
STATUTORY INSTRUMENTS

2010 No. 762

PARLIAMENT

The House of Commons Disqualification Order 2010

Made - - - - - *17th March 2010*

Coming into force - - - - - *17th March 2010*

At the Court at Buckingham Palace, the 17th day of March 2010

Present,

The Queen's Most Excellent Majesty in Council

Section 5(1) of the House of Commons Disqualification Act 1975⁽¹⁾ enables Her Majesty in Council to amend Schedule 1 to that Act in accordance with a resolution of the House of Commons.

On 10th February 2010 it was resolved by the House of Commons that Schedule 1 to that Act be amended.

Accordingly, Her Majesty, in exercise of the power conferred by section 5(1) of that Act and in accordance with the resolution of the House of Commons, is pleased, by and with the advice of Her Privy Council, to order as follows:

1. This Order may be cited as the House of Commons Disqualification Order 2010.
2. Schedule 1 to the House of Commons Disqualification Act 1975 (offices the holders of which are disqualified for membership of the House of Commons) is amended in accordance with the Schedule to this Order.

Judith Simpson
Clerk of the Privy Council

SCHEDULE

Article 2

AMENDMENTS OF SCHEDULE 1 TO THE HOUSE
OF COMMONS DISQUALIFICATION ACT 1975

PART 1 OF SCHEDULE 1
JUDICIAL OFFICES

Additional entry

1. The following entry is inserted at the appropriate place—
“District judge (magistrates’ courts), or deputy district judge (magistrates’ courts), in Northern Ireland.”

Entry repealed

2. The following entry is omitted—
“Resident Magistrate or Deputy Resident Magistrate appointed under the Magistrates’ Courts Act (Northern Ireland) 1964.”

Other amendments

3. In the entry beginning “Sheriff Principal or Sheriff”, for “Temporary Sheriff” (in the second place those words appear) there is substituted “part-time sheriff”.
4. In the entry beginning “Chief or other Child Support Commissioner for Northern Ireland”, for the words from “(excluding” to “1991)” there is substituted “or deputy Child Support Commissioner for Northern Ireland”.
5. In the entry beginning “Chief or other Social Security Commissioner for Northern Ireland”, for “(not including a deputy Commissioner)” there is substituted “or deputy Social Security Commissioner for Northern Ireland”.

PART 2 OF SCHEDULE 1

BODIES ALL OF WHOSE MEMBERS ARE DISQUALIFIED

Additional entries

6. The following entries are inserted at the appropriate places—
“The Accounts Commission for Scotland.
The Advisory Council established under section 3 of the Scottish Qualification Authority Act 2002.
The Armed Forces Pay Review Body.
The Arts Council of England.
The British Transport Police Authority.
The Care Council for Wales.
The Charity Commission for Northern Ireland.”

The Commission for Victims and Survivors for Northern Ireland.
The English Sports Council.
The General Social Care Council.
The Health and Social Care Regulation and Quality Improvement Authority in Northern Ireland.
The Horserace Betting Levy Appeal Tribunal for England and Wales.
Invest Northern Ireland.
The NHS Pay Review Body.
The Northern Ireland Legal Services Commission.
The Northern Ireland Social Care Council.
The Office of the Renewable Fuels Agency.
The Prison Service Pay Review Body.
The Review Body on Doctors and Dentists Remuneration.
The Risk Management Authority established under the Criminal Justice (Scotland) Act 2003.
The School Teachers' Review Body.
The Scottish Further and Higher Education Funding Council.
The Scottish Social Services Council.
The Senior Salaries Review Body.
The Standards Commission for Scotland.
The Sustainable Development Commission (an advisory sub-committee of The Sustainable Development Commission Limited).
The Trustees of the National Heritage Memorial Fund.
The United Kingdom Sports Council.”

Entries repealed

7. The following entries are omitted—
 - “The British Board of Agrément.
 - The British Steel Corporation.
 - The Cable Authority.
 - The Citizen’s Charter Advisory Panel.
 - The Commission for Health Improvement.
 - The Commission for Local Authority Accounts in Scotland.
 - The Criminal Injuries Compensation Board.
 - The Crofters Commission.
 - The Crown Agents Holding and Realisation Board.
 - A Development Council established under the Industrial Organisation and Development Act 1947.
 - The East of Scotland Water Authority.
 - The English Industrial Estates Corporation.
 - The Football Licensing Authority.

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

The Independent Broadcasting Authority.
The Industrial Development Board for Northern Ireland.
The Intervention Board for Agricultural Produce and every committee of the Board performing functions of the Board.
The Local Government Staff Commission (England).
London Regional Transport.
A Meat Hygiene Appeals Tribunal constituted under regulation 15 of the Poultry Meat (Hygiene) Regulations 1976, regulation 15 of the Poultry Meat (Hygiene) (Scotland) Regulations 1976, or regulation 6 of the Fresh Meat (Hygiene and Inspection) Regulations 1992.
The entry relating to a Medical Practices Committee.
A National Broadcasting Council.
The North of Scotland Water Authority.
The Northern Ireland Economic Council.
The Scottish Conveyancing and Executry Services Board.
Scottish Homes.
The Scottish Transport Group.
The Staff Commission for Wales (Comisiwn Staff Cymru).
The United Kingdom Ecolabelling Board.
The Wales Centre for Health.
The West of Scotland Water Authority.”

Other amendments

8. In the entry beginning “A Joint Planning Inquiry Commission”, for “1972” there is substituted “1997”.
9. For the entry “A Mental Health Review Tribunal constituted or having effect as if constituted under the Mental Health Act 1983” there is substituted “The Mental Health Review Tribunal for Wales”.

PART 3 OF SCHEDULE 1 OTHER DISQUALIFYING OFFICES

Additional entries

10. The following entries are inserted at the appropriate places—
 - “Assembly Ombudsman for Northern Ireland.
 - Assessor appointed for the purposes of paragraph 9 of schedule 1 to the Public Appointments and Public Bodies etc (Scotland) Act 2003.
 - Auditor General for Scotland.
 - Chair of the Northern Ireland Library Authority.
 - Chair or any member, not also being an employee, of the Patient Client Council established under section 16 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Chair or any member, not also being an employee, of the Regional Agency for Public Health and Social Well-being established under section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Chair or any member, not also being an employee, of the Regional Business Services Organisation established under section 14 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Chair or any member, not also being an employee, of the Regional Health and Social Care Board established under section 7 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Chair of the School Food Trust.

Chair or Chief Executive of the Science and Technology Facilities Council.

Chair, Deputy Chair or Chief Executive of the Technology Strategy Board.

Chairman or deputy chairman of the Agri-Food and Biosciences Institute.

Chairman, vice-chairman or ordinary member of the BBC Trust.

Chairman, or director appointed by the Secretary of State, of CDC Group p.l.c. (formerly the Commonwealth Development Corporation).

Chairman of the Committee on Standards in Public Life.

Chairman of the Crofters Commission.

Chairman of the Fire and Rescue Service Board.

Chairman of the Football Licensing Authority.

Chairman or other member of the Independent Regulator of NHS Foundation Trusts.

Chairman of Learning and Teaching Scotland.

Chairman of the Museums, Libraries and Archives Council.

Chairman or other non-executive director of an NHS foundation trust.

Chairman of the Northern Ireland Screen Commission.

Chairman of a probation trust.

Chairman of Quality Meat Scotland.

Chairman of the Scottish Arts Council.

Chairman or Chief Executive of the Student Loans Company Limited.

Chairman or Chief Executive of the UK Commission for Employment and Skills or a Director or Commissioner of that Commission appointed by the First Minister in Scotland, the First Minister for Wales or a Northern Ireland Minister.

Chief Executive of The Sustainable Development Commission Limited or a Director appointed by the members of that company or by the Secretary of State, the First Minister in Scotland, the First Minister for Wales or the First Minister and deputy First Minister in Northern Ireland.

Chief Inspector of the UK Border Agency.

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

Children's Commissioner for Wales.

Commissioner for Children and Young People for Northern Ireland.

Commissioner for Older People in Wales.

Commissioner for Victims and Witnesses.

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

Convener or member of the Scottish Commission for the Regulation of Care.

Coroner, deputy coroner or assistant deputy coroner appointed under the Coroners Act 1988.

Coroner or deputy coroner appointed under section 2(1) of the Coroners Act (Northern Ireland) 1959.

Coroner of the Queen's household.

Director of BRB (Residuary) Limited.

Director of Caledonian Maritime Assets Limited.

Director of David MacBrayne Limited.

Director in receipt of remuneration of High Speed Two (HS2) Limited.

Director of Highlands and Islands Airports Limited.

Director of Middletown Centre for Autism (Holdings) Limited or of Middletown Centre for Autism Limited.

Director of Northern Ireland Water Limited.

Director of Partnerships for Schools Limited.

Director of the Pensions Advisory Service Limited.

Director of Scottish Futures Trust Limited.

Director of Service Prosecutions.

Director of The Skills Development Scotland Co. Limited.

Director of Strategic Investment Board Limited.

Director of UK Film Council.

Director in receipt of remuneration of UK Financial Investments Limited.

Director of United Kingdom Anti-Doping Limited appointed by the members of the company.

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

Her Majesty's Chief Inspector of Prisons for England and Wales.

Her Majesty's Chief Inspector of Probation for England and Wales.

The Independent Case Examiner for the Department for Work and Pensions.

Member of Audit Scotland appointed under section 10(2)(c) of the Public Finance and Accountability (Scotland) Act 2000 or member of the staff of Audit Scotland.

Member of the staff of the Children's Commissioner for Wales.

Member of the staff of the Commissioner for Older People in Wales.

Member of the panel of persons available to serve as chairmen of the Care Tribunal in Northern Ireland.

Member of a panel of persons appointed under Article 7 of the Social Security (Northern Ireland) Order 1998 to act as members of appeal tribunals.

Member, not being also a Forestry Commissioner or officer of the Forestry Commissioners, of a committee appointed for England, Scotland or Wales under section 2(3) of the Forestry Act 1967.

National Assembly for Wales Commissioner for Standards.

Ordinary member of BBC Audience Council England, BBC Audience Council Northern Ireland, BBC Audience Council Scotland or BBC Audience Council Wales.

President of the Additional Support Needs Tribunal for Scotland.
President or member of the Mental Health Tribunal for Scotland.
President of appeal tribunals appointed under Article 6 of the Social Security (Northern Ireland) Order 1998.
President, or member of a panel of persons appointed to act as chairman or other members, of the Special Educational Needs and Disability Tribunal for Northern Ireland.
Prisoner Ombudsman for Northern Ireland.
Prisons and Probation Ombudsman for England and Wales.
A regional returning officer for the purposes of the Scotland Act 1998.
The reviewer appointed under section 40 of the Justice and Security (Northern Ireland) Act 2007.
Scottish Information Commissioner.
Scottish Parliamentary Standards Commissioner.
Scottish Road Works Commissioner.
Service Complaints Commissioner.
Trustee of the Independent Living Fund (2006).”

Entries repealed

11. The following entries are omitted—

“Adjudicating medical practitioner or specially qualified adjudicating medical practitioner appointed under or by virtue of Part II of the Social Security Administration (Northern Ireland) Act 1992.
Chairman of the Advisory Board for the Research Councils.
Chairman of the British Overseas Trade Board.
Full-time Chairman of Child Support Appeal Tribunals for Northern Ireland.
Chairman of the Consumer Committee for Electricity appointed under Article 7 of the Electricity (Northern Ireland) Order 1992.
Chairman or any member, not also being an employee, of a committee constituted under section 91 of the Mental Health (Scotland) Act 1984.
Chairman or Chief Executive of the Council for the Central Laboratory of the Research Councils.
Chairman or Vice-Chairman of the English Sports Council.
Chairman of Enterprise Ulster.
Chairman of the Fire Authority for Northern Ireland.
Chairman or any director of the Further Education Development Agency.
Chairman or any member, not being also an employee, of a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972.
Chairman or any member, not being also an employee, of the Health Education Board for Scotland.
Chairman or Deputy Chairman of the Laganside Corporation.
Chairman of the Mental Health Commission for Northern Ireland.
Chairman of the National Research Development Corporation.

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

Chairman of the Northern Ireland Central Services Agency for the Health and Social Services.

Chairman, Deputy Chairman or Chief Executive of the Particle Physics and Astronomy Research Council.

Chairman of the Public Health Laboratory Service Board.

Chairman of the Rural Development Council for Northern Ireland.

A full-time chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals for Northern Ireland.

Chairman of the Standing Advisory Commission on Human Rights constituted under section 20 of the Northern Ireland Constitution Act 1973.

Chairman or any member, not also being an employee, of the State Hospitals Board for Scotland.

Chairman of the Training, Enterprise and Education Advisory Group for Wales.

Chairman of the United Kingdom Sports Council.

Chairman of the Wine Standards Board of the Company of the master, wardens and commonalty of Vintners of the City of London.

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

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

Chief Scientist of the Scottish Home and Health Department.

Commissioner appointed under section 67(1) of the Police (Northern Ireland) Act 2000.

Director of Caledonian MacBrayne Limited.

Director of the Commonwealth Development Corporation nominated or appointed by the Secretary of State.

Director General of Electricity Supply for Northern Ireland.

Director General of Gas for Northern Ireland.

Director General of the National Economic Development Office.

Governor of the British Broadcasting Corporation.

Independent Assessor of Military Complaints Procedures in Northern Ireland.

Independent Commissioner, or Deputy Commissioner, for the Holding Centres in Northern Ireland.

Managing director of the National Research Development Corporation.

Medical Officer for Complaints appointed for Wales by the Secretary of State.

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.

Any member of the Education Transfer Council in receipt of remuneration.

Any member of the Further Education Funding Council for Wales in receipt of remuneration.

Any member, in receipt of remuneration, of a housing action trust (within the meaning of Part III of the Housing Act 1988).

Member of the Board of the Industrial Research and Technology Unit in Northern Ireland.

Member of the Local Enterprise Development Unit.

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

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.

Any member of the Residuary Body for Wales (Corff Gweddilliol Cymru) in receipt of remuneration.

Member, in receipt of remuneration, of the School Teachers' Review Body.

Any member of the Schools Funding Council for Wales in receipt of remuneration.

Any member of the Scottish Further and Higher Education Funding Council in receipt of remuneration.

Any member of the Scottish Further Education Funding Council in receipt of remuneration.

Any member of the Scottish Higher Education Funding Council in receipt of remuneration.

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.

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

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.

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

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

Scottish legal services ombudsman appointed under section 34 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

Traffic Director for London.

The Water Industry Commissioner for Scotland.”

Other amendments

12. For the entry “Adjudicator for the Inland Revenue, Customs and Excise and the Contributions Agency” there is substituted “Adjudicator appointed by the Commissioners for Her Majesty’s Revenue and Customs”.

13. In the entry “Chairman or Medical Director of the Advisory Committee on Distinction Awards”, for “Distinction” there is substituted “Clinical Excellence”.

14. For the entry “Chairman, or member in receipt of remuneration, of the Big Lottery Fund” there is substituted “Member of the Big Lottery Fund or of a committee established by the Fund under paragraph 7 of Schedule 4A to the National Lottery Act 1993”.

15. In the entry “Chairman of the Distinction and Meritorious Service Awards Committee for Northern Ireland”, for “Distinction and Meritorious Service Awards Committee for Northern Ireland” there is substituted “Northern Ireland Clinical Excellence Awards Committee”.

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

16. In the entry “Chairman or any member, not also being an employee, of a Health Board constituted under the National Health Service (Scotland) Act 1978”, after “Health Board” there is inserted “or a Special Health Board”.

17. In the entry beginning “Chairman or non-executive director of a Health and Social Services trust”, for “Social Services trust” there is substituted “Social Care trust”.

18. In the entry beginning “Chairman or non-executive member of a National Health Service trust”, for the words from “the National Health Service (Wales)” to the end substitute “or the National Health Service (Wales) Act 2006”.

19. In the entry “Chairman or Vice-Chairman of the Scottish Sports Council”, the words “or Vice-Chairman” are omitted.

20. In the entry beginning “Chairman of a special health and social services agency”, for “services agency” there is substituted “care agency”.

21. In the entry “Chief executive of the Simpler Trade Procedures Board”, for “the Simpler Trade Procedures Board” there is substituted “SITPRO Limited”.

22. In the entry “Director of British Nuclear Fuels p.l.c.”, for “p.l.c.” there is substituted “Limited”.

23. In the entry beginning “Director of any company in receipt of financial assistance”, the words “the Local Employment Act 1972, Part II of the Industry Act 1972 or” are omitted.

24. In the entry

“Director of a company—

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

being a director nominated or appointed by a Minister of the Crown, the Director of Passenger Rail Franchising or any other person acting on behalf of the Crown.”,

paragraph (b) is omitted (together with the word “or” preceding it).

25. In the entry beginning “The Governor or Administrator”, for “dependent” there is substituted “overseas”.

26. In the entry beginning “Governor, Medical Officer or other officer”, the words “, Medical Officer” are omitted.

27. For the entry “Her Majesty’s Chief Inspector of Schools in Wales” there is substituted “Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru”.

28. In the entry “Member of the Rail Passengers’ Council in receipt of remuneration”, the word “Rail” is omitted.

29. In the entry “Member appointed by the Secretary of State of the Scottish Agricultural Wages Board”, for “Secretary of State” there is substituted “Scottish Ministers”.

30. In the entry beginning “Member of the panel of persons appointed under Schedule 4 to the Rent (Scotland) Act 1984”, for “Member” there is substituted “President or vice-president”.

31. In the entry “Registration Officer appointed under section 8(2) or (3) of the Representation of the People Act 1983”, after “8(2)” there is inserted “, (2A)”.

32. Any entry in Part 3 which is amended by this Order shall (if necessary) be moved to the appropriate place.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the lists of offices which disqualify holders from membership of the House of Commons and which are contained in Schedule 1 to the House of Commons Disqualification Act 1975.