

COMMITTEE ON STANDARDS OF CONDUCT

Date: Wednesday, 4 April 2001
Time: 9:30 am
Venue: Committee Room 4, National Assembly Building
Title: Indirect Interests of Members

Purpose

1. The Committee agreed at its meeting on 31 January to amend the Annex to Standing Order to standardise the Assembly's provisions concerning the Members' registration and declaration of indirect interests. This paper sets out the background to papers STD 02-01(5) and STD 02-01(6).

Background

2. The Committee's earlier review of the *Guidance on the Registration and Declaration of Members Interests* identified inconsistencies in the requirements for Members to declare and register "indirect interests". During its meeting on 31 January the Committee considered a presentation by the Assembly's legal adviser which summarised papers he and the Secretariat had prepared on the issue. Two main issues emerged:-

i) an **overlap** between the interests set out in the Annex to Standing Order 4 (to which the criminal and civil sanctions of Section 72 of the Government of Wales Act 1998 would apply) and the interests set out in paragraph 2 of the Assembly's Resolution of 19 May 1999 (which had no sanctions to back them up). The Committee agreed that the Resolution should be amended to exclude those interests that must be registered under Standing Order 4.

ii) whether **Members should continue to be required to declare Indirect Interests**. It agreed that the requirements should be specific to include children and a robust definition of "partner"; Members should continue to be required to register and declare interests of partners and children; these should be included in all of the relevant categories listed in the Annex to Standing Order 4. Interests of other relationships could be declared on a voluntary basis, as could non-pecuniary interests.

3. A draft revision of the Annex to Standing Order 4, STD 02-01(5) has been prepared which: -

- revokes paragraph 2 of the Assembly's resolution of 19th May 1999,
- contains a detailed definition of partner, and
- clarifies that the interests of a partner and or child must also be registered.

4. The proposed changes will need to be mirrored in the Guidance on registration and Declaration of Members Interests. A draft, STD 02-01(6), has been prepared for this purpose.

5. In addition, the Legal Adviser has also suggested that the Committee may wish to consider whether the provisions for "partners and dependent children" need also apply Standing Order 4.7, Prohibition of Voting.