

SCHEDULES

SCHEDULE 2

THE CARE TRIBUNAL

Constitution of Care Tribunal

- 1.—(1) There shall be appointed—
 - (a) a panel of persons (“the chairmen’s panel”) who may serve as chairmen of the Care Tribunal; and
 - (b) a panel of persons (“the lay panel”) who may serve as the other two members of the Care Tribunal apart from the chairman.
- (2) The Care Tribunal shall consist of—
 - (a) a chairman nominated by the First Minister and deputy First Minister acting jointly from the chairmen’s panel; and
 - (b) two other persons nominated by the Department from the lay panel.

Appointment of the panels

- 2.—(1) The members of the chairmen’s panel shall be appointed by the First Minister and deputy First Minister acting jointly.
 - (2) No person may be appointed a member of the chairmen’s panel unless he is a barrister or solicitor of at least ten years’ standing.
 - (3) The members of the lay panel shall be appointed by the Department.
 - (4) No person may be appointed member of the lay panel unless he satisfies such requirements as may be prescribed.

Tenure of office

- 3.—(1) Each member of the chairmen’s panel or lay panel shall hold and vacate office under the terms of the instrument under which he is appointed.
 - (2) A member of the chairmen’s panel may resign office by notice in writing to the First Minister and deputy First Minister.
 - (3) A member of the chairmen’s panel may be removed from the panel by the First Minister and deputy First Minister acting jointly on the ground of incapacity or misbehaviour.
 - (4) A member of the lay panel may resign office by notice in writing to the Department.
 - (5) A member of the lay panel may be removed from the panel by the Department on the ground of incapacity or misbehaviour.
 - (6) A member of the chairmen’s panel or lay panel is eligible for re-appointment if he ceases to hold office (otherwise than under sub-paragraph (3) or (5)).

Staff and accommodation

4. The Department may, with the consent of the Department of Finance and Personnel, provide such staff and accommodation as the Care Tribunal may require.

Remuneration and expenses

5.—(1) The Department may pay any person, in respect of his service as a member of the Care Tribunal, such remuneration and allowances as the Department may, with the consent of the Department of Finance and Personnel, determine.

(2) The Department may defray the expenses of the Care Tribunal to such amount as the Department may, with the consent of the Department of Finance and Personnel, determine.

Attendance allowances

6. The Department may pay such allowances for the purpose of or in connection with the attendance of persons at the Care Tribunal as the Department may, with the consent of the Department of Finance and Personnel, determine.

Temporary provision

7. Until the commencement of section 5(1) of the Justice (Northern Ireland) Act 2002 (c. 26) references in this Schedule to the First Minister and deputy First Minister or to the First Minister and deputy First Minister acting jointly shall be construed as references to the Lord Chancellor.