

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Elections

Section 21 - Disqualification of member of a local authority in Wales for appointment to paid office

149. This section inserts a new section 116A into the 1972 Act.
150. Section 116 of the 1972 Act provides that while a person is a member of a local authority and for twelve months after they cease to be a member, they are disqualified from being appointed or elected by that authority to any paid office, other than:
- the office of chairman or vice-chairman; or
 - in the case of a local authority which is operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive.
151. [Paragraph 1\(7\)](#) of Schedule 2 to the Act amends section 116 of the 1972 Act so that it applies to England only.
152. [Section 116A](#) (membership of local authorities in Wales not to be appointed as officers) restates the provision in section 116 in relation to disqualification while the person is a member of a local authority in Wales, however it does not disqualify former members. A person is therefore no longer disqualified for being appointed or being elected by a local authority in Wales to any paid office once he or she ceases to be a member of that authority.