



# Local Government Act 1972

## 1972 CHAPTER 70

### PART V

#### GENERAL PROVISIONS AS TO MEMBERS AND PROCEEDINGS OF LOCAL AUTHORITIES

##### *Qualifications and disqualifications*

#### **[<sup>F1</sup>80B Disqualification for being a member of a local authority in Wales and holding local office or employment**

- (1) A person who holds a relevant paid office or employment (see section 80C) is disqualified for being a member of a local authority in Wales, (but not for being elected as such a member).
- (2) A person is not disqualified under subsection (1) at any time before the person makes a declaration of acceptance of office in accordance with section 83.
- (3) Subsections (4), (5) and (6) apply where a person is elected as a member of a local authority in Wales and resigns from the relevant paid office or employment for the purpose of taking office as a member.
- (4) The resignation terminates the holding of the paid office or employment with immediate effect.
- (5) Any notice requirement in the terms and conditions under which the paid office or employment is held has no effect.
- (6) Section 86(2) of the Employment Rights Act 1996 (requirement on employee to give minimum of one week's notice) does not apply.
- (7) This section does not apply to a person who is disqualified for being elected or being a member of a local authority under section 1 of the Local Government and Housing Act 1989 (disqualification by virtue of holding politically restricted post).]

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**Status:** Point in time view as at 17/11/2021.

**Changes to legislation:** Local Government Act 1972, Section 80B is up to date with all changes known to be in force on or before 04 September 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)

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#### Textual Amendments

- F1** Ss. 80A-80C inserted (17.11.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 20**, 175(7); S.I. 2021/1249, art. 2(a) (with art. 4)

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