



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

Disqualification

17 Effect of disqualification.

- (1) If a person who is disqualified from being a member of the Parliament or from being a member for a particular constituency or region is returned as a member of the Parliament or (as the case may be) as a member for the constituency or region, his return shall be void and his seat vacant.
- (2) If a member of the Parliament becomes disqualified from being a member of the Parliament or from being a member for the particular constituency or region for which he is sitting, he shall cease to be a member of the Parliament (so that his seat is vacant).
- (3) Subsections (1) and (2) have effect subject to any resolution of the Parliament under section 16.
- (4) Subsection (2) also has effect subject to ^{F1}... section 427 of the ^{M1}Insolvency Act 1986 (sequestration etc); and where, in consequence of [^{F2}that section], the seat of a disqualified member of the Parliament is not vacant he shall not cease to be a member of the Parliament until his seat becomes vacant but—
 - (a) he shall not participate in any proceedings of the Parliament, and
 - (b) any of his other rights and privileges as a member of the Parliament may be withdrawn by a resolution of the Parliament.
- (5) The validity of any proceedings of the Parliament is not affected by the disqualification of any person from being a member of the Parliament or from being a member for the constituency or region for which he purports to sit.

*Changes to legislation: There are currently no known outstanding effects
for the Scotland Act 1998, Section 17. (See end of Document for details)*

Textual Amendments

- F1** Words in s. 17(4) omitted (28.4.2013) by virtue of [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), s. 4(1), [Sch. para. 2\(1\)\(a\)](#)
- F2** Words in s. 17(4) substituted (28.4.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), s. 4(1), [Sch. para. 2\(1\)\(b\)](#)
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Modifications etc. (not altering text)

- C1** S. 17 extended (11.3.1999) by [S.I. 1997/787](#), arts. 1, 6, [Sch. 2 Pt. II para. 9\(4\)\(b\)\(i\)](#)
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Marginal Citations

- M1** [1986 c. 45](#).

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