

SCHEDULE 4

(introduced by section 23)

MEMBERS OF THE ADVISORY PANEL

PART 1

APPOINTMENT

Appointment

- 1 (1) In appointing a member of the Advisory Panel, the Welsh Ministers must comply with appointment regulations (see paragraph 5).
- (2) The Welsh Ministers may not appoint a person to be a member of the Advisory Panel if the person is disqualified from being a member of the Advisory Panel on grounds of employment.

Remuneration, allowances and pensions

- 2 (1) The Welsh Ministers may pay remuneration to the members of the Advisory Panel.
- (2) The Welsh Ministers may pay allowances (including, but not limited to, travelling and subsistence allowances) and gratuities to the members of the Advisory Panel.
- (3) The Welsh Ministers may pay—
 - (a) pensions to, or in respect of, persons who have been members of the Advisory Panel, and
 - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Advisory Panel.

Terms of appointment

- 3 (1) A member of the Advisory Panel holds office subject to the terms of his or her appointment.
- (2) But that is subject to the other provisions of this Schedule.

Duration of appointment

- 4 (1) A person appointed as a member of the Advisory Panel holds office (by virtue of that appointment) for 3 years.
- (2) But that is subject to Part 2 of this Schedule.

Appointment regulations

- 5 (1) The Welsh Ministers must, by regulations, make provision about the appointment of members of the Advisory Panel (“appointment regulations”).
- (2) The provision that may be made in appointment regulations includes, but is not limited to, provision of the kind referred to in sub-paragraphs (3) to (6).
- (3) Appointment regulations may make provision about principles to be followed in appointing members of the Advisory Panel.

Status: This is the original version (as it was originally enacted).

- (4) Appointment regulations may make provision about—
- (a) the knowledge of, and proficiency in, the Welsh language, and
 - (b) the knowledge and experience of—
 - (i) the matters in respect of which the Commissioner has functions, and
 - (ii) any other matters relevant to anything that falls to be done by the Commissioner,
- which a member of the Advisory Panel must have.
- (5) Appointment regulations may—
- (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
 - (b) make any other provision relating to any such code.
- (6) Appointment regulations may confer functions on the Welsh Ministers (as well as on any other person), including functions involving the exercise of a discretion.

PART 2

END OF APPOINTMENT

Resignation

- 6 A member of the Advisory Panel may resign from office if he or she gives the Welsh Ministers not less than 2 months' notice in writing of his or her intention to do so.

Disqualification from membership

- 7 A person ceases to be a member of the Advisory Panel if the person is disqualified from being a member of the Advisory Panel on grounds of employment.

Dismissal

- 8 (1) The Welsh Ministers may dismiss a member of the Advisory Panel if the Welsh Ministers are satisfied that the person—
- (a) is unfit to continue as a member of the Advisory Panel, or
 - (b) is unable or unwilling to act as a member of the Advisory Panel.
- (2) The Welsh Ministers must consult the Commissioner before dismissing a member of the Advisory Panel.

Payments on ceasing to hold office

- 9 The Welsh Ministers may make a payment to a person who ceases to be a member of the Advisory Panel if it appears to the Welsh Ministers that there are special circumstances which make it right that the person should receive the payment in compensation.

PART 3

DISQUALIFICATION

Disqualification on grounds of employment

- 10 A person is disqualified from being a member of the Advisory Panel on grounds of employment if the person is—
- (a) a Member of Parliament;
 - (b) a Member of the National Assembly for Wales;
 - (c) a member of the Welsh Language Tribunal;
 - (d) a member of the Commissioner’s staff.

PART 4

GENERAL

Interpretation

- 11 In this Schedule “appointment regulations” means regulations made under paragraph 5.