

SCHEDULES

SCHEDULE 4

THE PLANT VARIETY RIGHTS TRIBUNAL

The Chairman

- 1 (1) The Lord Chancellor shall appoint a chairman for the Tribunal, who shall be a barrister or solicitor of not less than seven years' standing.
- (2) The appointment of the chairman shall be for such term as may be determined by the Lord Chancellor before his appointment, and a person who ceases to hold office as chairman of the Tribunal shall be eligible for re-appointment.
- (3) The chairman may resign his office by notice in writing to the Lord Chancellor.
- (4) If the Lord Chancellor is satisfied that the chairman is unfit to continue in office or incapable of discharging his duties, he may revoke the appointment of the chairman.
- 2 In the case of the temporary absence or inability to act of the chairman, the Lord Chancellor may appoint any other person who is a barrister or solicitor of not less than seven years' standing to act as deputy for the chairman, and the person so appointed shall, when so acting, have all the functions of the chairman.
- 3 In relation to proceedings before the Tribunal in Scotland—
- (a) paragraphs 1 and 2 of this Schedule shall have effect as if for the references to the Lord Chancellor and to a barrister there were substituted respectively references to the Lord President of the Court of Session and to an advocate ; and
- (b) references in paragraphs 5 and 8 of this Schedule to the chairman or deputy chairman shall be construed respectively as references to the chairman or deputy chairman appointed for such proceedings.
- 4 (1) Part III of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies offices the holders of which are disqualified under that Act) shall have effect as if the words " Any Chairman of the Plant Variety Rights Tribunal" were inserted—
- (a) in the said Part III as it applies to the House of Commons of the Parliament of the United Kingdom, after the entry " Chairman or Deputy Chairman of the National Parks Commission " ; and
- (b) in the said Part III as it applies to the Senate and the House of Commons of Northern Ireland, before the entry " Clerk of Assize " .
- (2) This paragraph shall extend to Northern Ireland.