

WELSH LANGUAGE (WALES) MEASURE 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 11 – The Welsh Language Tribunal

402. *Schedule 11* is introduced by section 120 in Part 7 of the Measure. This Schedule makes further provision in relation to the Tribunal.

paragraph 1 – Legally-qualified members

403. This paragraph provides that the Welsh Ministers must from time to time determine the number of legally-qualified members which the Tribunal is to have, having first consulted with the President. The Welsh Ministers must, so far as it is reasonable to do so, secure that the number of legally-qualified members appointed to the Tribunal is equal to the number determined by them.

Paragraph 2 – Lay members

404. This paragraph provides that the Welsh Ministers must from time to time determine the number of lay members which the Tribunal is to have, having first consulted with the President. The Welsh Ministers must, so far as it is reasonable to do so, secure that the number of lay members appointed to the Tribunal is equal to the number determined by them.

Paragraph 3 – The President

405. This paragraph makes provision regarding the eligibility of a person to be appointed as President.

Paragraph 4 – Legally-qualified members

406. This paragraph makes provision regarding the eligibility of a person to be appointed as a legally-qualified member of the Tribunal.

Paragraph 5 – Lay members

407. This paragraph makes provision regarding the eligibility of a person to be appointed as a lay member of the Tribunal.

Paragraph 6 – Remuneration etc

408. The Welsh Ministers may pay remuneration, allowances, gratuities and pensions to members of the Tribunal.

Paragraph 7 – Terms of appointment

409. A member of the Tribunal holds office in accordance with his or her terms of appointment, subject to the other provisions of this Schedule.

Paragraph 8 – Duration of appointment

410. A person will be appointed to the Tribunal for a 5 year term with the discretion available to the Welsh Ministers to make shorter appointments.

Paragraph 9 – Appointment regulations

411. The Welsh Ministers may make regulations in relation to the appointment of members of the Tribunal (“appointment regulations”).

Paragraph 10 – Resignation

412. Paragraph 10 makes provision for the resignation of Tribunal members.

Paragraph 11 – Disqualification from membership

413. This paragraph makes provision regarding the disqualification of persons from membership of the Tribunal.

Paragraph 12 – Dismissal

414. This paragraph makes provision about the dismissal of members of the Tribunal by the Welsh Ministers.

Paragraph 13 – Disqualification from membership: employment

415. This paragraph provides that a person employed in one of the listed offices is disqualified from membership of the Tribunal on grounds of employment.

Paragraph 14 – Disqualification from membership: unsuitability

416. This paragraph provides the grounds of unsuitability which will disqualify a person from membership of the Tribunal.

Paragraph 15 – Disqualification from appointment: age

417. A person is disqualified from appointment if he or she has already reached the age of 70 at the date of appointment.

Paragraph 16 – Disqualification from appointment: previous appointment

418. A person is disqualified from appointment as member of the Tribunal if they have already served a term of 10 years or more (whether in consecutive or non-consecutive appointments).

Paragraph 17 – Disqualification from appointment: previous dismissal from office

419. A person previously dismissed from the Tribunal by the Welsh Ministers under paragraph 12 may not be reappointed as a member.

Paragraph 18 – Interpretation

420. This paragraph defines “appointment regulations”.