



Local Government Act 1985

1985 CHAPTER 51

PART IV

POLICE, FIRE SERVICES, CIVIL DEFENCE AND TRANSPORT

Members of joint authorities

35 Disqualification.

- (1) A person shall be disqualified for being appointed or being a member of a joint authority if he holds any paid office or employment (other than the office of chairman or vice-chairman [^{F1}or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive]) appointments [^{F2}or elections] to which are or may be made or confirmed by the authority or any committee or sub-committee of the authority or by a joint committee on which the authority is represented or by any person holding any such office or employment [^{F3}or by an elected mayor] .
- (2) A paid officer of a joint authority who is employed under the direction of—
 - (a) a committee or sub-committee of the joint authority any member of which is appointed on the nomination of another joint authority or of a local authority; or
 - (b) a joint committee on which the joint authority is represented and any member of which is so appointed,shall be disqualified for being appointed or being a member of that other joint authority or for being elected or being a member of the local authority, as the case may be.
- (3) A person who is for the time being a member, officer or servant of, or an officer or servant of a subsidiary (within the meaning of the ^{M1}Transport Act 1962) of, the Passenger Transport Executive for an area which is or was coterminous with the area of a metropolitan county shall be disqualified for being appointed or being a member of [^{F4}the Integrated Transport Authority] for that county.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Section 35. (See end of Document for details)

[^{F5}(4) In this section, “elected mayor”, “executive”, “executive arrangements”, [^{F6}and executive leader] have the same meaning as in Part II of the Local Government Act 2000.]

[^{F7}(5) In this section “leader and cabinet executive” means—

- (a) in relation to England: a leader and cabinet executive (England);
- (b) in relation to Wales: a leader and cabinet executive (Wales);

and for this purpose “leader and cabinet executive (England)” and “leader and cabinet executive (Wales)” have the same meanings as in Part 2 of the Local Government Act 2000.]

Textual Amendments

- F1** Words in s. 35(1) inserted (E.) (11.7.2001) by S.I. 2001/2237, **arts. 2**, 12(a)
- F2** Words in s. 35(1) inserted (E.) (11.7.2001) by S.I. 2001/2237, **arts. 2**, 12(b)
- F3** Words in s. 35(1) inserted (E.) (6.5.2002) by The Local Authorities (Executive Arrangements) (Modification of Enactments) (England) Order 2002 (S.I. 2002/1057), **art. 11(a)**
- F4** Words in s. 35(3) substituted (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 4 para. 53(4)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F5** s. 35(4) inserted (E.) (6.5.2002) by The Local Authorities (Executive Arrangements) (Modification of Enactments) (England) Order 2002 (S.I. 2002/1057), **art. 11(b)**
- F6** Words in s. 35(4) substituted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(2), **Sch. 3 para. 19(2)**
- F7** S. 35(5) inserted (30.12.2007) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(2), **Sch. 3 para. 19(3)**

Modifications etc. (not altering text)

- C1** S. 35 excluded (E.) (11.7.2001) by S.I. 2001/2237, **arts. 2**, 47(7)
- C2** S. 35 applied (with modifications) (8.1.1996) by 1995 c. x, s. 44, **Sch.**
- C3** S. 35 excluded (W.) (1.4.2002) by The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 (S.I. 2002/808), **art. 41(7)**
- C4** S. 35(1)(2) amended by S.I. 1985/1884, **art. 4(1)(d)**
- C5** S. 35(1)(2) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 7(e)**

Marginal Citations

- M1** 1962 c. 46.

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1985, Section 35.