The power to summon and dissolve Parliament

The summoning and dissolution of Parliament has also been done by the personal prerogative. By convention, it has been the constitutional right of the prime minister to determine the timing of a dissolution and hence of the next election, and to advise the Monarch accordingly. The majority view amongst constitutional experts has been that the Monarch could refuse an untimely request for dissolution, even though there has been no refusal in modern times. But any doubt or dispute is now academic, because the prerogative power of dissolution has been abolished by the Fixed-term Parliaments Act 2011. Unlike the Canada Elections Act of 2007, which expressly preserved the prerogative power of the Governor General to dissolve Parliament, dissolution in the UK is now regulated by statute and not the prerogative; it is a matter for Parliament, not the Executive (the prerogative power was preserved in Canada in order to avoid the need for constitutional amendment).

The Fixed-term Parliaments Act 2011 provides for five-year parliaments, with polling on the first Thursday in May five years after the previous general election, and automatic dissolution 17 working days before the election. Section 3(2) states baldly, "Parliament cannot otherwise be dissolved." There is provision for midterm dissolution in section 2, but again by statute not under the prerogative. Section 2 allows for a midterm dissolution in only two circumstances: if two thirds of all MPs vote for an early general election; or, if the House passes a formal no confidence motion "that this House has no confidence in Her Majesty's Government," and no alternative government which can command confidence is formed within 14 days. The only tiny element of discretion which remains is the timing of an election following a midterm dissolution: section 2(7) provides that "the polling day... is the day appointed by Her Majesty by proclamation on the recommendation of the Prime Minister." The election would normally be held within three to four weeks.

So, the prerogative power of dissolution has gone. What about the power to summon Parliament and determine the date of first meeting of the new Parliament? This is done by proclamation issued by the Monarch, but on the advice of the prime minister; the outgoing prime minister determines the date when the new Parliament will meet. This used to be six days after the election, but in 2007 the Modernisation Committee of the House of Commons recommended an interval of 12 days, to allow more time for induction of new MPs. (9) This practice was followed in 2010 and 2015.

If the Queen Has No Reserve Powers Left, What Is the Modern Monarchy For?
Robert Hazell and Bob Morris