



National Assembly for Wales Commissioner for Standards Measure 2009

2009 nawm 4

The [F1Senedd] Commissioner for Standards

Textual Amendments

F1 Word in s. 1 cross-heading substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 3\(2\)](#)

1 The Commissioner

- (1) There is to be a [F2Senedd] Commissioner for Standards (in this Measure referred to as “the Commissioner”).
- (2) The Commissioner is to be appointed by the [F3Senedd].
- (3) A person is not eligible to be appointed as the Commissioner if that person—
 - (a) is [F4a Member of the Senedd],
 - (b) has been [F4a Member of the Senedd] at any time during the period of 2 years prior to the date when the appointment is to take effect,
 - (c) is a member of staff of the [F3Senedd],
 - (d) has been a member of the staff of the [F3Senedd] at any time during the period of 2 years prior to the date when the appointment is to take effect,
 - (e) is a member of the staff of the Welsh ^{F5}... Government, or
 - (f) has been a member of the staff of the Welsh ^{F6}... Government at any time during the period of 2 years prior to the date when the appointment is to take effect.
- (4) The Commissioner is to be appointed for a term of 6 years.

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

- (5) A person who has held office as the Commissioner may not be appointed for a further term (whether consecutive or not).
- (6) A person who has been appointed as the Commissioner may at any time—
- (a) resign by notice given to the [^{F3}Senedd], or
 - (b) be removed from office by the [^{F3}Senedd].
- (7) A person may not be removed from office as the Commissioner under subsection (6) (b) unless—
- (a) the [^{F3}Senedd] so resolves, and
 - (b) if the resolution is passed on a vote, the number of votes cast in favour of the resolution is not less than two thirds of the total number of votes cast.
- (8) The appointment of a person as Commissioner ceases if that person—
- ^{F7}(a)
 - (b) is appointed as, or designated to exercise the functions of, the Counsel General under section 49 of the Act, or
 - (c) is appointed to be a member of the staff of the [^{F3}Senedd] or of the Welsh ^{F8}... Government.

Textual Amendments

- F2** Word in s. 1(1) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), ss. 7, 42\(2\)](#)
- F3** 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\(6\)\(7\)](#))
- F4** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), Sch. 1 para. 3\(8\)](#) (with [Sch. 1 para. 3\(6\)\(7\)](#))
- F5** Word in s. 1(3)(e) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 3\(3\)\(a\)](#)
- F6** Word in s. 1(3)(f) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 3\(3\)\(a\)](#)
- F7** S. 1(8)(a) omitted (with effect in accordance with s. 42(1)(c) of the amending Act) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 35\(3\)](#)
- F8** Word in s. 1(8)(c) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\), Sch. 1 para. 3\(3\)\(b\)](#)

2 Principal aim of the Commissioner

The principal aim of the Commissioner in exercising functions under this Measure is to promote, encourage and safeguard high standards of conduct in the public office of [^{F9}Member of the Senedd].

Textual Amendments

- F9** 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\(6\)\(7\)](#))

Commencement Information

- I1** S. 2 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: The Senedd Commissioner for Standards. (See end of Document for details)

3 Further provision about the Commissioner

The Schedule makes further provision about the Commissioner.

4 Appointment of an Acting Commissioner

- (1) When the office of the Commissioner is vacant or the Commissioner is, for any reason, unable to act, the Assembly may appoint a person to discharge the functions of that office either generally or in relation to such case or class of cases, and until such time, as may be specified by the terms and conditions of such appointment; and a person so appointed is referred to in this section as the “acting Commissioner”.
- (2) The Commissioner and the acting Commissioner may each discharge the functions of the office of the Commissioner at the same time but in relation to different cases.
- (3) A person who is not eligible to be appointed as the Commissioner is not eligible to be appointed as the acting Commissioner.
- (4) A person appointed as the acting Commissioner—
 - (a) may at any time resign by notice given to the Assembly,
 - (b) may at any time be removed from office by the Assembly,
 - (c) ceases to hold office in the circumstances specified in section 1(8)(a), (b) and (c),
 - (d) in other respects, holds office on such terms and conditions as the Assembly may determine, and
 - (e) while holding that appointment is to be treated for all purposes (except those of section 1) as the Commissioner.

Commencement Information

I2 S. 4 comes into force in accordance with s. 21(2)(b)(3)

5 Independence of the Commissioner

Subject to section 19, the Commissioner is not, in the exercise of any functions, to be subject to the direction or control of the Assembly.

Commencement Information

I3 S. 5 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: The Senedd Commissioner for Standards.