



Local Government Act 1972

1972 CHAPTER 70

PART V

GENERAL PROVISIONS AS TO MEMBERS AND PROCEEDINGS OF LOCAL AUTHORITIES

Qualifications and disqualifications

80 Disqualifications for election and holding office as member of local authority.

- (1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he—
- (a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman) appointments to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a ^{F1} . . . joint committee on which the authority are represented or by any person holding any such office or employment; or
 - (b) is a person who has been adjudged bankrupt, or made a composition or arrangement with his creditors; or
 - ^{F2}(c)
 - (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
 - (e) is disqualified for being elected or for being a member of that authority under Part III of the [^{F3}Representation of the People Act 1983] or under [^{F4}Part III of the Local Government Finance Act 1982].
- (2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of—
- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Local Government Act 1972, Section 80 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) a joint board [^{F5}, joint authority] or joint committee on which the authority are represented and any member of which is so appointed;
 shall be disqualified for being elected or being a member of that other local authority.
- (3) Teachers in a school maintained but not established by a local education authority shall be in the same position as respects disqualification for office as members of the authority as teachers in a school established by the authority.
- ^{F6}(4)
- (5) For the purposes of subsection (1) ^{F7}... (d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the ^{F7}... conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the ^{F7}... conviction, ^{F7}...
- ^{F8}(6)

Textual Amendments

- F1** Words repealed by virtue of [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), ss. 1(3)(a), 194(4), **Sch. 12 Pt. II**
- F2** [S. 80\(1\)\(c\)](#) repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 38(5), **Sch. 6 Pt. IV**
- F3** Words substituted by [Representation of the People Act 1983 \(c. 2, SIF 42\)](#), s. 206, **Sch. 8 para. 12**
- F4** Words substituted by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 34, **Sch. 5 para. 5(1)**
- F5** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, **Sch. 14 Pt. I para. 3(1)**
- F6** [S. 80\(4\)](#) repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 139(3), 140, **Sch. 8**
- F7** Words repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 38(5), **Sch. 6 Pt. IV**
- F8** [S. 80\(6\)](#) (inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, **Sch. 14 Pt. I para. 3(2)**) repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

Modifications etc. (not altering text)

- C1** [S. 80](#) applied (7.8.1991) by [S.I. 1991/1773](#), arts. 6, 8, **Sch. 1**
[S. 80](#) applied (10.1.1992) by [S.I. 1991/2913](#), arts. 6, 8, **Sch. 1**
- C2** [S. 80](#): certain functions transferred (subject to modifications) (7.8.1991) by [S.I. 1991/1773](#), arts. 6, 8, **Sch. 1**
[S. 80](#): certain functions transferred (subject to modifications) (10.1.1992) by [S.I. 1991/2913](#), arts. 6, 8, **Sch. 1**
- C3** [S. 80\(1\)\(a\)](#) amended by [S.I. 1985/1884](#), art. 10, **Sch. 3 para. 1(b)**
- C4** [S. 80\(1\)\(a\)](#) modified by [S.I. 1987/2110](#), art. 2(2), **Sch. 1 para. 3(b)**
- C5** [S. 80\(1\)\(e\)](#) amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 92(7) and by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 191(5), 231(7), 235(6)
- C6** [S. 80\(2\)\(b\)](#) amended by [S.I. 1985/1884](#), art. 10, **Sch. 3 para. 1(b)**
- C7** [S. 80\(2\)\(b\)](#) modified by [S.I. 1987/2110](#), art. 2, **Sch. 1 para. 3(b)**

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

Local Government Act 1972, Section 80 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.