

GREATER LONDON AUTHORITY

CODE OF CONDUCT ON THE REGISTRATION AND DECLARATION OF INTERESTS AND THE ACCEPTANCE OF GIFTS AND HOSPITALITY

SECTION A - INTRODUCTION

1 General

1.1 Section 66 of the Greater London Authority Act 1999 provides that the Secretary of State may issue guidance to the Authority on ethical standards. The guidance may deal with the disclosure and registration of interests and voting in cases where the Mayor, Deputy Mayor or any member of the Assembly or other member of an advisory committee or sub committee has an interest in a matter.

1.2 The Secretary of State's has issued Ethical Guidance under section 66 sets out key principles to guide the conduct of members.

1.3 This Code of Conduct sets out the standards which the Assembly have agreed are required of themselves in order to meet the requirements of the Guidance in respect of:

- The registration of interests i.e. the public registration of interests upon election to office and the subsequent recording of any change in circumstances as required by paragraph 18 of the Guidance;
- The declaration of interests i.e. the formal announcement and recording of the existence of an interest when acting as a member of the Assembly as required by paragraph 21 of the Guidance;
- The acceptance of gifts and hospitality as required by paragraph 39 of the Guidance.

2 Responsibility

2.1 It is the responsibility of individual members to comply with the obligations of the Guidance as clarified in this Code. It is important that members understand and are familiar with the rules laid down in this code. Members must assure themselves that they are complying fully with the requirements of the Guidance and the expectations of the Authority as to compliance with the Guidance contained in this code.

2.2 If any member is uncertain about how the rules apply, he or she may consult the Head of Secretariat or the Monitoring Officer. Members may choose to consult their own legal advisers and, on detailed financial and commercial matters, they may wish to seek advice from other relevant professionals.

3 Failure to comply with or contravention of the Guidance or Code

- 3.1 Failure to comply with or contravention of the Guidance or this code may constitute a breach of the Standing Orders of the Authority and could lead to reference of the matter to the Standards Committee of the Authority.
- 3.2 Breaches of this code may constitute maladministration and be the subject of investigations and reports to the Authority by either or both of the Monitoring Officer or the Local Commissioner for Administration.

4 Scope of the Code

- 4.1 This code has been adopted by the Assembly upon the recommendation of the Standards Committee of the Authority and will apply to members of the Assembly. It will also apply to non-members who are appointed to Advisory Committees and Sub-committees of the Assembly. For this purpose the code constitutes the “Code of Conduct for Members of Advisory Committees and Sub-committees” as required by paragraph 49 of the Guidance.
- 4.2 The Mayor has agreed that this code will apply to the members of the Mayor’s Advisory Cabinet to the extent that they are specifically mentioned in this Code.

5. Definitions

- 5.1 In this code the words and phrases listed below shall have the following meanings:

“**connected person**” means any current or former friend, close acquaintance, colleague, or business partner or associate of a member and any former or estranged spouse and former domestic partner.

“**Declarable interest**” - means an interest which a member is required to consider declaring in accordance with the provisions of this code in order to satisfy paragraph 21 of the Guidance.

“**domestic partner**” – in relation to a member means a person, whether of the opposite sex or not, who is living with the member in a relationship similar to that of husband and wife.

“**Member of the family**” – means *[definition to be supplied by the Standards Committee if desired to assist interpretation of Para. 19 of the Guidance]*

“Member of the household” – means *[definition to be supplied by the Standards Committee if desired to assist interpretation of Para. 20 of the Guidance]*;

“member” – includes members of the Assembly and, where applicable, members of Advisory Committees and Sub-Committees of the Assembly and Members of the Mayor’s Advisory Cabinet;

“Monitoring Officer” means the Officer appointed by the Authority under Section 5 of the Local Government and Housing Act 1989;

“registrable interest” – means an interest which under the Guidance and this code is required to be registered;

“Spouse” – in relation to a member means current spouse and does not include a former spouse who is living separately and apart from a member;

“the Guidance” – means the Secretary of State’s Ethical Guidance.

SECTION B - REGISTRATION OF INTERESTS

6. Introduction and purpose of the register

6.1 Paragraph 18 of the Guidance requires that:

- The Greater London Authority should establish a Public Register of Interests.
- The Mayor, Deputy Mayor, Assembly members and members of advisory committees and sub-committees should register all relevant interests, whether financial or non-financial, and any relevant interests of their spouse or domestic partner, and of members of their family.

6.2 This code defines the financial and non-financial interests of members, which might reasonably be thought by others to influence members’ actions, speeches or votes in the Assembly or its committees or sub-committees, or other actions taken in their capacity as members and which are regarded by the Authority as “relevant interests” for the purposes of the Guidance.

7. Whose interests must be registered?

7.1 Paragraph 18 of the Guidance requires the registration of all relevant interests of Assembly Members and all Members of advisory committees and sub-committees.

7.2 In addition to registering their own interests, Members must also list the relevant interests of:

- Their spouses or domestic partner; and
- Members of their family.

7.3 This section of the code also applies to the members of the Mayor's Advisory Cabinet who must register their interests in a Register of Interests of the Mayor's Advisory Cabinet maintained by the Monitoring Officer.

8. The registration process

8.1 Each member must lodge with the Monitoring Officer a written statement in the form set out in Appendix 1 to this code:

- (a) giving details of any registrable interest which he or she has at the date on which he or she lodges the statement with the Monitoring Officer; or
- (b) declaring that he or she has no registrable interest at the date on which he or she lodges the statement with the Monitoring Officer and answering "no" to all the questions in the form.

8.2 The Monitoring Officer must not later than 30 days after a statement of interests is lodged by a member enter in the Register details of the disclosed registrable interests.

8.3 The Monitoring Officer is responsible for keeping the Register up to date. The Monitoring Officer may:

- Amend the Register at any time to take account of changes recorded in any supplementary statement lodged by a member; or
- Add to an entry in the Register a statement to the effect that a member has submitted a statement about an interest ceasing; or
- Alter the Register to correct any clerical or typographical error in any entry.

8.4 The Register will be maintained in a loose-leaf folder in the office of the Monitoring Officer which will be kept in the office of the Head of Legal, Romney House available for inspection by members of the public and members of the GLA upon request. The Register will also be published on the Internet

8.5 Copies of individual entries in the Register will be made available upon request upon payment of a copying fee of [] pence per sheet.

8.6 There is a continuing duty upon members to register changes to existing interests and all new interests.

8.7 The Monitoring Officer will write annually to members reminding them of the continuing requirements of this code but responsibility for

registration lies with members who should not, therefore, wait for a reminder before registering a new interest.

9 When must registration take place?

9.1 Initial registration - not later than 30 days after:

- the date of the declaration of acceptance of office made under Section 28 of the Greater London Authority Act 1999 by the Mayor, Deputy Mayor or Member of the Assembly, or
- in the case of persons who are not Members of the Assembly the date of acceptance of office as a member of an advisory Committee or Sub-committee or the Mayor's Advisory Cabinet.

9.2 Omissions from the Initial or Subsequent Statements – immediately, if after lodging a statement, a member:

- becomes aware that he or she, or any member of his or her family, has a registrable interest in respect of which he or she has not lodged a statement; or
- realises that he or she has an interest which he or she thought did not need to be registered but which is in fact a Registrable Interest.

9.3 New or newly registrable interests - not later than 30 days after the date on which the member:

- (a) acquires an additional registrable interest;
- (b) acquires a registrable interest; or
- (c) becomes aware that an interest which he or she already has changed in nature and consequently become a registrable interest.

10 Voluntary Statements

10.1 A member who has an interest which may be relevant to the exercise of a Mayoral function or proceedings of the Assembly (or as the case may be the Mayor's Advisory Cabinet) but which is not a registrable interest may at any time lodge with the Monitoring Officer a written statement giving details of the interest including the date on which he or she acquired the interest.

10.2 Members may choose to provide details, in the initial statement or subsequently, of any interest which they are not required to register but which they think may be relevant and which they wish to register. [*For example, a member might have an interest which is non-pecuniary or*

which, although not of sufficient value to be defined by the Authority as a registrable Interest, might be thought by others to influence his or her actions in the Assembly]. These interests may be registered under “Category 8: Miscellaneous Interests” of the Schedule to this Code.

11 What interests must be registered

- 11.1 Paragraph 18 of the Guidance requires registration of “all relevant interests, whether financial or non-financial”.
- 11.2 A member will be considered to have complied with the requirements of Paragraph 18 if he or she has registered all his or her interests and supplied all required details as specified in the categories set out in the Schedule to this code.
- 11.3 Members need only register at the point of initial registration those interests which they have at the date of their acceptance of office. They need not register, any interests which they have held at any time before on which they accepted office.

12 What Information must be supplied

- 12.1 Paragraph 18 of the Guidance provides that a statement lodged by a member shall contain:
- (a) such details of any registrable interest and such other information as are necessary to identify clearly the nature of the interest and, where relevant, its source;
- (b) where the registrable interest arises from remuneration under category 1 of the Schedule and the member provides services in his or her capacity as a member details of:
- any clients of the member;
 - clients of an undertaking of which he or she is a director; and
 - clients of the member (in any capacity) or any employer or firm as mentioned in Category 1 in the Schedule;
- (c) such other information as the member wishes to disclose.
- 12.2 The Schedule specifies the details which the Authority expects that a statement of interests **must** contain in order to meet the requirements of the Guidance. The exact details which are required depend on the category of registrable interest. In all cases the statement must include:
- sufficient information to identify the nature of the interest; and
 - such other requirements as are specified for that category in the Schedule.

13 Ceasing to have an Interest

- 13.1 If, after lodging a statement of his or her interests, a member ceases to have an interest detailed in that statement, he or she may (but is not required to) lodge with the Monitoring Officer a written statement;
- (a) identifying the interest in question; and
 - (b) giving the date on which he or she ceased to have that interest.
- 13.2 Members are encouraged to submit statements in these situations as it is best for the Register to be up to date at all times
- 13.3 If members lodge a statement indicating that an interest has ceased, a statement to this effect will be added to their entry in the Register after the original interest. Once each year the Monitoring Officers will remove from the Register all such interests. A record of the Register as it stood immediately before the annual removal of ceased interests will be retained by the Monitoring Officer and will be available for public inspection.

SECTION C - DECLARATIONS OF INTEREST

14 General

- 14.1 This part of the code deals with the arrangements approved by the Authority to ensure compliance with Paragraph 21 which deals with declarations of interest by members. It also specifies when the Assembly considers personal circumstances to exist which would under paragraph 30 of the Guidance prevent a member from voting or in which the position of the member would be compromised by speaking in proceedings.
- 14.2 This part of the code applies to members of Advisory Committees and Sub-committees and as it applies to Members of the Assembly and as such constitutes part of the code of conduct for such committees and sub-committee members as required by paragraph 49 of the Guidance. The Mayor has agreed that this Part will also apply to all members of the Mayor's Advisory Cabinet.
- 14.3 The Assembly have resolved that the provisions of this will apply to all consultants and experts advisors supporting the scrutiny committees of the Assembly.
- 14.4 Making a declaration in the circumstances when required by and in the form specified by this code and giving the details required by that Schedule will be regarded by the Authority as satisfying the obligations of the member under paragraphs 21 and 30 of the Guidance

15 Which interests must be declared?

15.1 Under paragraph 21 of the Guidance, members must declare interests affected by matters considered by the Assembly, its committees and working groups.

15.2 For the purposes of paragraphs 21 of the Guidance, the Assembly has resolved that a member must declare an interest where:

- he or she has a registrable interest under Section B of this code which has been registered or for which a statement has been lodged; or
- he or she has voluntarily registered an interest under paragraph 5 of Section B; or
- he or she has registered the receipt of a gift or hospitality in the Gifts and Hospitality Register of the Authority in accordance with Section D of this code; or
- is the residential owner or occupier of any land the value or occupation of which:
 - ◆ in the case of the Mayor may be affected by a decision of the Mayor or specifically affected by any proposal in one of the Mayor's strategies; or
 - ◆ in the case of Assembly members which is the subject of proceedings in the Assembly; or
- an interest of a connected person which is known to that member which would be a Declarable interest if it were an interest of the member.
- he or she has a declarable interest under paragraph 15.3 of this code which would be affected by proceedings of the Assembly.

15.3 A member will have a declarable interest, the test to be applied in deciding whether this interest would be affected by proceedings of any meeting of the Assembly or any Committee, sub-committee or Advisory committee of the Assembly is:

Would the interest prejudice or could it give the appearance of prejudicing the member's ability to exercise a Mayoral function or participate in proceedings of the Assembly relating to that matter in a disinterested manner?

15.3 In considering whether to make a declaration in any proceedings, the member must therefore consider not only whether he or she will be influenced but whether anybody else would reasonably think that he or she might be influenced by the interest.

16. When must a declaration be made?

16.2 Members of the Assembly - must declare any interest:

- At any meetings of the Assembly, its committees and working groups where a matter which affects a declarable interest is considered;
- At meetings of any outside body to which members of the Assembly are appointed or nominated, during informal contacts, meetings of political parties and all circumstances where members are active in their role as a member of the London Assembly.

17. Making a declaration

17.1 Where a member has an interest which must be declared under this code, he or she shall make a declaration:

- at the commencement of the meeting in response to the formal request from the Chair of the meeting for the declaration of interests; or
- if unaware of the interest at the commencement of the meeting, as soon as he or she becomes aware of the interest.

17.2 A member may only participate in any proceedings after having made an oral statement in those proceedings declaring the nature of the registerable or other interest requiring declaration.

17.3 For the purpose of paragraph 17.2 “participate in proceedings” means take part in those proceedings in any manner.

17.4 A member must make an oral declaration in proceedings of the Assembly, before otherwise taking part in those proceedings, where he or she:

- has a Declarable Interest; and
- that Declarable Interest is affected by any decision taken by the Assembly or any committee or sub-committee.

17.5 Before taking part in any proceedings of the Assembly a member should consider whether he or she has a Declarable Interest in relation to the particular matter being addressed in those proceedings. The onus is on the individual member to decide. An Assembly member must also consider whether the nature of any interest to be declared will prevent him or her from voting on any matter relating to the interest.

17.6 It is the responsibility of the member to judge whether an interest is sufficiently affected by particular proceedings to require a declaration. Members are advised to err on the side of caution. For example, a member who had received and registered a benefit or remuneration from a particular company would need to consider declaring that before participating in any proceedings in relation to that company, but he or she should consider declaring it before participating in any proceedings relating generally to the industry to which that company belongs.

18 Interests which have ceased or which are of limited duration

- 18.1 If an interest which a member has registered ceases, so that it is no longer a registrable interest, the interest may not need to be declared. However, it may be considered that such a former interest could influence a member's participation in a debate and, although he or she is not strictly required to do so, the member may wish to make a declaration stating that he or she used to have a registrable interest in the matter. This may be of particular interest to members of the public observing the debate.
- 18.2 Members should be careful to consider whether one-off interests should be declared. For example, a member may have received and registered a registrable benefit or one-off remuneration early in the life of the Assembly. No arbitrary time limit can be put on when, if at all, receipt of that benefit or remuneration might cease to be considered to prejudice or give the appearance of prejudicing a member's participation in relevant proceedings during the remainder of that person's period of office. What a member has received in the past might still affect, or be seen as affecting, the way the member participates in future debates. The member must apply the test above and satisfy him or herself that any decision not to make a declaration can be justified.

19. How a Declaration should be made - oral declaration at meetings

- 19.1 When a member declares an interest, he or she is required to make an oral statement declaring the nature of the interest when requested to do so by the Chair.
- 19.2 A declaration should;
- Be brief;
 - Enable a listener to understand the nature of the interest;
 - Not necessarily rehearse all the details of an interest which may appear in the Register of Interests if this is more than is required to explain the nature of the interest;
- 19.3 A member must preface any speech or intervention in the proceedings of a meeting by referring to the making of his or her declaration at the commencement of the meeting and commence his or her speech or intervention with the words "I have declared an interest", mention briefly the interest and whether it would prevent him or her from voting and then move on to the business in hand.
- 19.4 If the declared interest relates to ownership or occupation of residential property, the member should:
- state the address of the property;
 - briefly describe the property; and

- explain its proximity or relationship to the site or matter under discussion.

19.5 A member declaring an interest must specify whether the nature of the interest is such as to preclude him or her from voting on the matter.

20. Procedure in Meetings of the Assembly and Committees

20.1 In any proceedings of the Assembly or any Committee or Subcommittee of the Assembly, a member must declare an interest at the commencement of the first meeting, irrespective of the business before the committee at that meeting. Thereafter, the member must make a declaration at committee meetings at the beginning of his or her first intervention in relevant proceedings. (Where an Assembly member's first intervention is an intervention in another member's speech, the declaration should be made then.)

21. Procedure in Scrutiny Committees and Sub-committees

21.1 An Assembly member must declare any interest relevant to the remit of the scrutiny committee at the commencement of the first meeting, irrespective of the business before the committee at that meeting. Thereafter, the Assembly member must make a declaration at committee meetings whenever appropriate.

21.2 Where an Assembly Member has an interest which will be affected by the proceedings, he or she must make a declaration of interests at each meeting of a committee in which he or she participates, other than by simply attending or voting. This is to allow the public attending any committee meeting to be aware of the Assembly Member's interest.

21.3 A declaration must be made:

- If the member is present at the commencement of the meeting – in response to the formal request from the Chair of the meeting for the declaration of all interests related to the proposed business of the meeting.
- If the member is not present at the commencement of the meeting - at the commencement of consideration of the matter in respect of which the member is required to make a declaration;
- If the member is present at neither the commencement of the meeting nor the commencement of consideration of the matter – as soon as the member is able to make the declaration and in any case before otherwise participating in the proceedings.

21.4 A declaration must be made whether a committee meets in private or public. Where a relevant matter is discussed in both private and public

at any single committee meeting, the declaration should, as good practice, be made during the public session even if it has already been made in private session.

- 21.5 Where a committee is taking evidence from witnesses a member must, ensure that a declaration be made in the presence of those witnesses even if the declaration must be made at each meeting whether or not the member believes the witnesses are already aware of his or her relevant interest.
- 21.6 Members must also declare any business or personal relationships they might have with any advisers or witnesses to the committee. This must be done in advance of the witness addressing the committee. In the case of an adviser, and where the identity of any potential adviser is known to committee members, a member should inform the Monitoring Officer of an interest prior to the meeting so that this can be brought to the attention of the committee. If the committee subsequently decides that the adviser be appointed, there is no need to re-declare this relationship.
- 21.7 A member who has an interest to declare which is relevant to proceedings which may take place over more than one day should declare it at each meeting in which he or she participates in relevant proceedings in order to ensure that as far as reasonably possible members of the public observing proceedings on any particular day are aware of Assembly Member's relevant interests.

22. Declaration in relation to Written Notices

- 22.1 Members must lodge a written declaration of an interest when lodging any written notice, i.e.:
- a) Any question to the Mayor, or officers of the Authority or, any person required to attend proceedings under section 61 of the Greater London Authority Act 1999 (for oral or written answer); and
 - b) Motions, amendments to motions,
 - c) or where adding a name added in support of such Motions or Amendments;
- 22.2 The Head of Paid Service, when accepting the written notice, will assume that no interest is to be declared unless the notice clearly indicates an interest: this should be done by including in the submitted Notice of Motion a statement that this is the case.
- 22.3 If the interest to which the Assembly Member is drawing the attention is already entered in the Register and provided it is readily apparent which of the Assembly Member's registered interests are applicable, the Assembly Member need only refer to the Register entry.

22.4 If the interest is:

- Not readily apparent which of the Member's registered interests are applicable; or
- A new interest which is not yet available for inspection in the Register;
- Relates to non-registrable residential property; or
- Relates to an interest of an associate of a member

the Member, when giving notice, should supply a brief written description of the interest which is being declared. This will then be available for inspection by members and members of the public in the office of the Head of Paid Services.

22.5 Written declaration does not replace the need for an oral declaration at the appropriate times in accordance with this code. Members should, of course, make the declaration, before asking the question, following the format for oral declaration described above.

23 The effect of declaration of an interest

23.1 In relation to the interests of members, Paragraph 30(c) of the Guidance provides that Assembly members may speak but not vote on matters in which they:

- have a direct pecuniary interest;
- might appear to be at risk of bias by putting private considerations above the public interest; or
- could be seen to be using their position as an Assembly member to secure preferential treatment or advantage for themselves or those with whom they are connected.

23.2 A member therefore may speak and vote in proceedings of the Assembly on a matter in which he or she has:

- declared a non-pecuniary interest;
- does not appear to be at risk of bias by putting private considerations above the public interest; and
- could not be seen to be using his or her position as an Assembly member to secure preferential treatment or advantage for themselves or connected persons.

23.3 Paragraph 30(c) also provides that an Assembly member must neither speak nor vote on any matter in which they consider that their interest was such that to speak might compromise their position as a member. The Authority has resolved that it considers that the position of a

member would be compromised by speaking on any interest in the following circumstances:

- where the member or a connected person might gain a benefit substantial financial benefit from a decision;
- where the member has been employed or otherwise remunerated in relation to the promotion of the financial interests of any person or body (**Paid advocacy**).

24 Membership of public bodies

24.1 Unremunerated membership of a public body is not a registerable interest. Receipt of remuneration as a member of a public body is a registerable interest.

24.2 Assembly members should in any proceedings of the Assembly declare their memberships of any public body which is affected by those proceedings.

24.3 Paragraph 30(d) of the Guidance provides that:

“where the interest is a consequence of an Assembly member having been appointed to a functional body or being a member of a public body, they may speak and vote on matters affecting the functional body or public body unless one or more of the three criteria [in paragraph 30(a) to (c)] applies, but may not vote on motions of censure of that body”.

24.4 Paragraph 31 of the Guidance provides that:

“Assembly members may also speak and vote in debates in the Assembly on consideration of the GLA budget including where it affects the budgets of the functional bodies of which they are members”.

25. Non-registerable Interests

25.1 Members when participating in any proceedings should consider whether they have any interest which is not registerable but which is a Declarable Interest under paragraph 15.3 of this Code.

25.2 Examples of interests which may require declaration under paragraph 15.3 include membership of:

- A football supporters or other club directly related to professional sport;
- Ownership of a season ticket for a football or other sports team.
- The Freemasons;
- Trade unions;
- Clubs;

- Political parties;
- Other political organisations or groups;
- Voluntary bodies;
- Societies;
- A Chamber of Commerce;
- A Trade Association;
- A Professional body;
- The Mechanics;
- The Catenians;
- The City of London Guild or Livery Company;
- A Tenants/Residents Association;
- A company board as a non-remunerated director;
- Lloyds;
- A Board of Trustees on a non-remunerated basis.

26. The Mayor's Advisory Cabinet

26.1 The members of the Mayor's Advisory Cabinet are bound by the provisions of this section of this Code as if they were members of the Assembly and the meetings of the Cabinet were meetings of a Scrutiny Committee of the Assembly.

27. Members of Advisory Committees and Sub-committees

27.1 Members of Advisory Committees and Sub-committees and the Mayor's Advisory cabinet must declare an interest:

- At any meetings of the Advisory committee, Sub-committee or Advisory Cabinet, working groups or commissions where a matter which affects a declarable interest is considered;
- At meetings of any outside body to which they are appointed or nominated, during informal contacts, meetings of political parties and all circumstances where members are active in their role as members of Advisory Committees, Sub-committees or the Mayor's advisory Cabinet

where a matter which affects a declarable interest is considered.

27.2 The effect of a declaration of interest by a member of an Advisory Committee or Sub-committee who is not an Assembly member shall be the same as that of a declaration by an Assembly member in the same circumstances.

27.3 For the purposes of paragraph 49 of the Guidance the Authority has resolved that a member of an Advisory Committee or Sub-committee has a Declarable Interest where:

- he or she has an interest which would be a Registrable Interest under Section B of this code if the person had been subject to Section B of this code; or

- is the residential owner or occupier of any land the value or occupation of which is affected by the subject of proceedings in the Advisory Committee or Sub-committee; or
- an interest of a connected person is known to that member which would be a declarable interest if it was an interest of the member of the Advisory Committee or Sub-committee.

SECTION D – GIFTS AND HOSPITALITY

28 General

28.1 The Secretary of State's Guidance on Ethical standards issued under Section 66 of the Greater London Authority Act 1999 provides as follows:-

“39 The Monitoring Officer should maintain a Register of Hospitality . The Mayor and assembly members should ensure that the Register records all gifts and hospitality received in connection with membership of the GLA. The Mayor and Assembly members should not accept gifts or hospitality that might reasonably be thought to influence, or be intended to influence, their judgement; or where to do so could bring discredit upon the GLA”.

28.2 Members should treat with extreme caution any offer or gift, favour or hospitality that is made to them personally. The person or organisation making the offer may be doing, or seeking to do business with the Authority, or may be applying to the Authority in relation to the exercise of one of its functions.

28.3 The general principle is that members must be and must be seen to be fair, impartial and unbiased at all times but at the same time receptive to the needs of the 'London Community' and the bodies that represent them. The receipt of any gift and hospitality can create conflicts of interest but at the same time refusal could cause embarrassment or unintentional offence.

28.4 Members are personally responsible for all decisions connected with the acceptance of gifts or hospitality and for avoiding the risk of damage to public confidence in the Authority. The acceptance of all gifts or invitations must be reported to the Monitoring Officer of the Authority on the appropriate form.

28.5 The receipt of all offers gifts and hospitality will be recorded in a Gifts and Hospitality Register containing the details required by this guidance. The Monitoring Officer will maintain the Register of Hospitality as required by the Secretary of State's Guidance on Ethical Considerations.

- 28.6 Notification of the receipt of a gift or hospitality must be made on the Authority's standard form as annexed to the Code. Forms submitted by members will be placed in the Register. The Register will be kept in the office of the Monitoring Officer. Blank forms will be from the shared drive of the Authority's computer system. Forms must however be completed in a paper version, signed by the member (or an approved representative) and forwarded to the Monitoring Officer. Submitted forms will be retained by the Monitoring Officer.
- 28.7 In situations where a gift or hospitality has been refused, the refusal should be accompanied by a polite letter explaining the GLA's rules and policy.
- 28.8 Recipients of gifts and hospitality should always make it clear to the donor that any acceptance of a gift or hospitality is on behalf of the GLA and that the recipient is gaining no personal benefit.
- 28.9 The provisions of this section apply to members of Advisory Committees and Sub-committees of the Assembly and the Mayor's Advisory Cabinet in relation to gifts and hospitality offered to or received by them which arise from their membership of the Advisory committee or Sub-committee or the Advisory Cabinet.

29 Gifts

- 29.1 Members must not:
- Solicit any gift;
 - Accept any gift of money;
 - Accept any personal gift.
- 29.2 For the purposes of paragraph 39 of the Guidance the Assembly has resolved that any donated item which:
- is insignificant in nature (eg calendars, diaries, office equipment of modest value) and having a value of no more than **[£100]** and
 - bears the donor's name or insignia or can be regarded as advertising material or in the circumstances refusal would cause serious embarrassment.
- will not be considered to be a gift.
- 29.3 When accepting an official gift a member must always make it clear to the donor that the acceptance of any gift is on behalf of the GLA and that the recipient is gaining no personal benefit.
- 29.4 Acceptance of a gift should only take place where a refusal would clearly cause misunderstanding or offence, for example acceptance of a commemorative ornament. In all cases the gift becomes the property of the GLA and should be used or displayed, if more appropriate, for office use only.

- 29.5 In situations where the gift has to be returned it should also be accompanied with a polite letter explaining the GLA's rules and policy. In the special case of perishable goods, a practical suggestion may be to share them immediately amongst colleagues.
- 29.6 The receipt of all gifts must be notified to the Monitoring Officer on the appropriate form and recorded in the Gifts and Hospitality register, separate from that kept for staff, which will include the following details:
- The precise details of the gift – including the estimated value;
 - The date the gift was made;
 - Details of the person making the gift;
 - Details of the recipient of the gift;
 - The reason for acceptance (e.g. de minimis or avoidance of embarrassment);
 - A brief summary of what was done with each gift. This is particularly important with high value or sensitive items.
- 29.7 A gift to a political groups of members may be accepted provided that:
- Details of the gift are registered by a member of the Group identified as the authorised recipient of gifts to that Group
 - The value of the gift does not exceed £100; and
 - The gift is made and accepted only in relation to one or more of the following purposes: **[Assembly to specify appropriate reasons for acceptance of gifts by a Group].**

30 Hospitality

- 30.1 The general procedures for hospitality are the same as gifts, only there is a wider range of implications, which need to be considered in the context of the Authority's relationship with external third parties. However, the main requirements for members are as follows.
- 30.2 Members should not solicit any hospitality.
- 30.3 Members should carefully consider whether to accept any invitation, taking into account:
- The perceived value rather than the actual cost to the provider (host)
 - The frequency of the hospitality
 - The potential for embarrassment and or any conflicts of interests
 - The context of the hospitality e.g. was the member invited to a function as the representative of London and the Authority.
 - The nature of the relationship between the GLA and the provider (host). In broad terms any contact, which is promotional, representational or relates to information gathering is less likely to

create an obligation than those, which are regulatory, or lead to a contractual relationship.

30.4 The Assembly has resolved that members need not declare the acceptance of:

- Trivial hospitality, such as tea, coffee, biscuits and light refreshments;
- Working lunches;
- Attendance at formal social functions as a representative of the Authority;
- Attendance at formal social functions in relation to which invitations have been issued to all members;
- Attendance by a members spouse or domestic partner at a formal social function when accompanying the member as a representative of the Authority;
- Hospitality received by a spouse, domestic partner or member of a member's family received in his or her own right and unrelated to the member's position;
- Hospitality arising from the member holding a public office outside the Authority where the receipt that hospitality is the subject of the rules on the receipt and declaration of hospitality of another public body;
- Hospitality which is wholly unrelated to the recipient's status as a member of the Authority.

which are not to be regarded as hospitality for the purposes of paragraph 39 of the Guidance.

30.5 Hospitality which may be accepted and declared may include:

- Attendance by the member at seminars and training opportunities which would in other circumstances be the subject of charge to attendees;
- Travel tickets and accommodation provided for the member by the organiser of any conference, symposium or seminar within the United Kingdom attended and addressed by the member.

30.6 There are no hard and fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches are a proper way of doing business, provided that no extravagance is involved. Likewise, it is reasonable for a member to attend and represent the Authority at a social function or event organised by outside persons or bodies. If a member is in any doubt about the scale of hospitality provided a declaration should be made.

30.7 Any offer of hospitality, other than an invitation to a spouse or domestic partner to attend a formal social function, that includes members of the family a member should be treated with special caution. Specific reference should be made in the registration form to any gift or hospitality extended to a family member.

- 30.8 Members should be aware of the possibility of adverse public reaction which could arise from over attendance by Assembly members at any social event. Party groups may wish to co-ordinate attendance numbers for functions.
- 30.9 Hospitality which has been accepted should be reported to the Monitoring Officer on the appropriate form and recorded in the Gifts and Hospitality Register. Typical details might include:
- Details of the recipient;
 - The precise nature of the hospitality received – including estimated value;
 - The date the hospitality was accepted;
 - Details of the person providing the hospitality;
 - Reasons for accepting the hospitality.
- 30.10 If any hospitality is rejected, then, unless inappropriate in the circumstances, a polite letter should be sent to the donor explaining the GLA's rules and general policy on such matters.

31 Inducements

- 31.1 Members must refer to the Monitoring Officer any overt or covert offer of any gift, hospitality or other inducement to some action pertaining to a contract with an external third party individual or organisation or prospective decision of the Mayor or Assembly. The Monitoring Officer will refer all such reported incidents to the Commissioner of the Metropolitan Police.

32 Declaration of an interest

- 32.1 Members should note that receipt of a gift or hospitality from any person or body is a declarable interest under Paragraph 15.1 of this code which may require declaration in accordance with the provisions of Section C.

SCHEDULE

The Categories Of Registrable Interest

This Schedule sets out the categories of interests which the Authority has determined that a member **must** register and which are referred to as Registrable Interests. These categories are listed below with key definitions and explanatory notes designated to help members decide what is required when registering their interests under any particular category.

Category 1 - Remuneration from employment, trade, profession or vocation

1.1 Statement:

Receipt of remuneration by virtue of:-

- (a) being employed;
- (b) being self-employed;
- (c) being the holder of an office;
- (d) being a director of an undertaking;
- (e) being a partner in a firm; or
- (f) undertaking a trade, profession or vocation or any other work.

1.2 Definitions:

The following definitions apply to this paragraph:-

“**Remuneration**” this includes:

- any salary or wage;
- any share of profits;
- fee;
- expenses;
- other monetary or benefit in kind (e.g. the provision of a company car or travelling expenses by an employer).
- remuneration received as a Borough Councillor, Member of Parliament or as a Member of the European Parliament ;
- allowances drawn in relation to membership of the House of Lord or any other institution e.g. the Committee of the Regions
- payments received as a member of the board of any Functional Body under the Greater London Authority Act 1999.
- any monies received as a result of being employed, self-employed, etc at any time, for however brief a period, since their acceptance of office.

“Remuneration” does not include:

- remuneration received as a Mayor, a Member of the Assembly, a member of an advisory committee or sub-committee or the Mayor’s Advisory Cabinet.
- Arrears of pay received since a member accepted office if this is remuneration for employment which ceased before the member accepted his or her office.
- Any pension.

“Undertaking” means:

- a body corporate or partnership; or
- an unincorporated association carrying on a trade or business, with or without a view to a profit.

1.3 Guidance:

1.3.1 When registering employment, members must provide:

- the name of the employer;
- details of the nature of its business; and
- an indication of the nature of the post that they hold in the organisation or the services for which the organisation remunerates them.

1.3.2 When registering self-employment, members must provide:

- the name of the business;
- details of the nature of the business;
- the name of any partnership and the nature of its business.

1.3.3 When registering a directorship, members must provide:

- the registered name of the undertaking in which the directorship is held; and
- a broad indication of the undertaking’s business.

1.3.4 While members need not register unremunerated directorships under this category, they may be registered under the category of “Related Undertakings.” Members should consider making a declaration in respect of any remunerated directorship affected by any matter considered by the Assembly.

1.3.5 Where a member undertakes a trade, profession or vocation or any other work, members must provide:

- details of the nature of the work;
- details of the regularity of the work; and
- the level of remuneration.

1.3.6 All remuneration which falls into the special categories must be registered. If a position is not remunerated or falls outside the scope of the category (e.g. a pension) it does not need to be registered but can be registered voluntarily under the “Miscellaneous” category.

Category 2: Election Expenses

2.1 Statement:

Receipt of a donation or donations from any person towards the election expenses of a member in relation to the election at which he or she was returned as Mayor or a member of the Assembly, the aggregate of which exceeded 25% of those election expenses.

2.2 Definition:

2.2.1 For these purposes of this paragraph the following definitions apply:

“the election expenses of a member” means the election expenses within the meaning of Section 72 of the Representation of the People Act 1983 as amended by the Greater London Authority Act 1999 incurred by the member in relation to his or her candidature for return as Mayor of London or a constituency member of the London Assembly whether incurred before, during or after the election, on account of or in respect of the conduct or management of the election.

“a person” means a single individual or legal person and includes a group of companies; and

“group of companies” has the same meaning as “group” in section 262(1) of the Companies Act 1985 Act as being a parent undertaking and its subsidiary undertakings.

2.3 Guidance:

2.3.1 Where a member received donations from more than one person which in total amounted to over 25% this is not registrable provided each person’s total donations amounted to less than 25%.

2.3.2 Contributions to election expenses from the political party or branches of the political party which the member represents do not need to be registered but they may be registered in the “Miscellaneous” category.

Category 3: Sponsorship

3.1 Statement:

Sponsorship as a member by any person.

3.2 Definition:

3.2.1 For these purposes of this paragraph the following definitions apply:

“Sponsorship” means receipt by the member of any financial or material support on a continuing basis to assist him or her in office.

“Any person” includes individuals, incorporated and unincorporated bodies, trade unions, charities and voluntary organisations.

3.3 Guidance:

3.3.1 A one-off donation or provision of assistance does not fall to be registered as sponsorship, as this is not support on a continuing basis, (although a one-off gift or benefit of sufficient value may need to be declared under the Authority’s Code on the Receipt of Gifts and Hospitality. Repeated or on-going financial support or other assistance, even if over a period with defined limits or with breaks in provision of the support, could, however, be considered as sponsorship and should be registered as such.

3.3.2 In respect of any sponsorship agreement a member may have, he or she should give the exact details of the support provided, whether it is for a fixed term, and whether or not it is provided directly to the member, or is paid to a research assistant (if that is the nature of the support) or to the constituency party.

3.3.3 There is no requirement to register constituency plan agreements or other forms of sponsorship of a member party, unless the member receives the sponsorship himself or herself.

Category 4: Contracts with the Authority

4.1 Statement:

Interests in contracts with the Authority or an associated body.

4.2 Definition:

4.2.1 For the purposes of this category:

“the Authority” means the Greater London Authority;

“associated body” means:

- the London Development Agency
- the Metropolitan Police Authority;
- the London Fire and Emergency Planning Authority;
- Transport for London;
- the Cultural Strategy Group for London;
- the London Pension Fund Authority; and the London Transport Users Committee.

4.3 Guidance:

4.3.1 Members must register all contracts of which they are aware, which are not fully discharged, and which are:

- contracts for the supply of goods, services or works to the Authority or an associated body or on behalf of the authority or an associated body, and
- made between the Authority, and either the member or any undertaking (as defined in Category 1) in which the member has a beneficial interest or of which the member is a Director

4.3.2 This category includes any contract between the member and the Authority or an associated body relating to the occupation by the member of any land owned by the Authority or associated body.

4.3.3 Members must state:

- the parties to the contract;
- the nature of the contract;
- the duration of the contract.

4.3.4 Members do not have to register the financial arrangements under a contract.

Category 5: Ownership of land

5.1 Statement:

Ownership of an interest in land not used as a residential home by a member or his or her spouse or domestic partner. Land in Greater London which the member has a right to occupy but which is not occupied as a tenant or lessee.

5.2 Definition:

5.2.1 For the purposes of this category the following definitions apply:

“domestic partner” means

“land” means land or any right or interest in or over land in Greater London or within the area of any local authority adjacent to Greater London.

“interest in land” includes:

- beneficial ownership;
- a lease or tenancy;

- any interest or right for the member (alone or in company with others) to occupy the land and receive income from it; and
- a mortgage.

5.3 Guidance:

5.3.1 Members must state:

- the location of any land;
- the nature of the interest owned;
- where appropriate, the value of any income from the property.
- the identity of the person owning the property if other than the member; and

5.3.2 Ownership of a residential home affected by business of the Assembly or a Committee may have to be declared in accordance with Part C of this Code.

Category 6: Interests in companies and securities

6.1 Statement:

Ownership by a member or his or her spouse or domestic partner of an interest in shares comprised in the share capital of a company or other body, whether that interest is held by the member, his spouse or domestic partner or by a relevant person, and the nominal value of the shares at the relevant date is –

- greater than 1% of the issued share capital of the company or other body; or**
- greater than £25,000.**

6.2 Definition:

6.2.1 For the purposes of this category the following definitions shall apply:

“the relevant date” means:

- In the case of a member or his or her spouse or domestic partner having a relevant interest in shares at the date on which he was returned as a member, is –
 - that date; and**
 - the 5th April immediately following that date in each succeeding year, where he retains the interest on that 5th April.**

- In the case of a member who acquires a relevant interest in shares after the date on which he was returned as a member, the relevant date is –
 - a) the date on which he acquired the interest in shares; **and**
 - b) the 5th April immediately following that date and in each succeeding year, where he retains the interest on that 5th April.

“**Relevant person**” means a person who is subject to the control or direction of a member in respect of an interest in shares.

6.3 Guidance:

6.3.1 The issue of the “relevant date” is important in understanding when an interest in shares becomes a registrable interest.

6.3.2 The nominal value of shares needs only to be taken into consideration only at the “relevant date”. For example, where a member owned shares in a company on 6th May 1999 which had a nominal value of £20,000 and he or she subsequently acquired an interest in shares would now have a nominal value of more than £5,000, the total interest in shares would now have a nominal value of more than £25,000, but the member would only require to register this interest in shares at the next 5 April. However, if at any time after 6 May 2000 a member acquires shares with a nominal value of more than £25,000 that would need to be registered straight away.

6.3.3 Members who think their shareholding may have reached a **market value** of over the threshold or who have any other shareholdings which are not registrable may wish to register them in the “Miscellaneous” category.

Category 7: Membership of public bodies

7.1 Statement:

Membership of a body or organisation specified by the Authority as registrable.

7.2 Definition:

Memberships which a member must register include memberships of:

- any statutory body (e.g. elected member of a London borough or other authority or a health authority)
- any functional body or other body created by the Greater London Authority act 1999
- any quasi autonomous non-governmental body.
- the governing body of any profession or trade;
- School governing body

7.3 Guidance:

- 7.3.1 A member must register the name of the body of which he or she is a member.

Category 8: Miscellaneous Interests

8.1 Miscellaneous Interests:

Interests voluntarily registered under paragraph 10 of the Code of Conduct.

8.2 Definition:

“Miscellaneous interest” means any other interest which the office holder or others may reasonably consider to be relevant to the decisions of the Mayor or the proceedings of the Assembly.

8.3 Guidance:

- 8.3.1 Registration of an interest under this category is voluntary.
- 8.3.2 Despite the voluntary nature of registration, once registered an interest is a declarable interest for the purposes of Section 3 of this code.
- 8.3.3 Members may wish to register voluntarily interests which in any proceedings of the Assembly are Declarable Interests under paragraph 15 of the code but which are not registerable interests.

Appendix 1: General Notice of Interests

REGISTER OF INTERESTS

GENERAL NOTICE OF INTERESTS TO BE REGISTERED

To the Monitoring Officer of the Greater London Authority

I, _____

of _____,

the Mayor of London / a Member of the London Assembly, give notice that

EITHER

I have no interests which are required to be registered under the Code of Conduct on the Registration and Declarations of Interests of the Greater London Authority ("the Authority")

OR

I have set out below under the appropriate headings the interests which I am required to register under the Authority's Code of Conduct on the Registration and Declarations of Interests, and I have put 'none' where I have no such interests under any heading.

(Please delete as applicable)

[The notes to this form give general guidance, but are not necessarily comprehensive. The Schedule to the Authority's Code of Conduct on the Registration and Declarations of Interests provides definitions and details of requirements for compliance.]

<p>Category 1: Remuneration from employment, office, trade, profession or vocation:</p> <ol style="list-style-type: none">1. You should show every employment, office, trade, profession or vocation that you have to declare for income tax purposes.2. Give a short description of the activity concerned – for example, 'Computer Operator' or 'Accountant'.3. Employees should give the name of their employer. If employed by a company, give the name of the company paying your wages or salary, not that of the ultimate holding company.	
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<p>4. Where you hold an office, give the name of the person or body which appointed you. In the case of public office, this will be the authority which pays you. In the case of a teacher in a maintained school, the local education authority; in the case of an aided school, the school's governing body.</p>	
<p>Category 2: Election expenses</p> <p>You should declare the name of any person or body which has made any payments to you in the last year towards your election expenses.</p> <p><i>You do not need to declare the amounts of any payment: only the name of the person or body making them.</i></p>	
<p>Category 3: Sponsorship:</p> <p>You should declare the name of any person or body which has made any payments to you in the last year towards your expenses as a member, or if applicable as a councillor, or towards.</p> <p><i>You do not need to declare the amounts of any payment: only the name of the person or body making them.</i></p>	
<p>Category 4: Contracts with the Authority:</p> <p>You should declare all contracts of which you are aware, which are not fully discharged, and which are:</p> <ul style="list-style-type: none"> • contracts for the supply of goods, services or works to the Authority or an associated body or on the behalf of the Authority or an associated body; and • between the Authority of which you are a Member or an associated body, and either yourself or a company in which you have a beneficial interest or of which you are a director. <p><i>You need not say what the financial arrangements are, but you should say for how long the contract is.</i></p> <p><i>Associated bodies are functional bodies and other statutory bodies under the Greater London authority Act 1999. These are set out in the notes to Category 6 in the Schedule.</i></p>	

<p>You should list any contract relating to the occupation of land where (to your knowledge) the landlord is the Authority or an associated body as defined in the Category.</p>	
<p>Category 5: Licences to occupy land. Ownership of an interest in land (not used as a residential home) by you or your spouse or domestic partner</p> <p>You should include any land in Greater London or in any district adjacent to Greater London in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit).</p> <p>You should give the address or a brief description to identify it.</p>	
<p>You should also include any land from which you receive rent, or of which you are the mortgagee.</p> <p><i>["Land" includes any buildings or part of buildings.</i></p> <p><i>You are not required to make a declaration on this form under this heading in respect of any property which you occupy residentially as owner, lessee or tenant.</i></p>	
<p>You should include land in Greater London which you have a right to occupy, but neither own nor have a tenancy of. You should give the address or a brief description to identify it.</p> <p><i>["Land" includes any buildings or part of buildings.]</i></p> <p>You should list the address or other description of land sufficient to identify the land) held under a tenancy where (where to your knowledge) the landlord is the Authority or a functional body under the Greater London Authority Act 1999; and (b) the tenant is a body corporate of which you are a director or in the securities of which s/he has a beneficial interest or is a firm in which you are a partner.</p>	

<p>Category 6: Interests in companies and securities:</p> <p>You should list the names of any companies, industrial and provident societies, co-operative societies, or other bodies corporate that (to your knowledge) in which you have a substantial interest. You do not need to show the extent of your interest.</p> <p><i>[You have a substantial interest if you own shares or other securities in the company with a nominal value of more than £25,000 or more than 1/100th of the issued shares or securities. If there are several classes of shares or securities, the fraction of 1/100th applies to any of those classes. These limits also apply to deposits with industrial and provident societies, and co-operative societies.</i></p> <p><i>The requirement also covers shares and securities held in the name of other people in which you have a beneficial interest.]</i></p>	
<p>Category 7: Membership of public bodies</p> <p>You need only name the organisation(s) of which you are a member</p>	
<p>Category 8: Miscellaneous interests</p> <p>You may use this category to set out the details of any interest which you wish to register voluntarily.</p>	

DECLARATION

I recognise that it is a breach of the Secretary of State’s “Guidance on ethical conduct” and the Greater London authority’s “Code of conduct on the registration and declaration of interests” to:

- (a) provide information that is materially false or misleading; or
- (b) omit information which should be given in this notice; or
- (c) fail to give further notices, within a month, of any changes, to
 - (i) update any information given in this notice; or
 - (ii) declare any interest that I acquire after the date of this notice

Signed..... Date.....

Received..... Date.....

Appendix 2: Form for Registration of Gifts and Hospitality

To: The Monitoring Officer of the Greater London Authority

From:

Mayor / Member of the London Assembly

Please enter in the Register maintained by you in accordance with Paragraph 39 of the Secretary of State's Guidance on Ethical Conduct details of the receipt by me of the following gift / hospitality

Date of gift / hospitality:	
Details of gift/hospitality (including estimated value)	
Person / body providing gift/hospitality:	
Reason for acceptance:	
Treatment of any accepted gift:	
Recipient (if other than submitting member)	

Signed:.....

Date:

