

**1999 No. 715**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government Officers (Political Restrictions)  
(Amendment) Regulations 1999**

<i>Made</i> - - - -	<i>10th March 1999</i>
<i>Laid before Parliament</i>	<i>11th March 1999</i>
<i>Coming into force</i>	<i>1st April 1999</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(5) and (6) and 190(1) of the Local Government and Housing Act 1989<sup>(a)</sup> hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Local Government Officers (Political Restrictions) (Amendment) Regulations 1999 and shall come into force on 1st April 1999.

(2) The amendments made by regulation 2 shall apply only in respect of persons holding a politically restricted post under a local authority in England.

**Amendment of Regulations**

2. The Schedule to the Local Government Officers (Political Restrictions) Regulations 1990<sup>(b)</sup> is amended—

(a) in paragraph 1, after sub-paragraph (a), by the insertion of—

- “(aa) the Scottish Parliament;
- (ab) the Welsh Assembly;”;

(b) after paragraph 1, by the insertion of—

“**1B.** Where prior to [*date of coming into force*] an announcement has been made that the appointee is, or intends to be, a candidate for election as a member of the Scottish Parliament at the first ordinary general election for membership of that Parliament, the appointee shall not act, or continue to act, as such a candidate.

**1C.** Where prior to [*date of coming into force*] an announcement has been made that the appointee is, or intends to be, a candidate for election as a member of the Welsh Assembly at the first ordinary general election for membership of that Assembly, the appointee shall not act, or continue to act, as such a candidate.”; and

(c) after paragraph 2, by the insertion of—

“**2B.** Notwithstanding any contrary provision in his terms of appointment or his contract of employment, upon the appointee giving notice in writing to the local authority

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(a) 1989 c. 42.

(b) S.I. 1990/851, to which there is an amendment not relevant to these Regulations.

under which he holds his appointment that he wishes to resign his appointment because he intends to become, or to continue as, a candidate for election as a member of the Scottish Parliament at the first ordinary general election for membership of that Parliament, his appointment shall terminate forthwith.

**2C.** Notwithstanding any contrary provision in his terms of appointment or his contract of employment, upon the appointee giving notice in writing to the local authority under which he holds his appointment that he wishes to resign his appointment because he intends to become, or to continue as, a candidate for election as a member of the Welsh Assembly at the first ordinary general election for membership of that Assembly, his appointment shall terminate forthwith.”.

Signed by authority of the Secretary of State  
for the Environment, Transport and the Regions

*Hilary Armstrong*  
Minister of State,  
Department of the Environment,  
Transport and the Regions

10th March 1999

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### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Local Government Officers (Political Restrictions) Regulations 1990 impose restrictions on the public political activities of local government officers who are appointed to, or employed in, posts which are politically restricted posts for the purposes of the Local Government and Housing Act 1989. The restrictions take the form of terms and conditions that are deemed to be incorporated into those officers' terms of appointment and conditions of employment.

These Regulations amend the 1990 Regulations so as to introduce, as regards the holders of politically restricted posts in England, restrictions in connection with standing as a candidate for election to the Scottish Parliament or the Welsh Assembly. (Similar restrictions are applied to the holders of politically restricted posts in Scotland by S.I. 1998/3116 (S. 188).)

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