

## SCHEDULE 1

### THE WELSH LANGUAGE COMMISSIONER

#### PART 2

#### APPOINTMENT

##### *Appointment*

- 3 (1) In appointing the Commissioner, the First Minister—
- (a) must comply with appointment regulations (see paragraph 7),
  - (b) must take account of the recommendations made by the selection panel in relation to the appointment (see paragraph 7), and
  - (c) may take into account the views of any other persons whom the First Minister thinks it is appropriate to consult.
- (2) The First Minister may not appoint a person to be Commissioner if the person—
- (a) is disqualified from being Commissioner on grounds of employment (see paragraph 13), or
  - (b) has already been appointed as Commissioner.
- (3) The views which the First Minister may take into account under sub-paragraph (1)
- (c) include, but are not limited to, the views of—
    - (a) the National Assembly for Wales,
    - (b) committees of the National Assembly, and
    - (c) members of the National Assembly.

##### *Remuneration, allowances and pensions*

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

##### *Terms of appointment*

- 5 (1) The Commissioner holds office subject to the terms of his or her appointment.
- (2) But that is subject to the other provisions of this Schedule.
- (3) The terms of the Commissioner's appointment must provide for him or her to hold office on a full-time basis.

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*Status: This is the original version (as it was originally enacted).*

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#### *Duration of appointment*

- 6 (1) A person appointed as Commissioner holds the office (by virtue of that appointment) for 7 years.
- (2) But that is subject to Part 3 of this Schedule.

#### *Appointment regulations*

- 7 (1) The Welsh Ministers must, by regulations, make provision about the appointment of the Commissioner (“appointment regulations”).
- (2) Appointment regulations must make provision for the establishment of a panel of persons (a “selection panel”) who are to—
- (a) interview candidates for appointment as Commissioner, and
  - (b) make recommendations to the First Minister in relation to the appointment.
- (3) The provision that may be made in appointment regulations includes, but is not limited to, provision of the kind referred to in sub-paragraphs (4) to (7).
- (4) Appointment regulations may make provision about principles to be followed in appointing the Commissioner.
- (5) Appointment regulations may make provision about—
- (a) the knowledge of, and proficiency in, the Welsh language, and
  - (b) the knowledge and experience of the matters in respect of which the Commissioner has functions,
- which the Commissioner must have.
- (6) Appointment regulations may—
- (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.
- (7) Appointment regulations may confer functions on the Welsh Ministers or First Minister (as well as on any other person), including functions involving the exercise of a discretion.

#### *Delegation of appointment functions etc*

- 8 (1) The First Minister may, by order—
- (a) provide for the Welsh Ministers to exercise—
    - (i) the First Minister’s function of appointing the Commissioner, and
    - (ii) any or all of the First Minister’s other functions that relate to the Commissioner, and
  - (b) make such other related provision as the First Minister thinks appropriate.
- (2) The provision that may be made in an order under this paragraph includes, but is not limited to, provision amending or otherwise modifying this Measure.