

HOUSE OF LORDS

Committee for Privileges and Conduct

1st Report of Session 2015–16

**Guidance to
members on
accepting gifts,
benefits and
hospitality**

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The Committee for Privileges and Conduct

The Committee for Privileges and Conduct is appointed each session by the House to consider questions regarding its privileges and claims of peerage and precedence and to oversee the operation of the Code of Conduct.

Detailed consideration of matters relating to the Code of Conduct is undertaken by the Sub-Committee on Lords' Conduct.

Current membership

The members of the Committee for Privileges and Conduct are:

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The members of the Sub-Committee on Lords' Conduct are:

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The Code of Conduct and the up-to-date Register of Lords' Interests are on the internet at <http://www.publications.parliament.uk/pa/ld/ldreg.htm>

General information

General information about the House of Lords and its committees can be found at <http://www.parliament.uk/business/lords>

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Guidance to members on accepting gifts, benefits and hospitality

1. In this report we provide guidance to members on how the Code of Conduct and Guide to the Code of Conduct relate to the acceptance of gifts, benefits and hospitality.¹ This report does not recommend new rules; rather it sets out in one place how various existing provisions in the Code and Guide cover the acceptance of gifts, benefits and hospitality. We trust this will be useful to members in considering whether to accept such an offer. In providing guidance this report also addresses a recommendation made by the Council of Europe Group of States against Corruption.²

Ban on accepting gifts etc. in return for parliamentary advice or services

2. It is prohibited for a member to accept a gift, a benefit or hospitality of any value in return for providing parliamentary advice or services or exercising parliamentary influence.³ This means a member may not, for example, accept a gift in return for participating in proceedings of the House, approaching a minister or giving advice on how organisations may influence the work of Parliament.⁴

Accepting gifts etc. from lobbyists

3. Many outside organisations play an important role in informing members of the House of Lords. However, some lobbying can give rise to a suspicion of improper influence over Parliament. Members should have regard to such public perceptions.⁵ The risk of lobbyists having improper influence over members is heightened if members are in receipt of significant gifts, benefits or hospitality from lobbyists. Accordingly, the Guide to the Code advises: “Members should decline all but the most insignificant or incidental hospitality, benefit or gift offered by a lobbyist.”⁶

Registering other gifts etc. arising from membership

4. Subject to the prohibitions set out above, members are permitted to accept gifts, benefits or hospitality which relate substantially to membership of the House provided that any gift etc. of a value greater than £140 is registered in

¹ In this report references to the Code of Conduct and Guide to the Code of Conduct are to the fourth edition (May 2015; HL Paper 3 of session 2015–16).

² In 2012 GRECO published its fourth-round evaluation report on “Corruption prevention in respect of members of Parliament, judges and prosecutors” in the United Kingdom. The report had five recommendations relating to the House of Lords. In December 2014 GRECO published a report on the UK’s compliance with those recommendations. The compliance report found that the UK had complied with all the recommendations relating to the House of Lords except part of one, which was to provide guidance to members on the acceptance of gifts. This report to the House addresses that outstanding part-recommendation.

³ Paragraph 8(c) and (d) of the Code of Conduct.

⁴ Paragraphs 20 and 22 of the Guide to the Code.

⁵ Paragraph 33 of the Guide to the Code.

⁶ Paragraph 34 of the Guide to the Code.

the Register of Lords' Interests. This includes gifts etc. received from the same source in a calendar year (i.e. January–December) which cumulatively are of a value greater than £140. It also includes gifts etc. given to a member's spouse or partner, if the gift etc. substantially relates to membership of the House. Gifts, benefits and hospitality should be registered within one month of receipt. They remain on the Register for a year.⁷

Declaring gifts etc.

5. Members are required orally to declare gifts, benefits or hospitality if they are relevant to business before the House.⁸ Occasionally a gift etc. may not be registrable but, because it is relevant to a debate, it should be declared. Even if a gift etc. is on the Register, if it is relevant to a debate it should be declared during that debate.
6. The requirement to declare gifts etc. applies to members when serving on select committees⁹ and when communicating with ministers or officials.

Gifts offered when hosting banqueting functions

7. Members hosting banqueting functions in the House of Lords are permitted to accept a small non-monetary gift from the event organiser provided the value of the gift does not exceed £25.¹⁰

Members' staff to register gifts etc.

8. Members' staff who have a parliamentary photo-pass or email address are required to register in the Register of Members' Staff Interests any gift or benefit valued over £140 which relates to or arises from the individual's work in Parliament. This includes gifts etc. received from the same source in a calendar year (i.e. January–December) which cumulatively are of a value greater than £140. It does not apply to gifts etc. given by the member who sponsors the individual.¹¹

Advice from the Registrar

9. The Registrar of Lords' Interests is available to advise members on the rules and guidance in this report. Members are encouraged to consult the Registrar if in doubt. A member who acts on the advice of the Registrar in deciding whether to register or declare a gift, benefit or hospitality satisfies fully the requirements of the Code of Conduct in that regard.¹²

⁷ Further details about registering gifts are in paragraphs 76–81 of the Guide to the Code of Conduct.

⁸ Paragraph 10(b) of the Code of Conduct.

⁹ Paragraph 96 of the Guide to the Code.

¹⁰ House Committee, *Banqueting rules* (1st Report, 2014–15, HL Paper 8), rule B.

¹¹ Paragraph 5(c) of the Code of Conduct for House of Lords Members' Staff.

¹² Paragraph 25 of the Code of Conduct.