

SCHEDULE

Article 3(4)

DISQUALIFICATION FOR APPOINTMENT

1. A person shall be disqualified for appointment as a member if—

- (a) he is a member of either House of Parliament;
- (b) he has within the preceding five years 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;
- (c) he has been adjudged bankrupt or has made a composition or arrangement with his creditors; or
- (d) he has been dismissed, otherwise than by reason of redundancy, from any paid employment.

2. For the purposes of paragraph 1(b), the date of conviction shall be deemed to be the date on which the ordinary period allowed for making an appeal or application with respect to the 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 its not being prosecuted.

3. For the purposes of paragraph 1(d), a person shall not be treated as having been in paid employment merely because of his chairmanship or membership of—

- (a) a health authority or a Family Health Services Authority respectively established under sections 8 and 10 of the National Health Service Act 1977(1);
- (b) an NHS Trust established under section 5 of the National Health Service and Community Care Act 1990(2);
- (c) a Health Board or a Special Health Board, the Common Services Agency for the Scottish Health Service or an NHS Trust constituted under sections 2, 10 and 12A respectively of the National Health Service (Scotland) Act 1978(3);
- (d) a State Hospital Management Committee constituted under section 91 of the Mental Health (Scotland) Act 1984(4);
- (e) The Dental Practice Board(5) or Scottish Dental Practice Board(6) ;
- (f) The Public Health Laboratory Service Board(7) ; and
- (g) The National Radiological Protection Board established under section 1 of the Radiological Protection Act 1970(8) .

(1) 1977 c. 49. Section 8 was amended by the Health Services Act 1980 (c. 53), Schedule 1, paragraph 28, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 10, and the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 1 and Schedule 10; section 10 was substituted by the Health and Social Security Act 1984 (c. 48), section 5(1) and amended by the 1990 Act, section 2 and Schedule 10.

(2) 1990 c. 19.

(3) 1978 c. 29. Section 2 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 7, paragraph 1, and by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 28; section 10 was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 2; section 12A was inserted by the 1990 Act, section 31.

(4) 1984 c. 36.

(5) See section 37 of the National Health Service Act 1977 (c. 49) as amended by Schedule 1 to the Health Services Act 1980 (c. 53) and by section 12 of and Schedule 3 to, the Health and Medicines Act 1988 (c. 49).

(6) See section 4 of the National Health Service (Scotland) Act 1978 (c. 29).

(7) See section 5(4) of the National Health Service Act 1977 (c. 49) as amended by section 1 of the Public Health Laboratory Service Act 1979 (c. 23).

(8) 1970 c. 46.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.