



Local Government and Housing Act 1989

1989 CHAPTER 42

PART I

LOCAL AUTHORITY MEMBERS, OFFICERS, STAFF AND COMMITTEES ETC.

Appointment and management etc. of staff

7 All staff to be appointed on merit.

- (1) Every appointment of a person to a paid office or employment under—
- (a) a local authority or parish or community council in England and Wales, ^{F1}...
 - (aa) an elected local policing body, ^{F2}...
 - [^{F3}(ab) a corporate joint committee, or]
 - (b) a local authority in Scotland,
- shall be made on merit.
- (2) Subsection (1) above applies to all appointments made by, or by any committee [^{F4}or sub-committee] of, a local authority [^{F5}, corporate joint committee] or parish or community council, whether made under section 112 of the Local Government Act 1972 or section 64 of the Local Government (Scotland) Act 1973 (appointment of staff) or otherwise, but has effect subject to—
- ^{F6}(a)
 - [^{F7}(b) section 18 of the ^{M1}Fire Services Act 1947 (regulations as to appointment etc. of chief officers and fire brigades);]
 - ^{F8}(c)
 - ^{F8}(d)
 - (e) section 113 of the ^{M2}Local Government Finance Act 1988 and section 6 above (qualifications of officers responsible for administration of financial affairs of certain authorities);
 - ^{F9}(f)
 - [^{F10}(g) sections 39, 40 and 49 to 51 of the Equality Act 2010 (employees and office-holders), so far as relating to disability, and Schedule 8 to that Act (reasonable

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adjustments for disabled persons) so far as it applies in relation to sections 39 and 49 to 51 of that Act;] and

[^{F10}(h) paragraph 1 of Schedule 9 to that Act (occupational requirements), so far as relating to sex, pregnancy and maternity, marriage and civil partnership, gender reassignment or race.]

(3) This section shall come into force at the expiry of the period of two months beginning on the day this Act is passed.

Textual Amendments

- F1** Word in s. 7(1)(a) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 203(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F2** Word in s. 7(1) omitted (25.3.2022) by virtue of The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **36(a)(i)**
- F3** S. 7(1)(ab) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **36(a)(ii)**
- F4** Words in s. 7(2) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **36(b)(i)**
- F5** Words in s. 7(2) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), **36(b)(ii)**
- F6** S. 7(2)(a) omitted (2.12.1996) by virtue of 1995 c. 50, s. 70(4), **Sch. 6 para. 5(a)** (with ss. 59, 64, 65); S.I. 1996/1474, art. 2(3), **Sch. Pt. III**
- F7** S. 7(2)(b) repealed (E.W.) (1.10.2004 except in relation to W., 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), s. 61, **Sch. 2**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F8** S. 7(2)(c)(d) repealed (1.10.2010) by 2010 c. 15, **Sch. 26 para. 18(a)**, **Sch. 27 Pt. 1** (as amended by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 1 para. 5**, **Sch. 2** (see S.I. 2010/2317, art. 2))
- F9** S. 7(2)(f) repealed (1.10.2010) by 2010 c. 15, **Sch. 26 para. 18(a)**, **Sch. 27 Pt. 1** (as amended by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 1 para. 5**, **Sch. 2** (see S.I. 2010/2317, art. 2))
- F10** S. 7(2)(g)(h) inserted (1.10.2010) by 2010 c. 15, **Sch. 26 para. 18(b)** (as inserted by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1(2), **Sch. 1 para. 5** (see S.I. 2010/2317, art. 2))

Modifications etc. (not altering text)

- C1** S. 7 extended (E.W.) (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 13(7)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)
 S. 7 applied (8.5.2000) by 1999 c. 29, s. 67(6) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**
- C2** S. 7 applied (E.) (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), arts. 1, **17(7)**
- C3** S. 7 applied (E.) (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), arts. 1, **17(7)(c)**
- C4** S. 7 excluded (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 3 para. 4(6)**; S.I. 2011/3019, art. 3, Sch. 1
- C5** S. 7 excluded (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 1 para. 8(4)**; S.I. 2012/2892, art. 2(b)
- C6** S. 7 applied (with modifications) (E.) (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 1 para. 9(5)**
- C7** S. 7(1)(aa) applied (with modifications) (E.) (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), **33(2)**, **Sch. 5 para. 9(5)**

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Marginal Citations

M1 1947 c. 41.

M2 1988 c. 41.

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Changes and effects yet to be applied to :

- s. 7(2)(a) repealed by [1995 c. 50 Sch. 6 para. 5\(a\)Sch. 7](#)
- s. 7(2)(d) repealed in part by [1995 c. 50 Sch. 6 para. 5\(b\)Sch. 7](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(2)(b)(ii) inserted by [2004 c. 23 Sch. 2 para. 11](#) (Pt. IV repealed (18.11.2003 for E. for the repeal of ss. 45, 53, 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E. in so far as not already in force) by Local Government Act 2003 (c. 26), s. 128(6), Sch. 7 para. 29; S.I. 2003/2938, arts. 3(h), 7(b) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 2))
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)