

## **DISQUALIFICATION FOR APPOINTMENT**

### **Summary of Sections 80 and 81 of the Local Government Act 1972**

1. A person shall be disqualified from being appointed if he/she :-
  - (a) Holds any paid office or employment with the Authority;
  - (b) Is a person who had been adjudged bankrupt or made a composition or arrangement with his/her creditors;
  - (c) Has, within five years from the day of his/her appointment, been convicted of any offence and had passed upon 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;
  - (d) Has been convicted of a corrupt or illegal practice under Part III of the Representation of the People Act 1983;
  - (e) Is disqualified for membership for a specified period by order of the Court because of his/her involvement in expenditure contract to law; and
  - (f) Is disqualified from membership for five years following an Auditor's certificate that a loss or deficiency has been caused by his/her wilful misconduct while a member of a Local Authority.
  
2. The disqualification attaching to a person by reason of having been adjudged bankrupt ceases :-
  - (a) On his/her discharge from bankruptcy unless the bankruptcy order made against the person is previously annulled; and
  - (b) If the bankruptcy order is so annulled, on the date of the annulment.
  
3. The disqualification attaching to a person by reason of his/her having made a composition or arrangement him/her ceases :-
  - (a) On the date on which payment is completed if he/she pays the debt in full; or
  - (b) In any case, on the expiration of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.