



REGISTER OF MEMBERS INTERESTS

GUIDANCE NOTES

1. Within 28 days of the provisions of an authority's code of conduct being adopted or applied to that authority, or within 28 days of his election or appointment to office (if that is later), a Member must register his **financial** interests in the authority's register, maintained under Section 81(1) of the Local Government Act 2000, by providing written notification to the Monitoring Officer of Winchester City Council (who is the City Secretary and Solicitor).
2. Within 28 days of the provisions of an authority's code of conduct being adopted or applied to that authority, or within 28 days of his election or appointment to office (if that is later), a Member must register his **other** interests in the authority's register, maintained under Section 81(1) of the Local Government Act 2000, by providing written notification to the Monitoring Officer.
3. The Member should complete the form provided to register both his financial and other interests and send to the Monitoring Officer, to be placed on a public register. A Member's financial interests are covered by questions (a) – (h) and other interests by questions (i) – (m)
4. You should note that the District Auditor has advised that all Members complete a form at the beginning of each Municipal Year, whether or not they have just been elected. The annual completion of a return is regarded as good practice, even if a Member's interests have not changed in the previous twelve months (the City Council has adopted this approach for a number of years). Of course, any change during the year must be notified by the member within 28 days and will require completion of a new form (as opposed to just amending the section where the change has occurred).
5. Failure to complete and return either the original form, or any amending form, would be a breach of the Code and may lead to the Member being referred to the Standards Board for England. The City Council's Standards Committee will also have a local role in monitoring compliance. Current copies of both the form and guidance will be kept on the City Council's website www.winchester.gov.uk.
6. A separate form is provided on which to enter any qualifying gifts or hospitality received. Again, this should be sent to the Monitoring Officer, to be placed on a public register.

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7. As additional guidance, answers are set out below to three of the most frequently asked questions about registration of interests:-

Q. Do I need to register land that I own outside the Council's area?

No. You only need to register land you own or in which you have a beneficial interest that is within the Council's area. This will include where you live.

Q. What is the difference between the nominal value of shares and the market value?

The nominal value of shares is the face value of those shares (the value recorded on the share certificate). For example, let's say you bought 10,000 £1.50 shares (face value) in 1999. The market value at that time was £3 each, so the total you paid was £30,000. Those shares are now worth £45,000.

The nominal value of those shares would still be £15,000 (10,000 x £1.50). Therefore, you would not be obliged to enter the shares on the register of interests, even though the current market value of the shares is £45,000.

Q. Do I need to register all gifts and hospitality I receive?

No. You only need to register gifts and hospitality worth more than £25 that you receive in connection with your official duties as a Member. Paragraph 1(2) of the Code states that the Code does not apply to Members outside their official capacity, apart from two specific circumstances - bringing the Council into disrepute and improperly conferring an advantage or disadvantage (Paragraphs 4 and 5a of the Code refer).

Gifts received in a personal capacity do not need to be registered.

The Standards Board for England has recently issued new guidance on two matters as follows:-

Q. Do I need to register and declare membership of the Freemasons?

Following recent discussions with the United Grand Lodge of England, the Board has clarified the issue of freemasonry and the register of interests. It is necessary for Freemasons to declare membership of the Freemason Grand Charity under paragraph 15(c) of the Code of Conduct, which states that members need to register with their authority membership of bodies that are "directed for charitable purposes".

All Freemasons pay an annual subscription fee to their own individual Masonic lodge, part of which automatically goes to the Grand Charity. Therefore, Freemasons are obliged under the Code of Conduct to register their membership of the Grand Charity and to declare this interest where appropriate.

Q Do I need to register and declare membership of political party council associations.

Following a recent enquiry from a party about membership of a party association, the Board has clarified that membership of councillor associations should be registered with the authority under paragraph 15(d) of the Code of Conduct.

Paragraph 15(d) requires the registering of membership of bodies “whose principal purpose includes the influence of public opinion or policy”. Political party councillor associations fall under paragraph 15(d) and membership of political party councillor associations therefore need to be registered.
