



Elections Act 2022

2022 CHAPTER 37

PART 5

DISQUALIFICATION OF OFFENDERS FOR HOLDING ELECTIVE OFFICE ETC

31 Vacation of office etc

- (1) This section applies where a court makes a disqualification order in respect of a person who holds a relevant elective office.
- (2) The relevant elective office is, subject to subsection (3), vacated at the appropriate time, namely—
 - (a) the end of the period of 3 months beginning with the order date, or
 - (b) if earlier, the end of the period allowed for making an appeal against the conviction or the making of the order.
- (3) Where, before the appropriate time mentioned in subsection (2), the person appeals against the conviction or the making of the order, the relevant elective office is vacated at the end of the period of 3 months beginning with the order date unless—
 - (a) the appeal is dismissed or abandoned at any earlier time (in which case the relevant elective office is vacated at that time), or
 - (b) at any time within that period of 3 months the appeal against the conviction or the making of the order is upheld (in which case the relevant elective office is not required to be vacated).
- (4) The person is suspended from performing any of the functions of the relevant elective office during the period beginning with the order date and ending with—
 - (a) the date on which the office is vacated in accordance with this section, or
 - (b) where subsection (3)(b) applies, the date on which the appeal against the conviction or the making of the order is upheld.
- (5) Where—
 - (a) a person ceases to hold a relevant elective office in accordance with this section, but

Status: This is the original version (as it was originally enacted).

- (b) at any later time the person successfully appeals against the conviction or the making of the order,
the determination of the appeal does not entitle the person to resume that office.
- (6) In this section “order date” means the date on which the disqualification order is made by the court.