



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 1

ELECTIONS

Qualification for membership of a local authority

19 Qualification for election and holding office as a member of a local authority in Wales

- (1) Section 79 of the 1972 Act is amended as follows.
- (2) In subsection (1), after “Union” insert “ or, in the case of a local authority in Wales, a qualifying foreign citizen ”.
- (3) After subsection (2C) insert—

“(2D) For the purposes of this section, a person is a qualifying foreign citizen if the person—

- (a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and
- (b) either—

(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

- (2E) But a person is not a qualifying foreign citizen by virtue of subsection (2D) (b)(i) if the person does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).”

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Section 19. (See end of Document for details)

Commencement Information

II [S. 19](#) in force at 17.11.2021 by [S.I. 2021/1249](#), **art. 2(a)** (with [art. 4](#))

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Section 19.