

## **Appendix 2**

Status:  Law In Force

### **Standards Committees (Grant of Dispensations) (Wales) Regulations 2001/2279**

This version in force from: **April 1, 2016** to **present**

(version 2 of 2)

#### **2. Circumstances in which dispensations may be granted**

The standards committee of a relevant authority may grant dispensations under [section 81\(4\)](#) of the Act where-

(a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;

(b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;

(c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

(d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;

(e) the interest is common to the member and a significant proportion of the general public;

(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;

(g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;

(h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; [...] <sup>1</sup>

(i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed [; or] <sup>2</sup>

[(j) "it appears to the committee to be otherwise appropriate to grant a dispensation.

] <sup>3</sup>

## Notes

- <sup>1</sup>. Word revoked by Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016/85 [reg.4\(3\)\(a\)](#) (April 1, 2016)
- <sup>2</sup>. Word substituted by Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016/85 [reg.4\(3\)\(b\)](#) (April 1, 2016)
- <sup>3</sup>. Added by Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016/85 [reg.4\(3\)\(c\)](#) (April 1, 2016)

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**Subject:** Local government