
STATUTORY INSTRUMENTS

1990 No. 851

The Local Government Officers (Political Restrictions) Regulations 1990

Citation and commencement

1. These Regulations may be cited as the Local Government Officers (Political Restrictions) Regulations 1990 and shall come into force on 1st May 1990.

Commencement Information

11 Reg. 1 in force at 1.5.1990, see [reg. 1](#)

Interpretation

2. In these Regulations—

“the Act” means the Local Government and Housing Act 1989;

references to the appointee are references to a person holding such a post as is mentioned in regulation 3(1) and references to the holding of an appointment shall be construed accordingly;

references to a political party do not include references to an organisation whose objects relate solely to matters arising in, or connected with, a state which is not a member State⁽¹⁾; and

references to speaking to the public include references to the giving of an interview which, to the knowledge of the person giving it, is likely to result in the publication of statements made, or opinions expressed, during the course of the interview.

Commencement Information

12 Reg. 2 in force at 1.5.1990, see [reg. 1](#)

Terms of appointment and conditions of employment

3.—(1) The terms of appointment and conditions of employment of every person holding a politically restricted post under a local authority (including persons appointed to such posts before the coming into force of these Regulations) shall be deemed to incorporate—

- (a) in all cases, the terms and conditions set out in Part I of the Schedule hereto;
- (b) in the case of persons appointed otherwise than pursuant to section 9 of the Act (political assistants), the further terms and conditions set out in Part II of that Schedule; and
- (c) in the case of persons appointed pursuant to that section, the further terms and conditions set out in Part III of that Schedule.

(1) See the definition of “member” in Part II of Schedule 1 to the European Communities Act 1972 (c. 68).

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(2) The terms and conditions referred to in paragraph (1)(a) to (c) apply to the appointee at all times while he holds his appointment.

Commencement Information

I3 Reg. 3 in force at 1.5.1990, see [reg. 1](#)

Incidental and supplementary provisions

4. In determining whether a person is in breach of a term or condition set out in Part II of the Schedule hereto, regard shall be had, in particular, to the following matters—

- (a) whether the appointee referred to a political party or to persons identified with a political party, or whether anything said by him or the relevant work promotes or opposes a point of view identifiable as the view of one political party and not of another; and
- (b) where the appointee spoke or the work was published as part of a campaign, the effect which the campaign appears to be designed to achieve.

Commencement Information

I4 Reg. 4 in force at 1.5.1990, see [reg. 1](#)

4th April 1990

Chris Patten
Secretary of State for the Environment

4th April 1990

Malcolm Rifkind
Secretary of State for Scotland

4th April 1990

Peter Walker
Secretary of State for Wales

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Government Officers (Political Restrictions) Regulations 1990. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. para. 1(b) omitted by [S.I. 2018/1310 Sch. 2 para. 5\(3\)](#) (This S.I. is amended by [S.I. 2019/1389, reg. 2](#))
- Regulations applied (temp.) by [S.I. 1995/789 art. 2Sch.](#)
- reg. 2 words inserted by [S.I. 2012/1772 reg. 2\(2\)](#)
- reg. 2 words inserted by [S.I. 2018/269 Sch. para. 3\(2\)](#)
- reg. 2 words inserted by [S.I. 2023/944 reg. 3](#)
- reg. 2 words substituted by [S.I. 2018/1310 Sch. 2 para. 5\(2\)](#) (This S.I. is amended by [S.I. 2019/1389, reg. 2](#))
- reg. 3(1) words substituted by [S.I. 2012/1772 reg. 2\(3\)\(a\)](#)
- reg. 3(1) words substituted by [S.I. 2017/863 Sch. 2 para. 1\(2\)\(a\)](#)
- reg. 3(1) words substituted by [S.I. 2018/269 Sch. para. 3\(3\)\(a\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 1(aa) inserted by [S.I. 1998/3116 reg. 2\(a\)](#)
- Sch. para. 1A inserted by [S.I. 1998/3116 reg. 2\(b\)](#)
- Sch. para. 2A inserted by [S.I. 1998/3116 reg. 2\(c\)](#)
- Sch. para. 1(ab) inserted by [S.I. 1999/1665 reg. 2\(2\)](#)
- Sch. para. 2D inserted by [S.I. 1999/1665 reg. 2\(3\)](#)
- Sch. para. 1(aa)(bb) inserted by [S.I. 1999/715 reg. 2\(a\)](#)
- Sch. para. 1B1C inserted by [S.I. 1999/715 reg. 2\(b\)](#)
- Sch. para. 2B2C inserted by [S.I. 1999/715 reg. 2\(c\)](#)
- reg. 3(3) inserted by [S.I. 2012/1772 reg. 2\(3\)\(b\)](#)
- reg. 3(3) word inserted by [S.I. 2018/269 reg. 3\(2\)](#)
- reg. 3(4) inserted by [S.I. 2017/863 Sch. 2 para. 1\(2\)\(b\)](#)
- reg. 3(5) inserted by [S.I. 2018/269 Sch. para. 3\(3\)\(b\)](#)