



Local Government Act 1972

1972 CHAPTER 70

PART V

GENERAL PROVISIONS AS TO MEMBERS AND PROCEEDINGS OF LOCAL AUTHORITIES

Qualifications and disqualifications

[^{F1}81A Disqualification relating to sexual offences etc (England)

- (1) A person is disqualified for being elected or being a member of a local authority in England if the person is subject to—
 - (a) any relevant notification requirements, or
 - (b) a relevant order.
- (2) In this section “relevant notification requirements” means—
 - (a) the notification requirements of Part 2 of the Sexual Offences Act 2003;
 - (b) the notification requirements of Part 2 of the Sex Offenders (Jersey) Law 2010;
 - (c) the notification requirements of Part 2 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
 - (d) the notification requirements of Schedule 1 to the Criminal Justice Act 2001 (an Act of Tynwald: c. 4).
- (3) In this section “relevant order” means—
 - (a) a sexual harm prevention order under section 345 of the Sentencing Code;
 - (b) a sexual harm prevention order under section 103A of the Sexual Offences Act 2003;
 - (c) a sexual offences prevention order under section 104 of that Act;
 - (d) a sexual risk order under section 122A of that Act;
 - (e) a risk of sexual harm order under section 123 of that Act;
 - (f) a risk of sexual harm order under section 2 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005;

Status: Point in time view as at 28/06/2022.

Changes to legislation: Local Government Act 1972, Section 81A 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)

- (g) a sexual risk order under section 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016;
 - (h) a restraining order under Article 10 of the Sex Offenders (Jersey) Law 2010;
 - (i) a child protection order under Article 11 of that Law;
 - (j) a sexual offences prevention order under section 18 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
 - (k) a risk of sexual harm order under section 22 of that Law;
 - (l) a sexual offences prevention order under section 1 of the Sex Offenders Act 2006 (an Act of Tynwald: c. 20);
 - (m) a risk of sexual harm order under section 5 of that Act.
- (4) For the purposes of subsection (1)(a), a person who is subject to any relevant notification requirements is not to be regarded as disqualified until—
- (a) the expiry of the ordinary period allowed for making an appeal or application against the conviction, finding, caution, order or certification in respect of which the person is subject to the relevant notification requirements, or
 - (b) if such an appeal or application is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.
- (5) For the purposes of subsection (1)(b), a person who is subject to a relevant order is not to be regarded as disqualified until—
- (a) the expiry of the ordinary period allowed for making an appeal against the relevant order, or
 - (b) if such an appeal is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.]

Textual Amendments

F1 S. 81A inserted (28.6.2022) by [Local Government \(Disqualification\) Act 2022 \(c. 17\)](#), **ss. 1(1), 6(2)** (with s. 5)

Modifications etc. (not altering text)

C1 S. 81A: power to amend conferred (28.6.2022) by [Local Government \(Disqualification\) Act 2022 \(c. 17\)](#), **ss. 4, 6(2)** (with s. 5)

Status:

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