

STANDING ORDER 16 - Standards of Conduct Committee

Title and Terms of Reference

16.1 There is to be a Committee on Standards of Conduct, which must:

- (i) investigate, report on and, if appropriate, recommend action in respect of any complaint referred to it by the Commissioner for Standards that a Member has not complied with:
 - (a) Standing Order 31;
 - (b) any Assembly resolution relating to the financial or other interests of Members;
 - (c) Standing Order 32;
 - (d) any Assembly resolution relating to Members' standards of conduct; or
 - (e) any code or protocol made under Section 36(6) of the Act.
- (ii) consider any matters of principle relating to the conduct of Members generally;
- (iii) supervise the arrangements for the compilation, maintenance and accessibility of the Register of Members' Interests and the Record of Membership of Societies, and the form and content of the Register and the Record;
- (iv) present an annual report to the Assembly on the complaints made under Standing Order 16.1(i), and the action taken in consequence, and on its conclusions in respect of ethical standards in the conduct of the Assembly's business; and
- (v) establish and lay before the Assembly procedures for the investigation of complaints under Standing Order 16.1 (i).

Membership

16.2 The Presiding Officer must not be a member of the Committee, but is entitled to submit papers to it, for the purpose of drawing to its attention such considerations as he or she considers appropriate.

16.3 Subject to Standing Order 16.4, standing order 10.42 shall not apply to the Committee on Standards of Conduct.

- 16.4 Where a member of the Committee is subject to a complaint under Standing Order 16.1 he or she must take no part in any consideration of the complaint by the Committee. In such circumstances, and in relation solely to the consideration of the complaint concerned, another Member from the same political group, who has been nominated in advance by the Leader of that group, may replace that member. The nominated Member may participate in the meetings of the Committee to consider the complaint as if he or she were a member of it. No Member may replace more than one Committee member at a meeting.

Meetings

- 16.5 The Committee must meet as soon as possible after a complaint has been referred to it by the Commissioner for Standards; and at other times as convened by the chair.
- 16.6 The Committee may meet in public or in private, but when deliberating upon a complaint, the Committee must meet in private unless it resolves otherwise.
- 16.7 Any Member who is the subject of an investigation by the Committee must be permitted to make oral or written representations to it and may be accompanied at oral hearings by another person (who may participate in the proceedings with the permission of the chair, but may not vote).

Reports

- 16.8 If the Committee has investigated a complaint referred to it by the Commissioner for Standards, it must report to the Assembly as soon as possible after completion of the investigation.
- 16.9 A report under Standing Order 16.8 may include a recommendation to censure a Member for failing to comply with any of the matters encompassed within Standing Order 16.1 (i).
- 16.10 If a motion to consider a report under Standing Order 16.8 is tabled by a member of the Committee, time must be made available as soon as possible for the motion to be debated. No amendment may be made to such a motion.