SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 8.

An Act to make temporary provision for enabling persons required in the public interest to be employed for purposes connected with the war in offices and places under the Crown to be so employed without being disqualified for membership of the House of Commons.

[6th March 1941.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Prevention of disqualification.

1.—(1) If it is certified by the First Lord of the Treasury that the appointment of any person being a member of the Commons House of Parliament to any office or place under the Crown is required in the public interest for purposes connected with the prosecution of any war in which His Majesty may be engaged, that person shall not be deemed to be a person incapable of being elected as a member of that House, or incapable of sitting or voting as such a member, by reason only of his holding that office or place at any time during the present war period.

(2) A copy of any certificate issued for the purposes of the foregoing subsection shall be laid before the Commons House of Parliament.

(3) Any person who, since the third day of September nineteen hundred and thirty-nine and before the passing of this Act, has been appointed to any office or place under the Crown, not being an office mentioned in the Schedule to the Re-election of Ministers Act, 1919, or a judicial office, shall not be deemed to have been or to be a person incapable of being elected as a member of the Commons House of Parliament, or incapable of sitting or voting as such a member, by reason only of his having held or holding that office or place at any time during the present war period.

9 & 10 Geo. 5. c. 2.

(4) In this section the expression "the present war period" means the period beginning with the third day of September nineteen hundred and thirty-nine and ending with the expiry of the Emergency Powers (Defence) Act, 1939.

2 & 3 Geo. 6. c. 62.

(5) Nothing in this Act shall affect any powers exercisable by virtue of the prerogative of the Crown with respect to the employment of persons in His Majesty's service.

Short title and duration.

2.—(1) This Act may be cited as the House of Commons Disqualification (Temporary Provisions) Act, 1941.

(2) This Act shall continue in force for the period of one year after the passing thereof and shall then expire:

Provided that upon the expiry of this Act subsection (2) of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals) shall apply as if this Act had then been repealed, and the provisions of this Act shall, notwithstanding such expiry, continue to apply with respect to the holding by any member of the Commons House of Parliament of any office or place then held by him.

52 & 53 Vict. c. 63.

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