
WELSH STATUTORY INSTRUMENTS

2016 No. 84

**The Local Authorities (Model Code of
Conduct) (Wales) (Amendment) Order 2016**

Amendment of the Schedule to the 2008 Order

2.—(1) The model code in the Schedule to the 2008 Order is amended as follows.

(2) In Part 1—

(a) in paragraph 1(1), at the appropriate place insert—

““register of members’ interests” (“*cofrestr o fuddiannau’r aelodau*”) means the register established and maintained under section 81 of the Local Government Act 2000;”;

(b) for paragraph 1(2) substitute—

“(2) In relation to a community council—

(a) “proper officer” (“*swyddog priodol*”) means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972(1); and

(b) “standards committee” (“*pwyllgor safonau*”) means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.”

(3) In Part 2—

(a) in paragraph 3(a) omit “police authority or”;

(b) in paragraph 6(1)(c) omit “to the Public Services Ombudsman for Wales and”.

(4) In Part 3—

(a) omit paragraph 10(2)(b);

(b) in paragraph 11(4), after “monitoring officer” insert “, or in relation to a community council, your authority’s proper officer”;

(c) for paragraph 12(2)(b)(iv) substitute—

“(iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011(2), or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989(3);”;

(d) in paragraph 14—

(i) in sub-paragraph (1), after “sub-paragraphs (2),” insert “(2A),”;

(ii) after sub-paragraph (2) insert—

(1) 1972 c. 70.
(2) 2011 nawm 4.
(3) 1989 c. 42.

“(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.”

(5) In Part 4—

(a) for paragraph 15 substitute—

“Registration of Personal Interests

15.—(1) Subject to sub-paragraph (4), you must, within 28 days of—

- (a) your authority’s code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or
- (b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority’s register of members’ interests by providing written notification to your authority’s monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority’s register of members’ interests by providing written notification to your authority’s monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority’s register of members’ interests by providing written notification to your authority’s monitoring officer, or in the case of a community council to your authority’s proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority’s register of members’ interests by providing written notification to your authority’s monitoring officer, or in the case of a community council to your authority’s proper officer.”;

(b) in paragraph 16(2), after “monitoring officer” insert “, or in relation to a community council, your authority’s proper officer”;

(c) in paragraph 17, after “monitoring officer” insert “, or in relation to a community council, to your authority’s proper officer”.

Commencement Information

II Art. 2 in force at 1.4.2016, see **art. 1(1)**

Changes to legislation: There are currently no known outstanding effects for the The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016, Section 2. (See end of Document for details)

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