

Local Government (Pecuniary Interests) Act 1964

1964 CHAPTER 77

An Act to amend sections 76 and 123 of the Local Government Act 1933, and sections 52 and 90 of the London Government Act 1939. [31st July 1964]

BE IT ENACTED by the Queen'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:—

Pecuniary interests of members. 23 & 24 Geo. 5. c. 51.

1.—(1) For the purposes of section 76 of the Local Government Act 1933 (duty of members of authorities to disclose pecuniary interests and abstain from voting etc.) a member shall not be treated as having a pecuniary interest in any contract or other matter by reason only of any interest—

(*a*) of that member, or

(*b*) of any company, body or person connected with him as mentioned in subsection (2) of that section,

which is so remote or insignificant that it cannot reasonably be regarded as likely to influence a member in the consideration or discussion of, or in voting on, any question with respect to that contract or matter.

(2) In proviso (i) to the said subsection (2) (connection with public bodies to be disregarded) the expression "public body" shall include, and be deemed always to have included, any body established for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, the

governing body of any university, university college, college in a university or college of advanced technology, and the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907.

7 Edw. 7. c. cxxxvi.

(3) In subsection (4) of that section (power to give general notice of certain interests) after the words " in the employment of a specified person " there shall be inserted the words " or that he or his spouse is the tenant of any premises owned by the authority ", and after the words " or to that person " there shall be inserted the words " or to those premises ".

(4) In subsection (6) of that section (penalties) for the words " a fine not exceeding fifty pounds " there shall be substituted, in relation to any offence committed after the commencement of this Act, the words " a fine not exceeding two hundred pounds ".

(5) The power of a county council and of the Minister under subsection (8) of that section to remove any disability imposed by that section shall include power to remove, either indefinitely or for any period, any such disability which would otherwise attach to any member (or, in the case of the power of the Minister, any member or any class or description of member) by reason of such interests, and in respect of such matters, as may be specified by the county council or, as the case may be, the Minister.

(6) Nothing in that section shall preclude any person from taking part in the consideration or discussion of, or voting on, any question whether an application should be made to a county council or the Minister for the exercise of the powers conferred by the said subsection (8).

Pecuniary interests of officers and servants.

2.—(1) For the purposes of section 123 of the said Act of 1933 (duty of officers and servants of authorities to disclose pecuniary interests in contracts) an officer or servant shall not be treated as having a pecuniary interest in any contract by reason only of any interest—

(*a*) of that officer or servant, or

(*b*) of any company, body or person connected with him as mentioned in subsection (2) of section 76 of that Act,

which is so remote or insignificant that it cannot reasonably be regarded as likely to influence an officer or servant in discharging his duties.

(2) In subsection (3) of the said section 123 for the words " a fine not exceeding fifty pounds " there shall be substituted, in relation to any offence committed after the commencement of this Act, the words " a fine not exceeding two hundred pounds."

Application to London.

3.—(1) The foregoing provisions of this Act shall apply to London—

(*a*) as if, in section 1, for references to section 76 of the said Act of 1933 there were substituted references to section 52 (and, in subsection (2), section 90) of the London Government Act 1939, for the word "authority" in subsection (3) there were substituted the words "borough council", and references in subsections (5) and (6) to a county council were omitted; and 2 & 3 Geo. 6 c. 40.

(*b*) as if, in section 2, for references to section 123, subsection (2) of section 76 and subsection (3) of section 123 of the said Act of 1933 there were substituted respectively references to section 90, subsection (2) of section 90, and subsection (4) of section 90 of the said Act of 1939.

(2) This section shall cease to have effect on 1st April 1965.

Short title and extent.

4.—(1) This Act may be cited as the Local Government (Pecuniary Interests) Act 1964.

(2) This Act does not extend to Scotland or Northern Ireland.