



National Assembly for Wales Commissioner for Standards Measure 2009

2009 nawm 4

Investigation of Complaints

10 Investigation of Complaints by the Commissioner

- (1) The Commissioner must investigate complaints and must, subject to subsection (3), report to the [F¹Senedd] on the outcome of investigations, in accordance with—
 - (a) the provisions of the Standing Orders, and
 - (b) any rules relating to the consideration of complaints against [F²Members of the Senedd] which have been adopted by the [F¹Senedd] under the Standing Orders.
- (2) Subject to subsection (1), it is for the Commissioner to decide when and how to carry out an investigation and to report on its outcome.
- (3) The Commissioner may, in such circumstances as may be prescribed by rules referred to in subsection (1)(b), dismiss a complaint summarily without reporting on it to the [F¹Senedd] but must instead notify in writing the [F³Member of the Senedd] in question and the person who made the complaint, giving reasons for the dismissal.
- (4) A report by the Commissioner to the [F¹Senedd] on the outcome of an investigation may not include any recommendation as to what sanction, if any, should be imposed on the [F³Member of the Senedd] in question.
- (5) If, in the course of carrying out an investigation, the Commissioner becomes aware of any circumstances which—
 - (a) give rise to issues of principle or of general practice relevant to the Clerk's functions under section 138 of the Act (Clerk to be the principal accounting officer for the Commission), or

Changes to legislation: National Assembly for Wales Commissioner for Standards Measure 2009, Section 10 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (b) could, upon further consideration by the Clerk, give rise to a duty on the Clerk under section 9,
the Commissioner must communicate those circumstances in writing to the Clerk.

Textual Amendments

- F1** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [Sch. 1 para. 3\(12\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
- F2** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [Sch. 1 para. 3\(10\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
- F3** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [Sch. 1 para. 3\(9\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
-

Commencement Information

- I1** [S. 10](#) comes into force in accordance with s. 21(2)(b)(3)

Changes to legislation:

National Assembly for Wales Commissioner for Standards Measure 2009, Section 10 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 10 coming into force by [2009 nawm 4 s. 21\(2\)\(b\)\(3\)](#)

Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

- Measure words substituted by [2020 anaw 1 Sch. 1 para. 3\(11\)](#) (This amendment not applied to [legislation.gov.uk](#). The words "an Assembly" which were to be substituted by Sch. 1 para. 3(11) no longer appear in the Measure following the application of the amendments by Sch. 1 para. 3(8)-(10).)

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- Sch. 1 para. 1(d) word omitted by [2024 asc 4 s. 10\(13\)\(a\)\(i\)](#)
- Sch. 1 para. 1(d) words substituted by [2024 asc 4 s. 10\(13\)\(a\)\(ii\)](#)
- Sch. 1 para. 3 words substituted by [2024 asc 4 s. 10\(13\)\(b\)](#)