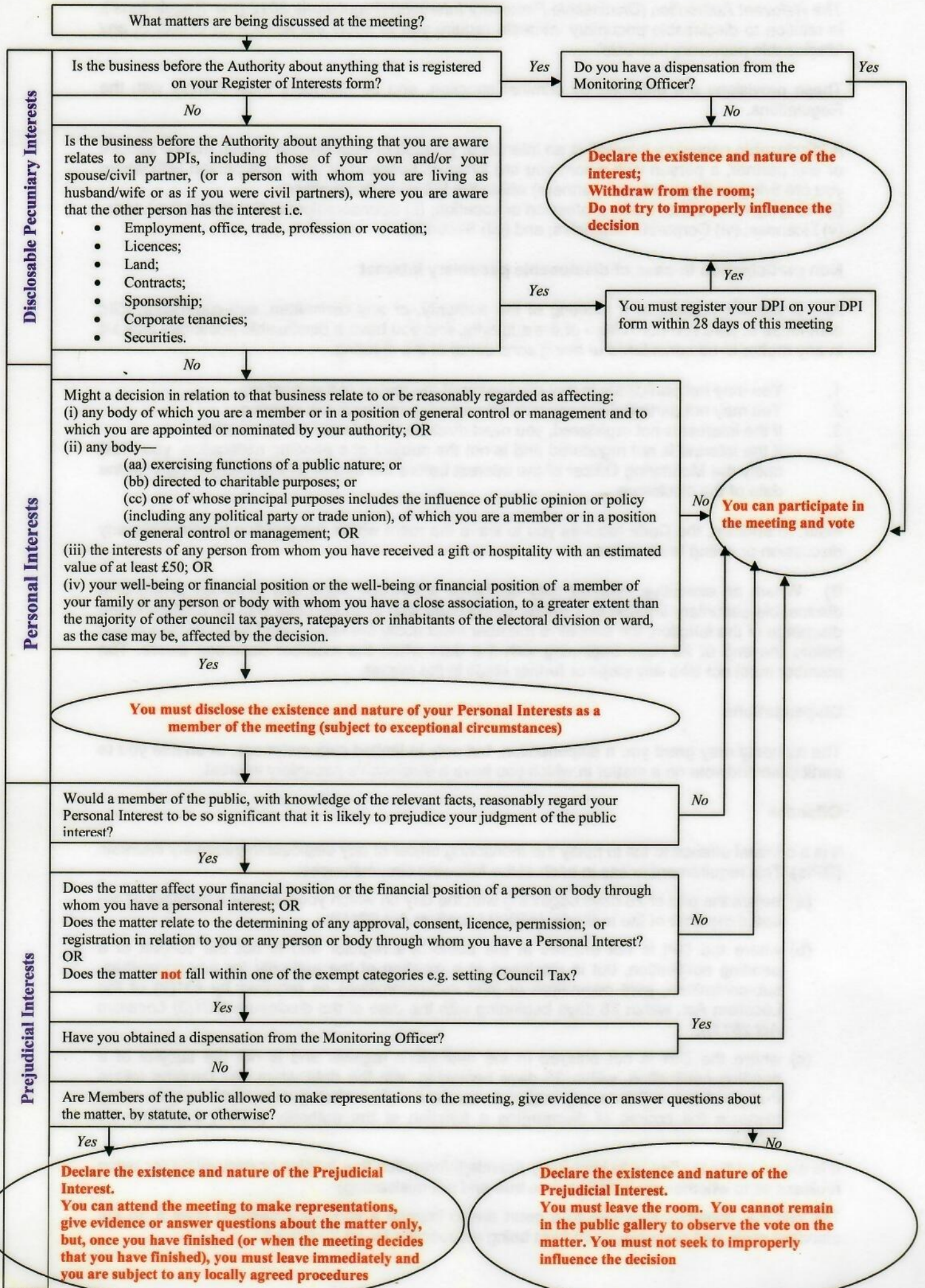


# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## DISCLOSABLE PECUNIARY INTERESTS

*The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012* (the 'Regulations'), in relation to disclosable pecuniary interests require you to notify the Monitoring Officer of any 'disclosable pecuniary interests'.

These provisions are enforced by criminal sanction, and so Members must comply with the Regulations.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

- (i) Employment, office, trade, profession or vocation; (ii) Sponsorship; (iii) Contracts; (iv) Land; (v) Licences; (vi) Corporate tenancies; and (vii) Securities.

### Non participation in case of disclosable pecuniary interest

A) If you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,

1. You may not participate in any discussion of the matter at the meeting;
2. You may not participate in any vote taken on the matter at the meeting.
3. If the interest is not registered, you must disclose the interest to the meeting.
4. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.

**Note:** In addition, the Code requires you to leave the room where the meeting is held while any discussion or voting takes place.

B) Where an executive member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him in the discharge of the function, the executive member must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date when the member becomes aware. The member must not take any steps or further steps in the matter.

### Dispensations

The authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

### Offences

It is a criminal offence to fail to notify the monitoring officer of any disclosable pecuniary interests (DPIs). This requirement arises in each of the following circumstances:

- (a) before the end of 28 days beginning with the day on which you become a member or co-opted member of the authority (*s30(1) Localism Act 2011*);
- (b) where the DPI is not entered in the authority's register and is not the subject of a pending notification, but is disclosed at a meeting of the authority (or any committee, sub-committee, joint committee or joint sub-committee) as required by *s31(2)* of the Localism Act, within 28 days beginning with the date of the disclosure (*s31(3) Localism Act 2011*);
- (c) where the DPI is not entered in the authority's register and is not the subject of a pending notification, within 28 days beginning with the date when you become aware that you have a DPI in any matter to be dealt with, or being dealt with, by you acting alone in the course of discharging a function of the authority (*s31(7) Localism Act 2011*).

It is also a criminal offence to knowingly provide information that is false or misleading (or being reckless as to whether the information is true and not misleading)

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.