
STATUTORY INSTRUMENTS

2009 No. 1255

The Standards Committee (Further Provisions) (England) Regulations 2009

PART 3

JOINT STANDARDS COMMITTEES

Establishment and functions etc. of joint standards committees

14.—(1) Two or more authorities may establish a joint standards committee to exercise such functions falling within paragraph (2) as may be determined by those authorities.

(2) A joint standards committee may exercise any function conferred by or under Part 3 of the Act or Part 1 of the 1989 Act and subject to paragraph (5), enactments conferring such functions shall be construed accordingly in relation to such a committee and as though any reference to a standards committee were to a joint standards committee.

(3) Any function exercisable by a joint standards committee shall be exercisable only by that committee and not by a standards committee of any of the individual authorities which established that joint committee.

(4) Where a joint standards committee has responsibility for the exercise of all the functions of a standards committee under the enactments mentioned in paragraph (2), that joint standards committee is to be treated as the committee required to be established by section 53(1) of the Act (standards committees)⁽¹⁾ in relation to each authority which established that joint standards committee.

(5) In their application in relation to a joint standards committee, the enactments mentioned in sub-paragraphs (a) to (f) shall have effect in accordance with those sub-paragraphs—

- (a) nothing in Part 3 of the Act or in any regulations made under that Part, shall require a joint standards committee to give any notification or document relating to an allegation of misconduct to any parish council except where that joint standards committee is considering a matter relating to a member of that parish council;
- (b) nothing in any regulations made under Part 3 of the Act shall authorise the inclusion, in the membership of the joint standards committee, of a member of the executive of more than one of the authorities which has established the joint standards committee;
- (c) section 53(4)(a) of the Act shall be treated as requiring at least one member from each authority establishing the joint standards committee to be a member of the joint standards committee;
- (d) regulation 5(1) of the Standards Committee (England) Regulations 2008⁽²⁾ shall be treated as authorising the authorities establishing the joint standards committee to appoint independent members separately or jointly in accordance with the terms of reference agreed under regulation 15 of these Regulations, and—

(1) There has been an amendment to section 53 which is not relevant to these regulations.

(2) [SI 2008 No. 1085](#).

- (i) if such appointments are made separately, the requirements of regulation 5(1) apply in respect of each authority;
- (ii) if such appointments are made jointly, the requirements of regulation 5(1) apply in respect of the authorities jointly;
- (e) regulation 7(3) of the Standards Committee (England) Regulations 2008 shall be treated as requiring at least one member of any of the authorities establishing the joint standards committee to be present where a joint standards committee discharges any function specified in an enactment mentioned in that provision; and
- (f) regulation 7(4) of the Standards Committee (England) Regulations 2008 shall be treated as requiring at least one member of a parish council for which any of the authorities establishing the joint standards committee is responsible, to be present where a joint standards committee discharges any function specified in an enactment mentioned in that provision.

Terms of reference of joint standards committees

15.—(1) All of the authorities which together establish a joint standards committee must agree the terms of reference of the joint standards committee and must send a statement which sets out those terms of reference and any revision of those terms of reference, to the Standards Board.

- (2) The terms of reference specified in paragraph (1) must—
 - (a) identify the functions which are to be discharged by the joint standards committee;
 - (b) make provision for the administrative arrangements of the joint standards committee;
 - (c) specify, for each authority that is involved in the establishment of the joint standards committee, which committee is the standards committee to which written allegations under section 57A(1) of the Act may be sent;
 - (d) specify the number of members to be appointed to the joint standards committee by the authorities establishing that committee and make provision for the terms of office of those members;
 - (e) make provision for the appointment of members, by the joint standards committee, to sub-committees of that committee;
 - (f) specify what provision is made for the payment of allowances to members of the joint standards committee;
 - (g) make provision for the procedure for an authority to withdraw from the joint standards committee upon service of notice.

(3) The expenses incurred by a joint standards committee shall be defrayed by the authorities establishing that committee in such proportions as they may agree or in case of disagreement by a single arbitrator agreed on by the appointing authorities.