



# Local Governance (Scotland) Act 2004

## 2004 asp 9

### PART 2

#### MEMBERSHIP OF LOCAL AUTHORITIES ETC.

#### **10 Prohibitions on appointment of councillors and ex-councillors to local authority posts**

For section 67 (members of local authorities not to be appointed as officers) of the 1973 Act substitute—

##### **“67 Members of local authorities not to be appointed as officers etc.**

- (1) A person who is a member of a local authority is disqualified from being appointed by the authority to any paid office or employment (other than the office of convener or depute convener) or other place of profit in the gift or disposal of the authority.
- (2) A person who has ceased to be a member of a local authority is disqualified—
  - (a) for a period of 3 months beginning with the day on which the person ceased to be a member of a local authority from being appointed by the authority to any such office, employment or place of profit which is not a politically restricted post;
  - (b) for a period of 12 months beginning with that day from being appointed by the authority to any such office, employment or place of profit which is a politically restricted post.
- (3) A person who—
  - (a) has ceased to be a member of a local authority; and
  - (b) at any time during the period of 12 months ending with the day on which the person so ceased, participated directly in the appointing of any person to a politically restricted post,is, for the period of 12 months beginning on that day, disqualified from being appointed by the authority to any paid office or employment or other place of profit in the gift or disposal of the authority.
- (4) A reference to a politically restricted post is—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in subsection (2) above, a reference to a post held by a person who is within any of paragraphs (a) to (g) of subsection (1) of section 2 (politically restricted posts the holders of which are disqualified from membership of the local authority) of the Local Government and Housing Act 1989 (c. 42);
- (b) in subsection (3) above, a reference to a post held by a person who is within any of paragraphs (a) to (e) of that subsection.”