



Greater London Authority Act 1999

1999 CHAPTER 29

PART I

THE GREATER LONDON AUTHORITY

Qualifications and disqualifications

21 Disqualification from being the Mayor or an Assembly member.

- (1) A person is disqualified from being elected or being the Mayor or an Assembly member if—
- (a) he is a member of staff of the Authority;
 - (b) he holds any of the offices or appointments for the time being designated by the Secretary of State in an order as offices or appointments disqualifying persons from being the Mayor or an Assembly member;
 - [^{F1}(c) he is the subject of a bankruptcy restrictions order [^{F2}or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986];]
 - (d) he has within five years before the day of the election, or since his election, been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; ^{F3}...
 - (e) he is disqualified under—
 - (i) section 85A or Part III of the Representation of the ^{M1}People Act 1983, ^{F4}...
 - ^{F4}(ii)from being elected or being the Mayor or an Assembly member [^{F5}; or
 - (f) the person is incapable of being elected to or holding—
 - (i) the office of member of the Northern Ireland Assembly having been reported personally guilty or convicted of a corrupt practice under section 114A of the Representation of the People Act 1983 (as applied

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by Schedule 1 to the Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599)) (undue influence);

- (ii) the office of member of a district council in Northern Ireland having been reported personally guilty or convicted of a corrupt practice under paragraph 3 of Schedule 9 to the Electoral Law Act (Northern Ireland) 1962 (undue influence).]

[^{F6}(1A) Subsection (1)(a) does not prevent a person appointed under section 67(1)(b) as the Deputy Mayor for Fire, or appointed under section 67(1)(b) and designated as the Deputy Mayor for Fire, from being elected as or being an Assembly member.]

- (2) A paid officer of a London borough council who is employed under the direction of—
 - (a) any of that council’s committees or sub-committees the membership of which includes the Mayor or one or more persons appointed on the nomination of the Authority acting by the Mayor, or
 - (b) a joint committee the membership of which includes one or more members appointed on the nomination of that council and one or more members appointed on the nomination of the Authority acting by the Mayor,
 - [^{F7}(c) the executive or any committee of the executive of that council, where that council are operating executive arrangements and the membership of that executive includes the Mayor or one or more persons appointed on the nomination of the Authority acting by the Mayor, or
 - (d) a member of the executive of that council, where that council are operating executive arrangements and that member is also the Mayor or a person appointed on the nomination of the Authority acting by the Mayor.]

shall be disqualified from being elected or being the Mayor or an Assembly member.

[^{F8}(2A) In this section executive and executive arrangements have the same meaning as in Part II of the Local Government Act 2000.]

^{F9}(3)

^{F10}(4)

- (5) For the purposes of subsection (1)(d) above—
 - (a) the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires, or
 - (b) if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution,

shall be deemed to be the date of the conviction.

(6) This section shall apply in relation to being returned as a London member under section 11 above otherwise than at an election as it applies in relation to being elected.

(7) References in this section to election shall accordingly be construed as if a London member so returned were elected at an election on the day on which he is to be treated as returned.

Textual Amendments

F1 S. 21(1)(c) substituted (29.6.2006) by [The Enterprise Act 2002 \(Disqualification from Office: General\) Order 2006 \(S.I. 2006/1722\)](#), art. 1(1), [Sch. 2 para. 6\(a\)](#)

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- F2** Words in s. 21(1)(c) substituted (1.10.2012) by The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012 (S.I. 2012/2404), art. 1, **Sch. 2 para. 42** (with arts. 5, 6)
- F3** Word in s. 21 omitted (1.11.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 5 para. 5(a)**; S.I. 2023/1145, reg. 3(g) (with Sch. paras. 9(2)(4))
- F4** S. 21(1)(e)(ii) and preceding word omitted (1.4.2015) by virtue of Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 41**; S.I. 2015/841, art. 3(x)
- F5** S. 21(f) and word inserted (1.11.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 5 para. 5(b)**; S.I. 2023/1145, reg. 3(g) (with Sch. paras. 9(2)(4))
- F6** S. 21(1A) inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 2**; S.I. 2018/227, art. 2(b)(i)
- F7** S. 21(2)(c)(d) inserted (E.) (11.7.2001) by S.I. 2001/2237, **art. 35(a)**
- F8** S. 21(2A) inserted (E.) (11.7.2001) by S.I. 2001/2237, **art. 35(b)**
- F9** S. 21(3) omitted (29.6.2006) by virtue of The Enterprise Act 2002 (Disqualification from Office: General) Order 2006 (S.I. 2006/1722), art. 1(1), **Sch. 2 para. 6(b)**
- F10** S. 21(4) omitted (29.6.2006) by virtue of The Enterprise Act 2002 (Disqualification from Office: General) Order 2006 (S.I. 2006/1722), art. 1(1), **Sch. 2 para. 6(b)**

Commencement Information

- I1** S. 21 wholly in force at 14.12.1999: by virtue of s. 425(2) this Act comes into force at Royal Assent in regards to any powers of a Minister of the Crown to make regulations or an order; s. 21 in force at 14.12.1999 insofar as not already in force by S.I. 1999/3376, **art. 2**

Marginal Citations

- M1** 1983 c. 2.

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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. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)