byland Road, Skelton TS12 2NJ

Ref: OLA/JGM-75/4
(X.Ref: 208515819)

9 September 2022

Antonia Romeo
Clerk of the Crown in Chancery
The Crown Office
102 Petty France
London SW1A 9AJ
permanent.secretary@justice.gov.uk

Dear Ms Romero

Duty of Allegiance and Service to The Crown – The Great Seal

Like yourself and many tens of millions of others I grieve the passing of Her Majesty the Queen and willingly observe national mourning. Yesterday and overnight I reflected on much. That included the mutuality of the relationship between Monarch and subject, and my decades' long personal duty in the service of the Queen. The depth of my sadness and feeling is a measure of my good fortune to have lived close to 66 years with every single day being in the reign of our country's greatest ever Monarch; as it is an appreciation of having had such a dedicated and devoted inspiration for me in times of great personal challenge and difficulty.

Knowing what we now know, and having previously observed (through Wednesday's press photographs) the Queen's frailty and a further significant diminution of her erstwhile robust good health, it became clear to me last night that the Queen had acted with enormous determination to ensure full legitimacy was conferred on the new Prime Minister so that the Government could act for the country in such difficult and demanding times and begin with the heralding in of a new Monarch.

From my entirely proper and necessary challenges to the former Prime Minister, Boris Johnson, it is fair to say that litigation pleadings of mine which might have been placed before the Supreme Court could possibly have brought it to consider the legality or nullity of certain Orders in Council. Any such approach would now in my view be wholly inappropriate. I believe "Stability" is an important Constitutional principle which, at times such as the present, goes hand-in-hand with "Continuity". I would do nothing that could have any adverse impact on proper continuity; and for the purposes of certainty I inform you that I have worked out how I can fulfil my obligations in the service of the country without doing anything that might clash with anything the Queen had planned and worked towards in order to secure a seamless succession and transition.

Please take this as a freely and voluntarily given guarantee that nothing I will do will challenge the attachment of Her Majesty's Great Seal (in whatever physical form) to

any document issued by the Crown Office which relates to the appointment of any Minister of the Crown or any Privy Counsellor since the beginning of July this year.

I hope this assurance will put beyond any doubt that nothing which I am aware of or intend might (post-event) interfere with the total legitimacy of any Order, or other instrument, which relates to the Accession Council and to King Charles III swearing the Oath regarding the Church of Scotland, as required by Article XXV of the two Acts of Union which in 1707 established the United Kingdom of Great Britain.

The above is stated for the record in accordance with my enduring Duty of Allegiance and in accordance with my engaged Convention rights, under Articles 9 and 10, as a member of the Church of England and His Majesty's loyal subject.

LONG LIVE THE KING.

Yours sincerely

A handwritten signature in cursive script that reads "Julian Brennan". The signature is written in dark ink and is positioned below the text "Yours sincerely".

Julian Brennan

Attachment: E-mail of 13/7/22

Copy: Ceri Hughes, Head of the Crown Office

Julian Brennan

3 Byland Road, Skelton, Saltburn-by-the-Sea TS12 2NJ

11 June 2023

The Rt Hon Jeremy Hunt MP
The Chancellor of the Exchequer
HM Treasury
1 Horse Guards Road
London SW1A 2HQ

To be sent by e-mail to:

The Private Office to The Rt Hon Jeremy Hunt MP via CEU.Enquiries@hmtreasury.gov.uk

FOR THE PERSONAL AND URGENT ATTENTION OF JEREMY HUNT

Dear Mr Chancellor

Delaying the appointment of Boris Johnson to an Office of Profit under the Crown

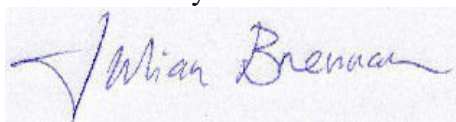
I write in accordance with my duties under Peelian Principles, and my residual duties as a former Human Rights Defender, to make a formal request that you comply with Chapter 1.1 of the Ministerial Code and defend and uphold the “*highest standards of propriety*” in relation to Boris Johnson and his intention to act in breach of the Code of Conduct of Members of Parliament and in Contempt of Parliament.

You can – and I believe should – do so by exercising your legal power to deny any application from Mr Johnson to be disqualified from membership of the House of Commons by being appointed as Crown Steward and Bailiff of the Chiltern Hundreds of Stoke, Desborough and Burnham or as the Crown Steward and Bailiff of the Manor of Northstead.

I know of no reason why the Rt Hon Nadine Dorries MP or the Rt Hon Nigel Adams MP cannot be appointed to those offices, and thereby vacate the seats they currently hold in respect of the Parliamentary Constituencies of Mid Bedfordshire and of Selby and Ainstey; though, I hasten to add, that you are perfectly entitled to appoint them to those offices on condition that they must hold them until such time the House of Commons has determined and resolved the issues it referred to the Committee of Privileges on 21 April 2022, or Mr Johnson has resigned his Membership of His Majesty’s Privy Council before the Committee formally presents its report to the House of Commons.

The reason why I state the latter condition is that if Boris Johnson is determined not to be present in the Chamber to argue his case to MPs following the publication of the Privileges Committee’s Report he should not be “forced” to do so; but will, as a result of his own decision, have to accept that he will forgo for all time the right to be referred to as an “honourable” person and can therefore be appointed to one of the aforementioned offices on the basis that he agrees to resign as a Privy Counsellor and resign all other public offices and patronages he holds. That will remove all the obligations and duties which he clearly does not wish to comply with and thereby release him from all his obligations other than those which require him to comply with the law as a private citizen and a company director. For these purposes I assume that Mr Johnson doesn’t intend to honestly disclose to you relevant information in accordance with his legal duties.

Yours sincerely



Julian Brennan

Julian Brennan

3 Byland Road, Skelton, Saltburn-by-the-Sea TS12 2NJ

12 June 2023

The Rt Hon Jeremy Hunt MP
The Chancellor of the Exchequer
HM Treasury
1 Horse Guards Road
London SW1A 2HQ

To be sent by e-mail to:

The Private Office to The Rt Hon Jeremy Hunt MP via CEU.Enquiries@hmtreasury.gov.uk

FOR THE MOST URGENT AND PERSONAL ATTENTION OF MR HUNT

Dear Mr Chancellor

Office of Profit under The Crown – Sections 3 & 7 Frauds

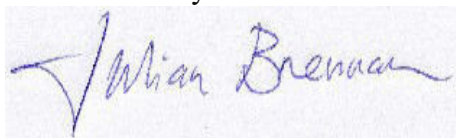
I refer to my letter of 11 June which I e-mailed to your Private Office this morning regarding appointments to the Offices of Crown Steward and Bailiff of the Chiltern Hundreds and Crown Steward and Bailiff of the Manor of Northstead. It seems from media reports that appointments are being made.

In the very last line of my letter I said that I assumed Boris Johnson did not intend to honestly disclose to you relevant information in accordance with his legal duties. You should look at the copy of my correspondence of 15/16 May 2023 to Mr Johnson which is appended. You will see from that letter that the correct legal presumption about Mr Johnson is that he has acted and is acting criminally. If you turn to Appendices C, D, and E of the letter you will see that Mr Johnson's [assumed] non-disclosure will have breached section 3 of the Fraud Act 2006. If he has not been appointed I suggest you do not agree to his request at all. If you look at Appendix K and then look at what is absent from Mr Johnson's letter requesting appointment you will be able to see that his letter to you is an "article" supplied as part of a fraudulent act. No doubt the same will apply to Boris Johnson's correspondence regarding his "Resignation Honour's List".

You would be well advised to speak urgently with the Prime Minister so that while you halt or rescind Boris Johnson's appointment to an Office of Profit under The Crown Mr Sunak can speak with His Majesty the King so as to ensure all recommended honours are "frozen" for the time being. The list contains names of individuals who are to be reported to the Commissioner of the Metropolitan Police

This letter, like that I sent this morning, is about matters which obviously you must deal with personally and which do not come within Carltona Principles.

Yours sincerely



Julian Brennan

Changes to legislation: There are currently no known outstanding effects for the Human Rights Act 1998, Article 17. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE ARTICLES

PART I

THE CONVENTION

RIGHTS AND FREEDOMS

ARTICLE 17

PROHIBITION OF ABUSE OF RIGHTS

Nothing in this Convention may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth herein or at their limitation to a greater extent than is provided for in the Convention.

Changes to legislation:

There are currently no known outstanding effects for the Human Rights Act 1998, Article 17.

Changes to legislation: There are currently no known outstanding effects for the Human Rights Act 1998, Article 18. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE ARTICLES

PART I

THE CONVENTION

RIGHTS AND FREEDOMS

ARTICLE 18

LIMITATION ON USE OF RESTRICTIONS ON RIGHTS

The restrictions permitted under this Convention to the said rights and freedoms shall not be applied for any purpose other than those for which they have been prescribed.

Changes to legislation:

There are currently no known outstanding effects for the Human Rights Act 1998, Article 18.



Human Rights Act 1998

1998 CHAPTER 42

Other rights and proceedings

11 Safeguard for existing human rights

A person's reliance on a Convention right does not restrict—

- (a) any other right or freedom conferred on him by or under any law having effect in any part of the United Kingdom; or
- (b) his right to make any claim or bring any proceedings which he could make or bring apart from sections 7 to 9.



Human Rights Act 1998

1998 CHAPTER 42

Other rights and proceedings

13 Freedom of thought, conscience and religion.

- (1) If a court's determination of any question arising under this Act might affect the exercise by a religious organisation (itself or its members collectively) of the Convention right to freedom of thought, conscience and religion, it must have particular regard to the importance of that right.
- (2) In this section "court" includes a tribunal.

Changes to legislation:

There are currently no known outstanding effects for the Human Rights Act 1998, Section 13.



Judicial Committee Act 1833

1833 CHAPTER 41 3 and 4 Will 4

3 All appeals from Sentence of any Judge, &c. to be referred by His Majesty to the Committee, to report thereon.

All appeals or complaints in the nature of appeals whatever, which either by virtue of this Act, or of any law, statute, or custom, may be brought before His Majesty or His Majesty in Council from or in respect of the determination, sentence, rule, or order of any court, judge, or judicial officer, and all such appeals as are now pending and unheard, shall from and after the passing of this Act be referred by His Majesty to the said Judicial Committee of his Privy Council, and such appeals, causes, and matters shall be heard by the said Judicial Committee, and a report or recommendation thereon shall be made to His Majesty in Council for his decision thereon as heretofore, in the same manner and form as has been heretofore the custom with respect to matters referred by His Majesty to the whole of his Privy Council or a committee thereof (the nature of such report or recommendation being always stated in open court).

Modifications etc. (not altering text)

C1 S. 3 extended by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), s. 7(2)

Changes to legislation:

There are currently no known outstanding effects for the Judicial Committee Act 1833, Section 3.



Crown and Parliament Recognition Act 1689

1689 CHAPTER 1 2 Will and Mar

An Act for Recognizing King William and Queene Mary and for avoiding all Questions touching the Acts made in the Parliament assembled at Westminster the thirteenth day of February one thousand six hundred eighty eight.

Modifications etc. (not altering text)

C1 Short title given by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 2](#)

King and Queen recognized. The Acts of the said Parliament were and are Laws and Statutes, and to be obeyed.

Wee your Majestyes most humble and loyall Subjects the Lords Spirituall and ^(x1)Temporall and Commons in this present Parlyament assembled doe beseech your most excellent Majestyes that it may be published and declared in this High Court of Parlyament and enacted by authoritie of the same That we doe recognize and acknowledge your Majestyes were are and of Right ought to be by the Laws of this Realme our Sovereigne Liege Lord and Lady King and Queene of England France and Ireland and the Dominions thereunto belonging in and to whose Princely Persons the Royall State Crowne and Dignity of the said Realms with all Honours Stiles Titles Regalities Prerogatives Powers Jurisdictions and Authorities to the same belonging and appertaining are most fully rightfully and intireley invested and incorporated united and annexed. And for the avoiding of all Disputes and Questions concerning the Being and Authority of the late Parliament assembled at Westminster the thirteenth day of February one thousand six hundred eighty [^{x2}eight] Wee doe most humbly beseech your Majestyes that it may be enacted And bee it enacted by the King and Queenes most excellent Majestyes by and with the advice and consent of the Lords Spirituall and Temporall and Commons in this present Parlyament assembled and by authoritie of the same That all and singular the Acts made and enacted in the said Parlyament were and are Laws and Statutes of this Kingdome and as such ought to be reputed taken and obeyed by all the People of this Kingdome.

Changes to legislation: There are currently no known outstanding effects for the Crown and Parliament Recognition Act 1689. (See end of Document for details)

Editorial Information

- X1** Variant reading of the text noted in *The Statutes of the Realm* as follows: and *O*. [*O*. refers to a collection in the library of Trinity College, Cambridge]
- X2** interlined on the Roll.

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Changes to legislation:

There are currently no known outstanding effects for the Crown and Parliament Recognition Act 1689.



Julian Brennan

3 Byland Road, Skelton TS12 2NJ

12 July 2026