

SCHEDULES

SCHEDULE 1

Section 1

GENDER RECOGNITION PANELS

List of persons eligible to sit

- 1 (1) The Lord Chancellor must, after consulting the Scottish Ministers and the Department of Finance and Personnel in Northern Ireland, make appointments to a list of persons eligible to sit as members of Gender Recognition Panels.
- (2) The only persons who may be appointed to the list are persons who—
 - (a) have a relevant legal qualification (“legal members”), or
 - (b) are registered medical practitioners or chartered psychologists (“medical members”).
- (3) The following have a relevant legal qualification—
 - (a) a person who has a 7 year general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990 (c. 41),
 - (b) an advocate or solicitor in Scotland of at least seven years' standing, and
 - (c) a member of the Bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least seven years' standing.

President

- 2 (1) The Lord Chancellor must, after consulting the Scottish Ministers and the Department of Finance and Personnel in Northern Ireland—
 - (a) appoint one of the legal members to be the President of Gender Recognition Panels (“the President”), and
 - (b) appoint another of the legal members to be the Deputy President of Gender Recognition Panels (“the Deputy President”).
- (2) The Deputy President has the functions of the President—
 - (a) if the President is unavailable, and
 - (b) during any vacancy in the office of President.

Tenure of persons appointed to list

- 3 Persons on the list—
 - (a) hold and vacate their appointments in accordance with the terms on which they are appointed, and
 - (b) are eligible for re-appointment at the end of their period of appointment.

Membership of Panels

- 4 (1) The President must make arrangements for determining the membership of Panels.

Status: This is the original version (as it was originally enacted).

- (2) The arrangements must ensure that a Panel determining an application under section 1(1)(a) includes—
- (a) at least one legal member, and
 - (b) at least one medical member.
- 5 The arrangements must ensure that a Panel determining an application under section 1(1)(b), 5(2) or 6(1) includes at least one legal member.

Procedure

- 6 (1) Where a Panel consists of more than one member, either the President or Deputy President or another legal member nominated by the President must preside.
- (2) Decisions of a Panel consisting of more than one member may be taken by majority vote (and, if its members are evenly split, the member presiding has a casting vote).
- (3) Panels are to determine applications in private.
- (4) A Panel must determine an application without a hearing unless the Panel considers that a hearing is necessary.
- (5) The President may, after consulting the Council on Tribunals, give directions about the practice and procedure of Panels.
- (6) Panels must give reasons for their decisions.
- (7) Where a Panel has determined an application, the Secretary of State must communicate to the applicant the Panel’s decision and its reasons for making its decision.

Staff and facilities

- 7 The Secretary of State may make staff and other facilities available to Panels.

Money

- 8 (1) The Secretary of State may pay sums by way of remuneration, allowances and expenses to members of Panels.
- (2) The Secretary of State may pay compensation to a person who ceases to be on the list if the Secretary of State thinks it appropriate to do so because of special circumstances.

Council on Tribunals

- 9 In Schedule 1 to the Tribunals and Inquiries Act 1992 (c. 53) (tribunals under supervision of Council on Tribunals), before paragraph 22 insert—

“Gender Recognition

21AA. Gender Recognition Panels constituted under Schedule 1 to the Gender Recognition Act 2004 (c. 7).”

Disqualification

- 10 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (c. 24) (offices disqualifying person from membership of House of Commons), at the appropriate place insert—

“Person on the list of those eligible to sit as members of a Gender Recognition Panel.”

- 11 In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (c. 25) (offices disqualifying persons from membership of Northern Ireland Assembly), at the appropriate place insert—

“Person on the list of those eligible to sit as members of a Gender Recognition Panel.”