

Draft Order in Council laid before the Scottish Parliament under section 115(1) of, and paragraphs 1 and 2 of Schedule 7 to, the Scotland Act 1998 for approval by resolution of the Scottish Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No.

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

The Scottish Parliament (Disqualification) Order 2007

Made 2007

Coming into force 2007

At the Court at _____, the _____ day of _____ 2007

Present,

The Queen's Most Excellent Majesty in Council

This Order is made by Her Majesty in Council in exercise of the powers conferred upon Her by section 15 of the Scotland Act 1998(a).

In accordance with section 115(1) of, and paragraphs 1 and 2 of Schedule 7 to, that Act a draft of this Order was laid before and approved by a resolution of the Scottish Parliament.

Accordingly, Her Majesty, by and with the advice of Her Privy Council, makes the following Order:

Citation and commencement

1. This Order may be cited as the Scottish Parliament (Disqualification) Order 2007 and shall come into force on the day after the day on which it is made.

Specified Office-Holders

2. An office-holder of a description specified in Part I of the Schedule to this Order is disqualified from being a member of the Scottish Parliament.

3. An office-holder of a description specified in column 1 of Part II of the Schedule to this Order is disqualified from being a member of the Scottish Parliament for any constituency specified in

(a) 1998 c.46.

relation to that office-holder in column 2 of that Part of the Schedule and for any region specified in relation to that office-holder in column 3 of that Part of the Schedule.

Revocation of the Scottish Parliament (Disqualification) Order 2003

4. The Scottish Parliament (Disqualification) Order 2003(a) is revoked.

Clerk of the Privy Council

(a) S.I. 2003/409.

SCHEDULE

Articles 2 and 3

PART I

OFFICE-HOLDERS DISQUALIFIED FROM BEING A MEMBER OF THE SCOTTISH PARLIAMENT

Any constable seconded to the Scottish Police Services Authority

Any member of the Advisory Committee on Hazardous Substances established under section 140(5) of the Environmental Protection Act 1990(a)

Any member of the Accounts Commission for Scotland

Any member of the Adult Learning Inspectorate

Any member of an Agricultural Marketing Board appointed under section 3 of the Agricultural Marketing Acts (Northern Ireland) 1964(b) or Schedule 2 to the Agricultural Marketing (Northern Ireland) Order 1982(c)

Any member appointed by a Minister of the Crown of the Agricultural Wages Board for England and Wales

Any member appointed by the Scottish Ministers of the Scottish Agricultural Wages Board

Any member appointed by the Head of the Department of Agriculture for Northern Ireland of the Agricultural Wages Board for Northern Ireland

Any member of the Aircraft and Shipbuilding Industries Arbitration Tribunal

Any member of the Antarctic Act Tribunal established under regulations made under the Antarctic Act 1994(d)

Any member of an Arbitration Tribunal established under Schedule 3 to the Industry Act 1975(e)

Any member of the Asylum and Immigration Tribunal

Any member of the Audit Commission for Local Authorities and the National Health Service in England and Wales in receipt of remuneration

Any member of Audit Scotland appointed under section 10(2)(c) of the Public Finance and Accountability (Scotland) Act 2000(f) and any member of the staff of Audit Scotland

Any member of the Bòrd na Gàidhlig

Any member of the Beef Assurance Scheme Membership Panel

Any member of the Board of the Gangmasters Licensing Authority

Any member of the Board of the Pension Protection Fund

Any member of the Board and any employee of the School Food Trust

Any member of the Boundary Commission for Scotland or any assistant Commissioner of that Commission appointed under Schedule 1 to the Parliamentary Constituencies Act 1986(a)

-
- (a) 1990 c.43.
(b) 1964 c.13.
(c) S.I. 1982/1080.
(d) 1994 c.15.
(e) 1975 c.68.
(f) 2000 asp 1.

Any member of the British Board of Agrément

Any member of the British Broadcasting Corporation

Any member of the British Railways Board

Any member of British Shipbuilders

Any member, in receipt of remuneration, of the British Tourist Authority or the Scottish Tourist Board

Any member of the British Waterways Board

Any member of the Broadcasting Standards Commission

Any member of the Care Standards Tribunal

Any member of the Central Arbitration Committee

Any member of the Channel Four Television Corporation

Any member of the Children and Family Court Advisory and Support Service

Any member of the Civil Aviation Authority

Any member of the Civil Nuclear Police Authority

Any member of the Civil Service Arbitration Tribunal

Any member of the Coal Authority

Any member of the Commission for Equality and Human Rights

Any member of the Commission on Human Medicines and of any committee established under the Medicines Act 1968**(b)**

Any member of the Commission for Local Administration in England

Any member of the Commission for Racial Equality

Any member of the Competition Commission

Any member of the Competition Appeal Tribunal

Any member of the Consumer Council for Postal Services

Any member of the Copyright Tribunal

Any member of the Council of the Advisory, Conciliation and Arbitration Service

Any member of the Council for the Regulation of Health Care Professionals

Any member of the Council on Tribunals

Any member of the Criminal Cases Review Commission

Any member of the Crown Estate Commissioners

Any member of a Dairy Produce Quota Tribunal constituted under the Dairy Produce Quotas Regulations 1984**(c)** and reconstituted under the Dairy Produce Quotas (General Provisions) Regulations 2002**(d)**

(a) 1986 c.56.
(b) 1968 c.67.
(c) S.I. 1984/1047.
(d) S.I. 2002/458.

Any member of the Determinations Panel established by the Pensions Regulator under section 9 of the Pensions Act 2004(a)

Any member of a Development Council established under the Industrial Organisation and Development Act 1947(b)

Any member of the Disability Employment Advisory Committee

Any member of the Disability Living Allowance Advisory Board

Any member of the Disability Living Allowance Advisory Board for Northern Ireland

Any member of the Disability Rights Commission

Any member of the Electoral Commission

Any member of the staff of the Electoral Commission

Any member of the Employment Appeal Tribunal

Any member of the Environment Agency

Any member of Equality 2025

Any member of the Equal Opportunities Commission

Any member of the Fair Employment Tribunal for Northern Ireland

Any member of the Foreign Compensation Commission

Any member of the Gambling Appeals Tribunal

Any member of the Gambling Commission

Any member of the Health and Safety Executive

Any member of Highlands and Islands Enterprise

Any member of the Human Fertilisation and Embryology Authority

Any member of the Independent Broadcasting Authority

Any member of the Independent Police Complaints Commission

Any member of the Independent Television Commission

Any member of an Industrial Court established in Northern Ireland

Any member of the Industrial Injuries Advisory Council

Any member of the Information Tribunal

Any member of Invest Northern Ireland

Any member of a Joint Planning Inquiry Commission constituted under Part III of, and Schedule 7 to, the Town and Country Planning (Scotland) Act 1997(c)

Any member of the Lands Tribunal

Any member of the Lands Tribunal for Northern Ireland

Any member of the Lands Tribunal for Scotland

Any member of the Learning and Skills Council for England in receipt of remuneration

(a) 2004 c.35.

(b) 1947 c.40.

(c) 1997 c.8.

Any member of the Local Government Boundary Commission for Scotland

Any member of the Low Pay Commission appointed under section 8(9) of the National Minimum Wage Act 1998(a)

Any member of the Meat and Livestock Commission

Any member of a Meat Hygiene Appeals Tribunal constituted under the Fresh Meat (Hygiene and Inspection) Regulations 1995(b), the Poultry Meat, Farmed Game Birds Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(c), and the Wild Game Meat (Hygiene and Inspection) Regulations 1995(d)

Any member of a Medical Appeal Tribunal for Northern Ireland appointed under section 48(2) of the Social Security Administration (Northern Ireland) Act 1992(e)

Any member of a Mental Health Review Tribunal constituted or having effect as if constituted under the Mental Health Act 1983(f)

Any member of the Mental Health Review Tribunal for Northern Ireland

Any member of the Mental Welfare Commission for Scotland

Any member of the Monetary Policy Committee of the Bank of England appointed under section 13(2)(b) or (c) of the Bank of England Act 1998(g)

Any member of the staff of the National Audit Office

Any member of a National Broadcasting Council

Any member of the National Employment Panel

Any member of the National Lottery Commission

Any member of the National Policing Improvement Agency

Any member of the National Radiological Protection Board

Any member of the staff of the Northern Ireland Audit Office

Any member of the Northern Ireland Economic Council

Any member of the Northern Ireland Housing Executive

Any member of the Northern Ireland Legal Services Commission

Any member of the Nuclear Decommissioning Authority

Any member of the Office of Communications

Any member of the Oil and Pipelines Agency

Any member of the Parades Commission for Northern Ireland

Any member of the Parole Board for Scotland

Any member of a Pensions Appeal Tribunal

Any member in receipt of remuneration of a panel of persons who may be selected to act as members of the Pensions Regulator Tribunal

(a) 1998 c.39.
(b) S.I. 1995/539.
(c) S.I. 1995/540.
(d) S.I. 1995/2148.
(e) 1992 c.8.
(f) 1983 c.20.
(g) 1998 c.11.

Any member of the Pensions Regulator

Any member of a Planning Inquiry Commission constituted under Part III of, and Schedule 6 to, the Town and Country Planning (Scotland) Act 1997(a)

Any member of the Police Complaints Authority

Any member of the Police Information Technology Organisation in receipt of remuneration

Any member of the Postal Services Commission

Any member of the Probation Board for Northern Ireland

Any member of the Radio Authority

Any member of a residuary body established by virtue of section 18 of the Local Government etc. (Scotland) Act 1994(b) who is in receipt of remuneration

Any member of the Review Board for Government Contracts

Any member of the Risk Management Authority

Any member of a Rural Development Board

Any member of the Scottish Children's Reporter Administration

Any member of the Scottish Commission for Human Rights

Any member of the Scottish Committee of the Council on Tribunals

Any member of the Scottish Criminal Cases Review Commission

Any member of Scottish Enterprise

Any member of the Scottish Environment Protection Agency

Any member of the Scottish Further and Higher Education Funding Council established by section 1 of the Further and Higher Education (Scotland) Act 2005(c)

Any member of the Scottish Land Court

Any member of the Scottish Law Commission

Any member of the Scottish Legal Aid Board

Any member of Scottish Natural Heritage

Any member of the Scottish Qualifications Authority

Any member of the Scottish Social Services Council

Any member of Scottish Water

Any member of the Sea Fish Industry Authority

Any member of the Sea Fish Licence Tribunal

Any member of and any member of the staff of the Serious Organised Crime Agency

Any member of Seirbheis nam Meadhanan Gàidhlig

Any member of the Sianel Pedwar Cymru

Any member of the Social Security Advisory Committee

(a) 1997 c.8.
(b) 1994 c.39.
(c) 2005 asp 6.

Any member of the Spongiform Encephalopathy Advisory Committee

Any member of the Standards Commission for Scotland

Any member of the staff of the State Pathology Service for Northern Ireland

Any member of the Strategic Rail Authority

Any member of the Sustainable Development Commission

Any member of the Training and Employment Agency Advisory Board in Northern Ireland

Any member of the Transport Tribunal

Any member of the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000(a)

Any member of the United Kingdom Atomic Energy Authority (within the meaning of the Atomic Energy Authority Act 1954(b))

Any member of the Water Appeals Commission for Northern Ireland

Any member of a Water Customer Consultation Panel established for the purposes of section 2 of the Water Industry (Scotland) Act 2002(c)

Any member of the Water Industry Commission for Scotland

Any police member of the Scottish Crime and Drug Enforcement Agency

Any non-executive director of the Scottish Prison Service

Adjudicator appointed under section 5 of the Criminal Injuries Compensation Act 1995(d)

Adjudicator of the Criminal Injuries Compensation Appeals Panel for Northern Ireland appointed under paragraph 7 of the Criminal Injuries Compensation (Northern Ireland) Order 2002(e)

Adjudicator appointed by the Commissioners for Her Majesty's Revenue and Customs

Advocate Depute (not being the Solicitor General for Scotland) appointed by the Lord Advocate

Ambassador or Permanent Representative to an international organisation representing Her Majesty's Government in the United Kingdom

Assessor appointed for the purposes of paragraph 9 of Schedule 1 to the Public Appointments and Public Bodies etc (Scotland) Act 2003(f)

Assessor appointed for the purposes of section 133 of the Criminal Justice Act 1988(g)

Assessor of Public Undertakings (Scotland)

Any Assistant Commissioner appointed under Part II of the Local Government (Scotland) Act 1973(h)

Attorney General of the Duchy of Lancaster

Auditor of the Civil List

Auditor of the Court of Session

(a) 2000 c.23.
(b) 1954 c.32.
(c) 2002 asp 3.
(d) 1995 c.53.
(e) S.I. 2002/796.
(f) 2003 asp 4.
(g) 1988 c.33.
(h) 1973 c.65.

The Auditor General for Scotland

The Auditor General for Wales and any member of the staff of the Auditor General for Wales

Certification Officer or any assistant Certification Officer

Certification Officer for Northern Ireland appointed under Article 69 of the Industrial Relations (Northern Ireland) Order 1992(a)

Chairman of an Agricultural Land Tribunal or member of a panel appointed under paragraph 14 or 15 of Schedule 9 to the Agriculture Act 1947(b)

Chairman or Vice Chairman of the Arts Council of Northern Ireland

Chairman, and any member in receipt of remuneration, of the Big Lottery Fund

Chairman or Director General of the British Council

Chairman of the British Library Board

Chairman of the British Potato Council

Chairman, Deputy Chairman and any member of the British Transport Police Authority

Chairman of the Chief Executives' Forum in Northern Ireland

Full time Chairman of Child Support Appeal Tribunals for Northern Ireland

Chairman or Deputy Chairman of the Civil Service Appeal Board

Chairman of the Consumer Committee for Electricity appointed under Article 7 of the Electricity (Northern Ireland) Order 1992(c)

Chairman and any member of the Consumer Council for Water

Chairman and Deputy Chairman of the Countryside Agency (formerly named the Countryside Commission) established in accordance with the provisions of Schedule 13 to the Wildlife and Countryside Act 1981(d)

Chairman of the Covent Garden Market Authority

Chairman of the Crofters Commission appointed under section 1(4) of the Crofters (Scotland) Act 1993(e)

Chairman of the Deer Commission for Scotland

Chairman and any other member of the Distinction and Meritorious Service Awards Committee for Northern Ireland established under article 25 of the Health and Personal Social Services (Northern Ireland) Order 1972(f)

Chairman of English Nature

Chairman of the Fire Authority for Northern Ireland

Chairman of Food from Britain

Chairman, any deputy chairman and any non-executive member of the Food Standards Agency

Chairman and any other member of the Gas and Electricity Consumer Council

Chairman and any other member of the Gas and Electricity Markets Authority

(a) S.I. 1992/807.

(b) 1947 c.48.

(c) S.I. 1992/231.

(d) 1981 c.69.

(e) 1993 c.44.

(f) S.I. 1972/1265.

Chairman and Deputy Chairman of the General Consumer Council for Northern Ireland

Chairman or any member, not being also an employee, of a Health Board or a Special Health Board constituted under the National Health Service (Scotland) Act 1978(a)

Chairman, Deputy Chairman and any member, not being an employee, of the Health Protection Agency

Chairman of the Health and Safety Agency for Northern Ireland

Chairman and any member of the Health and Safety Commission

Chairman of the Higher Education Funding Council for England

Chairman of the Home Grown Cereals Authority

Chairman of the Horticultural Development Council

Chairman of Horticulture Research International

Chairman and any member of the Human Tissue Authority

Paid Chairman of an Industrial Training Board constituted under the Industrial Training Act 1964(b) or the Industrial Training Act 1982(c) or of a committee appointed under either of those Acts or paid Deputy Chairman of such a Board

Chairman of the Inland Waterways Amenity Advisory Council

Chairman of Investors in People UK

Chairman of the Joint Nature Conservation Committee

Chairman of Learning and Teaching Scotland

Chairman of the Livestock and Meat Commission for Northern Ireland

Chairman of the Milk Development Council

Chairman or Deputy Chairman of the National Consumer Council

Chairman of the National Endowment for Science, Technology and the Arts (“NESTA”) and, if in receipt of remuneration, any other member of NESTA

Chairman of the National Forest Company

Chairman of the National Lottery Charities Board and any chairman of a committee of that Board and if in receipt of remuneration any other member of that Board

Chairman of the New Opportunities Fund and, if in receipt of remuneration, any other member of that Fund

Chairman of the Northern Ireland Civil Service Appeal Board

Chairman of the Northern Ireland Community Relations Council

Chairman of, or secretary to, the Northern Ireland Local Government Officers’ Superannuation Committee

Chairman or Vice Chairman of the Northern Ireland Policing Board

Chairman or director of the Northern Ireland Transport Holding Company, or any company which is a subsidiary of that Company

(a) 1978 c.29.
(b) 1964 c.16.
(c) 1982 c.10.

Chairman and any deputy chairmen of the Police Advisory Board for England and Wales

Chairman and any deputy chairmen of the Police Negotiating Board for the United Kingdom

Chairman of a regional flood defence committee established under section 14 of the Environment Act 1995(a)

Chairman and any member of the Office of Rail Regulation

Chairman and any Board member of the Qualifications and Curriculum Authority

Chairman of the Quality Improvement Agency

Chairman and any other member of a Rail Passengers' Council in receipt of remuneration

Chairman and Chief Executive of Remploy Limited

Chairman of the Rural Development Council for Northern Ireland

Chairman of the Scottish Arts Council

Chairman and any member of the Scottish Dental Practice Board

Chairman of the Scottish Sports Council

Chairman or Chief Executive of Scottish Ufi Trust or of Scottish Ufi Limited

Chairman of the tribunal constituted under section 706 of the Income and Corporation Taxes Act 1988(b)

Chairman of the United Kingdom Sports Council

Chairman and any member of the Water Services Regulation Authority

Chairman of the Women's Royal Voluntary Service

Chairman or Vice Chairman of the Youth Council for Northern Ireland

Chief Adjudication Officer appointed for Northern Ireland under section 37 of the Social Security Administration (Northern Ireland) Act 1992(c)

Chief Asylum Support Adjudicator, Deputy Chief Asylum Support Adjudicator and any other adjudicator appointed under paragraph 1 of Schedule 10 to the Immigration and Asylum Act 1999(d)

Chief Child Support Officer appointed under Article 15(3) of the Child Support (Northern Ireland) Order 1991(e)

Chief Commissioner and other Commissioners of the Equality Commission for Northern Ireland

Chief Commissioner and other Commissioners of the Northern Ireland Human Rights Commission

Chief Electoral Officer for Northern Ireland or any whole time officer appointed under section 14A(1) of the Electoral Law Act (Northern Ireland) 1962(f)

Chief Executive of the Simpler Trade Procedures Board

Chief Executive and any member of the Scottish Police Services Authority

Chief Inspector of Criminal Justice in Northern Ireland

-
- (a) 1995 c.25.
(b) 1988 c.1.
(c) 1992 c.8.
(d) 1999 c.33.
(e) S.I. 1991/2628.
(f) 1962 c.14.

Chief Investigating Officer appointed under section 9 of the Ethical Standards in Public Life etc. (Scotland) Act 2000(a)

Chief Officer of a Community Justice Authority

Children's Commissioner and any member of the staff of that Commissioner

Civil Service Commissioner

Civil Service Commissioner for Northern Ireland

Clerk or deputy clerk of a district council in Northern Ireland

Commissioner for Children and Young People in Scotland

Commissioner of the Independent International Commission on Decommissioning

Commissioner of the Independent Commission for the Location of Victims' Remains

Commissioner of the Independent Monitoring Commission

Commissioner or Assistant Commissioner appointed under section 50(1) or (2) of, or Schedule 4 to, the Local Government Act (Northern Ireland) 1972(b)

Additional Commissioner of the Commission for Racial Equality

Additional Commissioner of the Equal Opportunities Commission

Commissioner and any Additional Commissioners for the purposes of hearing referrals under the Prison and Young Offenders Centre Rules (Northern Ireland) 1995(c)

Commissioner for Protection Against Unlawful Industrial Action

Commissioner for Public Appointments

Commissioner for Public Appointments in Scotland

Commissioner for Public Appointments for Northern Ireland

Commissioner for the Rights of Trade Union Members

Commons Commissioner

Comptroller and Auditor General

Comptroller and Auditor General for Northern Ireland

Controller of Audit appointed under section 97(4) of the Local Government (Scotland) Act 1973(d)

Controller of Audit appointed under paragraph 7(1) of Schedule 1 to the Audit Commission Act 1998(e)

Convener and any member of the Advisory Council established under section 3 of the Scottish Qualifications Authority Act 2002(f)

Convener and any member of the Scottish Commission for the Regulation of Care

Counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936(g) (both Senior and Junior)

(a) 2000 asp 7.

(b) 1972 c.9.

(c) S.I. 1995/8.

(d) 1973 c.65.

(e) 1998 c.18.

(f) 2002 asp 14.

(g) 1936 c.52.

Crown Solicitor for Northern Ireland

Deputy Electoral Commissioners and Assistant Electoral Commissioners

Director of the British Aerospace Public Limited Company appointed subject to the approval of a Minister or government department

Director of British Nuclear Fuels plc

Director of Caledonian Maritime Assets Limited

Director of a Company which for the time being holds a licence under Chapter 1 of Part 1 of the Transport Act 2000^(a)

Director of a company—

- (a) which within the meaning of Part II of the Railways Act 1993^(b), is a successor company wholly owned by the Crown, or
- (b) which, within the meaning of that Act, is wholly owned by the Strategic Rail Authority

being a director nominated or appointed by a Minister of the Crown, the Strategic Rail Authority or any other person or body acting on behalf of the Crown

Director of David MacBrayne Ltd

Director of Fair Access

Director of Highlands and Islands Airports Limited

Director of International Military Services Limited

Director of Northern Ireland Railways Company Limited

Director of a publicly controlled company (within the meaning of Chapter 2 of Part 1 of the Energy Act 2004^(c)) to which transfers have been made in accordance with provisions of nuclear transfer schemes authorised by that Chapter

Director of the Post Office company (within the meaning of Part IV of the Postal Services Act 2000^(d)) being a director nominated or appointed by or on behalf of a Minister of the Crown

Director, or Deputy Director, of Public Prosecutions for Northern Ireland

Director General of Electricity Supply for Northern Ireland

Director General of Fair Trading

Director General of Gas for Northern Ireland

Director General of the National Economic Development Office

Director General of the National Lottery

Director General and Deputy Director General of the Scottish Crime and Drug Enforcement Agency

Director General of Telecommunications

District Judge appointed under section 6 of the County Courts Act 1984^(e)

The Drinking Water Quality Regulator for Scotland

(a) 2000 c.38.
(b) 1993 c.43.
(c) 2004 c.20.
(d) 2000 c.26.
(e) 1984 c.28.

The Forestry Commissioners and any member of the staff of the Forestry Commissioners
Government Chemist
Governor, Lieutenant Governor and Secretary, or Captain of Invalids of Chelsea Hospital
The Governor or Administrator of an overseas territory within the meaning of section 50(1) of the British Nationality Act 1981(a) as amended by section 1(1) of the British Overseas Act 2002(b)
Governor, Deputy Governor or Director of the Bank of England
Governor, Medical Officer or other officer or member of the staff of a prison to which the Prison Act (Northern Ireland) 1953 applies(c)
Health Service Commissioner for England
Her Majesty's Chief Inspector of Constabulary appointed under section 54(1) of the Police Act 1996(d)
Her Majesty's Chief Inspector of Constabulary for Scotland appointed under section 33(1) of the Police (Scotland) Act 1967(e)
Her Majesty's Chief Inspector of Fire Services for Scotland
Her Majesty's Chief Inspector of Prisons for Scotland
High Commissioner representing Her Majesty's Government in the United Kingdom
Immigration Services Commissioner appointed under section 83(2) of the Immigration and Asylum Act 1999(f) and Deputy Immigration Services Commissioner appointed under paragraph 16(1) of Schedule 5 to that Act
Independent Assessor of Military Complaints Procedures in Northern Ireland
Independent Assessor for Police Service Northern Ireland Recruitment Vetting
Independent Case Examiner for the Child Support Agency
Information Commissioner
Intelligence Services Commissioner appointed under section 59 of the Regulation of Investigatory Powers Act 2000(g)
Interception of Communications Commissioner appointed under section 57 of the Regulation of Investigatory Powers Act 2000
The International Rail Regulator
Judge Advocate of the Fleet
Judge Advocate General, Vice Judge Advocate General, Assistant Judge Advocate General or Deputy Judge Advocate
Lay Observer appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976(h)
The Legal Services Ombudsman
Lyon Clerk

(a) 1981 c.61.
(b) 2002 c.8.
(c) 1953 c.18.
(d) 1996 c.16.
(e) 1967 c.77.
(f) 1999 c.33.
(g) 2000 c.23.
(h) S.I. 1976/582.

Lyon King of Arms

Member of a panel of chairmen for Child Support Appeal Tribunals for Northern Ireland appointed under paragraph 3(2)(a) of Schedule 3 to the Child Support (Northern Ireland) Order 1991(a)

Member of a panel of persons appointed to act as chairmen or other members of employment tribunals in Northern Ireland

Member, in receipt of remuneration, of a panel of persons who may be selected to act as member of the Financial Services and Markets Tribunal

Member of the legal panel of persons available to act as chairmen of Registered Homes Tribunals

Member of the legal panel of persons available to act as chairmen of Registered Homes Tribunals in Northern Ireland

Member of a panel of persons appointed under Schedule 10 to the Rent Act 1977(b) to act as chairmen and other members of rent assessment committees

Member of a panel of persons appointed under Schedule 5 to the Rent (Northern Ireland) Order 1978(c) to act as chairmen and other members of rent assessment committees

Member of the panel of chairmen for Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland appointed under section 49(1)(c) of the Social Security Administration (Northern Ireland) Act 1992(d)

Member of a panel of persons appointed under section 6 of the Social Security Act 1998(e)

Northern Ireland Commissioner for Complaints

Northern Ireland Commissioner for Protection Against Unlawful Industrial Action

Northern Ireland Commissioner for the Rights of Trade Union Members

Northern Ireland Parliamentary Commissioner for Administration

Officer or servant of the Crown Estate Commissioners

Officer, clerk or servant appointed or employed under section 20 of the Greenwich Hospital Act 1865(f)

Officer of the Supreme Court being the holder of any office listed in any Part of Schedule 2 to the Supreme Court Act 1981(g) or a district judge of the High Court

Parliamentary Commissioner for Administration

Parliamentary Commissioner for Standards

Pensions Ombudsman and any deputy appointed under section 145A of the Pension Schemes Act 1993(h)

Pension Protection Fund Ombudsman and any deputy appointed under section 210 of the Pensions Act 2004(i)

(a) S.I. 1991/2628.
(b) 1977 c.42.
(c) S.I. 1978/1050.
(d) 1992 c.8.
(e) 1998 c.14.
(f) 1865 c.89.
(g) 1981 c.54.
(h) 1993 c.48.
(i) 2004 c.35.

Person appointed under section 3(1) of the Local Government and Housing Act 1989(a) to carry out functions relating to the political restriction of posts under local authorities within the meaning of Part I of that Act

Person appointed under section 19E of the Race Relations Act 1976(b) to act as a monitor in respect of certain immigration and nationality matters

Person appointed to hear and determine appeals under the Trade Marks Act 1994(c)

Person on the list of those eligible to sit as members of a Gender Recognition Panel

Person holding a politically restricted post, within the meaning of Part I of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part, or a National Park Authority

Police Complaints Commissioner for Scotland appointed under section 33 of the Police, Public Order and Criminal Justice (Scotland) Act 2006(d)

Police Ombudsman for Northern Ireland

President of appeals tribunals (within the meaning of chapter I of Part I of the Social Security Act 1998 appointed under section 5 of that Act)

President of the Employment Tribunals (England and Wales), President of the Employment Tribunals (Scotland) or member of a panel of persons appointed to act as chairman or other members of employment tribunals

President and any member of the Mental Health Tribunal for Scotland

President or Vice President of the Rent Assessment Panel for Scotland nominated by the Scottish Ministers under paragraph 4 of Schedule 4 to the Rent (Scotland) Act 1984(e)

President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland

President of the Special Educational Needs and Disability Tribunal or member of a panel of persons appointed to act as chairman or other member of that Tribunal

President or Vice-President of Value Added Tax Tribunals or full-time chairman of Value Added Tax Tribunals

Prisoner Ombudsman for Northern Ireland

Public Services Ombudsman for Wales

Public Works Loan Commissioner

Receiver for the Metropolitan Police District

A regional returning officer for the purposes of the Scotland Act 1998(f)

Registrar of the Privy Council

Registration Officer appointed under section 8(3) of the Representation of the People Act 1983(g)

Rent Officer or deputy rent officer nominated under Schedule 5 to the Rent (Northern Ireland) Order 1978

(a) 1989 c.42.

(b) 1976 c.74.

(c) 1994 c.26.

(d) 2006 asp 10.

(e) 1984 c.58.

(f) 1998 c.46.

(g) 1983 c.2.

Returning Officer under section 25(1) of the Representation of the People Act 1983 and any Deputy Returning Officer appointed by the Returning Officer

Scottish Charity Regulator

Scottish Information Commissioner appointed under section 42 of the Freedom of Information (Scotland) Act 2002**(a)**

Scottish Legal Services Ombudsman appointed under section 34 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990**(b)**

Scottish Parliamentary Standards Commissioner

Scottish Public Services Ombudsman and any deputy Scottish Public Services Ombudsman appointed under section 1 of the Scottish Public Services Ombudsman Act 2002**(c)**

Scottish Road Works Commissioner

Any Sentence Review Commissioner in Northern Ireland

Social fund Commissioner

Social fund Commissioner in Northern Ireland

Solicitor in Scotland to any department of Her Majesty's Government in the United Kingdom

Staff of the Scottish Parliament

Standing Counsel to any department of Her Majesty's Government in the United Kingdom

Standing Counsel to the Scottish Executive

Statutory Officer appointed under section 70 of the Judicature (Northern Ireland) Act 1978**(d)**

Traffic Commissioner for any area constituted for the purposes of the Public Passenger Vehicles Act 1981**(e)**

(a) 2002 asp 13.
(b) 1990 c.40.
(c) 2002 asp 11.
(d) 1978 c.23.
(e) 1981 c.14.

PART II

OFFICE-HOLDERS DISQUALIFIED FOR PARTICULAR CONSTITUENCIES AND REGIONS

<i>Column 1</i> <i>Office-holders</i>	<i>Column 2</i> <i>Constituencies</i>	<i>Column 3</i> <i>Regions</i>
Her Majesty's Lord Lieutenant or Lieutenant for an area in Scotland.	Any constituency comprising the whole or part of the area in which the Lord-Lieutenant holds office or for which either the Lord-Lieutenant discharges the Lord-Lieutenant's functions or the Lieutenant discharges the Lieutenant's functions.	Any region comprising the whole or part of the area in which the Lord Lieutenant holds office or in which either the Lord Lieutenant discharges the Lord-Lieutenant's functions or the Lieutenant discharges the Lieutenant's functions.
Her Majesty's Lord Lieutenant or Lieutenant for the City of Aberdeen, Dundee, Edinburgh or Glasgow.	Any constituency comprising the whole or part of the city in which the Lord-Lieutenant holds office or for which the Lieutenant is appointed.	Any region comprising the whole or part of the city in which the Lord Lieutenant holds office or for which the Lieutenant is appointed.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the office holders who are disqualified from being a member of the Scottish Parliament. Part I of the Schedule specifies the office holders who are disqualified from being a member of the Parliament and Part II of the Schedule specifies the office holders who are disqualified from being a member of the Parliament but only for particular constituencies or regions.

The Order revokes and replaces the Scottish Parliament (Disqualification) Order 2003 (S.I. 2003/409).

2007 No.

CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND

The Scottish Parliament (Disqualification) Order 2007

£3.50

© Crown Copyright 2007

Published and printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.