

WELSH STATUTORY INSTRUMENTS

**2001 No. 2276 (W.166)**

**LOCAL GOVERNMENT, WALES**

**The Conduct of Members (Principles) (Wales) Order 2001**

*Made* - - - - - *21st June 2001*

*Coming into force* - - - - - *28 July 2001*

The National Assembly for Wales makes the following Order in exercise of the powers conferred upon it by sections 49(2) and 105(1) of the Local Government Act 2000(1).

**Modifications etc. (not altering text)**

- C1** Order applied (with modifications) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012 \(S.I. 2012/2734\)](#), regs. 1(1), 3-6, **Sch. Pt. 3**

**Citation, commencement and application**

1.—(1) This Order may be cited as the Conduct of Members (Principles) (Wales) Order 2001 and shall come into force on 28 July 2001.

(2) This Order applies to each relevant authority in Wales.

**Commencement Information**

- II** [Art. 1](#) in force at 28.7.2001, see [art. 1\(1\)](#)

**Interpretation**

2. In this Order—

“co-opted member” (“*aelod cyfetholedig*”), in relation to a relevant authority, means a person who is not a member of the authority but who—

- (a) is a member of any committee or sub-committee of the authority, or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee;

“member” (“*aelod*”) includes a co-opted member; and  
 “relevant authority” (“*awdurdod perthnasol*”) means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,
- (ca) [<sup>F1</sup>a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1),]
- (d) [<sup>F2</sup>a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, and]
- (e) a National Park authority established under section 63 of the Environment Act 1995<sup>(2)</sup>.

**F1** Words in art. 2 inserted (5.8.2022) by [The Conduct of Members \(Principles\) \(Wales\) \(Amendment\) Order 2022 \(S.I. 2022/805\)](#), arts. 1(2), **2**

**F2** Words in art. 2 substituted (25.10.2005) by [The Fire and Rescue Services Act 2004 \(Consequential Amendments\) \(Wales\) Order 2005 \(S.I. 2005/2929\)](#), arts. 1(1), **55**

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**Commencement Information**

**I2** [Art. 2](#) in force at 28.7.2001, see [art. 1\(1\)](#)

**Principles governing conduct of members of relevant authorities**

**3.** The principles which are to govern the conduct of members of a relevant authority in Wales are set out in the Schedule to this Order.

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**Commencement Information**

**I3** [Art. 3](#) in force at 28.7.2001, see [art. 1\(1\)](#)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(3)</sup>.

*D. Elis-Thomas*  
 The Presiding Officer of the National Assembly

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<sup>(2)</sup> 1995 c. 25.  
<sup>(3)</sup> 1998 c. 38.

## SCHEDULE

Article 3

### THE PRINCIPLES

#### *Selflessness*

1. Members must act solely in the public interest. They must never use their position as members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

#### **Commencement Information**

**I4** Sch. para. 1 in force at 28.7.2001, see **art. 1(1)**

#### *Honesty*

2. Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

#### **Commencement Information**

**I5** Sch. para. 2 in force at 28.7.2001, see **art. 1(1)**

#### *Integrity and Propriety*

3. Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

#### **Commencement Information**

**I6** Sch. para. 3 in force at 28.7.2001, see **art. 1(1)**

#### *Duty to Uphold the Law*

4. Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

#### **Commencement Information**

**I7** Sch. para. 4 in force at 28.7.2001, see **art. 1(1)**

#### *Stewardship*

5. In discharging their duties and responsibilities members must ensure that their authority's resources are used both lawfully and prudently.

**Changes to legislation:** There are currently no known outstanding effects for the *The Conduct of Members (Principles) (Wales) Order 2001*. (See end of Document for details)

**Commencement Information**

**I8** Sch. para. 5 in force at 28.7.2001, see **art. 1(1)**

*Objectivity in Decision-making*

6. In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, members must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

**Commencement Information**

**I9** Sch. para. 6 in force at 28.7.2001, see **art. 1(1)**

*Equality and Respect*

7. Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.

**Commencement Information**

**I10** Sch. para. 7 in force at 28.7.2001, see **art. 1(1)**

*Openness*

8. Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

**Commencement Information**

**I11** Sch. para. 8 in force at 28.7.2001, see **art. 1(1)**

*Accountability*

9. Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

**Commencement Information**

**I12** Sch. para. 9 in force at 28.7.2001, see **art. 1(1)**

### *Leadership*

**10.** Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority’s statutory officers and its other employees.

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**Commencement Information**

**I13** Sch. para. 10 in force at 28.7.2001, see **art. 1(1)**

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### **EXPLANATORY NOTE**

*(This note does not form part of the Order)*

Part III of the Local Government Act 2000 (“the Act”) establishes a new ethical framework for local government in Wales.

Section 49(2) of the Act provides that the National Assembly for Wales may by order specify the principles which are to govern the conduct of members and co-opted members of relevant authorities (defined in Article 2 of this Order) in Wales.

Such authorities include (amongst others) county councils, county borough councils and community councils, but do not include police authorities.

This Order specifies the relevant principles.

**Changes to legislation:**

There are currently no known outstanding effects for the The Conduct of Members (Principles) (Wales) Order 2001.