

CERITH D. RHYS JONES

The Rt. Hon. The Baroness Primarolo DBE PC
Chair, National Assembly for Wales Remuneration Board
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

**Re: Consultation on proposals for Residential
Accommodation Expenditure and the Remuneration
of Committee Chairs**

Friday 15 July 2016

Dear Baroness Primarolo,

I refer to the consultation recently published by the National Assembly for Wales Remuneration Board's proposals for residential accommodation expenditure and the remuneration of Committee chairs.

In the consultation document, you refer to the Board's duty under section 3(2)b of the National Assembly for Wales (Remuneration) Measure 2010 to provide 'Assembly members with resources which are adequate to enable them to exercise their functions as Assembly members'. You also refer to your duty under section 3(2)c of the Measure to ensure 'probity, accountability, value for money and transparency with respect to the expenditure of public funds'.

You have explained that the current arrangements do not allow for remuneration to be provided for those Assembly members who do not reside in Wales and that there is no requirement under the Government of Wales Act 2006 or any other legislation that Assembly members reside in any particular location either at the point of election or subsequently.

While I appreciate that Assembly members are not required to reside in Wales at the point of election or subsequently, or for that matter at the point of nomination, I do not believe that it would in the spirit of probity and accountability required under the Measure that an Assembly member who resides outside of Wales be remunerated for the cost of residing in Wales for the purpose of exercising her or his functions as an Assembly member.

While your proposal that Members' Business Support be authorised to determine when a 'borderline' case is reasonable seems sensible, and this could be extended to those Assembly members do not reside in Wales but could be considered 'borderline', I cannot see how it could be considered reasonable that an Assembly member who lives, for example, in excess of 25 miles from the Welsh border be remunerated for that purpose. In any case, an Assembly member who resides within 25 miles of the Welsh border could be considered to live in the 'intermediate' area.

Once could argue that an Assembly member who lives in the Ynys Môn constituency could be remunerated accordingly, and an Assembly member who lives the same distance from the National Assembly, but in England, should be remunerated in the same way. However, in the interests of accountability to the public, I do not believe that to do that would be justifiable.

While there is no statutory requirement that an Assembly member reside in Wales, I am of the opinion that there is a moral argument that they do. In order to be accountable to one's electors, it is not unreasonable that an Assembly member in her or his constituency or region.

That being said, if you are able to define how the application of the principles of reasonableness, accountability and value for money would look if the 'outer' area were extended to mean the rest of the United Kingdom, I could be minded to support the proposal. If such a definition is not possible, or if it is unreasonable, then I would be of the view that the proposal not be applied.

Furthermore, though this is not within the Board's competence, I wish to put on record to you my view that the relevant legislation ought to be amended such that an Assembly member is required to reside in Wales at the point of, or subsequent to, election. In that case, I would be relaxed about the idea of an Assembly member being remunerated reasonably for the cost of moving to Wales.

Yours sincerely

Cerith D. Rhys Jones

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Cc. Julie Morgan AM, Assembly member for Cardiff North (email: julie.morgan@assembly.wales)