



# National Assembly for Wales Commissioner for Standards Measure 2009

**2009 nawm 4**

## *Investigation of Complaints*

### **10 Investigation of Complaints by the Commissioner**

- (1) The Commissioner must investigate complaints and must, subject to subsection (3), report to the [F<sup>1</sup>Senedd] on the outcome of investigations, in accordance with—
  - (a) the provisions of the Standing Orders, and
  - (b) any rules relating to the consideration of complaints against [F<sup>2</sup>Members of the Senedd] which have been adopted by the [F<sup>1</sup>Senedd] under the Standing Orders.
- (2) Subject to subsection (1), it is for the Commissioner to decide when and how to carry out an investigation and to report on its outcome.
- (3) The Commissioner may, in such circumstances as may be prescribed by rules referred to in subsection (1)(b), dismiss a complaint summarily without reporting on it to the [F<sup>1</sup>Senedd] but must instead notify in writing the [F<sup>3</sup>Member of the Senedd] in question and the person who made the complaint, giving reasons for the dismissal.
- (4) A report by the Commissioner to the [F<sup>1</sup>Senedd] on the outcome of an investigation may not include any recommendation as to what sanction, if any, should be imposed on the [F<sup>3</sup>Member of the Senedd] in question.
- (5) If, in the course of carrying out an investigation, the Commissioner becomes aware of any circumstances which—
  - (a) give rise to issues of principle or of general practice relevant to the Clerk's functions under section 138 of the Act (Clerk to be the principal accounting officer for the Commission), or

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**Changes to legislation:** There are currently no known outstanding effects for the National Assembly for Wales Commissioner for Standards Measure 2009, Cross Heading: Investigation of Complaints. (See end of Document for details)

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- (b) could, upon further consideration by the Clerk, give rise to a duty on the Clerk under section 9,  
the Commissioner must communicate those circumstances in writing to the Clerk.

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**Textual Amendments**

- F1** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [Sch. 1 para. 3\(12\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
- F2** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [Sch. 1 para. 3\(10\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
- F3** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [Sch. 1 para. 3\(9\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
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**Commencement Information**

- I1** [S. 10](#) comes into force in accordance with s. 21(2)(b)(3)

**Changes to legislation:**

There are currently no known outstanding effects for the National Assembly for Wales Commissioner for Standards Measure 2009, Cross Heading: Investigation of Complaints.