

Register of Members' Interests

ANNEX C

NOTES FOR GUIDANCE

WHOSE INTERESTS MUST BE INCLUDED?

1. The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, or
 - those of a spouse or civil partner of the member or co-opted member;
 - those of a person with whom the member or co-opted member is living as husband/wife;
 - those of a person with whom the member or co-opted member is living as if they were civil partners.
(in each case where the member or co-opted member is aware that the other person has the interest)
2. You do not need to distinguish between your interests and those of your spouse but you do need to include those of your spouse, civil partner or equivalent.

WHEN SHOULD THE MONITORING OFFICER BE NOTIFIED OF DISCLOSABLE PECUNIARY INTERESTS?

3. As a member or co-opted member you must, before the end of 28 days beginning with the day on which you became a member or co-opted member of the authority, notify the authority's Monitoring Officer of any disclosable pecuniary interests which you or your spouse or civil partner or equivalent have at the time when the notification is given.
4. On re-election or re-appointment as a member or co-opted member you should notify the Monitoring Officer of any disclosable pecuniary interests which you or your spouse or civil partner or equivalent have, and which you have not previously notified. You should do this before the end of 28 days beginning with the day on which you were re-elected or re-appointed.
5. Following any disclosure of an interest not on the council's register or the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure. (A pending notification is one where the Monitoring Officer has been notified of the interest but it has not yet been entered in the register).

SENSITIVE INFORMATION

6. If you have an interest the nature of which is that you and the Monitoring Officer of the Ryedale District Council consider that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation, then details of that interest will be excluded from copies of the interests register which are available for inspection, as well as any published version of the register. Those versions may, however, state that you or your spouse or civil partner or equivalent have an interest, the details of which are withheld because of this provision.

7. Please contact the Monitoring Officer if you wish to discuss this aspect.

SECTION 1: EMPLOYMENT ETC

8. You must include “any employment, office, trade, profession or vocation carried on for profit or gain”.

9. Please ensure that:

- you include a short description of the activity concerned: for example, "computer operator" or "accountant"
- you give the name of any employer, e.g. the company which pays your salary or wages
- where an office is held, the name of the person or body who made the appointment is given

10. The Monitoring Officer does not consider that receiving a basic or special responsibility allowance for additional council duties warrants a disclosable pecuniary interest.

11. You do not need to enter, e.g. “retired”, or “retired doctor”. If you have no *employment, office, trade, profession or vocation carried on for profit or gain* you should enter “none”.

SECTION 2: SPONSORSHIP

12. You must include any payment or provision of any other financial benefit (other than from the council of which you are a member or co-opted member) made or provided within the relevant period in respect of any expenses incurred by you in carrying out your duties as a member, or towards your election expenses. (The “relevant period” means the period of 12 months ending with the day when you make a notification). This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

13. You should note the time period mentioned in the preceding paragraph.

SECTION 3: CONTRACTS

14. You must include details of any contract between you, or your spouse, civil partner or equivalent, or a body in which either of you have a beneficial interest, and the council of which you are a member or co-opted member:

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged

15. (A body in which you or your spouse, civil partner or equivalent have a beneficial interest means a firm in which you/they are a partner, or a body corporate of which you/they are a director¹, or in the securities of which you/they have a beneficial interest).

¹ “Director” includes a member of the committee of management of an industrial and provident society.

SECTION 4: LAND

16. You must include details of any land which is within the area of your council in which you or your spouse, civil partner or equivalent have a beneficial interest.
17. “Land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you or your spouse, civil partner or equivalent (alone or jointly with another) to occupy the land or to receive income
18. Please ensure that:
 - you give the address or a brief description to identify the land;
 - if you live in the area of the council of which you are a member or co-opted member, you include your home under this heading as owner, lessee or tenant.
19. Remember that:
 - This provision is likely to include the address where you live
 - The requirement relates only to land in the area of the council in respect of which you are making the notification.

SECTION 5: LICENCES

20. You must include details of any land which is within the area of your council for which you or your spouse, civil partner or equivalent hold a licence (alone or jointly with others) to occupy for a month or longer.
21. Please ensure that you give the address or a brief description to identify the land.

SECTION 6: CORPORATE TENANCIES

22. You must include details of any tenancy where (to your knowledge) (a) the landlord is the council of which you are a member or co-opted member; and (b) the tenant is a body in which you or your spouse, civil partner or equivalent have a beneficial interest.
23. (A body in which you or your spouse, civil partner or equivalent have a beneficial interest means a firm in which you/they are a partner, or a body corporate of which you/they are a director², or in the securities of which you/they have a beneficial interest).

SECTION 7: SECURITIES

24. You must include details of any beneficial interest of you or your spouse, civil partner or equivalent in securities of a body where:
 - (a) that body (to your knowledge) has a place of business or land in the area of the council of which you are a member or co-opted member; and
 - (b) either—

² “Director” includes a member of the committee of management of an industrial and provident society.

- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your spouse, civil partner or equivalent have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

25. Please note that:

- “Securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society
- You do not have to show the extent of your interest

SECTION 8: OTHER [NON-STATUTORY INTERESTS]

26. In this section you may include any other personal interests which you choose to notify. These are not disclosable pecuniary interests but the section has been included partly in response to queries from councillors; and partly to reflect guidance from the Department for Communities and Local Government which suggests it to be good practice.
27. Examples of matters which you may choose to record in this section would be membership of another council, a school governing body, a partnership organisation, outside bodies, charitable bodies, or voluntary organisations.
28. Please be aware that anything included here will also be available for inspection and online.

OTHER POINTS

29. If you are in doubt about the completion of this notification form, you may seek further guidance from the Council’s Monitoring Officer or Deputy Monitoring Officer.
30. The Monitoring Officer will include your notifications in a register of interests which will be available on the website of Ryedale District Council.
31. If you have completed this notification as a member of a town or parish council, please be aware that the information will also be available via that council’s website, if it has one.