Recall of MPs Act 2015

2015 CHAPTER 25

How an MP becomes subject to a recall petition process

2 The first and third recall conditions: further provision

(1) In section 1(3) and (9) (the first and third recall conditions)—

(a) the reference to an offence includes an offence committed before the MP became an MP and an offence committed before the day on which section 1 comes into force, but

(b) the reference to an MP being convicted of an offence is only to an MP being convicted of an offence on or after the day on which section 1 comes into force.

(2) The reference in section 1(3) to an offence does not include an offence mentioned in section 1(9).

(3) The reference in section 1(3) to an MP being sentenced or ordered—

(a) includes the MP being sentenced or ordered where the sentence or order is suspended,

(b) does not include the MP being remanded in custody, and

(c) does not include the MP being authorised to be detained under mental health legislation if there is no sentence or order for imprisonment or detention other than under that legislation.

(4) "Mental health legislation" means—

(a) the Mental Health Act 1983,

(b) Part 6 or section 200(2)(b) of the Criminal Procedure (Scotland) Act 1995, or

(c) the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4)).

(5) For the purposes of this Act the time at which a person becomes an MP is the beginning of the day after—

(a) the polling day for the parliamentary election at which the person is elected as an MP, or

(b) where the person has been elected as an MP more than once, the polling day for the parliamentary election at which the person was last so elected.

Commencement Information

I1 S. 2 in force at 4.3.2016 by S.I. 2016/290, **reg. 2**

Changes to legislation:
There are currently no known outstanding effects for the Recall of MPs Act 2015, Section 2.