



Local Government Act (Northern Ireland) 1972

1972 CHAPTER 9

PART II

MEMBERS, MEETINGS AND PROCEDURE

COUNCILLORS

6 Penalties for acting while disqualified.

- (1) Subject to the succeeding provisions of this section, if any person acts or purports to act as a councillor while disqualified within the meaning of this section for so acting, he shall be guilty of an offence and shall be liable—
 - (a) on conviction on indictment, to^[F1] an unlimited fine] or to imprisonment for a term not exceeding one year, or to both; or
 - (b) on summary conviction to a fine not exceeding^[F1] level 3 on the standard scale].
- (2) A person who is convicted of an offence under subsection (1) shall for a period of five years next occurring after the date of conviction be disqualified for being elected or being a councillor.
- (3) A person shall be deemed to be disqualified within the meaning of this section for acting as a councillor of a council—
 - (a) if, under any statutory provision, he is disqualified for being, or is not qualified to be, a councillor of that council; or
 - (b) if for any reason, he has ceased to be a councillor of that council.
- (4) Where on a prosecution for an offence under subsection (1) it is alleged against any person that at the day of his election he was disqualified for being elected a councillor, and the court is satisfied that a local election petition questioning his election has, within the time specified in section 80 of the Electoral Law Act (Northern Ireland) 1962, been presented under section 79 of that Act, the court shall adjourn the

Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1972, Section 6. (See end of Document for details)

prosecution pending the final determination of the trial of that petition and shall on any adjourned hearing after such determination take into account any finding of law embodied therein so far as the same may be relevant.

F1 1984 NI 3

Modifications etc. (not altering text)

- C1** S. 6 modified (3.10.2013) by [The Local Government \(Boundaries\) \(2008 Act\) \(Commencement, Transitional Provision and Savings\) Order \(Northern Ireland\) 2013 \(S.R. 2013/238\)](#), **art. 3(3)** (with art. 3(4))
- C2** S. 6 applied (2.6.2014 for specified purposes) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), **ss. 15(2)**, 129 (with s. 124(4)); S.R. 2014/153, art. 3, Sch. 2

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