

*Changes to legislation: There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011, PART 4. (See end of Document for details)*

## SCHEDULE 11 **E+W**

### THE WELSH LANGUAGE TRIBUNAL

#### **PART 4** **E+W**

#### DISQUALIFICATION FROM MEMBERSHIP OR APPOINTMENT

##### *Disqualification from membership: employment*

- 13 (1) A person is disqualified from membership of the Tribunal 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 staff of the Welsh Assembly Government;
  - (d) a member of the staff of the National Assembly for Wales Commission;
  - (e) the Commissioner;
  - (f) the Deputy Commissioner;
  - (g) any other member of the staff of the Commissioner; or
  - (h) the husband or wife or civil partner of a person falling within paragraph (e), (f) or (g).

#### **Commencement Information**

**II** Sch. 11 para. 13 in force at 7.1.2014 by [S.I. 2013/3140](#), [art. 2\(k\)](#)

##### *Disqualification from membership: unsuitability*

- 14 (1) A person is disqualified from membership of the Tribunal on grounds of unsuitability if the person—
- (a) has been adjudged bankrupt and remains bankrupt;
  - (b) has been granted a debt relief order (within the meaning of Part VIIA of the Insolvency Act 1986), and the moratorium period under that order is continuing;
  - (c) has made an arrangement with his or her creditors and the arrangement remains in force;
  - (d) has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine has been imposed;
  - (e) is disqualified from being a member of a county borough council or county council in Wales; or
  - (f) is disqualified from being a director of a company.
- (2) For the purposes of sub-paragraph (1)(a) a person remains bankrupt until such time as—
- (a) the person is discharged from bankruptcy, or
  - (b) the bankruptcy order made against that person is annulled.

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- (3) For the purposes of sub-paragraph (1)(c) an arrangement with a person's creditors remains in force until—
- (a) the person pays his or her debts in full, or
  - (b) if later, the end of the period of five years beginning with the day on which the terms of the arrangement are fulfilled.
- (4) If the question of whether a person is disqualified from membership of the Tribunal on grounds of unsuitability arises in relation to the appointment of the person to be a member of the Tribunal, any conviction which that person received more than five years before the date of the appointment is to be disregarded.

#### Commencement Information

**I2** Sch. 11 para. 14 in force at 7.1.2014 by [S.I. 2013/3140](#), [art. 2\(k\)](#)

#### *Disqualification from appointment: age*

- 15 A person is disqualified from appointment as President or as a legally-qualified or lay member of the Tribunal if the person has already reached the age of [F175] at the date of the appointment.

#### Textual Amendments

**F1** Word in [Sch. 11 para. 15](#) substituted (10.3.2022) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), s. 131(1)(4)(a), [Sch. 1 para. 39\(1\)\(b\)](#) (with [Sch. 1 para. 43](#))

#### Commencement Information

**I3** Sch. 11 para. 15 in force at 7.1.2014 by [S.I. 2013/3140](#), [art. 2\(k\)](#)

#### *Disqualification from appointment: previous appointment*

- 16 (1) A person is disqualified from appointment as President on grounds of previous appointment if the person has already been President for a period of 10 years or more (whether in consecutive or non-consecutive appointments).
- (2) A person is disqualified from appointment as a legally-qualified member of the Tribunal on grounds of previous appointment if the person has already been a legally-qualified member for a period of 10 years or more (whether in consecutive or non-consecutive appointments).
- (3) A person is disqualified from appointment as a lay member of the Tribunal on grounds of previous appointment if the person has already been a lay member for a period of 10 years or more (whether in consecutive or non-consecutive appointments).

#### Commencement Information

**I4** Sch. 11 para. 16 in force at 7.1.2014 by [S.I. 2013/3140](#), [art. 2\(k\)](#)

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*Disqualification from appointment: previous dismissal from office*

- 17 A person is disqualified from appointment as President or as a legally-qualified or lay member of the Tribunal on grounds of previous dismissal if the Welsh Ministers have previously dismissed the person from the Tribunal under paragraph 12.

**Commencement Information**

**I5** Sch. 11 para. 17 in force at 7.1.2014 by [S.I. 2013/3140](#), **art. 2(k)**

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