

ELIGIBILITY CRITERIA

QUALIFICATIONS

Section 79 of the Local Government Act 1972 sets out the qualifications for election and holding office as a member of a local authority. Section 79 states:

A person shall, unless disqualified by virtue of this Act or any other enactment, be qualified to be elected and to be a member of a local authority if he/she is a qualifying Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union and on the relevant day he/she has attained the age of eighteen years and—

(a) on that day he/she is and thereafter he continues to be a local government elector for the area of the authority; or

(b) he/she has during the whole of the twelve months preceding that day occupied as owner or tenant any land or other premises in that area; or

(c) his principal or only place of work during that twelve months has been in that area; or

(d) he/she has during the whole of those twelve months resided in that area; or

(e) in the case of a member of a parish or community council he/she has during the whole of those twelve months resided either in the parish or community or within three miles of it.

Section 80 of the LGA 1972 sets out the disqualifications for election and holding office as member of local authority.

DISQUALIFICATIONS

A person shall be disqualified for being elected or being a member of a local authority if he/she –

(a) holds any paid office or employment (other than the office of chairman, vice chairman, deputy chairman, presiding member or deputy presiding member 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 or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or

(b) is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order, or a debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986; or

(c) has within five years before the day of election or since his/her election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him/her a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or

(e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983