

Ministerial Code (Enforcement) Bill

[AS INTRODUCED]

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Make provision about the enforcement of the Ministerial Code; and for connected purposes.

BE IT ENACTED by the King'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 Parliamentary approval of the Ministerial Code

- (1) The Prime Minister must, within three months of the passing of this Act and annually thereafter, lay before Parliament a copy of the Ministerial Code for approval by resolution of each House.
- (2) If the Ministerial Code has not been approved by each House within three months of its being laid before Parliament, the Prime Minister must lay a revised copy of the Ministerial Code before Parliament for approval by each House. 5
- (3) In this Act, “the Ministerial Code” means a document setting out the standards of conduct expected of Ministers of the Crown. 10

2 Appointment of Commissioner for the Ministerial Code

- (1) The Prime Minister must appoint a Commissioner for the Ministerial Code.
- (2) The Prime Minister may not appoint a Commissioner under subsection (1) unless that appointment has been approved by resolution of each House.
- (3) The person appointed under this section must have been selected by the Prime Minister on merit on the basis of fair and open competition. 15
- (4) The principal duties of the Commissioner shall be—
 - (a) to investigate, if they think fit, specific matters that have come to their attention relating to Ministers' compliance with the Ministerial code;
 - (b) to monitor the operation of the Ministerial Code and to make recommendations to the Prime Minister thereon. 20

3 Reports by the Commissioner

- (1) Where the Commissioner has investigated a matter under section 2(4)(a), they must prepare a report on their investigation and send a copy to the Prime Minister.
- (2) The Prime Minister must lay before Parliament a copy of any report prepared under subsection (1). 5
- (3) A report prepared under subsection (1) may—
 - (a) in the case of a report relating to any Minister other than the Prime Minister, recommend to the Prime Minister that the Minister be dismissed; 10
 - (b) in the case of a report relating to the Prime Minister, recommend that the Prime Minister resigns; or
 - (c) make any other recommendation to the Prime Minister that the Commissioner considers appropriate.
- (4) Where the Commissioner makes a recommendation to the Prime Minister under section 2(4)(b), they must prepare a report containing the recommendation and any other material they consider relevant and send a copy to the Prime Minister. 15
- (5) The Prime Minister must lay before Parliament a copy of any report prepared under subsection (4). 20

4 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 Code (Enforcement) Act 2023.

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*Presented by Owen Thompson
supported by*

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