



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

Disqualification

15 Disqualification from membership of the Parliament.

- (1) A person is disqualified from being a member of the Parliament (subject to section 16) if—
- (a) he is disqualified from being a member of the House of Commons under paragraphs (a) to (e) of section 1(1) of the ^{M1}House of Commons Disqualification Act 1975 (judges, civil servants, members of the armed forces, members of police forces and members of foreign legislatures),
 - (b) he is disqualified otherwise than under that Act (either generally or in relation to a particular parliamentary constituency) from being a member of the House of Commons or from sitting and voting in it,
 - (c) ^{F1}
 - (d) he is an office-holder of a description specified in an Order in Council made by Her Majesty under this subsection.
- (2) An office-holder of a description specified in an Order in Council made by Her Majesty under this subsection is disqualified from being a member of the Parliament for any constituency or region of a description specified in the Order in relation to the office-holder.
- (3) In this section “office-holder” includes employee or other post-holder.

Textual Amendments

- F1** S. 15(1)(c) repealed (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 40(4), 146, 148(1), Sch. 9 para. 94, [Sch. 18 Pt. 5](#); S.I. 2009/1604, [art. 2](#)

Status: Point in time view as at 03/08/2020.

*Changes to legislation: There are currently no known outstanding effects
for the Scotland Act 1998, Section 15. (See end of Document for details)*

Modifications etc. (not altering text)

- C1** S. 15 extended (11.3.1999) by S.I. 1999/787, arts. 1, 6, **Sch. 2 Pt. II para. 9(4)(b)(i)**
S. 15 applied (S.) (1.4.2000) by S.I. 2000/47, art. 5, **Sch. Pt. II**

Marginal Citations

- M1** 1975 c. 24.

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