

Comisiynydd Safonau
Commissioner for Standards

Cynulliad
Cenedlaethol
Cymru
National
Assembly for
Wales



Standards of Conduct Committee

SOC(4)-06-13: Paper 1

Note for Meeting to be held on 22 October 2013

To: Mick Antoniw, Chair, Committee for Standards of Conduct

From: Gerard Elias QC, Commissioner

- 1 Further to the helpful paper on Registration & Declaration of Interests tabled by Gareth Rogers for the last Committee Meeting, may I submit this note as a bullet point aide memoire for discussion.
- 2 I envisage that the Committee on Standards may invite me to go out to consultation with Members, Assembly Officials & other interested parties in relation to any proposed changes to the system for Registration or Declaration of Interests.
- 3 In this event, it would be helpful to have a “steer” from the Committee in at least some of the areas highlighted by Gareth Rogers and I have set out below a list, with the briefest comment to provide discussion points, of what seem to me to be the more important areas.
- 4 The Committee will also wish to bear in mind that the Greco Report of March 2013 makes certain specific recommendations in this area which deserve consideration – I have listed these also below.

Gareth Rogers’ Paper (Annex A)

It is perhaps worth keeping in mind the principle behind Registration and Declaration, namely (as Greco puts it)

“The main purpose of the Register is to give public notification on a continuous basis of those financial interests/material benefits held by Members which might be thought to influence their parliamentary conduct or actions.”

Category (ii) Remunerated Employment, Office, Trade, Profession, etc.
(Para 10 - 13)

- Why should pension income not be included?

Category (v) Contracts with the Assembly
(Para 14 - 18)

- “Member’s knowledge”
- Limit? Gift limit is £270

Category (vi) financial sponsorship
(Para 17 - 20)

- How are “contributions” to be considered – to the member, the party, etc etc..?
- Is not the aim, transparency, to catch the significant individual or corporate donors, however it is dressed up?

Category (ix) shareholdings
(Para 21 - 23)

- Blind trusts – what is the purpose of registration of these?
- Share options – is not the value of an option at any given time, the buy or sell value of the exercised option? If so, should this not be explicitly stated in the Rules?

Category (x) Public Bodies
(Para 24 - 28)

- “Membership” - need for clarity of definition? If so, what?

Registration of Dependent Children
(Para 30 - 32)

- Dependent Children – NA only UK parliament to require this.
- Age limit?
- Private life versus need for openness re any remuneration received as a result of a Member’s influence/ activities etc.?

Receipt of public funds by Members
(Para 33 - 35)

- Receipt of public money - should they be registered separately irrespective of whether they are already to be found e.g. in employment already registered?

Agreements for the Provision of Services - SO2.12
(Para 36 - 38)

- It is thought this rule has never been used - is it being breached/ is it necessary?

Declarations of Interests
(Para 39 - 41)

- Is the wording fit for purpose in 2013?

General

- The paper highlights the need for AMs to clearly understand their personal responsibility in this area, whatever advice they may or may not have taken. If in doubt, Register! Is this agreed and does it need to be underlined further?

Greco Report March 2013 (Annex B)

Para 41 - **“Greco recommends that consideration be given to lowering the thresholds for reporting financial holdings”.**

- Note this was directed principally at London, albeit with invitation to Wales, S & NI to take action:
- Currently - Commons £66k/Lords £50k/NAW £27k/NI £21.5k/Scotland ££29k

Para 46 - **“consideration be given to lowering the current thresholds for registering accepted gifts”**

- Again directed principally at Commons £660/ Lords £500 and Scotland £575. Report notes that Wales and NI are markedly lower (£270 & £215) but compares this with limit of UK Ministers £140.
- Just a thought - a gift of £270 equates to approaching 10 times the national minimum wage.

Gerard Elias QC, Commissioner for Standards 24.09.13