

Elected Representatives (Codes of Conduct) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Provide for a statutory code of conduct for Ministers of the Crown; for a statutory code of conduct for members of the House of Commons and members of the House of Lords; for a statutory code of conduct for councillors in England; 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 Ministerial Code of Conduct

- (1) The Prime Minister must, within three months of the passing of this Act and annually thereafter, lay before Parliament a code of conduct for Ministers of the Crown (“the Ministerial Code”) for approval by resolution of each House.
- (2) The Ministerial Code must include— 5
 - (a) provision about the registration and disclosure of interests, including pecuniary interests,
 - (b) a requirement to adhere to the Seven Principles of Public Life published by the Committee on Standards in Public Life,
 - (c) restrictions on the paid roles that Ministers may take up after ceasing to hold ministerial office. 10
- (3) The Ministerial Code must include provision about the appointment of an independent commissioner on ministerial standards— 15
 - (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.
- (4) 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. 20

2 Code of Conduct for Members of the House of Commons

- (1) The Leader of the House of Commons must, within three months of the passing of this Act and annually thereafter, lay before the House of Commons a code of conduct for Members of the House of Commons (“the Commons Code of Conduct”) for approval by resolution of the House of Commons. 5
- (2) The Commons Code of Conduct laid under subsection (1) must include—
 - (a) provision about the registration and disclosure of interests, including pecuniary interests,
 - (b) a requirement to adhere to the Seven Principles of Public Life published by the Committee on Standards in Public Life. 10
- (3) The Commons Code of Conduct must include provision about the appointment of an independent commissioner for standards—
 - (a) to investigate, if they think fit, specific matters that have come to their attention relating to compliance with the Commons Code of Conduct;
 - (b) to monitor the operation of the Commons Code of Conduct and to make recommendations to the Leader of the House of Commons thereon. 15
- (4) Before laying the Code of Conduct under subsection (1), the Leader of the House of Commons must consult the House of Commons Committee on Standards. 20

3 Code of Conduct for Members of the House of Lords

- (1) The Leader of the House of Lords must, within three months of the passing of this Act and annually thereafter, lay before the House of Lords a code of conduct for Members of the House of Lords (“the Lords Code of Conduct”) for approval by resolution of the House of Lords. 25
- (2) The Lords Code of Conduct laid under subsection (1) must include—
 - (a) provision about the registration and disclosure of interests, including pecuniary interests,
 - (b) a requirement to adhere to the Seven Principles of Public Life published by the Committee on Standards in Public Life. 30
- (3) The Lords Code of Conduct must include provision about the appointment of an independent commissioner for standards—
 - (a) to investigate, if they think fit, specific matters that have come to their attention relating to compliance with the Lords Code of Conduct;
 - (b) to monitor the operation of the Lords Code of Conduct and to make recommendations to the Leader of the House of Lords thereon. 35
- (4) Before laying the Code of Conduct under subsection (1), the Leader of the House of Lords must consult the House of Lords Conduct Committee.

4 Code of conduct for councillors in England

- (1) In section 27 of the Localism Act 2011, omit paragraphs (6)(a) to (6)(d), (6)(l) and (6)(n). 40

- (2) The Secretary of State must by regulations provide for a code of conduct for members and co-opted members of—
- (a) a county council in England,
 - (b) a district council,
 - (c) a London borough council, 5
 - (d) a parish council,
 - (e) a joint authority established by Part 4 of the Local Government Act 1985, and
 - (f) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009. 10
- (3) Regulations under subsection (2) must—
- (a) make provision about the registration and disclosure of interests, including pecuniary interests,
 - (b) provide for a code which is, when viewed as a whole, consistent with the following principles— 15
 - (i) selflessness;
 - (ii) integrity;
 - (iii) objectivity;
 - (iv) accountability;
 - (v) openness; 20
 - (vi) honesty;
 - (vii) leadership.
 - (c) make provisions for arrangements under which—
 - (i) allegations of breaches of the code of conduct can be investigated, and 25
 - (ii) decisions on such allegations can be made.
- (4) In this section, “co-opted member” means a person who is not a member of the council but who—
- (a) is a member of any committee or sub-committee of the council, or
 - (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, 30
- and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

5 Extent, commencement and short title

- (1) Sections 1 to 3 extend to England and Wales, Scotland and Northern Ireland. 35
- (2) Section 4 extends to England and Wales.
- (3) This Act comes into force on the day on which it is passed.
- (4) This Act may be cited as the Elected Representatives (Codes of Conduct) Act 2023.

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