



Machinery of Government
CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 7250

2 October 1984

Dear Mr. Wilson,

HOUSE OF COMMONS DISQUALIFICATION ACT 1975 - UPDATE OF SCHEDULE 1

You will be aware that Schedule 1 to the House of Commons Disqualification Act was brought up to date by the House of Commons Disqualification Order 1984 (SI 1984 No 705) which came into operation on 18 May. We would like to thank departments once again for the amount of work they put into this.

2. Unfortunately the amendments listed in SI 1984 No 705 were not ready in time for the last reprint of the Act (Reprint No 9). In order to ease departments' task on this occasion I therefore enclose, at Annex A, a copy of the Schedule attached to the last reprint amended in manuscript to indicate the changes introduced by the SI.

3. In view of the undertaking given in 1982 by Mr Hayhoe that amendments to the Act should not be allowed to accumulate, we are now firmly committed to ensuring that Schedule 1 is regularly updated so that a complete record is always readily available. The purpose of this letter is consequently to set in motion the next update. On this occasion the update will be a little different from previous exercises because Ministers have agreed that we should use the year's updating to look critically at some of the entries -

- (i) in connection with the application of the 'de minimis rule': and
- (ii) in order to achieve more consistency in connection with the treatment of Boards and Members of Non Departmental Public Bodies. (Lord Gowrie's letter of 12 June to the Lord Privy Seal refers).

4. I would be grateful therefore if departments could let me know of any additions or deletions they would like to make to Schedule 1. I attach at Annex B a short note, summarising the objectives of the Act and the criteria used in deciding which offices should be included in the Schedule, which you might find useful.

5. As far as the rationalisation is concerned you might find it helpful to refer to the lists at Annexes C and D. The first - List A - attempts to identify those Ministerial appointments which are not currently included in

J B Wilson Esq
Department of the Environment and
Department of Transport
2 Marsham Street
London SW1

the Schedule but which, according to the information which will be contained in 'Public Bodies 1984', attract remuneration in excess of £4,000 pa, and ought perhaps therefore to be disqualified. The list is not necessarily comprehensive and is intended mainly as a guide. Departments will wish to check whether the details on the list are correct and if so whether they wish to see specific appointments added to the Schedule. They will also wish to check whether any of the other appointments for which Ministers are responsible, are in a similar position and should also be disqualified.

that
/

6. List B - Annex D - attempts to identify those appointments which are currently disqualified, where the remuneration is under £4,000 pa, and where according to information supplied a couple of years ago by departments the other criteria (see criteria 2 b-d in Annex B) do not apply. In these cases there seems, subject to departments' views on specific cases, little justification for disqualification. There is a difficulty in relation to fee-paid appointments in that in some cases the average annual fees may amount to more than £4,000 in which case those holding the appointments ought to continue to be disqualified. Departments will no doubt draw any such instances to our attention. The list is not totally comprehensive and departments may be able to identify other appointments falling in the same category.

7. I attach at Annex E details of the information we will need in respect of any proposed additional entry, deletion or amendment. I would also appreciate early warning of any proposed amendment to the Schedule which may prove sensitive, particularly where a sitting MP-or perhaps MEP - may be concerned.

8. On this occasion we do not propose, subject to departments' views, to suggest that the de minimis level for paid appointments warranting disqualification should be raised above the current level of £4,000 pa agreed in 1982. We would, however, be grateful for departments' views on this, and on how frequently they consider the level should be revised.

9. This letter is copied to those on the attached list. We would be grateful for a response by 31 October please. A nil response will be assumed in the case of any departments which have not replied by that time. We do not envisage a need for a meeting but if departments feel they would find this helpful we would be happy to arrange one.

MRS D C MILLER

REFRINT 9.

House of Commons Disqualification Act 1975

c. 24

7

SCHEDULES

SCHEDULE 1

Sections 1, 4, 5.

OFFICES DISQUALIFYING FOR MEMBERSHIP

PART I

JUDICIAL OFFICES

- Judge of the High Court of Justice or Court of Appeal.
 Judge of the Court of Session.
 Judge of the High Court of Justice or Court of Appeal in Northern Ireland.
 Judge of the Courts-Martial Appeal Court.
 Chairman of the Scottish Land Court.
 Circuit Judge.
 Sheriff Principal or Sheriff (other than Honorary Sheriff) appointed under the Sheriff Courts (Scotland) Act 1907, or Temporary Sheriff 1907 c. 51.
 Principal or Temporary Sheriff appointed under the Sheriff Courts 1971 c. 58. (Scotland) Act 1971.
 County Court Judge or deputy County Court Judge in Northern Ireland.
 Stipendiary Magistrate within the meaning of the Justices of the Peace Act 1979 c. 55.
 Stipendiary Magistrate in Scotland.
 Resident Magistrate or Deputy Resident Magistrate appointed under the Magistrates' Courts Act (Northern Ireland) 1964. 1964 c. 21 (N.I.).
 Chief or other Social Security Commissioner (excluding a person appointed in pursuance of section 13(5) of the Social Security Act 1980). 1980 c. 30.
 Chief or other Social Security Commissioner for Northern Ireland (excluding a person appointed in pursuance of section 13(5) of the Social Security Act 1980).
 Umpire or Deputy Umpire appointed for the purposes of section 43 of the National Service Act 1948. 1948 c. 64.

PART II

BODIES OF WHICH ALL MEMBERS ARE DISQUALIFIED

- The Advisory Board for the Research Councils.
 The Aircraft and Shipbuilding Industries Arbitration Tribunal.
 An Arbitration Tribunal established under Schedule 3 to the Industry Act 1975 c. 68.
 An Area Electricity Board in England and Wales.
 The Attendance Allowance Board.
 The Attendance Allowance Board for Northern Ireland.

- SCH. 1
- The British Airports Authority.
 - The British Airways Board.
 - The British Board of Agrément.
 - The British Film Fund Agency.
 - The British Gas Corporation.
 - The British National Oil Corporation.
 - The British Railways Board.
 - British Shipbuilders.
 - The British Steel Corporation.
 - British Telecommunications.
 - The British Waterways Board.
 - The Broadcasting Complaints Commission.
 - The Central Arbitration Committee.
 - The Central Electricity Generating Board.
 - The Civil Aviation Authority.
 - The Civil Service Arbitration Tribunal.
 - The Commission for Local Administration in England.
 - The Commission for Local Administration in Wales.
 - The Commission for Local Authority Accounts in Scotland.
 - The Commission for the New Towns.
 - The Commission for Racial Equality.
 - The Commonwealth Development Corporation.
 - The Co-operative Development Agency.
 - The Council of the Advisory, Conciliation and Arbitration Service.
 - The Council on Tribunals.
 - The Covent Garden Market Authority.
 - The Criminal Injuries Compensation Board.
 - The Crofters Commission.
 - The Crown Agents for Oversea Governments and Administrations.
 - The Crown Estate Commissioners.
 - The Development Board for Rural Wales.
 - The Development Commission.
 - 1981 c. 64. A Development Corporation within the meaning of the New Towns Act 1981 or the New Towns (Scotland) Act 1968.
 - 1968 c. 16. A Development Council established under the Industrial Organisation and Development Act 1947.
 - 1947 c. 40.
 - The Eggs Authority.
 - The Electricity Council.
 - The Employment Appeal Tribunal.
 - The English Industrial Estates Corporation.
 - The Equal Opportunities Commission.

- SCH. 1
- The Equal Opportunities Commission for Northern Ireland.
 - The Fair Employment Agency for Northern Ireland.
 - The Fair Employment Appeals Board.
 - Food from Britain.
 - The Foreign Compensation Commission.
 - The Forestry Commission.
 - The Gaming Board for Great Britain.
 - The General Practice Finance Corporation.
 - The Health and Safety Agency for Northern Ireland.
 - The Health and Safety Commission.
 - The Health and Safety Executive.
 - The Highlands and Islands Development Board.
 - The Home-Grown Cereals Authority.
 - The Housing Corporation.
 - The Immigration Appeal Tribunal.
 - The Independent Broadcasting Authority.
 - An Industrial Court established in Northern Ireland.
 - The Industrial Development Board for Northern Ireland.
 - The Industrial Injuries Advisory Council.
 - The Intervention Board for Agricultural Produce and every committee of the Board performing functions of the Board.
 - A Joint Planning Inquiry Commission constituted under Part III of the Town and Country Planning (Scotland) Act 1972. 1972 c. 52.
 - The Labour Relations Agency.
 - The Land Authority for Wales.
 - The Lands Tribunal.
 - The Lands Tribunal for Northern Ireland.
 - The Lands Tribunal for Scotland.
 - The Law Commission.
 - The Livestock Marketing Commission for Northern Ireland.
 - The Local Government Boundary Commission for England.
 - The Local Government Boundary Commission for Scotland.
 - The Local Government Boundary Commission for Wales.
 - The Manpower Services Commission.
 - The Meat and Livestock Commission.
 - A Medical Appeal Tribunal constituted for the purposes of Part III of the Social Security Act 1975 or Part III of the Social Security (Northern Ireland) Act 1975, including any panel constituted for the purposes of any such Tribunal.
 - A Medical Board or Pneumoconiosis Medical Board constituted for the purposes of Part III of the Social Security Act 1975 or Part III of the Social Security (Northern Ireland) Act 1975, including any panel constituted for the purposes of any such Board.

- SCH. 1
1977 c. 49.
1978 c. 29.
- 1968 c. 67.
1983 c. 20.
- 1967 c. 80.
- S.I. 1972/1634
(N.I. 17).
- 1971 c. 78.
- 1972 c. 52.
- A Medical Practices Committee constituted under section 7 of the National Health Service Act 1977 or section 3 of the National Health Service (Scotland) Act 1978.
- The Medicines Commission and any committee established under section 4 of the Medicines Act 1968.
- A Mental Health Review Tribunal constituted or having effect as if constituted under the Mental Health Act 1983.
- The Mental Health Review Tribunal for Northern Ireland.
- The Mental Welfare Commission for Scotland.
- The Monopolies and Mergers Commission.
- A National Broadcasting Council.
- The National Bus Company.
- The National Coal Board.
- The National Consumer Council.
- The National Dock Labour Board.
- The National Enterprise Board.
- The National Film Finance Corporation.
- The National Radiological Protection Board.
- The National Research Development Corporation.
- The New Towns Staff Commission.
- The North of Scotland Hydro-Electric Board.
- The Northern Ireland Economic Council.
- The Northern Ireland Electricity Service.
- The Northern Ireland Fishery Harbour Authority.
- The Northern Ireland Housing Executive.
- The Northern Ireland Tourist Board.
- The Occupational Pensions Board.
- The Parole Board constituted under section 59 of the Criminal Justice Act 1967.
- The Parole Board for Scotland constituted under section 59 of the Criminal Justice Act 1967.
- A Pensions Appeal Tribunal.
- The Performing Right Tribunal.
- The Pilotage Commission.
- The Planning Appeals Commission established under Article 88 of the Planning (Northern Ireland) Order 1972.
- A Planning Inquiry Commission constituted under Part III of the Town and Country Planning Act 1971.
- A Planning Inquiry Commission constituted under Part III of the Town and Country Planning (Scotland) Act 1972.
- The Police Complaints Board.
- The Police Complaints Board for Northern Ireland.
- The Post Office.

- The Red Deer Commission. SCH. 1
- A regional water authority established in accordance with section 2 of the Water Act 1973. 1973 c. 37.
- The Restrictive Practices Court.
- The Review Board for Government Contracts.
- A Rural Development Board.
- The Scottish Committee of the Council on Tribunals.
- The Scottish Development Agency.
- The Scottish Land Court.
- The Scottish Law Commission.
- The Scottish Transport Group.
- The Sea Fish Industry Authority.
- The Social Security Advisory Committee.
- The South of Scotland Electricity Board.
- The Staff Commission established under section 7 of the Greater London Council (General Powers) Act 1979. 1979 c. xxiii.
- The Traffic Commissioners for any area (including the commissioner for the Metropolitan Traffic Area).
- The Transport Tribunal.
- The Tribunal established under the Prevention of Fraud (Investments) Act 1958. 1958 c. 45.
- The Tribunal established under Part II of the Wireless Telegraphy Act 1949. 1949 c. 54.
- The United Kingdom Atomic Energy Authority.
- The University Grants Committee.
- ~~A Value Added Tax Tribunal.~~
- The Water Appeals Commission for Northern Ireland.
- The Welsh Development Agency.
- The Welsh Fourth Channel Authority.
- The Welsh Water Authority.

PART III

OTHER DISQUALIFYING OFFICES

- Additional Commissioner of the Commission for Racial Equality.
- Additional Commissioner of the Equal Opportunities Commission.
- Adjudicator appointed for the purposes of the Immigration Act 1971. 1971 c. 77.
- Ambassador or Permanent Representative to an international organisation representing Her Majesty's Government in the United Kingdom.
- Assessor of Public Undertakings (Scotland).
- Assistant Commissioner appointed under Part IV of the Local Government Act 1972. 1972 c. 70.

Advocate Depute (not being the Solicitor General for Scotland) appointed by the Lord Advocate.

- SCH. 1
1973 c. 65. Assistant Commissioner appointed under Part II of the Local Government (Scotland) Act 1973.
Attorney General of the Duchy of Lancaster.
Auditor of the Civil List.
Auditor of the Court of Session.
- 1949 c. 66. Boundary Commissioner or Assistant Boundary Commissioner appointed under Part I or Part II of Schedule 1 to the House of Commons (Redistribution of Seats) Act 1949.
- 1975 c. 71. Certification officer or assistant certification officer appointed under section 7 of the Employment Protection Act 1975.
Chairman or Vice-Chairman of the Advisory Committee on Distinction Awards.
Chairman or member of a panel of deputy-chairmen of an Agricultural Land Tribunal.
- S.I. 1977/2156.
(N.I. 27). Chairman of an Appeal Tribunal constituted in accordance with Schedule 4 to the Supplementary Benefits (Northern Ireland) Order 1977, or Senior Chairman in relation to such a tribunal.
- 1962 c. 46. Paid Chairman of an Area Transport Users Consultative Committee established under section 56 of the Transport Act 1962.
Chairman or Director-General of the British Council.
Chairman of the British Overseas Trade Board.
Paid Chairman of the Central Transport Consultative Committee for Great Britain established under section 56 of the Transport Act 1962.
Chairman or Deputy Chairman of the Civil Service Appeal Board.
- 1947 c. 54. Chairman of any of the Consultative Councils established under section 7 of the Electricity Act 1947 for the areas of Area Boards in England and Wales.
- 1979 c. 11. Chairman of either of the Consultative Councils continued in existence by section 17(1) of the Electricity (Scotland) Act 1979 for the districts of the North of Scotland Hydro-Electric Board and the South of Scotland Electricity Board.
Chairman of the Countryside Commission for Scotland and any other member of the Commission in receipt of remuneration.
Chairman of the Dental Committee of the Northern Ireland Central Services Agency for the Health and Social Services.
Chairman or Vice-Chairman of the Dental Estimates Board or member of that Board appointed at an annual salary.
Chairman of the Distinction and Meritorious Service ^{Awards} Committee for Northern Ireland.
Chairman of the Domestic Coal Consumer Council.
~~Chairman of the Electricity Consumer Council.~~
Chairman in receipt of remuneration of the Electricity Consumers' Council.
Chairman of Enterprise Ulster.

- Paid Chairman of a Health Board constituted under the National Health Service (Scotland) Act 1972. *SCH. 1*
1972 c. 58.
- Chairman of a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972. *S.I. 1972/1265.*
(N.I. 14).
- Paid Chairman of an Industrial Training Board constituted under the Industrial Training Act 1964 or the Industrial Training Act 1982 or of a committee appointed under either of those Acts 1982 c. 10. or paid Deputy Chairman of such a board.
- Chairman, Vice-Chairman or member of the executive committee of the Land Settlement Association Limited appointed at a salary.
- Chairman of the Local Government Staff Commission for Northern Ireland.
- Chairman of a Local Tribunal constituted under section 97(2) of, and Schedule 10 to, the Social Security (Northern Ireland) Act 1975 c. 15. 1975.
- Chairman of the Management Committee of the Common Services Agency for the Scottish Health Service *constituted under the National Health Service (Scotland) Act 1978*
- Chairman of the Manpower Services Committee for Scotland.
- Chairman of the Manpower Services Committee for Wales.
- Chairman of a committee constituted under section 90 of the Mental Health (Scotland) Act 1960 c. 61. 1960.
- ~~Chairman of any of the National Boards constituted under the Nurses, Midwives and Health Visitors Act 1979, if appointed by the Secretary of State under section 5(8)(a) of that Act.~~ 1979 c. 36.
- Chairman in receipt of remuneration of the National Gas Consumers' Council or any Regional Gas Consumers' Council.
- Chairman or Vice-Chairman of the National Seed Development Organisation Limited.
- Chairman of the Northern Ireland Central Services Agency for the Health and Social Services.
- Chairman of the Northern Ireland Civil Service Appeal Board.
- Chairman of the Northern Ireland Staffs Council for the Health and Social Services.
- Any Chairman of the Plant Varieties and Seeds Tribunal.
- Chairman of the Police Authority for Northern Ireland.
- Chairman of any of the Post Office Users' Councils established under *Section 14 of the Post Office Act 1969.*
- Chairman of the Prescription Pricing Agency.
- Chairman of the Probation Board for Northern Ireland.
- Chairman in receipt of remuneration of any Regional Health Authority, Area Health Authority, District Health Authority or special health authority (within the meaning of the National Health Service Act 1977) c. 49. 1977.
- Chairman of the Scottish Dental Estimates Board or a member of that Board appointed at an annual salary.

c. 24 House of Commons Disqualification Act 1975

- Chairman or Chief Executive of the Simplification of International Trade Procedures Board.
- SCH. 1 Chairman, Deputy Chairman or member of the Council of Management of the Scottish Special Housing Association, appointed at a salary.
- Chairman or Vice-Chairman of the Scottish Sports Council.
- A regional or other full-time Chairman of Social Security Appeal Tribunals and Medical Appeal Tribunals.
- Chairman or Vice-Chairman of the Sports Council.
- Chairman or Vice-Chairman of the Sports Council for Northern Ireland.
- Chairman or Vice-Chairman of the Sports Council for Wales.
- Chairman of the Staff Commission for Education and Library Boards in Northern Ireland.
- 1973 c. 36. Chairman of the Standing Advisory Commission on Human Rights constituted under section 20 of the Northern Ireland Constitution Act 1973.
- 1970 c. 10. Chairman of the tribunal constituted under section 463 of the Income and Corporation Taxes Act 1970.
- 1979 c. 36. Chairman of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting, if appointed by the Secretary of State under section 1(6)(a) of the Nurses, Midwives and Health Visitors Act 1979.
- Chairman of the Wine Standards Board of the Company of the master, wardens and commonalty of Vintners of the City of London.
- Chairman of the Women's Royal Voluntary Service.
- 1962 c. 14 (N.I.). Chief Electoral Officer for Northern Ireland or any whole time officer appointed under section 14A(1) of the Electoral Law Act (Northern Ireland) 1962.
- Chief Executive of the National Enterprise Board.
- Chief Scientist of the Scottish Home and Health Department.
- Clerk or deputy clerk of a district council in Northern Ireland.
- The Commissioner for Local Administration in Scotland.
- 1972 c. 9 (N.I.). Commissioner or Assistant Commissioner appointed under section 50(1) or (2) of, or Schedule 4 to, the Local Government Act (Northern Ireland) 1972.
- The Commissioner appointed by Her Majesty's Government in the United Kingdom under Article 3 of the Agreement confirmed by the Nauru Island Agreement Act 1920.
- 1920 c. 27. Commissioner or Assistant Commissioner of Police of the Metropolis.
- Commissioner of the City of London Police.
- Comptroller and Auditor General.
- Comptroller and Auditor General for Northern Ireland.
- Constable, Lieutenant or Major of the Tower of London.
- 1936 c. 52. Counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936.
- Crown Solicitor for Northern Ireland.
- Controller of Audit appointed under section 97(4) of the Local Government (Scotland) Act 1973.
- Controller of Audit appointed under paragraph 7 of Schedule 3 to the Local Government Finance Act 1982.

Director of British P.I.C. nominated by a Minister of the Crown or government Department.

Delegate for Her Majesty's Government in the United Kingdom to the Central Rhine Commission. SCH. 1

Director of the Agricultural Mortgage Corporation p.l.c. nominated by a Minister of the Crown or government department.

Director of the British Aerospace Public Limited Company appointed subject to the approval of a Minister or government department.

Director of British Nuclear Fuels Limited.

Director of the British Petroleum Company p.l.c. nominated by a Minister of the Crown or government department.

Director of Cable and Wireless Public Limited Company nominated by a Minister of the Crown or government department.

Director of the Cereals Committee Limited appointed by a Minister of the Crown or government department.

Director of the Commonwealth Institute.

Director of any company in receipt of financial assistance under the Distribution of Industry Act 1945, the Distribution of Industry (Industrial Finance) Act 1958, the Shipbuilding Industry Act 1967, 1958 c. 41. the Local Employment Act 1972, Part II of the Industry Act 1967 c. 40. 1972 or Part III or section 13 of the Industrial Development Act 1972 c. 5. 1982, being a director nominated by a Minister of the Crown or government department. 1972 c. 63. 1982 c. 52.

Director nominated by the Secretary of State of any company in respect of which an undertaking to make advances has been given by the Secretary of State under section 2 of the Highlands and Islands Shipping Services Act 1960 and is for the time being in force. 1960 c. 31.

Director of Harland and Wolff Limited.

Director of ICL Public Limited Company nominated ~~or appointed~~ by a Minister of the Crown or government department.

Director of International Military Services Limited.

Director of the Northern Ireland Transport Holding Company.

Director, or Deputy Director, of Public Prosecutions for Northern Ireland.

Director appointed at a salary of Remploy Limited.

Director of S.B. (Realisations) p.l.c. nominated or appointed by a Minister of the Crown or government department.

~~Director of the Scottish Agricultural Securities Corporation p.l.c. nominated by a Minister of the Crown or government department.~~

Director of Short Brothers Limited.

Director General of Fair Trading.

Director General of the National Economic Development Office.

~~Distributor of Stamps appointed by the Commissioners of Inland Revenue for the Stock Exchange at Glasgow.~~

General Manager or Secretary of the Scottish Special Housing Association.

The Governor or Administrator of a dependent territory within the meaning of section 50(1) of the British Nationality Act 1981. 1981 c. 61.

- SCH. 1
- Governor of the British Broadcasting Corporation.
Governor, Deputy Governor or Director of the Bank of England.
Governor, Lieutenant Governor and Secretary, or Captain of Invalids of Chelsea Hospital.
- 1953 c. 18.
(N.I.). Governor, Medical Officer or other officer or member of the staff of a prison to which the Prison Act (Northern Ireland) 1953 applies.
Health Service Commissioner for England.
Health Service Commissioner for Scotland.
Health Service Commissioner for Wales.
High Commissioner representing Her Majesty's Government in the United Kingdom.
- S.I. 1979/1574
(N.I. 13). Industrial Assurance Commissioner or Deputy Industrial Assurance Commissioner appointed under the Industrial Assurance (Northern Ireland) Order 1979.
Judge Advocate of the Fleet.
Judge Advocate General, Vice Judge Advocate General, Assistant Judge Advocate General or Deputy Judge Advocate.
- 1974 c. 47. Lay observer appointed under section 45 of the Solicitors Act 1974.
- S.I. 1976/582
(N.I. 12). Lay observer appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976.
- 1980 c. 46. Lay observer appointed under section 49 of the Solicitors (Scotland) Act 1980.
- 1982 c. 10. Levy Exemption Referee for the purposes of the Industrial Training Act 1982.
- 1981 c. 28. Liquidator appointed under section 2 of the Licensing (Alcohol Education and Research) Act 1981.
Lyon Clerk.
Lyon King of Arms.
Medical Officer for Complaints appointed for Wales by the Secretary of State.
- 1958 c. 47. Member of an Agricultural Marketing Board appointed by the Minister under Schedule 2 to the Agricultural Marketing Act 1958.
- 1964 c. 13 (N.I.). Member of an Agricultural Marketing Board appointed under section 3 of the Agricultural Marketing Act (Northern Ireland) 1964 or Schedule 2 to the Agricultural Marketing (Northern Ireland) Order 1982.
- 1948 c. 47. Member appointed by a Minister of the Crown of the Agricultural Wages Board for England and Wales or of an agricultural wages committee established under the Agricultural Wages Act 1948, or chairman of such a committee.
Member appointed by the Secretary of State of the Scottish Agricultural Wages Board.
Member appointed by the Head of the Department of Agriculture for Northern Ireland of the Agricultural Wages Board for Northern Ireland.
Any member of the Audit Commission for Local Authorities in England and Wales in receipt of remuneration.

- Any member of the British Library Board in receipt of remuneration. SCH. 1
- Any member in receipt of remuneration of the British Tourist Authority, the English Tourist Board, the Scottish Tourist Board or the Wales Tourist Board.
- Any member of the Countryside Commission in receipt of remuneration.
- Any member, in receipt of remuneration, of the Historic Buildings and Monuments Commission for England.
- Member appointed by the Secretary of State of the Horserace Betting Levy Board.
- Member of the Local Enterprise Development Unit.
- Any member of the Mental Health Act Commission in receipt of remuneration.
- Member of the staff of the National Audit Office.
- Any member of the Nature Conservancy Council in receipt of remuneration.
- Member of a panel of persons who may be appointed to consider representations in accordance with section 3(4)(b) of the Employment Agencies Act 1973. 1973 c. 35.
- Member of a panel of persons appointed under Schedule 10 to the Rent Act 1977 to act as chairmen and other members of rent assessment committees. 1977 c. 42.
- Member of the panel of persons appointed under Schedule 5 to the Rent (Scotland) Act 1971 to act as chairmen and other members of rent assessment committees. 1971 c. 28.
- Member of a panel appointed under section 7 of the Tribunals and Inquiries Act 1971 of persons to act as chairmen of Social Security Appeal Tribunals and Medical Appeal Tribunals.
- Member of a panel of persons who may be appointed to serve on a Vaccine Damage Tribunal.
- Member of the Board of the Royal Ordnance Factories.
- Any member, in receipt of remuneration, of an urban development corporation (within the meaning of Part XVI of the Local Government, Planning and Land Act 1980). 1980 c. 65.
- Member of a Wages Council or Central Co-ordinating Committee appointed under paragraph 1(1)(a) of Schedule 2 to the Wages Councils Act 1979 or chairman of a committee appointed under paragraph 1(1)(a) of Schedule 3 to that Act. 1979 c. 12.
- Member of a Wages Council or Central Co-ordinating Committee appointed under paragraph 1(a) of Schedule 2 to the Wages Councils (Northern Ireland) Order 1982. S.I. 1982/1840 (N.I. 23).
- Northern Ireland Commissioner for Complaints.
- Northern Ireland Parliamentary Commissioner for Administration.
- Officer or servant employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District.

- SCH. 1 Officer or servant of the Crown Estate Commissioners.
- 1865 c. 89. Officer, clerk or servant appointed or employed under section 20 of the Greenwich Hospital Act 1865.
- 1981 c. 54. Officer of the Supreme Court being the holder of any office listed in any Part of Schedule 2 to the Supreme Court Act 1981 or a district registrar, or assistant district registrar, of the High Court.
- 1938 c. 22. Parliamentary Commissioner for Administration.
- 1964 c. 16. Person appointed to hear and decide appeals under the Trade Marks Act 1938.
- 1964 c. 18 (N.I.). President, or member of a panel of chairmen, of industrial tribunals established under section 12 of the Industrial Training Act 1964.
- President, or member of a panel of chairmen, of industrial tribunals established under section 13 of the Industrial Training Act (Northern Ireland) 1964.
- President of Social Security Appeal Tribunals and Medical Appeal Tribunals.
- Public Works Loan Commissioner.
- Receiver for the Metropolitan Police District.
- 1959 c. 22. Registrar or Assistant Registrar appointed under section 18 or section 19 of the County Courts Act 1959.
- Registrar or Assistant Registrar of Friendly Societies.
- Registrar of the Privy Council.
- 1983 c. 2. Registrar of Public Lending Right.
- Registration Officer appointed under section 8(2) ^{or (3)} of the Representation of the People Act 1983.
- 1949 c. 68. ~~Registration Officer appointed under section 6(3) of the Representation of the People Act 1949.~~
- 1977 c. 42. Rent officer or deputy rent officer appointed in pursuance of a scheme under section 63 of the Rent Act 1977.
- S.I. 1978/1050 (N.I. 20). Rent officer or deputy rent officer nominated under Schedule 5 to the Rent (Northern Ireland) Order 1978.
- Returning Officer under section 25(1) of the Representation of the People Act 1983 and any Deputy Returning Officer appointed by him.
- Solicitor in Scotland to any department of Her Majesty's Government in the United Kingdom.
- Standing Counsel to any department of Her Majesty's Government in the United Kingdom.
- 1978 c. 23. Statutory officer appointed under section 70 of the Judicature (Northern Ireland) Act 1978.
- President or Vice-President of Value Added Tax Tribunals or full-time chairman of value added tax tribunals.

PART IV

SCH. 1

OFFICES DISQUALIFYING FOR PARTICULAR CONSTITUENCIES

Office	Constituency
Her Majesty's Commissioner of Lieutenancy in the City of London.	The constituency comprising the whole of the City of London.
Her Majesty's Lord-Lieutenant or Lieutenant for Greater London.	Any constituency comprising any part of Greater London.
Her Majesty's Lord-Lieutenant or Lieutenant for a county in England or Wales.	Any constituency comprising the whole or part of the area for which he is appointed.
Her Majesty's Lord-Lieutenant or Lieutenant for a region in Scotland.	Any constituency comprising the whole or part of such part of the region as may be determined by Order in Council made by Her Majesty in which the Lord-Lieutenant holds office or in which the Lord-Lieutenant or Lieutenant discharges his functions.
Her Majesty's Lord-Lieutenant or Lieutenant for an islands area in Scotland.	Any constituency comprising the whole or part of the islands area for which the Lord-Lieutenant or Lieutenant is appointed or for which the Lord-Lieutenant holds office.
Her Majesty's Lord-Lieutenant or Lieutenant for the district of the city of Aberdeen, Dundee, Edinburgh, or Glasgow.	Any constituency comprising the whole or part of the district in which the Lord-Lieutenant holds office or for which the Lieutenant is appointed.
Her Majesty's Lord-Lieutenant or Lieutenant for a county or county borough in Northern Ireland.	Any constituency comprising the whole or part of the area for which he is appointed.
Governor of the Isle of Wight.	The Isle of Wight.
The High Sheriff of Greater London.	Any constituency comprising any part of Greater London.
High Sheriff of a county in England and Wales.	Any constituency comprising the whole or part of the area for which he is appointed.

HOUSE OF COMMONS DISQUALIFICATION ACT 1975

Objectives

The objectives are twofold -

- i. to ensure a sufficient degree of separation between the Legislature, Executive and Judiciary to secure their independence of each other - which carries with it the further implication that individual members of each must be free from undue pressures from members of the others.
- ii. to ensure that Members are able and available to look after the best interests of their constituents when sitting as members of the legislature.

Criteria

2. The individual offices which are listed in Schedule 1 meet certain criteria which are not contained in the Act itself and which were originally drawn up during the preparation of the 1957 Act. There are four basic criteria which have been applied administratively by departments. These are:

- a. paid offices in the gift of the Crown or Ministers (to prevent "trivial disqualifications, a minimum salary level of £4,000 pa has now been adopted);
- b. certain positions of control in companies in receipt of substantial Government grants and funds to which Ministers usually, though not necessarily, make nominations;
- c. offices imposing duties which, with regard to time or place, would prevent their holders from fulfilling Parliamentary duties satisfactorily; ie they would take up too much time or otherwise prevent a Member from attending Parliament;
- d. offices whose holders are required to be, or seen to be, politically impartial.

LIST A Examples of Ministerial patronage (over £4000 per annum*) which are not already disqualified by the Act

MAFF

1. Chairman of the Agriculture Training Board - receives £7,708.
2. Chairman of the Apple and Pear Development Council - receives £9,252.

MOD

3. Chairman (?) of International Military Services Limited - receives £5,000 - £10,000 (Director IMS is included but not the Chairman).
4. Deputy Chairman (?) of the Services Sound and Vision Corporation - receives £36,000.

DES

5. Chairman of the Business and Technician Education Council - receives £13,650.
6. Chairman of the National Advisory Body for Local Authority Higher Education - receives £20,550.

D/Energy

7. Members of British Nuclear Fuels Limited - receive £30,000 + (The Director BNFL is disqualified but not the other Board Members).

DOE

8. Chairman of the Council for Small Industries in Rural Areas - receives £11,559.
9. Commons Commissioners - receive £27,000-£35,580.
10. Chairman of the Letchworth Garden City Corporation - receives £13,140.

DHSS

11. Chairman and Deputies of the National Development Team for Mentally Handicapped People - receive £17,268 and £13,300-£13,600 respectively.

* All pay details taken from Public Bodies 1984.

LIST A (Cont'd)

NHS Authorities

12. Chairman of Central Blood Laboratories Authority - receives £6,670.
13. Chairman of Rampton Hospital Review Board - receives £6,480.
14. Chairman of State Hospital Management Committee - receives £5,295.
15. Chairman of Welsh Health Technical Services Organisation - receives £7,590.

Home Office

16. Horserace Totalisator Board - Chairman and 7 members - receive £23,272 and £4,385 respectively.

LCD

17. 1 Member of Judicial Studies Board - receives £5,220.

NIO

18. Chairman of Northern Ireland Training Executive - receives £8,420.
19. Chairman of Northern Ireland Economic Council - receives £9,045.

DTP

20. Chairman and Members of Trinity House - receive £20,493-£27,853.

LIST B Examples of Ministerial patronage (under £4,000 per annum) which are disqualified by the Act but not for reasons of political impartiality, the bodies concerned being in receipt of large Government funds, or the burden of work being too great to allow the incumbent to sit as an MP

MAFF

1. Vice-Chairman of the National Seed Development Organisation Ltd - receives £3,500*. (Amend Part III to disqualify Chairman only).
2. Chairman or member of a panel of deputy-chairmen of an Agricultural Land Tribunal~~✓~~ (delete from Part III altogether).

MOD

3. Constable, Lieutenant or Major of the Tower of London (delete from Part III altogether).

DEm

4. Deputy-Chairman and Members of the Central Arbitration Committee.~~✓~~ (Move from Part II to Part III to disqualify Chairman only)
5. The Civil Service Arbitration Tribunal~~✓~~ (delete from Part II altogether).
6. Members of the Council of the Advisory, Conciliation and Arbitration Service.~~✓~~ (Move from Part II to Part III to disqualify Chairman only).
7. The Employment Appeal Tribunal~~✓~~ (delete from Part II altogether).
8. Members of the National Dock Labour Board - receive £1,100. (Move from Part II to Part III to disqualify Chairman and Deputy Chairman only.)
9. Member of a Wages Council or Central Co-ordinating Committee appointed under paragraph 1(1)(a) of Schedule 2 to the Wages Councils Act 1979 or Chairman of a Committee appointed under paragraph 1(1)(a) of Schedule 3 to that Act~~✓~~. (Delete from Part III altogether.)

DOE

10. Members of the British Waterways Board - receive £3,000. (Move from Part II to Part III and disqualify Chairman and Deputy Chairman only.)
11. Members of a Development Corporation within the meaning of the New Towns Act 1981 - receive £2,450. (Move from Part II to Part III and disqualify Chairman and Deputy Chairman only.)
12. Members of a regional water authority established in accordance with section 2 of the Water Act 1973. (Move from Part II to Part III and disqualify Chairman only.)

* All pay details taken from Public Bodies 1984.

~~✓~~ Fee paid appointments - if total annual fees average £4,000+ then the Office holders ought to continue to be disqualified.

LIST C (Cont'd)

DOE (Cont'd)

13. Any member, in receipt of remuneration, of an urban development corporation (within the meaning of Part XVI of the Local Government, Planning and Land Act 1980) receives up to £3,060. (Amend Part III entry to disqualify Chairmen and Deputy Chairmen only.)

FCO

14. Members of the Commonwealth Development Corporation - receive £3,220. (Move from Part II to Part III and disqualify Chairman and Deputy Chairman only.)
15. Board Members of Crown Agents for Overseas Government and Administrations receive £3,100-£3,650. (Move from Part II to Part III to disqualify Chairman, and Managing Director only.)
16. Director of the Commonwealth Institute. (Delete from Part III altogether.)

DHSS

17. Chairman of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting, if appointed by the Secretary of State under section 1(b)(a) of the Nurses, Midwives and Health Visitors Act 1979. (Delete from Part III altogether.)

Home Office

18. Members of the Equal Opportunities Commission~~£~~. (Move from Part II to Part III and disqualify Chairman and Deputy Chairman only.)
19. Additional Commissioner of the Commission for Racial Equality~~£~~. (Delete from Part III altogether.)
20. Additional Commissioner of the Equal Opportunities Commission~~£~~. (Delete from Part III altogether.)

NIO

21. The Attendance Allowance Board for Northern Ireland~~£~~. (Delete from Part II altogether.)
22. Members of the Health and Safety Agency for Northern Ireland~~£~~. (Move from Part II to Part III and disqualify Chairman only.)

~~£~~ Fee paid appointments - if total annual fees average £4,000+ then the Office holders ought to continue to be disqualified.

LIST C (Cont'd)

NIO (Cont'd)

23. Members of Northern Ireland Economic Council - receive £1,815. (Move from Part II to Part III and disqualify Chairman only.)
24. Members of the Northern Ireland Housing Executive. (Move from Part II to Part III and disqualify Chairman and Vice-Chairman only.)
25. Members of the Northern Ireland Tourist Board - receive £1,310. (Move from Part II to Part III and disqualify Chairman only.)
26. Lay observer appointed under Article 42 of the Solicitors (Northern Ireland) Order 1976. (Delete from Part III altogether).
27. Member appointed by the Head of the Department of Agriculture for Northern Ireland of the Agricultural Wages Board for Northern Ireland~~£~~. (Delete from Part III altogether).
28. Member of a Wages Council or Central Co-ordinating Committee appointed under paragraph 1(a) of Schedule 2 to the Wages Council (Northern Ireland) Order 1982~~3~~. (Delete from Part III altogether).

Scottish Office

29. The Deputy and Members of the Commission for Local Authority Accounts in Scotland - receive £3,500 and £1,745 respectively. (Move from Part II to Part III and disqualify Chairman only.)
30. Members of a Development Corporation within the meaning of the New Towns (Scotland) Act 1968 - receive £2,450. (Move from Part II to Part III and Chairmen and Deputy Chairmen only.)
31. Members of the Red Deer Commission. (Move from Part II and Part III and disqualify Chairman only.)
32. Members of the Scottish Development Agency - receive £3,200. (Move from Part II to Part III and disqualify Chairman, Deputy Chairman and Chief Executive only.)
33. Lay Observer appointed under Section 49 of the Solicitors (Scotland) Act 1980. (Delete from Part III altogether.)

~~£~~ Fee paid appointments - if total annual fees average £4,000+ then the Office holders ought to continue to be disqualified.

LIST C (Cont'd)

DTI

34. The British Film Fund Agency - receive £1,695-£3,400. (Delete from Part II altogether.)
35. Members of the Co-operative Development Agency. (Move from Part II to Part III and disqualify Chairman only.)
36. Members of the National Consumer Council - receive £2,620. (Move from Part II to Part III and disqualify Chairman and Deputy Chairman only.)
37. Members of the National Film Finance Corporation - receive £3,620. (Move from Part II to Part III and disqualify Chairman and Managing Director only.)

DTp

38. Deputy Chairman and Members of the Pilotage Commission - receive £3,920 and £3,500 respectively. (Move from Part II to Part III and disqualify Chairman only.)

Welsh Office

39. Members of the Land Authority for Wales - receive £3,500. (Move from Part II to Part III and disqualify Chairman only.)

1. Information required in respect of each additional entry -
 - (i) which of the criteria apply and why (see para 2, Annex B);
 - (ii) who appoints the office holder;
 - (iii) if paid, how much and from what source, ie grant-in-aid, levy, etc;
 - (iv) how many office holders would the entry bring into Schedule 1;
 - (v) how the office has been established, eg; statutorially or by administrative action, and when;
 - (vi) if an old office, why it has not been entered into the Schedule previously; and
 - (vii) to which part of Schedule 1 it would be appropriate?
2. Information required in respect of each proposed deletion -
 - (i) why the disqualifying criteria no longer applies;
 - (ii) if the office has been abolished, by what means was it done, eg statutorially or administratively and when; and
 - (iii) how many office holders are removed from the Schedule.
3. Information required in respect of each proposed amendment of an existing entry -
 - (i) the information as in paras 1 or 2 above depending on whether the amendment increases or decreases the entry's coverage;
 - (ii) if the amendment is for any other reason (eg a change in the officer's name), details on when and how the change was effected and how many office holders are involved.

COPI ADDRESSEES

1. Mrs A R Marriot
Establishments (General)
Division, Branch B,
Ministry of Agriculture,
Fisheries and Food
Victory House
Kingsway
LONDON
WC2B 6TU 868 7161 x156
2. J L Railton Esq
HM Customs and Excise
Kent House
Upper Ground
LONDON
SE1 9PS 2516 491
3. M Maiden Esq
Management Services Organ-
isation Division,
Room 60/3
Ministry of Defence
Northumberland House
Northumberland Avenue
LONDON SW1 218 0732
4. T A Dooling Esq
Department of Education and
Science
Elizabeth House
York Road
LONDON
SE1 7PH 928 9222 x 3193
5. A P Hull Esq
Department of Employment
GPU 4
Room 704
Caxton House
Tothill Street
LONDON SW1
6. A D Proud Esq
Department of Energy
Energy Policy Division
Thames House South
Millbank
LONDON
SW1P 4QJ 211 5098
7. R O Kieran Esq
Estabs.
ODA
Eland House
Stag Place
LONDON
SW1 213 6791
8. N Houghton Esq
Head of Personnel Policy Dept.
Foreign and Commonwealth Office
LONDON
SW2A 2AL 233 3244
9. B B Hargreaves Esq
Department of Health and
Social Security,
Central Office (EP6A)
NEWCASTLE UPON TYNE
NE98 1YX GTN 2024 5467
10. R J Weatherill
Home Office
Elections Division
Queen Anne's Gate
LONDON SW1H 9AT GTN 213 4339
11. A H Hewins Esq
Home Office
General Division
Queen Anne's Gate
LONDON SW1H 9AT GTN 213 7178
12. G L J Lucas Esq (TRIBS)
Department of Trade and Industry
Sanctuary Buildings
20 Gt Smith Street
LONDON
SW1P 3DB 215 5611
13. Mrs S M Morgan
Personnel Management Division 1A,
Department of Trade and Industry,
Room 652, Sanctuary Building
Gt Smith Street
LONDON SW1 215 3139
14. F Gilhooly Esq
Board of Inland Revenue
Section M1/5
7th Floor
NW Wing, Bush house
WC2B 4PP 438 6485
15. J D Harkness Esq
Lord Advocate's Department
Fielden House
10 Great College Street
LONDON
SW1P 3SL 212 7676
16. Mrs N A Oppenheimer
LCD
House of Lords
LONDON
SW1A OPN

17. D Brooker Esq
Northern Ireland Office
Old Admiralty Building
LONDON
SW1A 2AZ 273 5148
18. J Wilson Esq
Lord Chancellor's Department
Northern Ireland Court Service
Windsor House
9-15 Bedford Street
BELFAST
BT2 7LT
19. J D Blair Esq
DFP (N Ireland)
Rosepark House
Upper Newtownards Rd
BELFAST
BT4 3MR 02318 4585
20. J R Grant Esq
Scottish Courts Administration
PO Box 37
28 North Bridge
EDINBURGH
EH1 1RA 031 226 5911
21. A Simmen Esq
Scottish Home and Health Dept.
Old St Andrews House
via Dover House
Whitehall
Edinburgh 2034 2772
22. G Binns Esq
HM Treasury
Parliament Street
LONDON
SW1P 3AG 233 7640
23. B Duddridge Esq
Welsh Office
Cathay's Park
Cardiff
CF1 3NQ 2064 5285
24. M D Townley Esq
Cabinet Office
70 Whitehall
233 7123
25. P D Pink Esq
Department of Trade
Insolvency Service
2-14 Bunhill Row
LONDON
EC1Y 8LL 2509 120
26. Miss A Simkins
DHSS
Mental Health Division
Alexander Fleming House
LONDON
SE1 6BY 2915 7604
27. R Catford Esq
Appointments Sec
10 Downing Street
28. J Cammack Esq
Office of Arts & Libraries
Government Offices
Great George Street
LONDON SW1

ANUAMST: Legislativ

1812