

Status: Point in time view as at 06/05/2020.

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

SCHEDULE **W**

(introduced by Section 3)

THE [F¹SENEDD] COMMISSIONER FOR STANDARDS

Textual Amendments

- F1** Word in Sch. heading substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(2\)](#), [Sch. 1 para. 3\(5\)\(a\)](#)

Appointment

- 1 The [F²Senedd] must make arrangements for—
- (a) ensuring that any person to be appointed as Commissioner has been identified by fair and open competition, and
 - (b) settling the terms on which such appointment, when made, is to have effect.

Textual Amendments

- F2** 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\(6\)\(7\)](#))

- 2 Arrangements referred to in paragraph 1, (but not the appointment of the person so identified,) may be delegated by the [F²Senedd], in whole or in part, to the Commission, to the Committee on Standards of Conduct or to the staff of the [F²Senedd] and such arrangements may include the involvement of persons independent of the [F²Senedd].

Textual Amendments

- F2** 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\(6\)\(7\)](#))

Corporation sole

- 3 The person for the time being holding office as [F³Senedd] Commissioner for Standards is to be, by the name of that office, a corporation sole.

Textual Amendments

- F3** Word in Sch. para. 3 substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 3\(5\)\(b\)](#)

Documents

- 4 (1) The application of the seal of the Commissioner is to be authenticated by the signature of—
- (a) the Commissioner, or
 - (b) any person authorised by the Commissioner for that purpose.

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- (2) A document purporting to be duly executed under the seal of the Commissioner or to be signed on the Commissioner's behalf may be received in evidence and, unless the contrary is proved, is to be taken to be so executed or signed.

Financial

- 5 (1) The Commission must—
- (a) pay the Commissioner such salary and any such allowances, and
 - (b) make any such payments towards the provision of superannuation benefits for or in respect of the Commissioner,
- as may be provided for by or under the terms of the Commissioner's appointment.
- (2) The Commission must pay to or in respect of a person who has ceased to hold office as Commissioner such amounts (if any) by way of—
- (a) pension or gratuities, or
 - (b) provision for those benefits
- as may have been provided for by or under the terms of the Commissioner's appointment.
- (3) The Commission must discharge such reasonable liabilities as the Commissioner has lawfully incurred—
- (a) in employing staff,
 - (b) in securing the provision of goods or services, and
 - (c) in relation to the allowances and expenses of persons giving evidence or producing documents.
- (4) Sums required for the making of payments under sub-paragraphs (1) and (2) are to be charged on the Welsh Consolidated Fund.

Staff, goods and services

- 6 (1) The Commissioner may, on such terms as the Commissioner may determine, appoint such staff or secure the provision of such goods or services as the Commissioner considers necessary for assisting in the exercise of the Commissioner's functions.
- (2) The Commissioner may enter into arrangements with any public body or office holder, upon such terms as the Commissioner and such body or office holder may agree, for the provision by that body or office holder of such services as the Commissioner considers necessary for assisting in the exercise of the Commissioner's functions.
- (3) The Commissioner must, when exercising powers under sub-paragraphs (1) and (2) or under section 11(3), have regard to the responsibilities of the Clerk, as principal accounting officer for the Commission, under section 138(3)(a) of the Act.
- (4) The Commissioner must, in relation to any liability which the Commission may be required to discharge under paragraph 5(3), consult the Clerk and must do so—
- (a) if reasonably practicable to do so, before incurring the liability in question,
 - (b) if not, as soon thereafter as is reasonably practicable.
- (5) The Commissioner must have regard to any representations which the Clerk may make when consulted under sub-paragraph (4).

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- (6) The Commissioner's duty to consult the Clerk under sub-paragraph (4) may be discharged in relation to a particular liability either—
- (a) by providing the Clerk with particulars of the liability in question, or
 - (b) by notifying the Clerk that liabilities of a specified description up to a specified total amount may be incurred,
- provided that, where (b) applies, the particular liability in question falls within the description notified and does not, when taken together with any other liabilities to which that notification relates, exceed the total amount notified.

Financial Information

- 7 The Commissioner must provide the Commission with such information about the Commissioner's financial affairs and transactions as the Commission may reasonably require for the purpose of enabling it to comply with any requirement imposed on the Commission by a direction given to the Commission in relation to the Commissioner under section 137(1) and (2) of the Act.

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