



House of Commons Disqualification Act 1975

CHAPTER 24

[The Act is printed, as amended, pursuant to section 5(2) of the Act. The amendments are those in force on the 19th March 1997.]

REPRINT No. 15

ARRANGEMENT OF SECTIONS

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House of Commons Disqualification Act 1975

1997 CHAPTER 24

[The Act is printed, as amended, pursuant to section 5(2) of the Act. The amendments are those in force on the 19th March 1997.]

REPRINT No. 15

An Act to consolidate certain enactments relating to disqualification for membership of the House of Commons.

[8th May 1975]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Subject to the provisions of this Act, a person is disqualified for membership of the House of Commons who for the time being—

- (a) holds any of the judicial offices specified in Part I of Schedule 1 to this Act;
- (b) is employed in the civil service of the Crown, whether in an established capacity or not, and whether for the whole or part of his time;
- (c) is a member of any of the regular armed forces of the Crown or the Ulster Defence Regiment;
- (d) is a member of any police force maintained by a police authority;
- (e) is a member of the legislature of any country or territory outside the Commonwealth; or
- (f) holds any office described in Part II or Part III of Schedule 1.

Disqualification of holders of certain offices and places.

(2) A person who for the time being holds any office described in Part IV of Schedule 1 is disqualified for membership of the House of Commons for any constituency specified in relation to that office in the second column of Part IV.

(3) In this section—

“civil service of the Crown” includes the civil service of Northern Ireland, the Northern Ireland Court Service, Her Majesty’s Diplomatic Service and Her Majesty’s Overseas Civil Service;

1996 c. 16.

1967 c. 77.

“police authority” means any police authority within the meaning of the Police Act 1996 or the Police (Scotland) Act 1967, or the Police Authority for Northern Ireland; and “member” in relation to a police force means a person employed as a full-time constable;

1955 c. 18.

1955 c. 19.

“regular armed forces of the Crown” means the Royal Navy, the regular forces as defined by section 225 of the Army Act 1955, the regular air force as defined by section 223 of the Air Force Act 1955, Queen Alexandra’s Royal Naval Nursing Service and the Women’s Royal Naval Service.

(4) Except as provided by this Act, a person shall not be disqualified for membership of the House of Commons by reason of his holding an office or place of profit under the Crown or any other office or place; and a person shall not be disqualified for appointment to or for holding any office or place by reason of his being a member of that House.

Ministerial offices.

2.—(1) Not more than ninety-five persons being the holders of offices specified in Schedule 2 to this Act (in this section referred to as Ministerial offices) shall be entitled to sit and vote in the House of Commons at any one time.

(2) If at any time the number of members of the House of Commons who are holders of Ministerial offices exceeds the number entitled to sit and vote in that House under subsection (1) above, none except any who were both members of that House and holders of Ministerial offices before the excess occurred shall sit or vote therein until the number has been reduced, by death, resignation or otherwise, to the number entitled to sit and vote as aforesaid.

(3) A person holding a Ministerial office is not disqualified by this Act by reason of any office held by him *ex officio* as the holder of that Ministerial office.

Reserve and
auxiliary forces,
etc.

3.—(1) Notwithstanding section 1(1)(c) above—

(a) a person who is an officer on the retired or emergency list of any of the regular armed forces of the Crown, or who holds an emergency commission in any of those forces, or belongs to any reserve of officers of any of those forces, is not disqualified as a member of those forces; and

(b) a naval, army, marine or air force pensioner who is recalled for service for which he is liable as such is not disqualified as a member of the regular armed forces of the Crown.

(2) A person is not disqualified under section 1(1)(c) above by reason of his being an Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force, if he does not for the time being hold an appointment in the naval, military or air force service of the Crown.

(3) A person is not disqualified under section 1(1)(b) above by reason of his being a member of the Royal Observer Corps unless he is employed as such for the whole of his time.

4. For the purposes of the provisions of this Act relating to the vacation of the seat of a member of the House of Commons who becomes disqualified by this Act for membership of that House, the office of steward or bailiff of Her Majesty's three Chiltern Hundreds of Stoke, Desborough and Burnham, or of the Manor of Northstead, shall be treated as included among the offices described in Part III of Schedule 1 to this Act.

Stewardship of
Chiltern
Hundreds, etc.

5.—(1) If at any time it is resolved by the House of Commons that Schedule 1 to this Act be amended, whether by the addition or omission of any office or the removal of any office from one Part of the Schedule to another, or by altering the description of any office specified therein, Her Majesty may by Order in Council amend that Schedule accordingly.

Power to amend
Schedule 1.

(2) A copy of this Act as from time to time amended by Order in Council under this section or by or under any other enactment shall be prepared and certified by the Clerk of the Parliaments and deposited with the rolls of Parliament; and all copies of this Act thereafter to be printed by Her Majesty's printer shall be printed in accordance with the copy so certified.

6.—(1) Subject to any order made by the House of Commons under this section—

- (a) if any person disqualified by this Act for membership of that House, or for membership for a particular constituency, is elected as a member of that House, or as a member for that constituency, as the case may be, his election shall be void; and
- (b) if any person being a member of that House becomes disqualified by this Act for membership, or for membership for the constituency for which he is sitting, his seat shall be vacated.

Effects of
disqualification
and provision for
relief.

(2) If, in a case falling or alleged to fall within subsection (1) above, it appears to the House of Commons that the grounds of disqualification or alleged disqualification under this Act which subsisted or arose at the material time have been removed, and that it is otherwise proper so to do, that House may by order direct that any such disqualification incurred on those grounds at that time shall be disregarded for the purposes of this section.

(3) No order under subsection (2) above shall affect the proceedings on any election petition or any determination of an election court, and this subsection shall have effect subject to the provisions of section 144(7) of the Representation of the People Act 1983 (making of an order by the House of Commons when informed of a certificate and any report of an election court).

1983 c. 2.

(4) In any case where, by virtue of the Recess Elections Act 1975, the Speaker of the House of Commons would be required to issue during a

1975 c. 66.

recess of that House a warrant for a new writ for election of a member, in the room of a member becoming disqualified by this Act, he may, if it appears to him that an opportunity should be given to that House to consider the making of an order under subsection (2) above, defer the issue of his warrant pending the determination of that House.

Jurisdiction of
Privy Council as
to disqualification.

7.—(1) Any person who claims that a person purporting to be a member of the House of Commons is disqualified by this Act, or has been so disqualified at any time since his election, may apply to Her Majesty in Council, in accordance with such rules as Her Majesty in Council may prescribe, for a declaration to that effect.

1833 c. 41.

(2) Section 3 of the Judicial Committee Act 1833 (reference to the Judicial Committee of the Privy Council of appeals to Her Majesty in Council) shall apply to any application under this section as it applies to an appeal to Her Majesty in Council from a court.

(3) Upon any such application the person in respect of whom the application is made shall be the respondent; and the applicant shall give such security for the costs of the proceedings, not exceeding £200, as the Judicial Committee may direct.

(4) For the purpose of determining any issue of fact arising on an application under this section the Judicial Committee may direct the issue to be tried—

- (a) if the constituency for which the respondent purports to be a member is in England or Wales, in the High Court;
- (b) if that constituency is in Scotland, in the Court of Session;
- (c) if that constituency is in Northern Ireland, in the High Court in Northern Ireland;

and the decision of that Court shall be final.

(5) A declaration under this section may be made in respect of any person whether the grounds of the alleged disqualification subsisted at the time of his election or arose subsequently; but no such declaration shall be made—

- (a) in the case of disqualification incurred by any person on grounds which subsisted at the time of his election, if an election petition is pending or has been tried in which his disqualification on those grounds is or was in issue;
- (b) in the case of disqualification incurred by any person on any grounds, if an order has been made by the House of Commons under section 6(2) above directing that any disqualification incurred by him on those grounds shall be disregarded for the purposes of that section.

Relaxation of
obligation to
accept office.

8.—(1) No person being a member of the House of Commons, or for the time being nominated as a candidate for election to that House, shall be required to accept any office or place by virtue of which he would be disqualified by this Act for membership of that House, or for membership of that House for the constituency for which he is sitting or is a candidate.

(2) This section does not affect any obligation to serve in the armed forces of the Crown, whether imposed by an enactment or otherwise.

- 9.** In this Act—
- “Minister of State” means a member of Her Majesty’s Government in the United Kingdom who neither has charge of any public department nor holds any other of the offices specified in Schedule 2 to this Act or any office in respect of which a salary is payable out of money provided by Parliament under section 3(1)(b) of the Ministerial and other Salaries Act 1975;
- “Parliamentary Secretary” includes a person holding Ministerial office (however called) as assistant to a Member of Her Majesty’s Government in the United Kingdom, but not having departmental responsibilities.
- 10.** Nothing in this Act shall be construed as affecting the enactments relating to the disqualification for membership of the House of Commons of priests in holy orders or ministers of any religious denomination.
- 11.**—(1) This Act may be cited as the House of Commons Disqualification Act 1975.
- (2) This Act extends to Northern Ireland.
- Interpretation.
1975 c. 27.
Saving as to disqualification of priests in holy orders, etc.
Short title and extent.

SCHEDULES

Sections 1 and 3.

SCHEDULE 1

OFFICES DISQUALIFYING FOR MEMBERSHIP

PART I

JUDICIAL OFFICES

- Judge of the High Court of Justice or Court of Appeal.
- 1990 c. 40. Judge of the Court of Session, or Temporary Judge appointed under the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.
- Judge of the High Court of Justice or Court of Appeal in Northern Ireland.
- Judge of the Courts-Martial Appeal Court.
- Chairman of the Scottish Land Court.
- Circuit Judge.
- 1907 c. 51. Sheriff Principal or Sheriff (other than Honorary Sheriff) appointed under the Sheriff Courts (Scotland) Act 1907, or Temporary Sheriff Principal
- 1971 c. 58. or Temporary Sheriff appointed under the Sheriff Courts (Scotland) Act 1971.
- County Court Judge or deputy County Court Judge in Northern Ireland.
- 1979 c. 55. Stipendiary Magistrate within the meaning of the Justices of the Peace Act 1979.
- Stipendiary Magistrate in Scotland.
- 1964 c. 21. (N.I.) Resident Magistrate or Deputy Resident Magistrate appointed under the Magistrates' Courts Act (Northern Ireland) 1964.
- 1991 c. 48. Chief or other Child Support Commissioner (excluding a person appointed under paragraph 4 of Schedule 4 to the Child Support Act 1991).
- Chief or other Child Support Commissioner for Northern Ireland (excluding a person appointed under paragraph 4 of Schedule 4 to the Child Support Act 1991).
- Chief or other Social Security Commissioner (not including a deputy Commissioner).
- Chief or other Social Security Commissioner for Northern Ireland (not including a deputy Commissioner).
- 1970 c. 9. Commissioner for the special purposes of the Income Tax Acts appointed under section 4 of the Taxes Management Act 1970.

PART II

BODIES OF WHICH ALL MEMBERS ARE DISQUALIFIED

- 1990 c. 43. The Advisory Committee on Hazardous Substances established under section 140(5) of the Environmental Protection Act 1990.
- The Aircraft and Shipbuilding Industries Arbitration Tribunal.
- 1994 c. 15. The Antarctic Act Tribunal established under regulations made under the Antarctic Act 1994.
- 1975 c. 68. An Arbitration Tribunal established under Schedule 3 to the Industry Act 1975.
- An Area Electricity Board in England and Wales.
- The Authorised Conveyancing Practitioners Board.
- The British Board of Agrément.
- The British Coal Corporation.
- The British Railways Board.

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British Shipbuilders.
The British Steel Corporation.
The British Waterways Board.
The Broadcasting Complaints Commission.
The Broadcasting Standards Council.
The Building Societies Commission.
Bwrdd yr Iaith Gymraeg (Welsh Language Board).
The Central Arbitration Committee.
The Central Electricity Generating Board.
The Channel Four Television Corporation.
The Citizen's Charter Advisory Panel.
The Civil Aviation Authority.
The Civil Service Arbitration Tribunal.
The Coal Authority.
Comataidh Telebhisein Gaidhlig.
The Commission for Local Administration in England.
The Commission for Local Administration in Wales.
The Commission for Local Authority Accounts in Scotland.
The Commission for the New Towns.
The Commission for Racial Equality.
The Commonwealth Development Corporation.
The Copyright Tribunal.
The Council of the Advisory, Conciliation and Arbitration Service.
The Council on Tribunals.
The Covent Garden Market Authority.
The Criminal Cases Review Commission.
The Criminal Injuries Compensation Board.
The Crofters Commission.
The Crown Estate Commissioners.
A Dairy Produce Quota Tribunal constituted under the Dairy Produce S.I. 1984/1047.
Quotas Regulations 1984.
The Data Protection Tribunal.
The Development Board for Rural Wales.
The Development Commission.
A Development Corporation within the meaning of the New Towns Act 1981 c. 64.
1981 or the New Towns (Scotland) Act 1968. 1968 c. 16.
A Development Council established under the Industrial Organisation and 1947 c. 40.
Development Act 1947.
The Disability Living Allowance Advisory Board.
The Disability Living Allowance Advisory Board for Northern Ireland.
The East of Scotland Water Authority.
The Electricity Council.
The Employment Appeal Tribunal.
The English Industrial Estates Corporation.
The Environment Agency.
The Equal Opportunities Commission.

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- The Equal Opportunities Commission for Northern Ireland.
 The Fair Employment Commission for Northern Ireland.
 The Fair Employment Tribunal for Northern Ireland.
 The Football Licensing Authority.
 The Foreign Compensation Commission.
 The Forestry Commissioners.
 The Friendly Societies Commission.
 The Gaming Board for Great Britain.
 The Health and Safety Executive.
 Highlands and Islands Enterprise.
 The Housing Corporation.
 Housing for Wales.
 The Human Fertilisation and Embryology Authority.
 The Immigration Appeal Tribunal.
 The Independent Broadcasting Authority.
 The Independent Commission for Police Complaints for Northern Ireland.
 The Independent Television Commission.
 An Industrial Court established in Northern Ireland.
 The Industrial Development Board for Northern Ireland.
 The Industrial Injuries Advisory Council.
 The Intervention Board for Agricultural Produce and every committee of the Board performing functions of the Board.
 1972 c. 52. A Joint Planning Inquiry Commission constituted under Part III of the Town and Country Planning (Scotland) Act 1972.
 The Labour Relations Agency.
 The Land Authority for Wales.
 The Lands Tribunal.
 The Lands Tribunal for Northern Ireland.
 The Lands Tribunal for Scotland.
 The Law Commission.
 The Local Government Boundary Commission for Scotland.
 The Local Government Boundary Commission for Wales.
 The Local Government Commission for England.
 The Local Government Staff Commission (England).
 London Regional Transport.
 The Lord Chancellor's Advisory Committee on Legal Education and Conduct.
 The Meat and Livestock Commission.
 S.I. 1976/1209. A Meat Hygiene Appeals Tribunal constituted under regulation 15 of the Poultry Meat (Hygiene) Regulations 1976, regulation 15 of the Poultry Meat (Hygiene) (Scotland) Regulations 1976, or regulation 6 of the Fresh Meat (Hygiene and Inspection) Regulations 1992.
 S.I. 1976/1221.
 S.I. 1992/2037.
 1977 c. 49. A Medical Practices Committee constituted under section 7 of the National Health Service Act 1977 or section 3 of the National Health Service (Scotland) Act 1978.
 1978 c. 29.
 1968 c. 67. The Medicines Commission and any committee established under section 4 of the Medicines Act 1968.

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- A Mental Health Review Tribunal constituted or having effect as if constituted under the Mental Health Act 1983. 1983 c. 20.
- The Mental Health Review Tribunal for Northern Ireland.
- The Mental Welfare Commission for Scotland.
- The Monopolies and Mergers Commission.
- A National Broadcasting Council.
- The National Disability Council.
- The National Radiological Protection Board.
- The North of Scotland Hydro-Electric Board.
- The North of Scotland Water Authority.
- The Northern Ireland Disability Council.
- The Northern Ireland Economic Council.
- The Northern Ireland Housing Executive.
- The Occupational Pensions Board.
- The Occupational Pensions Regulatory Authority.
- The Oil and Pipelines Agency.
- The Parole Board.
- The Parole Board for Scotland.
- A Pensions Appeal Tribunal.
- The Pensions Compensation Board.
- The Planning Appeals Commission constituted under Article 110 of the Planning (Northern Ireland) Order 1991. S.I. 1991/1220 (N.I. 11).
- A Planning Inquiry Commission constituted under Part III of the Town and Country Planning Act 1990. 1990 c. 8.
- A Planning Inquiry Commission constituted under Part III of the Town and Country Planning (Scotland) Act 1972. 1972 c. 52.
- The Police Complaints Authority.
- The Post Office.
- The Radio Authority.
- A regional water authority established in accordance with section 2 of the Water Act 1973. 1973. c. 37.
- The Restrictive Practices Court.
- The Review Board for Government Contracts.
- A Rural Development Board.
- The Scottish Children's Reporter Administration.
- The Scottish Committee of the Council on Tribunals.
- The Scottish Conveyancing and Executry Services Board.
- Scottish Enterprise.
- The Scottish Environment Protection Agency.
- Scottish Homes.
- The Scottish Land Court.
- The Scottish Law Commission.
- The Scottish Legal Aid Board.
- Scottish Natural Heritage.
- The Scottish Qualifications Authority.
- The Scottish Transport Group.

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1994 c. 39.	The Scottish Water and Sewerage Customers Council or any committee established by that council under paragraph 10(1) of Schedule 9 to the Local Government etc. (Scotland) Act 1994.
	The Sea Fish Industry Authority.
	The Sea Fish Licence Tribunal.
	Sianel Pedwar Cymru.
	The Social Security Advisory Committee.
	The South of Scotland Electricity Board.
	The Staff Commission for Wales (Comisiwn Staff Cymru).
	The Training and Employment Agency Advisory Board in Northern Ireland.
	The Transport Tribunal.
1994 c. 13.	The Tribunal established under section 9 of the Intelligence Services Act 1994.
1985 c. 56.	The Tribunal established under the Interception of Communications Act 1985.
1989 c. 5.	The Tribunal established under the Security Service Act 1989.
	The United Kingdom Atomic Energy Authority.
	The United Kingdom Ecolabelling Board.
	The Urban Regeneration Agency.
	The Water Appeals Commission for Northern Ireland.
	The Welsh Development Agency.
	The Welsh Water Authority.
	The West of Scotland Water Authority.

PART III

OTHER DISQUALIFYING OFFICES

	Additional Commissioner of the Commission for Racial Equality.
	Additional Commissioner of the Equal Opportunities Commission.
	Additional Commissioner of the Equal Opportunities Commission for Northern Ireland.
1992 c. 5.	Adjudicating medical practitioner or specially qualified adjudicating medical practitioner appointed under or by virtue of Part II of the Social Security Administration Act 1992 or Part II of the Social Security Administration (Northern Ireland) Act 1992.
1992 c. 8.	
1995 c.53.	Adjudicator appointed under section 5 of the Criminal Injuries Compensation Act 1995.
1971 c. 77.	Adjudicator appointed for the purposes of the Immigration Act 1971.
	Adjudicator for the Inland Revenue, Customs and Excise and the Contributions Agency.
	Advocate Depute (not being the Solicitor General for Scotland) appointed by the Lord Advocate.
	Ambassador or Permanent Representative to an international organisation representing Her Majesty's Government in the United Kingdom.
1988 c. 33.	Assessor appointed for the purposes of section 133 of the Criminal Justice Act 1988.
	Assessor of Public Undertakings (Scotland).
1972 c. 70.	Assistant Commissioner appointed under Part IV of the Local Government Act 1972.

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Assistant Commissioner appointed under Part II of the Local Government (Scotland) Act 1973.	1973 c. 65.
Attorney General of the Duchy of Lancaster.	
Auditor of the Civil List.	
Auditor of the Court of Session.	
Boundary Commissioner or assistant Commissioner appointed under Schedule 1 to the Parliamentary Constituencies Act 1986.	1986 c. 56.
Certification officer or any assistant certification officer.	
Certification Officer for Northern Ireland appointed under Article 69 of the Industrial Relations (Northern Ireland) Order 1992.	S.I. 1992/807 (N.I. 5).
Chairman of the Advisory Board for the Research Councils.	
Chairman or Medical Director of the Advisory Committee on Distinction Awards.	
Chairman of an Agricultural Land Tribunal or member of a panel appointed under paragraph 14 or 15 of Schedule 9 to the Agriculture Act 1947.	1947 c. 48.
Chairman or Vice-Chairman of the Arts Council of Northern Ireland.	
Chairman, Deputy Chairman or Chief Executive of the Biotechnology and Biological Sciences Research Council.	
Chairman of the Board of Governors of the Commonwealth Institute.	
Chairman or Director-General of the British Council.	
Chairman of the British Library Board.	
Chairman of the British Overseas Trade Board.	
Chairman of the Central Rail Users' Consultative Committee appointed under section 3 of the Railways Act 1993.	1993 c. 43.
Chairman of the Chief Executives' Forum in Northern Ireland.	
Regional or other full-time chairman of a child support appeal tribunal established under section 21 of the Child Support Act 1991.	1991 c. 48.
Full-time Chairman of Child Support Appeal Tribunals for Northern Ireland.	
Chairman or Deputy Chairman of the Civil Service Appeal Board.	
Chairman of the Consumer Committee for Electricity appointed under Article 7 of the Electricity (Northern Ireland) Order 1992.	S.I. 1992/231 (N.I. 1).
Chairman of a consumers' committee appointed under section 2 of the Electricity Act 1989.	1989 c. 29.
Chairman or Chief Executive of the Council for the Central Laboratory of the Research Councils.	
Chairman, Deputy Chairman or Managing Director of the Crown Agents for Oversea Governments and Administrations.	
Chairman of a customer service committee maintained under section 28 of the Water Industry Act 1991.	1991 c. 56.
Chairman of the Deer Commission for Scotland.	
Chairman or Vice-Chairman of the Dental Practice Board or member of that Board appointed at an annual salary.	
Chairman of a designated agency within the meaning of the Financial Services Act 1986 if he is in receipt of remuneration.	1986 c. 60.
Chairman of the Distinction and Meritorious Service Awards Committee for Northern Ireland.	
Chairman, Deputy Chairman or Chief Executive of the Economic and Social Research Council.	

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- Chairman, Deputy Chairman or Chief Executive of the Engineering and Physical Sciences Research Council.
- Chairman or Vice-Chairman of the English Sports Council.
- Chairman of Enterprise Ulster.
- Chairman or Deputy Chairman of the Financial Reporting Council.
- Chairman of the Fire Authority for Northern Ireland.
- Chairman of Food from Britain.
- Chairman or any director of the Further Education Development Agency.
- Chairman of the Gas Consumers' Council.
- Chairman of the General Consumer Council for Northern Ireland.
- 1977 c. 49. Chairman or any member, not being also an employee, of any Health Authority or Special Health Authority which is a relevant authority for the purposes of paragraph 9(1) of Schedule 5 to the National Health Service Act 1977.
- 1978 c. 29. Chairman or any member, not being also an employee, of a Health Board constituted under the National Health Service (Scotland) Act 1978.
- Chairman of the Health and Safety Agency for Northern Ireland.
- Chairman of the Health and Safety Commission.
- S.I. 1972/1265 (N.I. 14). Chairman or any member, not being also an employee, of a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972.
- S.I. 1991/194 (N.I. 1). Chairman or non-executive director of a Health and Social Services trust established under the Health and Personal Social Services (Northern Ireland) Order 1991.
- Chairman or any member, not being also an employee, of the Health Education Board for Scotland.
- Chairman or Deputy Chairman, in receipt of remuneration, of the Historic Buildings and Monuments Commission for England.
- Chairman of the Home-Grown Cereals Authority.
- 1964 c. 16. Paid Chairman of an Industrial Training Board constituted under the Industrial Training Act 1964 or the Industrial Training Act 1982 or of
1982 c. 10. a committee appointed under either of those Acts or paid Deputy Chairman of such a board.
- Chairman of the Inland Waterways Amenity Advisory Council.
- Chairman of Investors in People UK.
- Chairman of the Joint Nature Conservation Committee.
- Chairman or Deputy Chairman of the Laganside Corporation.
- Chairman, Vice-Chairman or member of the executive committee of the Land Settlement Association Limited appointed at a salary.
- Chairman of the Legal Aid Board.
- Chairman of the Livestock and Meat Commission for Northern Ireland.
- Chairman of a local flood defence committee for any district in England and Wales.
- Chairman or Chief Executive of the Local Government Staff Commission for Northern Ireland.
- Chairman in receipt of remuneration of the London Regional Passengers' Committee.
- Chairman or any member, not being also an employee, of the Management Committee of the Common Services Agency for the Scottish Health Service constituted under the National Health Service (Scotland) Act 1978.

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- Chairman, Deputy Chairman or Chief Executive of the Medical Research Council.
- Chairman of the Mental Health Commission for Northern Ireland.
- Chairman or any member, not being also an employee, of a committee constituted under section 91 of the Mental Health (Scotland) Act 1984. 1984 c. 36.
- Chairman of any of the National Boards for Nursing, Midwifery and Health Visiting constituted under section 5 of the Nurses, Midwives and Health Visitors Act 1979 or any member of any of those Boards appointed at a salary. 1979 c. 36.
- Chairman or Deputy Chairman of the National Consumer Council.
- Chairman of the National Council for Vocational Qualifications.
- Chairman or Director of the National Forest Company.
- Chairman or non-executive director of a National Health Service trust established under the National Health Service and Community Care Act 1990 or the National Health Service (Scotland) Act 1978. 1990 c. 19.
1978 c. 29.
- Chairman of the National Lottery Charities Board and any chairman of a committee of that Board.
- Chairman of the National Research Development Corporation.
- Chairman, Deputy Chairman or Chief Executive of the Natural Environment Research Council.
- Chairman of the Northern Ireland Central Services Agency for the Health and Social Services.
- Chairman of the Northern Ireland Civil Service Appeal Board.
- Chairman of the Northern Ireland Community Relations Council.
- Chairman of the Northern Ireland Council for the Curriculum, Examinations and Assessment.
- Chairman of the Northern Ireland Higher Education Council.
- Chairman of, or secretary to, the Northern Ireland Local Government Officers' Superannuation Committee.
- Chairman of the Northern Ireland Tourist Board.
- Chairman, Deputy Chairman or Chief Executive of the Particle Physics and Astronomy Research Council.
- Chairman or Vice-Chairman of the Police Authority for Northern Ireland.
- Chairman of the Post Office Users' National Council.
- Chairman of the Prescription Pricing Authority.
- Chairman of the Probation Board for Northern Ireland.
- Chairman of the Public Health Laboratory Service Board.
- Chairman of a rail users' consultative committee appointed under section 2 of the Railways Act 1993. 1993 c. 43.
- Chairman of a regional flood defence committee for any area of England and Wales.
- Chairman of the Rural Development Council for Northern Ireland.
- Chairman of the Scottish Dental Practice Board or a member of that Board appointed at an annual salary.
- Chairman or Vice-Chairman of the Scottish Sports Council.
- A regional or other full-time Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals.
- A full-time chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland.

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S.I. 1990/247 (N.I. 3).	<p>Chairman of a special health and social services agency established under Article 3 of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990.</p> <p>Chairman of the Special Hospitals Service Authority.</p> <p>Chairman or Vice-Chairman of the Sports Council for Northern Ireland.</p> <p>Chairman or Vice-Chairman of the Sports Council for Wales.</p>
1973 c. 36.	<p>Chairman of the Standing Advisory Commission on Human Rights constituted under section 20 of the Northern Ireland Constitution Act 1973.</p> <p>Chairman or any member, not also being an employee, of the State Hospitals Board for Scotland.</p> <p>Chairman of the Training, Enterprise and Education Advisory Group for Wales.</p>
1986 c. 60.	<p>Chairman of a transferee body within the meaning of Schedule 11 to the Financial Services Act 1986 if he is in receipt of remuneration.</p>
1988 c. 1.	<p>Chairman of the tribunal constituted under section 706 of the Income and Corporation Taxes Act 1988.</p> <p>Chairman of the United Kingdom Sports Council.</p> <p>Chairman of the Wine Standards Board of the Company of the master, wardens and commonalty of Vintners of the City of London.</p> <p>Chairman of the Women's Royal Voluntary Service.</p> <p>Chairman or Vice-Chairman of the Youth Council for Northern Ireland.</p>
1992 c. 5.	<p>Chief Adjudication Officer appointed under section 39 of the Social Security Administration Act 1992.</p>
1992 c. 8.	<p>Chief Adjudication Officer appointed for Northern Ireland under section 37 of the Social Security Administration (Northern Ireland) Act 1992.</p>
1991 c. 48.	<p>Chief Child Support Officer appointed under section 13(3) of the Child Support Act 1991.</p>
S.I. 1991/2628 (N.I. 23).	<p>Chief Child Support Officer appointed under Article 15(3) of the Child Support (Northern Ireland) Order 1991.</p>
1962 c. 14 (N.I.).	<p>Chief Electoral Officer for Northern Ireland or any whole time officer appointed under section 14A(1) of the Electoral Law Act (Northern Ireland) 1962.</p> <p>Chief executive of the Simpler Trade Procedures Board.</p> <p>Chief Scientist of the Scottish Home and Health Department.</p> <p>Civil Service Commissioner.</p> <p>Civil Service Commissioner for Northern Ireland.</p> <p>Clerk or deputy clerk of a district council in Northern Ireland.</p> <p>The Commissioner for Local Administration in Scotland.</p>
1972 c. 9 (N.I.).	<p>Commissioner or Assistant Commissioner appointed under section 50(1) or (2) of, or Schedule 4 to, the Local Government Act (Northern Ireland) 1972.</p> <p>Commissioner or Assistant Commissioner of Police of the Metropolis.</p> <p>Commissioner of the City of London Police.</p> <p>Commissioner for Protection Against Unlawful Industrial Action.</p> <p>Commissioner for Public Appointments.</p> <p>Commissioner for Public Appointments for Northern Ireland.</p> <p>Commissioner for the Rights of Trade Union Members.</p> <p>Commons Commissioner.</p> <p>Comptroller and Auditor General.</p>

SCH. 1

- Comptroller and Auditor General for Northern Ireland.
- Controller of Audit appointed under section 97(4) of the Local Government (Scotland) Act 1973. 1973 c. 65.
- Controller of Audit appointed under paragraph 7(1) of Schedule 3 to the Local Government Finance Act 1982. 1982 c. 32.
- Counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936. 1936 c. 52.
- Crown Solicitor for Northern Ireland.
- The Data Protection Registrar.
- Director of the British Aerospace Public Limited Company appointed subject to the approval of a Minister or government department.
- Director of British Nuclear Fuels p.l.c.
- Director of Caledonian MacBrayne Limited.
- Director of Citybus Limited.
- Director of the Commonwealth Institute.
- Director of a company for the time being holding an appointment under Chapter I of Part II of the Water Industry Act 1991 or of such a company's holding company, being a director nominated or appointed by a Minister of the Crown or by a person acting on behalf of the Crown. 1991 c. 56.
- Director of any company in receipt of financial assistance under the Local Employment Act 1972, Part II of the Industry Act 1972 or Part III or section 13 of the Industrial Development Act 1982, being a director nominated by a Minister of the Crown or government department. 1972 c. 5.
1972 c. 63.
1982 c. 52.
- Director of a company—
- (a) which, within the meaning of Part II of the Railways Act 1993, is a successor company wholly owned by the Crown, or
- (b) which, within the meaning of that Act, is wholly owned by the Director of Passenger Rail Franchising,
- being a director nominated or appointed by a Minister of the Crown, the Director of Passenger Rail Franchising or any other person acting on behalf of the Crown. 1993 c. 43.
- Director nominated by the Secretary of State of any company in respect of which an undertaking to make advances has been given by the Secretary of State under section 2 of the Highlands and Islands Shipping Services Act 1960 and is for the time being in force. 1960 c. 31.
- Director of Flexibus Limited.
- Any director of Horticulture Research International in receipt of remuneration.
- Director of International Military Services Limited.
- Director of Northern Ireland Railways Company Limited.
- Director of the Northern Ireland Transport Holding Company.
- Director of Nuclear Electric p.l.c.
- The Director of Passenger Rail Franchising.
- Director, or Deputy Director, of Public Prosecutions for Northern Ireland.
- Director of a publicly owned successor company (within the meaning of the Atomic Energy Authority Act 1995). 1995 c. 37.
- Director appointed at a salary of Remploy Limited.
- Director of Scottish Nuclear Limited.
- Director of Ulsterbus Limited.
- Director General of Electricity Supply.

SCH. 1

	Director General of Electricity Supply for Northern Ireland.
	Director General of Fair Trading.
	Director General of Gas for Northern Ireland.
	Director General of Gas Supply.
	Director General of the National Economic Development Office.
	Director General of the National Lottery
	Director General of Telecommunications.
	Director General of Water Services.
1984 c. 28.	District Judge appointed under section 6 of the County Courts Act 1984.
1981 c. 61.	The Governor or Administrator of a dependent territory within the meaning of section 50(1) of the British Nationality Act 1981.
	Governor of the British Broadcasting Corporation.
	Governor, Deputy Governor or Director of the Bank of England.
	Governor, Lieutenant Governor and Secretary, or Captain of Invalids of Chelsea Hospital.
1953 c. 18 (N.I.).	Governor, Medical Officer or other officer or member of the staff of a prison to which the Prison Act (Northern Ireland) 1953 applies.
	Health Service Commissioner for England.
	Health Service Commissioner for Scotland.
	Health Service Commissioner for Wales.
	Her Majesty's Chief Inspector of Prisons for Scotland.
	Her Majesty's Chief Inspector of Schools in England.
	Her Majesty's Chief Inspector of Schools in Wales.
	High Commissioner representing Her Majesty's Government in the United Kingdom.
	Independent Assessor of Military Complaints Procedures in Northern Ireland.
	Independent Commissioner, or Deputy Commissioner, for the Holding Centres in Northern Ireland.
	The International Rail Regulator.
	Judge Advocate of the Fleet.
	Judge Advocate General, Vice Judge Advocate General, Assistant Judge Advocate General or Deputy Judge Advocate.
S.I. 1976/582 (N.I. 12)	Lay observer appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976.
	The Legal Services Ombudsman.
1981 c. 28.	Liquidator appointed under section 2 of the Licensing (Alcohol Education and Research) Act 1981.
	Lyon Clerk.
	Lyon King of Arms.
	Managing director of the National Research Development Corporation.
	Medical Officer for Complaints appointed for Wales by the Secretary of State.
1958 c. 47.	Member of an Agricultural Marketing Board appointed by the Minister under Schedule 2 to the Agricultural Marketing Act 1958.
1964 c. 13 (N.I.). S.I. 1982/1080 (N.I. 12).	Member of an Agricultural Marketing Board appointed under section 3 of the Agricultural Marketing Act (Northern Ireland) 1964 or Schedule 2 to the Agricultural Marketing (Northern Ireland) Order 1982.

SCH. 1

- Member appointed by a Minister of the Crown of the Agricultural Wages Board for England and Wales.
- Member appointed by the Secretary of State of the Scottish Agricultural Wages Board.
- Member appointed by the Head of the Department of Agriculture for Northern Ireland of the Agricultural Wages Board for Northern Ireland.
- Any member of the Audit Commission for Local Authorities and the National Health Service in England and Wales in receipt of remuneration.
- Any member in receipt of remuneration of the British Tourist Authority, the English Tourist Board, the Scottish Tourist Board or the Wales Tourist Board.
- Any member of the Countryside Commission in receipt of remuneration.
- Any member of the Curriculum and Assessment Authority for Wales constituted under section 360 of the Education Act 1996 in receipt of remuneration. 1996 c. 56.
- Any member of the Education Assets Board in receipt of remuneration.
- Any member of an education association in receipt of remuneration.
- Any member of the Financial Services Tribunal in receipt of remuneration.
- Member of the staff of the Forestry Commissioners.
- Any member of the Funding Agency for Schools in receipt of remuneration.
- Any member of the Further Education Funding Council for England in receipt of remuneration.
- Any member of the Further Education Funding Council for Wales in receipt of remuneration.
- Any member of the Higher Education Funding Council for England in receipt of remuneration.
- Any member of the Higher Education Funding Council for Wales in receipt of remuneration.
- Member appointed by the Secretary of State of the Horserace Betting Levy Board.
- Any member, in receipt of remuneration, of a housing action trust (within the meaning of Part III of the Housing Act 1988). 1988 c. 50.
- Member of the Board of the Industrial Research and Technology Unit in Northern Ireland.
- Member of the Legal Aid Board.
- Member of the Local Enterprise Development Unit.
- Member of a Medical Appeal Tribunal appointed under section 50 of the Social Security Administration Act 1992. 1992 c. 5.
- Member of a Medical Appeal Tribunal for Northern Ireland appointed under section 48(2) of the Social Security Administration (Northern Ireland) Act 1992. 1992 c. 8.
- Any member of the Mental Health Act Commission in receipt of remuneration.
- Member of the staff of the National Audit Office.
- Any member of the Nature Conservancy Council for England or the Countryside Council for Wales in receipt of remuneration.
- Member of the staff of the Northern Ireland Audit Office.
- Member of a panel of chairmen for Child Support Appeal Tribunals for Northern Ireland appointed under paragraph 3(2)(a) of Schedule 3 to the Child Support (Northern Ireland) Order 1991. S.I. 1991/2628 (N.I. 23).

SCH. 1

- Member of a panel of persons appointed to act as chairmen or other members of industrial tribunals in Northern Ireland.
- Member of the legal panel of persons available to act as chairmen of Registered Homes Tribunals.
- Member of the legal panel of persons available to act as chairmen of Registered Homes Tribunals in Northern Ireland.
- 1977 c. 42. Member of a panel of persons appointed under Schedule 10 to the Rent Act 1977 to act as chairmen and other members of rent assessment committees.
- S.I. 1978/1050 (N.I. 20). Member of a panel of persons appointed under Schedule 5 to the Rent (Northern Ireland) Order 1978 to act as chairmen and other members of rent assessment committees.
- 1984 c. 58. Member of the panel of persons appointed under Schedule 4 to the Rent (Scotland) Act 1984 to act as chairmen and other members of rent assessment committees.
- 1992 c. 8. Member of the panel of chairmen for Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland appointed under section 49(1)(c) of the Social Security Administration (Northern Ireland) Act 1992.
- 1992 c. 53. Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Child Support Appeal Tribunals.
- Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals.
- Member of a panel of persons who may be appointed to serve on a Vaccine Damage Tribunal.
- 1994 c. 39. Any member of the property commission established by virtue of section 19 of the Local Government etc. (Scotland) Act 1994.
- 1985 c. 51. Any member of a residuary body established by Part VII of the Local Government Act 1985 who is in receipt of remuneration.
- Any member of a residuary body established by virtue of section 18 of the Local Government etc. (Scotland) Act 1994 who is in receipt of remuneration.
- Any member of the Residuary Body for Wales (Corff Gweddilliol Cymru) in receipt of remuneration.
- 1991 c. 49. Member, in receipt of remuneration, of the review body appointed under section 1 of the School Teachers' Pay and Conditions Act 1991.
- 1996 c. 56. Any member of the School Curriculum and Assessment Authority constituted under section 358 of the Education Act 1996 in receipt of remuneration.
- Any member of the Schools Funding Council for Wales in receipt of remuneration.
- Any member of the Scottish Higher Education Funding Council in receipt of remuneration.
- Any member of the staff commission established by virtue of section 12 of the Local Government etc. (Scotland) Act 1994.
- Member of the staff of the State Pathology Service for Northern Ireland.
- Any member of the Teacher Training Agency in receipt of remuneration.
- 1980 c. 65. Any member, in receipt of remuneration, of an urban development corporation (within the meaning of Part XVI of the Local Government, Planning and Land Act 1980).
- Northern Ireland Commissioner for Complaints.

SCH. 1

Northern Ireland Commissioner for Protection Against Unlawful Industrial Action.	
Northern Ireland Commissioner for the Rights of Trade Union Members.	
Northern Ireland Parliamentary Commissioner for Administration.	
Officer or servant employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District.	
Officer or servant of the Crown Estate Commissioners.	
Officer, clerk or servant appointed or employed under section 20 of the Greenwich Hospital Act 1865.	1865 c. 89.
Officer of the Supreme Court being the holder of any office listed in any Part of Schedule 2 to the Supreme Court Act 1981 or a district judge of the High Court.	1981 c. 54.
Parliamentary Commissioner for Administration.	
Parliamentary Commissioner for Standards.	
Pensions Ombudsman.	
Person appointed under section 3(1) of the Local Government and Housing Act 1989 to carry out functions relating to the political restriction of posts under local authorities, within the meaning of Part I of that Act.	1989 c. 42.
Person appointed to hear and determine appeals under the Trade Marks Act 1994.	1994 c. 26.
Person holding a politically restricted post, within the meaning of Part I of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part, or a National Park Authority.	
President of the Industrial Tribunals (England and Wales), President of the Industrial Tribunals (Scotland), or member of a panel of persons appointed to act as chairmen or other members of industrial tribunals.	
President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals.	
President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland.	
President of the Special Educational Needs Tribunal, or member of a panel of persons appointed to act as chairman or other member of that Tribunal.	
President or Vice-President of Value Added Tax Tribunals or full-time chairman of value added tax tribunals.	
Public Works Loan Commissioner.	
The Rail Regulator.	
Receiver for the Metropolitan Police District.	
Registrar or Assistant Registrar of Friendly Societies.	
Registrar of the Privy Council.	
Registrar of Public Lending Right.	
Registration Officer appointed under section 8(2) or (3) of the Representation of the People Act 1983.	1983 c. 2.
Rent officer appointed in pursuance of a scheme under section 63 of the Rent Act 1977.	1977 c. 42.
Rent officer or deputy rent officer nominated under Schedule 5 to the Rent (Northern Ireland) Order 1978.	S.I. 1978/1050 (N.I. 20).
Returning Officer under section 25(1) of the Representation of the People Act 1983 and any Deputy Returning Officer appointed by him.	
Scottish legal services ombudsman appointed under section 34 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.	1990 c. 40.

SCH. 1

	Social fund Commissioner.
	Social fund Commissioner in Northern Ireland.
	Solicitor in Scotland to any department of Her Majesty's Government in the United Kingdom.
	Standing Counsel to any department of Her Majesty's Government in the United Kingdom.
1978 c. 23.	Statutory officer appointed under section 70 of the Judicature (Northern Ireland) Act 1978.
1981 c. 14.	Traffic commissioner for any area constituted for the purposes of the Public Passenger Vehicles Act 1981.
	Traffic Director for London.

PART IV

OFFICES DISQUALIFYING FOR PARTICULAR CONSTITUENCIES

<i>Office</i>	<i>Constituency</i>
Member of Her Majesty's Commission of Lieutenancy for the City of London.	The constituency comprising the whole of the City of London.
Her Majesty's Lord-Lieutenant or Lieutenant for Greater London.	Any constituency comprising any part of Greater London.
Her Majesty's Lord-Lieutenant or Lieutenant for a county in England and Wales.	Any constituency comprising the whole or part of the area for which he is appointed.
Her Majesty's Lord-Lieutenant or Lieutenant for an area in Scotland.	Any constituency comprising the whole or part of the area in which the Lord-Lieutenant holds office or in which the Lord-Lieutenant or Lieutenant discharges his functions.
Her Majesty's Lord-Lieutenant or Lieutenant for the city of Aberdeen, Dundee, Edinburgh or Glasgow.	Any constituency comprising the whole or part of the city in which the Lord-Lieutenant holds office or for which the Lieutenant is appointed.
Her Majesty's Lord-Lieutenant or Lieutenant for a county or county borough in Northern Ireland.	Any constituency comprising the whole or part of the area for which he is appointed.
Governor of the Isle of Wight.	The Isle of Wight.
The High Sheriff of Greater London.	Any constituency comprising any part of Greater London.
The High Sheriff of a county in England and Wales.	Any constituency comprising the whole or part of the area for which he is appointed.

Section 2.

SCHEDULE 2

MINISTERIAL OFFICES

Prime Minister and First Lord of the Treasury.
 Lord President of the Council.
 Lord Privy Seal.
 Chancellor of the Duchy of Lancaster.

SCH. 2

Paymaster General.
Secretary of State.
Chancellor of the Exchequer.
Minister of Agriculture, Fisheries and Food.
President of the Board of Trade.
Minister of State.
Chief Secretary to the Treasury.
Minister in charge of a public department of Her Majesty's Government in the United Kingdom (if not within the other provisions of this Schedule).
Attorney General.
Lord Advocate.
Solicitor General.
Solicitor General for Scotland.
Parliamentary Secretary to the Treasury.
Financial Secretary to the Treasury.
Parliamentary Secretary in a Government Department other than the Treasury, or not in a department.
Junior Lord of the Treasury.
Treasurer of Her Majesty's Household.
Comptroller of Her Majesty's Household.
Vice-Chamberlain of Her Majesty's Household.
Assistant Government Whip.

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