

Ministerial Interests (Emergency Powers) Bill

[AS INTRODUCED]

CONTENTS

- 1 Statements to Parliament
- 2 Extent, commencement and short title

[AS INTRODUCED]

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B I L L

TO

Require a Minister to make an oral statement to Parliament if a contract is awarded under emergency statutory powers to a person in whom, or a company in which, a Minister has a personal, political or financial interest.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Statements to Parliament

- (1) This section applies if the conditions in subsections (2) and (3) are met.
- (2) The condition in this subsection is that a public contract is awarded by a relevant authority under the powers in regulation 32(2)(c) (use of the negotiated procedure without prior publication: extreme urgency brought about by events unforeseeable by the contracting authority) of the Public Contracts Regulations 2015 (S.I. 2015/102). 5
- (3) The condition in this subsection is that a person who is, or who at the time the contract was awarded was, a Minister of the Crown has, or at the time the contract was awarded had, a personal, political or financial interest in the contract. 10
- (4) If this section applies, a relevant Minister must, as soon as reasonably practicable, make an oral statement to each House of Parliament.
- (5) In this section—
 - a “personal, political or financial interest” means an interest— 15
 - (a) declared to the Permanent Secretary under section 7 of the Ministerial Code,
 - (b) declared in the Register of Members' Financial Interests,
 - (c) declared in the Register of Lords' Interests, or
 - (d) not so declared but which may reasonably be considered to give rise to a conflict or perception of a conflict of interest; 20
 - a “relevant authority” means a United Kingdom Government Department or a non-departmental public body thereof;
 - a “relevant Minister” means—

- (a) if the relevant authority is a Department, a Minister in that Department,
 - (b) if the relevant authority is a non-departmental public body, a Minister in the Department responsible for that body,
 - (c) the Minister who had or has the personal, political or financial interest in the public contract, or 5
 - (d) if there is more than one such Minister, a such Minister.
- (6) Nothing in this Act prevents a Minister of the Crown making a statement to Parliament about a public contract over which a conflict of interest may be perceived before that contract is awarded. 10

2 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Ministerial Interests (Emergency Powers) Act 2022. 15

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