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STATUTORY INSTRUMENTS

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**1995 No. 1948**

**The Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995**

**Changes to the qualification for election and holding office as a member of a local authority**

3.—(1) In section 79(1) of the Local Government Act 1972<sup>(1)</sup>, after the word “Ireland” there shall be inserted “or a relevant citizen of the Union”, and after subsection (2) of that section there shall be inserted:

“(2A) In this section the expression “citizen of the Union” shall be construed in accordance with Article 8.1 of the Treaty establishing the European Community<sup>(2)</sup> (as amended by Title II of the Treaty on European Union<sup>(3)</sup>), and “relevant citizen of the Union” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland.”

(2) In section 29(1) of the Local Government (Scotland) Act 1973<sup>(4)</sup>, after the word “Republic” there shall be inserted “or a relevant citizen of the Union” and in subsection (2) of that section, after the word “above”, there shall be inserted:

““citizen of the Union” shall be construed in accordance with Article 8.1 of the Treaty establishing the European Community (as amended by Title II of the Treaty on European Union) and “relevant citizen of the Union” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland; and”.

(3) In section 3(1) of the Local Government Act (Northern Ireland) 1972<sup>(5)</sup>, after the word “Ireland” there shall be inserted “or a relevant citizen of the Union”, and in subsection (2) of that section, after the word “section” there shall be inserted:

““citizen of the Union” shall be construed in accordance with Article 8.1 of the Treaty establishing the European Community (as amended by Title II of the Treaty on European Union) and “relevant citizen of the Union” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland; and”.

(4) In section 5(1) of the City of London (Various Powers) Act 1957<sup>(6)</sup>, after the word “Ireland” there shall be inserted “or a relevant citizen of the Union”.

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(1) 1972 c. 70.

(2) Treaty Series No. 47 (1988), Cm. 455.

(3) Cm. 1934.

(4) 1973 c. 65.

(5) 1972 c. 9 (N.I.); section 3(1) was amended by section 11(5) of the Elected Authorities (Northern Ireland) Act 1989.

(6) 1957 c.x; section 5(1) was amended by the [City of London \(Various Powers\) Act 1967 \(c.xlii\)](#), section 28.