

WELSH STATUTORY INSTRUMENTS

2023 No. 65 (W. 10)

WELSH TRIBUNALS

The Judicial Offices (Sitting in Retirement – Prescribed Offices and Descriptions) (Wales) Regulations 2023

<i>Made</i>	- - - -	<i>23 January 2023</i>
<i>Laid before Senedd Cymru</i>		<i>25 January 2023</i>
<i>Coming into force</i>	- -	<i>17 February 2023</i>

The Welsh Ministers with the concurrence of the President of Welsh Tribunals make the following Regulations in exercise of the powers conferred by sections 124(3) and (4)(e) and 129(1)(b) of the Public Service Pensions and Judicial Offices Act 2022(1).

Title and commencement

1. The title of these Regulations is the Judicial Offices (Sitting in Retirement – Prescribed Offices and Descriptions) (Wales) Regulations 2023 and they come into force on 17 February 2023.

Commencement Information

II Reg. 1 in force at 17.2.2023, see [reg. 1](#)

Interpretation

2. In these Regulations—

“Legally qualified member of the Adjudication Panel for Wales” (“*aelod wedi ymgymhwyso yn gyfraith o Banel Dyfarnu Cymru*”) means a person (“P”) who when appointed to a prescribed office satisfied the following description—

- (a) P satisfied the judicial appointment eligibility condition on a five-year basis;
- (b) P was an advocate or solicitor in Scotland of at least five years’ standing;
- (c) P was a member of the Bar of Northern Ireland; or
- (d) P had such legal experience as the Welsh Ministers considered suitable.

Commencement Information

I2 Reg. 2 in force at 17.2.2023, see [reg. 1](#)

Offices prescribed in relation to an appointment to a sitting in retirement office

3. A person who holds or has held an office listed in column 2 of the Table in the Schedule (“prescribed offices”) is eligible for appointment to the sitting in retirement office listed in the corresponding row of column 1.

Commencement Information

I3 Reg. 3 in force at 17.2.2023, see [reg. 1](#)

23 January 2023

Mark Drakeford
First Minister, one of the Welsh Ministers

I concur

19 January 2023

Wyn Williams
President of Welsh Tribunals

SCHEDULE

Regulation 3

Sitting in Retirement Offices Judicial Offices Listed in Part 5
of Schedule 3 to the Act and Corresponding Prescribed Offices**Commencement Information****I4** Sch. in force at 17.2.2023, see [reg. 1](#)**Table**

<i>Column 1:</i>	<i>Column 2:</i>
<i>Sitting in retirement office</i>	<i>Prescribed offices</i>
1. Deputy Chair of the Agricultural Land Tribunal for Wales (sitting in retirement)	Chairman of the Agricultural Land Tribunal for Wales Deputy Chairman of the Agricultural Land Tribunal for Wales
2. Legal member of the Mental Health Review Tribunal for Wales (sitting in retirement)	President of the Mental Health Review Tribunal for Wales Legal member of the Mental Health Review Tribunal for Wales
3. Legal member of the Rent Assessment Committee Wales (sitting in retirement)	President of the Rent Assessment Committee Wales Vice President of the Rent Assessment Committee Wales Member of the panel of persons appointed to act as chairman of the Rent Assessment Committee Wales
4. Legal member of the Welsh Language Tribunal (sitting in retirement)	President of the Welsh Language Tribunal Legally qualified member of the Welsh Language Tribunal
5. Member of the Adjudication Panel for Wales (sitting in retirement)	President of the Adjudication Panel for Wales Deputy President of the Adjudication Panel for Wales Legally qualified Member of the Adjudication Panel for Wales
6. Member of the legal chair panel of the Education Tribunal for Wales (sitting in retirement)	President of the Education Tribunal for Wales Deputy President of the Education Tribunal for Wales

Changes to legislation: There are currently no known outstanding effects for the The Judicial Offices (Sitting in Retirement – Prescribed Offices and Descriptions) (Wales) Regulations 2023. (See end of Document for details)

<i>Column 1:</i>	<i>Column 2:</i>
<i>Sitting in retirement office</i>	<i>Prescribed offices</i>
	Member of the legal chair panel of the Education Tribunal for Wales

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations are made in exercise of the powers conferred by section 124(3) and (4)(e) and 129(1)(b) of the Public Service Pensions and Judicial Offices Act 2022 in order to prescribe offices held by persons eligible to be appointed to a sitting in retirement office. These Regulations only apply to sitting in retirement offices where the appointing authority is the President of Welsh Tribunals.

The Table in the Schedule to these Regulations lists the prescribed judicial offices that a person must hold or have held prior to their retirement in order to be appointed to the corresponding sitting in retirement office.

The Welsh Ministers' code of practice on the carrying out of regulatory impact assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Welsh Government, Cathays Park, Cardiff CF10 3NQ and on the Welsh Government's website at www.gov.wales.

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Offices (Sitting in Retirement – Prescribed Offices and Descriptions) (Wales) Regulations 2023.