

SCHEDULE 11

THE WELSH LANGUAGE TRIBUNAL

PART 4

DISQUALIFICATION FROM MEMBERSHIP OR APPOINTMENT

Disqualification from membership: employment

- 13 (1) A person is disqualified from membership of the Tribunal on grounds of employment if the person is—
- (a) a Member of Parliament;
 - (b) a Member of the National Assembly for Wales;
 - (c) a member of the staff of the Welsh Assembly Government;
 - (d) a member of the staff of the National Assembly for Wales Commission;
 - (e) the Commissioner;
 - (f) the Deputy Commissioner;
 - (g) any other member of the staff of the Commissioner; or
 - (h) the husband or wife or civil partner of a person falling within paragraph (e), (f) or (g).

Disqualification from membership: unsuitability

- 14 (1) A person is disqualified from membership of the Tribunal on grounds of unsuitability if the person—
- (a) has been adjudged bankrupt and remains bankrupt;
 - (b) has been granted a debt relief order (within the meaning of Part VIIA of the Insolvency Act 1986), and the moratorium period under that order is continuing;
 - (c) has made an arrangement with his or her creditors and the arrangement remains in force;
 - (d) has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine has been imposed;
 - (e) is disqualified from being a member of a county borough council or county council in Wales; or
 - (f) is disqualified from being a director of a company.
- (2) For the purposes of sub-paragraph (1)(a) a person remains bankrupt until such time as—
- (a) the person is discharged from bankruptcy, or
 - (b) the bankruptcy order made against that person is annulled.
- (3) For the purposes of sub-paragraph (1)(c) an arrangement with a person's creditors remains in force until—
- (a) the person pays his or her debts in full, or

Status: This is the original version (as it was originally enacted).

- (b) if later, the end of the period of five years beginning with the day on which the terms of the arrangement are fulfilled.
- (4) If the question of whether a person is disqualified from membership of the Tribunal on grounds of unsuitability arises in relation to the appointment of the person to be a member of the Tribunal, any conviction which that person received more than five years before the date of the appointment is to be disregarded.

Disqualification from appointment: age

- 15 A person is disqualified from appointment as President or as a legally-qualified or lay member of the Tribunal if the person has already reached the age of 70 at the date of the appointment.

Disqualification from appointment: previous appointment

- 16 (1) A person is disqualified from appointment as President on grounds of previous appointment if the person has already been President for a period of 10 years or more (whether in consecutive or non-consecutive appointments).
- (2) A person is disqualified from appointment as a legally-qualified member of the Tribunal on grounds of previous appointment if the person has already been a legally-qualified member for a period of 10 years or more (whether in consecutive or non-consecutive appointments).
- (3) A person is disqualified from appointment as a lay member of the Tribunal on grounds of previous appointment if the person has already been a lay member for a period of 10 years or more (whether in consecutive or non-consecutive appointments).

Disqualification from appointment: previous dismissal from office

- 17 A person is disqualified from appointment as President or as a legally-qualified or lay member of the Tribunal on grounds of previous dismissal if the Welsh Ministers have previously dismissed the person from the Tribunal under paragraph 12.