



House of Commons (Removal of Clergy Disqualification) Act 2001

CHAPTER 13

Explanatory Notes have been produced to assist the reader in the understanding of this Act and are available separately

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2001 CHAPTER 13

An Act to remove any disqualification from membership of the House of Commons that arises by reason of a person having been ordained or being a minister of a religious denomination and to continue the disqualification of Lords Spiritual from such membership. [11th May 2001]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Removal of disqualification of clergy

- (1) A person is not disqualified from being or being elected as a member of the House of Commons merely because he has been ordained or is a minister of any religious denomination.
- (2) But a person is disqualified from being or being elected as a member of that House if he is a Lord Spiritual.
- (3) Accordingly—
 - (a) Schedule 1 (which makes amendments consequential on this section) has effect, and
 - (b) the enactments mentioned in Schedule 2 (which relate to the disqualification of clergy from membership of the House of Commons) are repealed to the extent specified in that Schedule.

2 Short title and extent

- (1) This Act may be cited as the House of Commons (Removal of Clergy Disqualification) Act 2001.

- (2) Any amendment contained in Schedule 1 or repeal contained in Schedule 2 has the same extent as the enactment to which it relates.
- (3) Subject to that, this Act extends to Northern Ireland.

SCHEDULES

SCHEDULE 1

Section 1

CONSEQUENTIAL AMENDMENTS

House of Commons Disqualification Act 1975 (c.24)

- 1 In section 1 of the House of Commons Disqualification Act 1975 (disqualification of holders of certain offices and places), in subsection (1), before paragraph (a) insert—
“(za) is a Lord Spiritual;”.

European Parliamentary Elections Act 1978 (c.10)

- 2 In Schedule 1 to the European Parliamentary Elections Act 1978 (disqualification from membership of European Parliament), in paragraph 5(3) (exceptions for peers, clergy etc.), for paragraph (b) substitute—
“(b) that he is a Lord Spiritual;”.

Government of Wales Act 1998 (c.38)

- 3 In section 13 of the Government of Wales Act 1998 (exceptions and relief from disqualification from membership of the Assembly), in subsection (1), for paragraph (b) substitute—
“(b) he is a Lord Spiritual.”

Scotland Act 1998 (c.46)

- 4 In section 16 of the Scotland Act 1998 (exceptions and relief from disqualification from membership of the Parliament), in subsection (1), for paragraph (b) substitute—
“(b) he is a Lord Spiritual.”

Northern Ireland Act 1998 (c.47)

- 5 In section 36 of the Northern Ireland Act 1998 (disqualification from membership of the Assembly), in subsection (6) (exception for peers and clergy), for paragraph (b) substitute—
“(b) he is a Lord Spiritual.”

SCHEDULE 2

Section 1

REPEALS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The House of Commons (Clergy Disqualification) Act 1801 (c. 63).	The whole Act.
The Roman Catholic Relief Act 1829 (c. 7).	Section 9.
The Clerical Disabilities Act 1870 (c. 91).	In the first Schedule, paragraph (1).
The Welsh Church Act 1914 (c. 91).	Section 2(4).
The House of Commons Disqualification Act 1975 (c. 24).	Section 10.
The Representation of the People Act 1983 (c. 2).	In Schedule 8, paragraph 19.

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