



House of Commons
Committee on Standards

New Guide to the Rules: final proposals

Third Report of Session 2022–23

*Report, together with formal minutes relating
to the report*

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Committee on Standards

The Committee on Standards is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards, except in relation to the conduct of individual cases under the Independent Complaints and Grievance Scheme; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Financial Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

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Publications

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New Guide to the Rules: final proposals

1. In our report published on 24 May 2022 we put before the House a draft new Code of Conduct and Guide to the Rules.¹
2. Following publication of that report, we have received representations from Members about the operation of the lobbying rules and our proposed changes to them, and the balance they strike between preventing any impression that an outside person or body can unduly influence the work of the House by making payments to a Member, and ensuring Members can contribute fully to the work of the House on the basis of their experience and expertise.
3. In this report, we propose amendments to our proposed Guide to the Rules² to ensure that the right balance is struck and that the rules maintain the confidence of Members across the House. We also seek to clarify the central purpose and principles of the lobbying rules for the benefit of Members and the public.

The purpose of the lobbying rules

4. The public rightly expect Members to act and speak in the public interest without fear or favour. Members should set aside any private or personal financial interest when acting as MPs and where there is any conflict of interest they should resolve it as swiftly as possible in the public interest. The purpose of the lobbying rules is to prevent outside bodies exercising improper influence on the work of the House by making payments or giving any form of other financial reward to a Member. The lobbying rules have developed over many decades, and are carefully calibrated, with a number of qualifications and exceptions to ensure that they are proportionate and avoid perverse outcomes. We are conscious, however, that, as a result of their complexity, the lobbying rules are sometimes a source of confusion for Members.
5. Paid lobbying involves both payment and lobbying. The lobbying rules are not engaged unless a Member has received, is receiving, or expects to receive “outside reward or consideration”, which must be financial or material in nature. The lobbying rules do not apply to non-financial interests or to interests which do not fall to be registered or declared. The lobbying rules also only prohibit action which seeks to confer, or would have the effect of conferring, a financial or material benefit on the person or organisation paying the Member. If the Member is not seeking to confer a financial or material benefit by their action (and their action would not have the effect of conferring a financial or material benefit), then it is not prohibited by the lobbying rules. This means that Members are permitted to take part in the full range of parliamentary activities concerning matters in which they may have a financial interest—so long as their action does not confer, or seek to confer, a benefit. In such instances, the Member must declare their interest (and register it, if required to do so).
6. To ensure that Members can have confidence that their activities in the House are within the rules we proposed, in our May 2022 report, a “safe harbour” provision, whereby

1 Committee on Standards, First Report of Session 2022–23, *New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament* (HC 227); hereafter cited as “May 2022 report”.

2 May 2022 report, Annex 2

Members cannot be found in breach of the rules if they seek and follow the advice of the Registrar (or, in the case of the stationery rules, the Clerk of the Journals). We intend that this will provide an additional incentive for Members to seek advice, and give reassurance to Members that if they conscientiously seek and follow relevant advice they will not later be found at fault.

7. We remind all Members that following the rules on registration and declaration, whilst necessary, is not always sufficient; and that Members should be aware that they are also bound by the lobbying rules when they receive, or expect to receive, outside reward or consideration, including gifts, visits and hospitality.

Clarifications to our proposed Guide to the Rules

8. In response to the representations we have received, we now propose a small number of amendments to our proposed Guide to the Rules, in order to strike the balance better between preventing undue influence and ensuring that Members can fully carry out their role.

9. Our final proposed Guide to the Rules is published as Annex 1 to this Report. It replaces the proposed Guide contained in Annex 2 to our May 2022 Report. Changes from the May 2022 proposed Guide are highlighted in **bold purple type**.

Interpretation of “financial or material benefit”

10. The lobbying rules do not currently define what counts as a “financial or material benefit” for the purposes of the rules. We have heard representations concerning whether, for example, a Member who works in a medical role in the NHS would be considered to be lobbying for a “financial or material benefit” if they argued for increased spending on the health service as a whole, even if they were not lobbying for increased spending on their particular hospital or specialism. Prohibiting a doctor from participating in Parliament in such a way would be wrong: it would deprive Parliament of useful expertise and would not strike the right balance between preventing improper influence and enabling Members fully to contribute on the basis of their experience and expertise.

11. The current lobbying rules provide that a Member is only prohibited from seeking an “exclusive benefit” when participating in a proceeding or approach. However, for the reasons we set out in our May 2022 report, we are proposing to remove the distinction in the lobbying rules between initiation and participation, and so the “exclusive benefit” test does not feature in our proposed revision to the lobbying rules. Applying only an “exclusive benefit” test both to initiation and participation would, in our view, represent an unacceptable weakening of the rules.

12. The advice we have received from the Registrar is that, in practice, “financial or material benefit” is interpreted relatively narrowly, such that a Member who was making representations about an entire sector or sectors would not normally be considered to be in breach of the lobbying rules. However, this interpretation does not presently appear on the face of the rules.

13. **We therefore propose to clarify in the lobbying rules that “financial or material benefit” should be interpreted narrowly, such that a Member’s action would not be**

considered to be seeking to confer, or having the effect of conferring, a benefit on a person or organisation if that benefit was widely distributed, for example, to an entire sector or sectors.

14. We propose to clarify, similarly, that a Member who has accepted hospitality from a foreign government or NGO may initiate and participate in proceedings on more generally related matters, provided that they fully declare their interest and that their action does not seek to confer, or have the effect of conferring, a financial or material benefit on that government or organisation, beyond the improvement of international relations.

Frontbench spokespersons

15. Chapter 3, paragraph 19(a) of the current Guide to the Rules provides that:

Members who are acting in the House as government Ministers are not subject to these rules when acting in that capacity.

16. This exemption exists in recognition of both the fact that HM Government has an internal process for managing conflicts of interest, and the public interest in ensuring that Ministers are not prevented from carrying out their duties in the House.

17. There is, however, no equivalent exemption for frontbench spokespersons, who, like Ministers, are not normally representing their own personal views or interests when acting in that capacity, but rather that of the Official Opposition (or other opposition party). We acknowledge that any such exemption should be carefully defined, since, for example, in smaller parties a very high proportion of Members have policy spokesperson roles. The House's current practice involves a distinct role for frontbench spokespersons from the Official Opposition and the second largest opposition party in proceedings in the House, which we consider to be an appropriate basis for an exemption.³ We do not propose to extend this exemption to approaches, since it would difficult to define or judge when a Member was approaching a Minister (for example) in their 'frontbench' rather than personal capacity.

18. We therefore propose to include in the Guide to Rules an exemption that Members who are frontbench spokespersons for the Official Opposition or the second largest opposition party are not subject to the lobbying rules when initiating or participating in proceedings in that capacity.

Constituency exemption

19. In chapter 3, paragraph 15(c) of our May 2022 proposed Guide to the Rules, we proposed that the following should fall outside the scope of the lobbying rules:

Constituency issues: Members may pursue any constituency interest in any approach to a Minister or public official (but not by initiating or participating in a proceeding of the House or an approach to a Member), subject to the registration and declaration rules.⁴

3 The Opposition and second largest opposition party are also recognised in Standing Orders, for example, Standing Order No. 14.

4 May 2022 report, Annex 2, Chapter 3, paragraph 15(c)

20. On reflection, we now consider this to be less helpful than the existing wording in the Guide, namely:

Constituency issues: Members may pursue any constituency interest in any approach to a Minister or public official, subject to the registration and declaration rules. NB: The lobbying rules do apply, however, in respect of Members initiating any proceeding of the House on behalf of a person or organisation in their constituency from whom or from which they, or a family member receive, have received or expect to receive outside reward or consideration.⁵

21. **We have therefore substituted the original wording of the constituency exemption in our new proposed Guide to the Rules.**

Registration of visits outside the UK

22. We also propose to amend the list of organisations for which visits are not required to be registered. We propose to add the British Council, a non-departmental public body, to the list of organisations for which visits funded or undertaken under its auspices do not need to be registered, as well as the new EU-UK Parliamentary Partnership Assembly. We also propose to make clear throughout this section the current position that visits funded by a UK public body, as well as by HM Government, do not require registration.

Conclusion

23. **This report concludes this Committee’s process of producing a new Code of Conduct and Guide to the Rules for approval by the House, as well as a new Procedural Protocol. However, we will continue to keep the Code and Guide, including the lobbying rules, under review as part of the annual cycle we proposed in our May 2022 report.**

24. ***We recommend that the new Code of Conduct (Annex 1 of our May 2022 report), Guide to the Rules (Annex 1 of this Report) and Procedural Protocol should be put to the House as a single package for approval as soon as possible, along with any necessary procedural motions or standing order changes needed to bring them fully into force.***

Annex 1: Proposed new Guide to the Rules

Introduction

- 1) The Code of Conduct provides a set of rules to which Members must adhere.¹ The Guide to the Rules explains in more detail what is required of Members in order to abide by the Code. A separate Procedural Protocol sets out the procedure for inquiries by the Parliamentary Commissioner for Standards and the process followed by the Committee on Standards, the Independent Expert Panel and the House in individual cases.
- 2) The Guide to the Rules and amendments to it are approved by means of Resolutions of the House of Commons. This Guide therefore carries the authority of the House. The House has agreed that its previous resolutions in relation to the conduct of Members shall be read and given effect in a way which is compatible with the Code of Conduct and this Guide to the Rules relating to the conduct of Members.
- 3) The Guide is structured as follows:
 - Chapter 1 of the Guide explains the requirements in relation to the registration of Members' financial interests;
 - Chapter 2 explains the requirements in relation to the declaration of interests in proceedings of the House and on other occasions;
 - Chapter 3 sets out the restrictions on Members engaging in lobbying for reward or consideration;
 - Chapter 4 sets out the restrictions on Members who take on outside interests.

Registration and declaration of financial interests (Chapters 1 and 2)

- 4) Paragraphs 5 and 6 of the Code of Conduct provide:

Members must fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests. New Members must register all their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election within one month of their election, and Members must register any change in those registrable interests within 28 days.

And:

Members must always be open and frank in declaring any relevant interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members, public officials or public office holders.

¹ Members are personally responsible for their adherence to the Code including when breaches may have been caused by the actions of a member of staff.

5) The overall aim of both registration and declaration is to provide information about any financial interest which might reasonably be thought by others to influence a Member's actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament.² Financial interests include material benefits and payments in kind.³ Each Member is responsible for making a full disclosure of such interests, which is achieved by registering and declaring them in accordance with the requirements of the House. The aim of this is openness. Neither registration nor declaration imply any wrongdoing.

6) Registration requires Members to place information about relevant financial interests in the Register of Members' Financial Interests, thus making it available to the public on a continuing basis. In addition, some of the information required for the Register reflects the requirements of the Political Parties, Elections and Referendums Act 2000 (PPERA), as amended. The Electoral Commission extracts the information which it needs from the published Register, or, where the publication timescale of the Register does not permit this, by accessing from the office of the Parliamentary Commissioner for Standards the relevant information provided by Members.

7) The Parliamentary Commissioner for Standards is responsible for preparing the Register, which is published electronically under the authority of the Committee on Standards. Entries remain in the Register for twelve months.

8) The Guide sets out the categories in which Members are required to register their financial interests and the information to be provided. These categories are summarised below, together with the financial thresholds which apply. When considering registration, Members are also required to keep in mind the overall purpose of the Register.⁴ If a Member has any financial interests which meet that purpose but which do not fall clearly into one of the defined categories, he or she is nonetheless required to register them, normally under the Miscellaneous category.

Category	Financial threshold for registration
1. Employment and earnings	Over £300 for the total of payments of whatever size from the same source in a calendar year
2. Donations and other support	Over £1,500, either as individual payment, or for the total of multiple donations of more than £500 from the same source in the course of a calendar year
3. Gifts, benefits and hospitality from UK sources	Over £300 for the total of benefits of whatever size from the same source in a calendar year
4. Visits outside the UK	Over £300 if not wholly borne by Member or public funds Threshold also applies to the total of benefits of whatever size from the same source in a calendar year

2 This reflects the recommendations in the First Report of the Select Committee on Members' Interests, Session 1991–92, Registration and Declaration of Financial Interests, HC 236, paragraph 72.

3 The terms "financial interests" should be read in this way throughout this Guide.

4 The purpose of the Register is set out as paragraph 5 above.

Category	Financial threshold for registration
5. Gifts and benefits from sources outside the UK	Over £300 for the total of benefits of whatever size from the same source in a calendar year
6. Land and property in the UK and elsewhere	Total value of property held: over £100,000 Income derived from property: over £10,000 in a calendar year
7. Shareholdings	Greater than 15% of issued share capital (on preceding 5 April), or if 15% or less of issued share capital (on preceding 5 April), greater in value than £70,000
8. Miscellaneous	No threshold
9. Family members employed and remunerated through parliamentary expenses	Remuneration of over £700 in a calendar year
10. Family members engaged in lobbying	No threshold

9) The requirement for the declaration of interests, set out in Chapter 2, applies in almost every aspect of a Member's activities, in the Chamber, in Committee and in their contacts with others, including Ministers, other Members, public officials and public office holders. It covers, as well as registrable interests, other financial interests which meet the test of relevance but which do not require registration, including past interests and expected future interests and the indirect financial interests of a spouse, partner or family member. Members may also declare non-financial interests if they consider these meet the same test of relevance. The test is whether those interests might reasonably be thought by others to influence his or her actions or words as a Member.

10) Members are not required to register or declare benefits available to all Members, such as their parliamentary salaries, or expenses met from parliamentary sources, or from a scheme for parliamentary expenses. Nor are they required to register or declare benefits provided by their own political party, except as required under registration Category 2: Donations and other support for activities as a Member of Parliament, and a salary from a political party under Category 8: Miscellaneous.

Lobbying for reward or consideration (Chapter 3) and outside interests (Chapter 4)

11) Paragraph 4 of the Code of Conduct provides:

Members must rigorously follow the rules on lobbying set out in the Guide.

12) A Member may, however, still hold some remunerated outside interests, subject to paragraph 9 of the Code, which prohibits the provision of paid parliamentary advice, and the related provisions set out in Chapter 4 of this Guide.

13) Members who receive financial benefits from outside interests may take part in parliamentary proceedings or in meetings and discussions with Ministers, other Members and public officials, which relate to or could affect that interest, but they should take especial care to ensure they do so in accordance with the provisions set out in Chapter 3

of this Guide. Members must not initiate or participate in proceedings or meetings which would provide a financial or material benefit to any organisation or individual from whom they have received, are receiving or expect to receive reward or consideration.

Ministers of the Crown

14) Ministers of the Crown who are Members of the House of Commons are subject to the rules on registration and declaration of interests in the same way as all other Members (although Ministerial office is not registrable and salaried Ministers may still speak in support of Government policies without breaching the restrictions on lobbying for reward or consideration). Whilst Members are not required to register Ministerial office, Ministers are subject to the further guidelines and requirements laid down by successive Prime Ministers in the Ministerial Code, available from the Cabinet Office. These are not enforced by the House of Commons and so are beyond the scope of this Guide.

Seeking and following advice on the rules

15) No written guidance can provide for all circumstances, and the references and examples in this Guide should not be regarded as exhaustive. Members are encouraged to seek advice from the Registrar of Members' Financial Interests if they are in any doubt about whether a course of action is in line with the rules. The Electoral Commission is available to give advice on the permissibility of donations and the requirements of the Political Parties, Elections and Referendums Act 2000 (PPERA).⁵

16) A Member who has sought and followed the advice of the Registrar of Members' Financial Interests on a course of action (or, in respect of the stationery rules, the Clerk of the Journals), so long as they have provided adequate information for that advice to be relevant, will not have acted in breach of the rules in respect of that action.

Commencement

17) The provisions of this Guide apply to all actions by or required of the Member from the commencement date or dates of the Guide agreed by the House. Actions undertaken by or requirements of Members before that commencement date or dates are governed by the previous version of the Guide in force at the material time.

Chapter 1: Registration of Members' Financial Interests

Requirements of the House

1) Paragraph 5 of the Code of Conduct for Members of Parliament provides:

Members must fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests. New Members must register all their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election within one month of their election, and Members must register any change in those registrable interests within 28 days.

5 Please contact the Electoral Commission on 0333 103 1928 .

- 2) The House therefore requires new Members, within one month of their election, to register all their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election. After that, Members are required to register within 28 days any change in those registrable interests. Such a change includes both the acquisition of a new interest and the ceasing of any registered interest, for example because an employment has ceased or because a holding has reduced in value or been sold.
- 3) The paragraphs below set out the requirements of the House under ten categories. When considering registration, Members are also required to keep in mind the overall purpose of the Register, which is to provide information about any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament. If a Member has any financial interests which meet that purpose but which do not fall clearly into one of the defined categories, he or she is nonetheless required to register them, normally under the Miscellaneous category.
- 4) The Miscellaneous category should also be used to register non-financial or unremunerated interests when these meet the purpose of the Register.

Category 1: Employment and earnings

Threshold for registration

- 5) Members must register, subject to the paragraphs below, payments received (of whatever size) for any employment outside the House once they have received a total of over £300 in payments from the same source in a calendar year.

Requirements for registration

- 6) **Under this category Members must register:**

Any of the following received as a director or employee or earned in any other capacity:

- a) Salaries, fees and payments in kind; gifts received in recognition of services performed;
- b) Taxable expenses, allowances and benefits
- c) Directors' loans (if these are at favourable rates)
- d) Redundancy and ex gratia payments;
- e) Special responsibility allowances or councillor allowances paid by a local authority, or a salary as a member of a devolved legislature or administration; and

- f) Income as a member of Lloyd's.⁶
- 7) **Members should not register under this category:**
- a) Earnings received as a Member, Minister or select committee Chair in the UK Parliament;
 - b) Unremunerated directorships (unless associated with, or a subsidiary of, a company or group of which the Member is a remunerated director);⁷
 - c) Directorships of companies not currently trading;⁸
 - d) Earnings of the Member's spouse, partner or family members;
 - e) Income received by way of dividends;
 - f) Payments for completing opinion surveys; and
 - g) Pension payments.
- 8) **Members are required to provide the following information:**
- a) Whether the Member is a director of the organisation;
 - b) The name and address of the payer⁹ and a brief description of their business (if not self evident);
 - c) The name and address of any client to whom the Member has personally provided services,¹⁰ if different from the payer, and a brief description of their business (if not self evident);
 - d) The size of the payment received, and the nature and value of any taxable benefits and any payments in kind. (Earnings should be given gross, i.e. before tax or other deductions, wherever possible. Fees should be given before the addition of VAT.);
 - e) The nature of the work involved, and the number of hours' work to which each payment relates;
 - f) The date when the payment was received (or, if not yet received, the date when the work was completed); and
 - g) Confirmation that the Member has not engaged in paid advocacy.¹¹

6 Members who have resigned from Lloyd's should continue to register their interest as long as syndicates in which they have participated continue to have years of account which are open or in run-off. In such circumstances Members should register the date of resignation. Members of Lloyd's are also required to disclose the categories of insurance business which they are underwriting. Any member of Lloyd's receiving financial assistance (including relief from indebtedness or other loan concessions but excluding any general settlement available to all Lloyd's members) from a company, organisation or person within or outside the United Kingdom should register that interest under gifts and other benefits.

7 Members may register these if they consider them relevant, under Category 8: Miscellaneous.

8 Members may register these if they consider them relevant, under Category 8: Miscellaneous.

9 Unless this would be contrary to any legal or established professional duty of privacy or confidentiality.

10 Unless this would be contrary to any legal or established professional duty of privacy or confidentiality.

11 As described in paragraph 1 of chapter 3 of this Guide.

Members who ceased to hold Ministerial office within the previous two years

9) Such Members should state, additionally, whether they sought the advice of the Advisory Committee on Business Appointments in respect of this employment.

Payments made to other people or organisations

10) A Member who receives payment for his or her work and then donates it to another person, or to a charitable or community organisation, must make their registration in the usual way but may note the donation in their Register entry.

11) A Member who does not receive payment for his or her work in a recognisable form or at all, because it is made to another person or organisation, should nevertheless register the payment within 28 days of its receipt by that other person or organisation. This applies only to payments which, if made direct to the Member, would have required registration under this category.

Contractual agreements for twelve months or more

12) A Member who has a contractual agreement for twelve months or more and receives regular payments may choose, instead of registering each payment as it is received, to register such payments in advance, provided that he or she afterwards registers within 28 days any variation to the information already provided. The initial information to be provided is as set out in paragraph 9 above, except that instead of the information required under subparagraphs (d) and (f), the Member should provide:

- h) The agreed start, and (if any) end dates for the contract;
- i) The agreed payments, including any taxable benefits and payments in kind;
- j) The dates agreed for those payments.

Registering ad hoc payments in advance

13) A Member who has undertaken work and agreed the terms of payment need not wait to receive that payment before making a Register entry, but may register the work at any time between completing the work and 28 days after receiving any payment. In such cases, the Member should provide the date when the work was completed.

Category 2: Donations and other support for activities as a Member of Parliament

Threshold for registration

14) Members must register, subject to the paragraphs below, support for their activities as a Member, or for candidacy at an election for parliamentary or non-parliamentary office, which has a value of more than £1,500, either as a single donation or in multiple donations of more than £500 from the same source in a calendar year.¹²

¹² The terms “donations” and “support”, as used in this chapter, include both financial support and support in kind.

Requirements for registration under Category 2(a) and 2(b)

15) This category has two parts:

Category 2(a): support received by a local party organisation or indirectly via a central party organisation.¹³ A Member must register under this sub-category support received by his or her constituency party organisation or which he or she receives via a central party organisation if there was a clear link between the donation and him or her; for example, if it was given to a such an organisation with a wish that it be allocated to him or her, to his or her fighting fund or to a front bench office which he or she held; if it was assigned to him or her in circumstances where he or she was aware, or could reasonably be expected to be aware, of the identity of the donor; or if he or she had invited or encouraged the donation;

Category 2(b): any other support received by a Member. This includes support received indirectly, for example via a political club.¹⁴ Before accepting any donations registrable under this category, Members must check that they are from a permissible donor. Under the Political Parties, Elections and Referendums Act, Members must not accept impermissible donations and must notify the Electoral Commission within 30 days of receipt.¹⁵

16) **Under this category Members must register:**

- a) Financial support and sponsorship;
- b) Loans and credit arrangements;
- c) Support in kind, including any of the following, if provided either free or at concessionary rates: advice or information services; receptions and events; training or development for the Member or his or her staff; the services of staff or interns; the provision of office space or equipment; hospitality or travel benefits such as season tickets or parking;¹⁶
- d) Bequests;
- e) Gifts of property.

17) **Members should not register under this category:**

- a) Direct support from the Member's own party organisation other than a salaried role which should be registered under category 8;

13 Defined as a registered political party or an accounting unit of such a party.

14 A political club is not a registered political party or an accounting unit of such a party. It is likely to be a Members' association under PPERA, defined as an organisation separate from, but which may be affiliated to, registered parties, but whose members come mainly from one party.

15 For an explanation of a permissible donor see the end of this section. Please contact the Electoral Commission for further advice on checking permissibility and how to report and return an impermissible donation: tel 0333 103 1928 . Members must check the permissibility of all donations with a value of £500 or more. Members have 30 days from receipt of the donation to check that the donor is permissible and decide whether or not to accept it. If the donor is not a permissible source then the Member must return the donation and notify the Electoral Commission within the 30 days. Responsibility for checking the permissibility of donations registered under category 2(a) rests with the relevant party organisation.

16 A concessionary rate should be valued by reference to the nearest equivalent commercial rate.

- b) Trade union support for a constituency party organisation, where this is linked to the constituency and would be provided irrespective of the identity of the Member;
- c) Facilities, equipment or services provided by Parliament, or for which the Member claimed under a scheme for parliamentary expenses; and loans or credit arrangements taken out in order to fund activities for which the Member may claim expenses under a scheme for parliamentary expenses;
- d) Hospitality from UK public bodies, including for example devolved administrations, government departments, the armed services or the police, or local or health authorities. If there is any doubt as to the permissibility of such donors, Members should consult the Electoral Commission;¹⁷
- e) The hours contributed by volunteers (unless funded by another body);
- f) Any money or support provided out of public funds for the Member's security;
- g) Participation in developmental and secondment programmes, such as those operated by the Industry and Parliament Trust, the Armed Services Parliamentary Scheme and the Police Service Parliamentary Scheme, which are approved by the parliamentary authorities;¹⁸
- h) Donations or gifts which are intended to provide personal benefit, which should be registered if necessary under Category 3: gift, benefits and hospitality from UK sources or Category 5: gifts and benefits from sources outside the UK;
- i) Foreign visits, which should be registered if necessary under Category 4: Visits outside the UK;

18) Members are required to provide the following information:

- a) The name and address of the donor and (if the donation was received indirectly) of the organisation acting as intermediary;¹⁹
- b) The amount of the donation, or its nature and value if it is a donation in kind;²⁰
- c) Category 2(b) only: the dates of receipt²¹ and acceptance;
- d) The status of the donor (whether an individual, building society, friendly society, LLP, registered party (other than the Member's own party), trade union, unincorporated association or company, in which case the company registration number is required);

17 Tel0333 103 1928. See also the list of permissible donors.

18 Incidental benefits such as gifts or visits do however require registration under categories 3, 4 or 5 if they are received in the course of such a fellowship or secondment.

19 Private addresses will not be published.

20 When registering a donation from a fundraising event, for example by a fundraising dinner for which an individual has bought a ticket Members should deduct the costs of the individual's dinner to arrive at the value of their donation. They should register it if it exceeds the relevant financial threshold for donations. Where funds are raised for more than one Member, each should register as if he or she was the sole beneficiary.

21 Subscriptions, memberships and staff secondments are generally regarded as received on their start dates.

- e) If the donor is a trust, the name and address of the person who created the trust; if created after 27 July 1999, the names and addresses of all others who have transferred property to the trust, or, if created before 27 July 1999, the date it was created;
- f) If the donation is by means of a bequest, the name and last address of the person who made the bequest, or, if that address is not listed in an electoral register, the last address where that person was registered in the previous five years.

Permissible donors

19) Members must not accept any donations, loans, security or other support valued at over £500 from impermissible donors. They must also report them to the Electoral Commission within 30 days of receipt. The following are permissible donors:

- an individual registered in a UK electoral register (or a bequest from such an individual);
- a UK registered company which is incorporated within the EU and carries on business in the UK;
- a Great Britain registered political party;²²
- a UK registered trade union;
- a UK registered building society;
- a UK registered limited liability partnership that carries on business in the UK;
- a UK registered friendly society;
- a UK based unincorporated association that carries on business or other activities in the UK.

20) In addition, certain trusts may be permissible as donors, but not as lenders or providers of security or credit. Local councils are not permissible donors or lenders.

Category 3: Gifts, benefits and hospitality from UK sources

Threshold for registration

21) Members must register, subject to the paragraphs below, any gifts, benefits or hospitality with a value of over £300 which they receive from a UK source. They must also register multiple benefits from the same source if these have a value of more than £300 in a calendar year.²³

Requirements for registration

22) Under this category Members must register:

22 Northern Ireland parties are not included as permissible donors because of the different rules on donations to which they are subject.

23 Subsequent references to benefits in this category include gifts and hospitality.

Any benefits which relate in any way to their membership of the House or political activities, if provided by a UK source either free or at concessionary rates, including:²⁴

- a) event or travel tickets;²⁵
- b) hospitality in the UK, including receptions, meals and accommodation;
- c) gifts such as clothing or jewellery;
- d) club subscriptions and memberships;
- e) loans or credit arrangements;
- f) discount cards.

See paragraph 27 below for guidance on the registration of benefits given to others.

23) Before accepting any benefit over £500 which would require registration in this category (including a credit facility or a loan which exceeds £500 in value), Members are required to satisfy themselves that it is from a permissible donor, and to notify the Electoral Commission within 30 days of any impermissible donations.²⁶

24) Members should not register under this category:

- a) Benefits which could not reasonably be thought by others to be related to membership of the House or to the Member's parliamentary or political activities; for example, purely personal gifts or benefits from partners or family members. However, both the possible motive of the giver and the use to which the gift is to be put should be considered. If there is any doubt, the benefit should be registered;
- b) Hospitality from UK public bodies, including for example devolved administrations, government departments, the armed services or the police, or local or health authorities. If there is any doubt as to the permissibility of such donors, the Member should consult the Electoral Commission;²⁷
- c) Benefits received in recognition of a service performed by a Member, e.g. after giving a speech. If these benefits would not have been received had this service not been performed, they should be registered under Category 1: Employment and earnings;
- d) Donations or other assistance given to a Member to support his or her parliamentary or political activities, or for candidacy at an election for parliamentary or non-parliamentary office, which should be registered under Category 2: Donations and other support for activities as a Member of Parliament;

24 A concessionary rate should be valued by reference to the nearest equivalent commercial rate.

25 International travel and hospitality received abroad should normally be registered under Category 4: Visits outside the UK.

26 For an explanation of a permissible donor see paragraph 20 above. Advice is available from the Electoral Commission, tel0333 103 1928.

27 Tel0333 103 1928. See also the list of permissible donors in paragraph 20 above.

- e) Foreign visits, including international travel and hospitality received outside the UK (even if funded by UK sources), which should be registered under Category 4: Visits outside the UK;
- f) Other benefits from sources outside the UK, which should be registered under Category 5: Gifts and benefits from sources outside the UK.

25) **Members are required to provide the following information:**

- a) The name and address of the donor;²⁸
- b) The amount of the donation, or its nature and value if it is a donation in kind;
- c) The dates of receipt²⁹ and acceptance;
- d) The status of the donor (whether an individual, building society, friendly society, LLP, registered party (other than the Member's own party), trade union, unincorporated association or company, in which case the company registration number is required);
- e) If the donor is a trust, the name and address of the person who created the trust; if created after 27 July 1999, the names and addresses of all others who have transferred property to the trust, or, if created before 27 July 1999, the date it was created;
- f) If the donation is by means of a bequest, the name and last address of the person who made the bequest, or, if that address is not listed in an electoral register, the last address where that person was registered in the previous five years.

Benefits given to other people or organisations

26) A Member must register under this category any benefit given to any third party, whether or not this accompanied a benefit for him or her, if the Member is aware, or could reasonably be expected to be aware, of the benefit and that it was given because of his or her membership of the House or parliamentary or political activities.

Benefits received during a parliamentary attachment

27) Members must register under this category any incidental benefit, such as gifts, hospitality, or travel, received from a UK source in the course of a fellowship or secondment such as those arranged through the Armed Forces Parliamentary Scheme, the Police Service Parliamentary Scheme or the Industry and Parliament Trust.

Benefits received as a member of an All-Party Parliamentary Group

28) Groups themselves must register any benefit which exceeds the relevant threshold set out in the Guide to the Rules for All-Party Parliamentary Groups. Each Member benefiting should also include in their Register entry details of any benefit to them from a UK source which exceeds the threshold for the Members' Register. If the ultimate donor is identifiable, Members should give their details, as well as naming the Group.

²⁸ Private addresses will not be published.

²⁹ Subscriptions, memberships and staff secondments are generally regarded as received on their start dates.

Legal funds

29) Members should normally register under this category contributions to legal funds (including in-kind contributions). This would apply if, for example, the legal action arose out of activity as a Member of Parliament but the donation was not specifically in support of the Member's activities as a Member of Parliament.

Category 4: Visits outside the UK***Threshold for registration***

30) Members must register, subject to the paragraphs below, any visits to destinations outside the UK where the cost is over £300 if that cost is not wholly borne by the Member or by UK public funds. They must also register multiple visits funded by the same source if taken together these have a value of more than £300 in a calendar year.

31) Costs which are met from parliamentary resources or by UK public bodies do not require registration. But such costs should be taken into account for the purpose of establishing whether the cost of an individual visit exceeds the registrable threshold. Paragraph 35 below provides further details on the sources of funding which do not require registration.

Requirements for registration

32) Under this category Members must register:

Any travel or hospitality received in the course of a visit outside the UK, if it relates in any way to their membership of the House or to their parliamentary or political activities, including:

- a) international and other travel;
- b) hospitality, including hotel or other accommodation, and meals;
- c) car hire;
- d) reimbursement of the costs of any of the above.

The person or organisation funding the visit may be within the UK or elsewhere. Visits funded or arranged by ~~the British Council~~, the Armed Forces Parliamentary Scheme, the Police Service Parliamentary Scheme, or the Industry and Parliament Trust may require registration, subject to the financial threshold.

33) See paragraph 37 below for guidance on the circumstances in which visits by others may require registration; and paragraph 38 for visits undertaken as part of an All-Party Parliamentary Group.

34) **Members should not register under this category:**

- a) Visits wholly funded by their own political party;
- b) Visits undertaken with or on behalf of a select committee of the House;

- c) Visits wholly unconnected with membership of the House or with the Member's parliamentary or political activities (e.g. family holidays);
- d) Visits funded by HM Government, **or a UK public body** or an international organisation to which the United Kingdom Government **or Parliament** belongs;
- e) ~~Visits undertaken on behalf of or under the auspices of the Commonwealth Parliamentary Association, the Inter-Parliamentary Union, the British American Parliamentary Group, the British-Irish Parliamentary Assembly, the Council of Europe, the Western European Union, the Westminster Foundation for Democracy, the NATO parliamentary assembly, or the Organisation for Security and Co-operation in Europe Parliamentary Assembly;~~ **Visits undertaken on behalf of or under the auspices of the British American Parliamentary Group, the British Council, the British-Irish Parliamentary Assembly, the Commonwealth Parliamentary Association, the Council of Europe, the Inter-Parliamentary Union, the NATO parliamentary assembly, the Organisation for Security and Co-operation in Europe Parliamentary Assembly, the Western European Union, the EU-UK Parliamentary Partnership Assembly, or the Westminster Foundation for Democracy;**
- f) Visits funded to an extent which goes significantly beyond reimbursement of the costs incurred. Such visits should be registered (subject to the relevant threshold) under Category 2: Donations and other support for activities as a Member of Parliament;
- g) Visits undertaken for the purpose of outside employment, including for example giving a speech. If the reason for meeting the Member's expenses lies in that outside employment and the Member received any remuneration or taxable expenses, the visit should be registered under Category 1: Employment and earnings.

35) Members are required to provide the following information:

- a) The name and address of the person or organisation funding the visit;³⁰
- b) The amount of any payment, and/or the nature and value of any donation in kind such as flights or accommodation;
- c) The destination of the visit;
- d) The date(s) of the visit;
- e) The purpose of the visit.

Visits by others

36) Members should register in this category any visit outside the UK which is undertaken by someone else, whether accompanying the Member or not. Registration is required if

30 Private addresses will not be published.

the Member is aware, or could reasonably be expected to be aware, that part or all of the visit was paid for by another person or organisation because of that Member's membership of the House or parliamentary or political activities.³¹

Visits undertaken through an All-Party Parliamentary Group

37) Groups themselves must register any visit which exceeds the relevant threshold set out in the Guide to the Rules for All-Party Parliamentary Groups. Each Member benefiting should also make a Register entry if the value of the benefit to them exceeds the threshold for visits in the Members' Register. If the ultimate funder is identifiable, Members should give their details, as well as naming the Group.

Category 5: Gifts and benefits from sources outside the UK

Threshold for registration

38) Members must register, subject to the paragraphs below, any gifts or benefits with a value of over £300 which they receive from a source outside the UK. They must also register multiple benefits from the same source if taken together these have a value of more than £300 in a calendar year.³²

Requirements for registration

39) Under this category Members must register:

Any benefits which relate in any way to their membership of the House or parliamentary or political activities, if provided by a source outside the UK either free or at concessionary rates, including:³³

- a) event or travel tickets;³⁴
- b) hospitality in the UK, including receptions, meals and accommodation;³⁵
- c) gifts such as clothing or jewellery;
- d) club subscriptions and memberships;
- e) loans or credit arrangements;
- f) discount cards etc.

40) See paragraph 44 below for guidance on the circumstances in which benefits given to others must be registered.

41) Members should not register under this category:

31 Subject to the relevant thresholds, Members' staff who hold parliamentary passes as secretaries or research assistants should also register their visits in the Register of Interests of Members' Secretaries and Research Assistants.

32 Subsequent references to benefits in this category include gifts and hospitality.

33 A concessionary rate should be valued by reference to the nearest equivalent commercial rate.

34 International travel and hospitality received abroad should normally be registered under Category 4: Visits outside the UK.

35 See footnote above.

- a) Benefits which could not reasonably be thought by others to be related to membership of the House or to the Member's parliamentary or political activities, for example purely personal gifts or benefits from partners or family members, or loans or mortgage arrangements on commercial terms. However, both the possible motive of the giver and the use to which the gift is to be put should be considered. If there is any doubt, the benefit should be registered;
 - b) Benefits received in recognition of services performed by a Member, e.g. after giving a speech. If these benefits would not have been received had the Member not performed that service, they should be registered under Category 1: Employment and earnings;
 - c) Donations or other assistance given to a Member to support his or her parliamentary or political activities, or for candidacy at an election for parliamentary or non-parliamentary office, which (if permissible) should be registered under Category 2: Donations and other support for activities as a Member of Parliament. NB: There are legal restrictions on acceptance of benefits from sources outside the UK which amount to such support for a Member of Parliament, and before accepting any such support of more than £500 (including a credit facility or a loan which exceeds £500 in value) Members are required to satisfy themselves that it is from a permissible donor, and to notify the Electoral Commission within 30 days of any impermissible donations.³⁶
- 42) Members are required to provide the following information:
- a) The name and address of the donor;³⁷
 - b) The amount of the donation, or its nature and value if it is a donation in kind;
 - c) The dates of receipt and acceptance;³⁸
 - d) The status of the donor (whether an individual, building society, friendly society, LLP, registered party (other than the Member's own party), trade union unincorporated association or company, in which case the company registration number (if any) is required);
 - e) If the donor is a trust, the name and address of the person who created the trust; if created after 27 July 1999, the names and addresses of all others who have transferred property to the trust, or, if created before 27 July 1999, the date it was created;
 - f) If the donation is by means of a bequest, the name and last address of the person who made the bequest, or, if that address is not listed in an electoral register, the last address where that person was registered in the previous five years.

Benefits given to other people or organisations

36 For an explanation of a permissible donor see paragraph 20 above. The Electoral Commission can advise on the permissibility of donors, tel 0333 103 1928

37 Private addresses will not be published.

38 Subscriptions, memberships and staff secondments are generally regarded as received on their start dates.

43) Member must register under this category any benefit given to any third party, whether or not this accompanied a benefit for him or her, if the Member is aware, or could reasonably be expected to be aware, of the benefit and that it is given because of his or her membership of the House or parliamentary or political activities.

Benefits received during a parliamentary attachment

44) Members must register under this category any incidental benefit, such as gifts, hospitality, or travel, received from a source outside the UK in the course of a fellowship or secondment such those arranged through the Armed Forces Parliamentary Scheme, the Police Service Parliamentary Scheme or the Industry and Parliament Trust.

Benefits received as a member of an All-Party Parliamentary Group

45) Groups themselves must register any benefit which exceeds the relevant threshold set out in the Guide to the Rules for All-Party Parliamentary Groups. Each Member benefiting should register any benefit to them from a source outside the UK which exceeds the threshold for the Members' Register. If the ultimate donor is identifiable, Members should give their details, as well as naming the Group.

Category 6: Land and property

Threshold for registration

46) Members must register, subject to the paragraphs below, any land or property in the UK or elsewhere which:

- i) has a value of more than £100,000; or forms part of a total property portfolio³⁹ whose value exceeds £100,000; and/or
- ii) alone or together with other properties owned by the Member, provides rental income of more than £10,000 in a calendar year.

Requirements for registration

47) **Under this category Members must register:**

- a) Land or property which they own or hold, either by themselves or with or on behalf of their spouse, parents, partner or dependent children.

48) **Members should not register under this category:**

- a) Any land or property which is used wholly for their own personal residential purposes (whether alone or shared with others, such as friends or family members), or those of their family member (see paragraph 58 for the definition of a family member).⁴⁰

49) **Members are required to provide the following information:**

³⁹ Excluding property used wholly for the Member's own personal residential purposes, or those of their spouse, partner or dependent children.

⁴⁰ This includes land and property of registrable value which is held in trust for the Member, for example as part of a self-invested personal pension.

- a) The type of property; e.g. whether business or residential, and if land, the type of use to which it is put; and
- b) Its location, for example the relevant local authority area; and
- c) Whether the holding falls to be registered under (i) and/or (ii) of paragraph 47 above. If the rental income is paid to another person or organisation, this should be stated;
- d) The date on which the land or property was acquired, or when the value of the property (or the rental received) achieved registrable value.⁴¹

Category 7: Shareholdings

Threshold for registration

- 50) Members must register, subject to the paragraphs below, any holdings which:
- i) amount to more than 15% of the issued share capital of that company, or more than 15% of a partnership;
 - ii) are valued at more than £70,000.⁴²

Requirements for registration

- 51) **Under this category Members must register:**
- a) Shareholdings or share options which they hold, either by themselves or with or on behalf of their spouse, partner or dependent children. This includes any shares which are managed by a trust (other than a blind trust⁴³ or similar delegated management arrangement) and any holdings in sector-specific vehicles;
 - b) Interests in LLPs or other partnerships.
- 52) **Members should not register under this category:**
- a) Holdings in collective investment vehicles such as unit trusts, investment companies with variable capital (ICVCs) and investment trusts;
 - b) Assets held in blind trusts;⁴⁴
 - c) Pensions (except for property held for self-invested personal pensions).

41 If the value of the land or property is close to the threshold for registration, the Member should periodically check its value and, if it exceeds the threshold, should register it within 28 days of the date of that valuation.

42 Holdings should be valued as at the previous 5 April. If this is not possible, the Member should make their best estimate of the value on that date and register the holding within 28 days of the 5 April valuation. Holdings which fall below the registrable thresholds but meet the test of relevance should be registered under Category 8: Miscellaneous.

43 For a trust to be regarded as a blind trust the Member must not know details of how their assets are invested or give trustees instructions about specific investments. They may however give general directions about the nature of investments when the trust is established, may receive reports on its overall performance and may realise some or all of its assets. In certain circumstances there may be a requirement to declare a blind trust. See paragraph 4 of chapter 2 for more details.

44 Ibid.

53) Members are required to provide the following information:

- a) The name of the company or organisation;
- b) A brief description of the nature of its business, and of any relevant trust or delegated management arrangement;
- c) Whether the holding falls to be registered under (i) or (ii) of paragraph 51 above;
- d) The date on which beneficial ownership of the holding was acquired or the holding achieved registrable value.⁴⁵

Category 8: Miscellaneous***Requirements for registration*****54) Under this category Members must register:**

- a) Significant, formal unpaid roles such as an unpaid directorship, a directorship of a company not currently trading, or a trusteeship;
- b) A formal role with a party organisation, including job title, start date, salary (if applicable), and whether it is a full time or part time role;
- c) Funds established to defray legal costs arising out of the Member's work, including 'crowdfunded' legal funds for action to which the Member is a party, including stating what (if any) benefit has been received by the Member;
- d) Any relevant financial interest or material benefit which does not clearly fall into one of the other categories, including any shareholding which falls below the relevant threshold, or any other financial asset, including an asset held in trust, if this meets the test of relevance; in other words, that it might reasonably be thought by others to influence a Member's actions or words as a Member; and
- e) Any other interest, if it might reasonably be thought by others to influence a Member's actions or words as a Member in the same way as a financial interest. This might include, for example, non-practising membership of a profession.

55) Members are required to provide the following information:

- a) A description of the interest and, where relevant, the name of the donor;
- b) Any other relevant information. It is not necessary to provide a value for financial interests in this category;
- c) The date when the interest arose or became registrable.

56) Members should not register under this category:

⁴⁵ Existing holdings should be valued as at the previous 5 April. If this is not possible, the Member should make their best estimate of the value on that date and register the holding within 28 days of their valuation, the date of which should be given.

- a) Informal unpaid positions such as patronships, or an informal role in a society or organisation;
- b) Membership of a society or organisation.

Category 9: Family members employed

Threshold for registration

57) Under this category Members must register, subject to the paragraphs below, details of any family members whom they employ if those employees receive, from parliamentary expenses, remuneration of more than £700 in a calendar year.

Requirements for registration

58) **Under this category Members must register:**

- a) Any family members employed and remunerated through expenses or allowances available to support his or her work as a Member of Parliament. Family members should be regarded as including a spouse, civil partner or cohabiting partner of the Member and the parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew or niece of the Member or of a spouse, civil partner or cohabiting partner of the Member.

59) **Members are required to provide the following information:**

- a) The name of any family members employed and paid from parliamentary expenses;
- b) Their relationship to the Member;
- c) Their job title;
- d) Whether they work part time.

Category 10: Family members engaged in lobbying

Requirements for registration

60) **Under this category Members must register:**

- a) Details of any of their family members involved in lobbying the public sector;⁴⁶ if they are aware, or could reasonably be expected to be aware, of the involvement of the family member in such a lobbying activity.

61) For the purposes of this category, lobbying is defined as undertaking activities in a professional capacity and on behalf of a third party or client in an attempt to influence, or advise those who wish to influence, the UK Government, Parliament, devolved legislatures or administrations, regional or local government or other public bodies on any matter within their competence.

46 Family members are defined as under Category 9. See paragraph 58 above.

62) **Members are required to provide the following information:**

- b) The name of any family members involved in lobbying;
- c) Their relationship to the Member;
- d) Their job title;
- e) The name of their company or employer, if any.

Chapter 2: Declaration of Members' Interests

Requirements of the House

1) Paragraph 6 of the Code of Conduct for Members of Parliament provides:

Members must always be open and frank in declaring any relevant interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members, public officials or public office holders.

- 2) The declaration of interests ensures that Members, the public and others are made aware at the appropriate time, in proceedings of the House and on other occasions, of any interest relevant to those proceedings or to the actions or words of a Member. The requirement to declare an interest complements the registration requirements and applies from the time the House first sits after the Member is elected and to almost every aspect of a Member's parliamentary duties. It covers a broader range of interests than registration.
- 3) Declarations must be informative but succinct. A Member who has already registered an interest may refer to his or her Register entry. But such a reference will not suffice on its own, as the declaration must provide sufficient information to convey the nature of the interest without the listener or the reader having to have recourse to the Register or other publication.
- 4) When contemplating an action that requires a declaration of interest, Members should take care to consider whether that action itself would breach the House's rules on lobbying for reward (see chapter 3), or would present a conflict of interest.

Requirements for declaration

- 5) Members are required, subject to the paragraphs below, to declare any financial interests which satisfy the *test of relevance*, including:
- a) past financial interests (normally limited to those active within the last twelve months);
 - b) indirect financial interests, such as the financial interests of a spouse or partner, or another family member, if the Member is aware or could reasonably be expected to be aware of that interest. It is not necessary to identify the person

concerned: a formula such as “A member of my family has a financial interest in []” will usually suffice. The definition of a family member is as under Category 9 of the Register;⁴⁷

- c) expected future interests, if the Member’s plans have moved beyond vague hopes and aspirations and reached the stage where the Member has a reasonable expectation that a financial benefit will accrue;
- d) financial interests of a sort which do not require registration, including for example blind trusts,⁴⁸ and interests which fall below the financial thresholds;
- e) financial interests which require registration but have not yet appeared in the published Register;
- f) any registered non-financial interests.

Members may also declare, if they think it appropriate, non-financial interests which are not registered but which they consider meet the test of relevance.

6) *The test of relevance* is whether those interests might reasonably be thought by others to influence his or her actions or words as a Member.

7) Members are not required to declare an interest:

- a) *if to do so would unduly impede the business of the House*; for example, during oral Questions, when asking supplementary Questions, or when responding to a Ministerial statement; or
- b) *when voting*, either in the House or in committee. But a Member who has a relevant registrable interest which has not yet been registered should seek to register it before the vote; or if this is not possible, as soon as possible afterwards; or
- c) *if that interest is a benefit available to all Members*, such as the parliamentary salary, or expenses met from parliamentary sources or from a scheme for parliamentary expenses; or
- d) *if it is a benefit provided by the Member’s own party* (unless it is registrable under Category 2: Donations and other support for activities as a Member of Parliament).

Occasions when declaration is required

8) Subject to paragraphs 1 to 6 of this chapter, Members must declare a relevant interest:

- a) *in the Chamber and in general committees*:
 - i) when making a speech or intervening in a debate;

⁴⁷ See paragraph 58 of Chapter 1 of this Guide.

⁴⁸ Members should be aware that existence of a blind trust may be declarable for example during proceedings concerning legislation which would affect such trusts. In addition, if a Member is aware that the trust invests in a particular sector he or she may need to declare that where relevant.

- ii) *in the Committee or consideration stage of a Bill.* In a Public Bill Committee a Member should declare an interest at the first meeting or when he or she first addresses the Committee. The declaration should be repeated later if speaking on any amendment to which the interest is particularly relevant;
- b) *in Committee on Opposed Private Bill:*

A Member nominated by the Committee of Selection to serve on a Committee on an Opposed Private Bill must sign a declaration that “my constituents have no local interest, and I have no personal interest, in the said Bill.”⁴⁹ Advice is available from the Clerk of Bills.

c) *In Select Committees:*

- i) *at the Committee’s first meeting.* Members must provide details of any registered financial interests, and of any non-registrable interests which meet the test of relevance.⁵⁰ These are circulated under the authority of the Chair (if elected by the House) or in other cases the senior Member before the Committee’s first meeting. Members who do not attend the Committee’s first meeting must make their declaration at the beginning of the first meeting they do attend;
- ii) *when the Committee is deciding on the subject of an inquiry;*
- iii) *at the beginning of any inquiry to which their interest particularly relates;*
- iv) *at sessions of evidence, and in any hearings involving witnesses to whom the interest is particularly relevant and before any questions which might reasonably be thought by others relevant to that interest.*

These declarations will be recorded in the Committee’s proceedings.

If the subject matter of the inquiry is of direct concern to an outside body in which a Member has a financial interest, he or she must consider whether it is proper to take part in the inquiry, and whether it is possible to participate effectively in the inquiry without crossing the borderline into paid advocacy. And a Member who has a personal interest which may reflect upon the work of the Committee or its report should stand aside from the Committee proceedings relating to it.

d) *When tabling any written notice:*

- i) *when tabling a notice for the presentation of a Bill, or tabling an amendment to a Bill.* A Member who gives his or her name in support of a Bill, or who tables an amendment to a Bill, must notify the Legislation Office of any relevant interest;
- ii) *when tabling oral or written Questions.* Members must indicate any relevant interest on the question form. If the question is for oral answer there is no need for further declaration when called in the Chamber;⁵¹

49 Standing Order 120 refers.

50 The test of relevance is set out in paragraph 5 of this chapter.

51 There is also no need to declare an interest when asking a Supplementary Question.

- iii) *when applying for urgent Questions or emergency debates.* Members must inform the Speaker of any relevant interest. If the request is granted the Member must also declare the interest orally when asking the question or moving the motion;
- iv) *when tabling motions, including Early Day Motions [EDMs], or amendments to motions, or adding their name to a motion or amendment.* Members must indicate any interest in the appropriate place on the form;
- v) *when applying for an adjournment debate.* Members must inform the Table Office of any relevant interests;
- vi) *when giving notice before presenting a petition and when presenting a petition in the House.* Members must notify the Journal Office of any relevant interest when giving notice of presentation of a petition, providing an explanatory note if the nature of that interest is not immediately obvious from their Register entry. They must then declare any relevant interests in the House when presenting that petition;
- vii) *when standing for election as chair of a Select Committee.* The Member's full Register entry is published with his or her nomination.

When an interest is declared, the symbol [R] (for 'Relevant Interest Declared') will normally be printed on the relevant Notice Paper or Order Paper. If it is not readily apparent which of the Member's interests is relevant, he or she should provide an explanatory note which will then be made available for inspection.

e) *When approaching others:*

Members must declare a relevant interest in any communication, formal or informal, with those who are responsible for matters of public policy, public expenditure or the delivery of public services.⁵² That includes communications with Ministers, either alone or as part of a delegation: with other Members; with public officials (including the staff of government departments or agencies and public office holders). If those communications are in writing, then the declaration should be in writing too; otherwise it should be oral.

f) *When booking facilities on the parliamentary estate.*

Members who book private dining rooms or any other rooms through the Facilities Department for the purpose of holding a function must indicate on the booking form if they have a relevant interest. This requirement applies if the function is on behalf of an outside organisation other than the Member's political party. Members who have such an interest must also indicate this on the invitations to their event. For this purpose a function is where significant hospitality including food and drink is provided: a declaration is not necessary when booking a room simply for a meeting or presentation where simple refreshments such as tea and biscuits may be available.

52 The test of relevance is set out in paragraph 5 of this chapter.

Chapter 3: Lobbying for reward or consideration

The rules relating to lobbying

1) Taking payment in return for advocating a particular matter in the House is strictly forbidden. Members may not speak in the House, vote, or initiate parliamentary proceedings for payment in cash or kind. Members may not make in approaches to Ministers, other Members or public officials in return for such payment.⁵³ Nor may they pursue interests which are wholly personal and particular to the Member, such as may arise from a profession or occupation outside the House.

2) Subject to paragraph 6 7 below, Members must not engage in lobbying by initiating or participating in a proceeding or approach which seeks to confer, or would have the effect of conferring, any financial or material benefit on an identifiable person from whom or an identifiable organisation from which they, or a family member, have received, are receiving, or expect to receive outside reward or consideration, or on a registrable client of such a person or organisation.

3) A Member may not enter into any contractual arrangement which fetters the Member's complete independence in Parliament, nor may an outside body (or person) use any contractual arrangement with a Member of Parliament as an instrument by which it controls, or seeks to control, his or her conduct in Parliament, or to punish that Member for any parliamentary action.

4) The lobbying rules apply only to Members who receive an outside reward or consideration and whose activities would provide (or seek to provide) a financial or material benefit to the person or organisation providing that reward or consideration. They do not otherwise prevent Members from initiating or participating in proceedings or approaches to Ministers, other Members or public officials, even where they themselves may have a financial interest. In such cases the rules on registration and declaration apply. **However, the definition of a 'financial or material benefit' should be interpreted narrowly. A Member's action would not be considered to be seeking to confer, or having the effect of conferring, a benefit on a person or organisation if that benefit was widely distributed, for example, to an entire sector or sectors.**

5) **When in doubt about whether a prospective course of action would constitute seeking to confer, or having the effect of conferring, a financial or material benefit on the relevant person or organisation, Members are advised to seek advice from the Registrar. Having done so, and if they follow this advice, they will be able to rely on the 'safe harbour' provision.**⁵⁴

6) Members must always consider whether they have a conflict of interest when they pursue of course of action as a Member. If so, they must resolve it, at once, in accordance with Paragraph 2 of the Code of Conduct.

53 Resolutions of 6 November 1995 and 15 July 1947 as amended on 6 November 1995 and 14 May 2002

54 See Introduction, paragraph 16.

Whistleblowing

7) If a Member has evidence of a serious wrong or substantial injustice, the Member may exceptionally approach the responsible Minister or public official with this evidence even if the resolution of any such wrong or injustice would have the incidental effect of conferring a financial or material benefit on an identifiable person from whom or an identifiable organisation from which the Member, or a member of his or her family, has received, is receiving or expects to receive, outside reward or consideration (or on a registrable client of that person or organisation). The Member must make clear from the outset that they are presenting evidence of a serious wrong or substantial injustice and must declare their interest. The approach must be limited to the provision of such evidence on a single occasion, and any benefit must be merely incidental to the resolution of the wrong or injustice, and not an integral part of the approach.

Time limits

8) The restrictions under the lobbying rules apply for 12 months after the reward or consideration was received. A Member can free him or herself immediately of any restrictions due to a past benefit by repaying the full value of any benefit received from the outside person or organisation in the preceding 12 month period.

Definitions

9) **Initiating or participating in a proceeding of the House includes:**

- a) making a speech in the House, in Committee of the whole House, in Westminster Hall or in a general committee, or making an intervention in a debate, statement or other proceeding
- b) tabling and asking a Parliamentary Question, including a Topical Question, an Urgent Question, or a Question to the Prime Minister, or asking a supplementary question, whether to the Member's own Question or another Member's Question;
- c) presenting a Bill;
- d) presenting a Petition;
- e) initiating, or seeking to initiate a debate such as a backbench business debate or Westminster Hall debate;
- f) tabling or moving any motion (e.g. an "Early Day Motion", a motion for leave to introduce a Bill under the "Ten Minute Rule" or a motion "blocking" a Private Bill);
- g) giving any written notice, or adding a name to such a notice, or making an application for and introducing a daily adjournment debate, or emergency debate;
- h) tabling or moving an Amendment to a Bill;
- i) proposing a draft Report, or moving an Amendment to a draft Report, in a Select Committee;

j) asking a question in a Select Committee when taking formal evidence.

10) **Outside reward or consideration includes:**

- a) past financial interests or material benefits, including “one-off” registrable interests, such as visits and gifts, and continuing benefits such as directorships, employment and sponsorships.
- b) all present financial interests or material benefits which must be either registered or declared;
- c) future financial interests or material benefits, where a Member has a firm and specific expectation that such a financial benefit from an identifiable outside person or organisation will accrue in the next six months.

11) **Outside reward or consideration does not include:**

- a) any non-financial interest or benefit, even though this may be registered or declarable;
- b) any payment to someone from the Member’s family which arises out of that person’s own occupation. This is not regarded as a benefit for the purposes of the lobbying rule, although it may be declarable.⁵⁵

12) **An identifiable person or organisation** is a named person or organisation from whom a Member has received or is receiving outside reward or consideration, or from whom a Member has a firm and specific expectation of receiving such reward or consideration, at the time of the relevant parliamentary proceeding or approach to Ministers, Members or public officials.

13) **Family members comprise:**

- a) all those defined under registration Category 9 (see paragraph 5 of Chapter 1 of this Guide). The lobbying restriction arising from the receipt of outside reward or consideration by a family member applies only when the Member is aware or could reasonably be expected to be aware of such reward or consideration.

14) **Public officials include:**

- a) all those who are responsible for matters of public policy, public expenditure or the delivery of public services. The term therefore includes all staff of government departments and agencies and public office holders.

15) **Participating in an approach to a Minister, other Member or public official includes:**

- a) participating in or accompanying a delegation or group to discussions or meetings, whether these are formal or informal in nature.

55 The definition of a family member is as under registration Category 9; see paragraph 58 of Chapter 1 of this Guide.

Application of the lobbying rules

Matters outside the lobbying rules

16) The following fall outside the lobbying rules:

- a) *Ministers*: Members who are acting in the House as government Ministers are not subject to these rules when acting in that capacity.
- b) **Frontbench spokespersons: Members who are acting in the House as frontbench spokespersons for the official Opposition or the second largest opposition party are not subject to these rules when initiating or participating in proceedings in that capacity.**
- c) *Other elected bodies*: Membership of other specified elected bodies shall not be taken into account when applying this rule. These bodies comprise: the Scottish Parliament; Senedd Cymru; the Northern Ireland Assembly; and local authorities in the United Kingdom.
- d) *Constituency issues*: ~~Members may pursue any constituency interest in any approach to a Minister or public official (but not by initiating or participating in a proceeding of the House or an approach to a Member), subject to the registration and declaration rules.~~ **Members may pursue any constituency interest in any approach to a Minister or public official, subject to the registration and declaration rules. NB: The lobbying rules do apply, however, in respect of Members initiating any proceeding of the House on behalf of a person or organisation in their constituency from whom or from which they, or a family member receive, have received or expect to receive outside reward or consideration.**
- e) *Trade union sponsorship*: The rules do not prohibit Members being sponsored by a trade union or any other organisation, subject to the rules on registration and declaration.
- f) *Support from or salary paid by a Member's own party organisation*: Any financial support or salary paid by a Member's own party organisation is not taken into account when applying the lobbying rules;
- g) *Representative organisations*, associations, charities, etc:
 - i) Membership alone (i.e. without remuneration) of a trade association, staff association, professional body, charity or other similar representative organisation is not taken into account when applying the lobbying rules.
 - ii) A Member who is a member of a representative organisation may lobby by initiating or participating in parliamentary proceedings or approaches to Ministers, other Members or public officials in support of a policy position held by, or a campaign run by, that organisation, irrespective of any other relevant financial interest, provided any such interests are properly declared.

- iii) Members who are remunerated advisers to representative organisations are subject to the lobbying rules in respect of such organisations as they would be in respect of other identifiable persons or organisations under paragraph 7 above.
- h) *Private Members' Bills*: Private Members (including those successful in the Ballot for Bills) are not prevented from introducing and proceeding with a Bill by reason of the fact that they receive free or subsidised assistance from an organisation connected with the purposes of the Bill, provided the Member had no pre-existing financial relationship with the organisation which is registered, or is required to be registered.

Former Members

17) Former Members must abide by the restrictions of the lobbying rules for six months after their departure from the House in respect of any approach they make to Ministers, other Members or public officials. Former Members may not use their privileged parliamentary pass for the purposes of lobbying on the parliamentary estate.

18) These provisions do not apply to former Members who are Members of the House of Lords.

19) The Committee on Standards and Privileges has indicated it would expect the Committee on Standards to regard it as a serious matter if a sitting Member were influenced in his or her actions by the prospect of becoming a paid lobbyist, or entered into improper agreements relating to future lobbying activities.

Hospitality from foreign governments and visits outside the UK

20) **Members may not** initiate or participate in any parliamentary proceeding or approach to a Minister, other Member or public official which seeks to confer, or would have the effect of conferring, any financial or material benefit on a foreign government, non-governmental organisation (NGO) or other agency which has, within the previous 12 months, funded a visit they have undertaken or provided them with hospitality.⁵⁶ **They may however initiate or participate in proceedings or approaches on more generally related matters, provided that they fully declare their interest and that their action does not seek to confer, or have the effect of conferring, a financial or material benefit on that government or organisation, beyond the improvement of international relations. Members are advised to be especially cautious when coming into contact with representatives of corrupt or repressive regimes.**

Points of Order

21) The Speaker has declined to receive points of order relating to registration or lobbying.⁵⁷

56 Subject to the provisions in paragraph 10 above which enable a Member to free him- or herself of a past benefit.
57 Select Committee on Standards in Public Life, Second Report, Session 1994–95, HC 816, paragraph 26 and e.g. HC Deb, vol 276, col 605 and vol 277, cols 767–68

Chapter 4: Outside interests

Paid parliamentary advice

1) Paragraph 9 of the Code provides that:

Members must not provide, or agree to provide, paid parliamentary advice, or agree to undertake services as a Parliamentary strategist, adviser or consultant.

2) This prohibits Members from advising outside organisations or persons on process, for example, how they may lobby or otherwise influence the work of Parliament, in return for payment. The following is not parliamentary advice:

- a) advice on public policy and current affairs;
- b) advice in general terms about how Parliament works; and
- c) media appearances, journalism, books, public lectures and speeches.

Members' outside employment

3) A Member who takes on any formal paid employment with an outside body must obtain a written contract or written statement of particulars detailing their duties. This contract must be made available to the Parliamentary Commissioner for Standards on request (but Members do not need to lodge a copy of the contract with the Registrar when registering employment).

4) Any such contract, or letter of undertaking from the employer, must specify that the Member's duties will not include lobbying Ministers, Members of Parliament or public officials on behalf of that employer, nor providing paid parliamentary advice, and that the employer may not ask them to do so.

Annex 2: Illustrative examples of the lobbying rules

The following examples are hypothetical and illustrative, and should not be relied on by Members when making a decision about whether or not to participate in a proceeding or approach. No set of examples can be comprehensive, and Members are therefore urged to seek advice from the Registrar if they require advice on the lobbying rules. If the House approves the Committee's proposed changes to the Code and the Guide, Members who seek and follow the advice of the Registrar in respect of the lobbying rules will not be in breach of the Code.

Example 1:

Mr F is a locum GP working for a local practice in his constituency. He attends a backbench business debate about A&E waiting times. He makes a speech drawing on his experience of the health service to suggest ways to improve A&E waiting times. He declares his interest as a working GP at the start of his speech. Because Mr F's speech does not seek to confer, or have the effect of conferring, a benefit on the organisation paying him, he is permitted to make his speech under the lobbying rules.

Example 2:

Ms P is paid non-executive director of a building firm specialising in home improvements. She makes an intervention during the budget debate to oppose an increase in the headline VAT rate which she says will be detrimental to her constituents. Whilst Ms P's firm might benefit from reversing a planned increase in VAT, the benefit is so broadly distributed that her intervention could not be said to be seeking to confer, or having the effect of conferring, a benefit on the organisation paying her, so she is permitted to make her intervention under the lobbying rules.

Example 3:

Mrs L jointly owns and manages a family farm which is predominantly involved in sheep farming. She makes a speech in a Westminster Hall debate about access to mental health services in rural areas and farming communities, in which she draws on her experience to argue for colocation of mental health support with other community services in sparsely populated areas. She declares her interest at the beginning of her speech. Because Mrs L's speech does not seek to confer a material or financial benefit on the organisation paying her, she is permitted to make her speech under the lobbying rules.

Example 4:

Mr W made a visit one month ago to a country which has recently passed legislation to curtail civil liberties, and which has had a number of recent reported cases of imprisonment without trial. Mr W met with members of the governing and opposition parties, and accepted hospitality and in-country travel from the country's government which exceeded the registrable threshold. Mr W successfully applies for an adjournment debate on human rights in that country, in which he intends to criticise the country's recent legislation, and call on the Government to put diplomatic pressure on the country to restore civil liberties. Mr W declares his interest to the Table Office when applying for

the debate, and declares his interest orally at the beginning of his speech. Whilst Mr W is in receipt of outside reward or consideration, he is not seeking to confer a benefit on the organisation from whom he received a benefit, so he is permitted to make his speech under the lobbying rules.

Mr W also made a visit to another country, the costs of which were borne by the host country's government. A month later there was a debate in the Chamber on bilateral trade between the UK and that country. Because Mr W received a registrable benefit from that country's government, participation in that debate which sought to confer, or would have the effect of conferring a benefit—for example by arguing for lowering tariffs or relaxing the visa regime—would be a breach of the lobbying rules.

Example 5:

Ms O is an unpaid trustee of a charity that works with children with learning difficulties. She makes a speech in the Queen's Speech debate in which she calls on the Government to increase funding for services to help children with learning difficulties, pays tribute to the work of the charity of which she is a trustee, and suggests that schools should be encouraged to work in partnership with such charities. She declares her interest at the beginning of the speech. Because Ms O does not have a financial interest arising from her involvement in the charity, she is not in receipt of "outside reward or consideration", and so is permitted to make her speech under the lobbying rules.

Formal minutes

Tuesday 28 June 2022

Members present:

Chris Bryant, in the Chair

Tammy Banks

Andy Carter

Alberto Costa

Rita Dexter

Yvonne Fovargue

Sir Bernard Jenkin

Dr Michael Maguire

Mehmuda Mian

Victoria Smith

Paul Thorogood

Draft report (*New Guide to the Rules: final proposals*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 24 read and agreed to.

Annexes 1 and 2 agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

None of the lay members present wished to submit an opinion on the Report (Standing Order No. 149(8)).

Ordered, That the Chair make the Report to the House.

Adjournment

The Committee adjourned.

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

Session 2021–22

Number	Title	Reference
1st	New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament	HC 227
2nd	Code of Conduct: Procedural Protocol	HC 378

Session 2021–22

Number	Title	Reference
1st	Boris Johnson	HC 549
2nd	Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers	HC 582
3rd	Mr Owen Paterson	HC 797
4th	Review of the Code of Conduct: proposals for consultation	HC 270
5th	Daniel Kawczynski	HC 1036
6th	Review of fairness and natural justice in the House's standards system	HC 1183
7th	All-Party Parliamentary Groups: improving governance and regulation	HC 717

Session 2019–21

Number	Title	Reference
1st	Kate Osamor	HC 210
2nd	Stephen Pound	HC 209
3rd	Greg Hands	HC 211
4th	Conor Burns	HC 212
5th	Mr Marcus Fysh	HC 213
6th	Confidentiality in the House's standards system	HC 474
7th	Sanctions in respect of the conduct of Members	HC 241
8th	David Morris	HC 771
9th	Dr Rosena Allin-Khan	HC 904
10th	The House of Commons and the criminal law: protocols between the police and the Parliamentary Commissioner for Standards and the Committee on Standards	HC 883

Number	Title	Reference
11th	ICGS investigations: Commons-Lords agreement	HC 988
12th	Sanctions and confidentiality in the House's standards system: revised proposals	HC 1340