

SCHEDULE 11

THE WELSH LANGUAGE TRIBUNAL

PART 2

APPOINTMENT

The President

- 3 (1) The Welsh Ministers may appoint a person to be President only if the person satisfies—
- (a) the judicial-appointment eligibility condition on a 10-year basis, and
 - (b) any other conditions applicable to the appointment that are specified in appointment regulations.
- (2) But the Welsh Ministers may not appoint a person to be President if the person is—
- (a) disqualified from membership of the Tribunal on grounds of employment or unsuitability, or
 - (b) disqualified from appointment as President on grounds of age, previous appointment or previous dismissal.
- (3) Part 2 of the Tribunals, Courts and Enforcement Act 2007 applies for determining whether a person satisfies the judicial-appointment eligibility condition on a 10-year basis as if this paragraph were a statutory provision (within the meaning of section 50 of that Act).

Legally-qualified members

- 4 (1) The Welsh Ministers may appoint a person to be a legally-qualified member only if the person satisfies—
- (a) the judicial-appointment eligibility condition on a 5-year basis,
 - (b) any other conditions applicable to the appointment that are specified in appointment regulations.
- (2) But the Welsh Ministers may not appoint a person to be a legally-qualified member if the person is—
- (a) disqualified from membership of the Tribunal on grounds of employment or unsuitability, or
 - (b) disqualified from appointment as a legally-qualified member on grounds of age, previous appointment or previous dismissal.
- (3) Part 2 of the Tribunals, Courts and Enforcement Act 2007 applies for determining whether a person satisfies the judicial-appointment eligibility condition on a 5-year basis as if this paragraph were a statutory provision (within the meaning of section 50 of that Act).

Lay members

- 5 (1) The Welsh Ministers may appoint a person to be a lay member only if the person satisfies any conditions applicable to the appointment that are specified in appointment regulations.

Status: This is the original version (as it was originally enacted).

- (2) But the Welsh Ministers may not appoint a person to be a lay member if the person—
- (a) is disqualified from membership of the Tribunal on grounds of employment or unsuitability,
 - (b) is disqualified from appointment as a lay member on grounds of age, previous appointment or previous dismissal, or
 - (c) may be appointed as a legally-qualified member of the Tribunal.

Remuneration etc

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

Terms of appointment

- 7 (1) A member of the Tribunal 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

- 8 (1) A person appointed to be a member of the Tribunal is a member (by virtue of that appointment) for 5 years.
- (2) But, if the Welsh Ministers think it necessary or expedient, they may appoint a person to be a legally-qualified or lay member of the Tribunal for a period of less than 5 years.
- (3) This paragraph is subject to Part 3 of this Schedule.

Appointment regulations

- 9 (1) The Welsh Ministers may, by regulations, make provision about the appointment of members of the Tribunal (“appointment regulations”).
- (2) Appointment regulations may, amongst other things, make provision about any of the following matters—
- (a) principles to be followed in making any appointment to the Tribunal;
 - (b) the knowledge of, and proficiency in, the Welsh language which the members of the Tribunal must have.
- (3) Appointment regulations may, amongst other things—
- (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
 - (b) make other provision relating to any such code.

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

- (4) Appointment regulations may, amongst other things, confer functions on the Welsh Ministers (as well as on any other person), including functions involving the exercise of a discretion.