

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011, SCHEDULE 4. (See end of Document for details)*

## SCHEDULE 4

*(introduced by section 23)*

### MEMBERS OF THE ADVISORY PANEL

#### PART 1

#### APPOINTMENT

##### *Appointment*

- 1 (1) In appointing a member of the Advisory Panel, the Welsh Ministers must comply with appointment regulations (see paragraph 5).
- (2) The Welsh Ministers may not appoint a person to be a member of the Advisory Panel if the person is disqualified from being a member of the Advisory Panel on grounds of employment.

##### **Commencement Information**

**I1** Sch. 4 para. 1 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

##### *Remuneration, allowances and pensions*

- 2 (1) The Welsh Ministers may pay remuneration to the members of the Advisory Panel.
- (2) The Welsh Ministers may pay allowances (including, but not limited to, travelling and subsistence allowances) and gratuities to the members of the Advisory Panel.
- (3) The Welsh Ministers may pay—
  - (a) pensions to, or in respect of, persons who have been members of the Advisory Panel, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Advisory Panel.

##### **Commencement Information**

**I2** Sch. 4 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

##### *Terms of appointment*

- 3 (1) A member of the Advisory Panel holds office subject to the terms of his or her appointment.
- (2) But that is subject to the other provisions of this Schedule.

##### **Commencement Information**

**I3** Sch. 4 para. 3 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

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### *Duration of appointment*

- 4 (1) A person appointed as a member of the Advisory Panel holds office (by virtue of that appointment) for 3 years.
- (2) But that is subject to Part 2 of this Schedule.

#### **Commencement Information**

**I4** Sch. 4 para. 4 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

### *Appointment regulations*

- 5 (1) The Welsh Ministers must, by regulations, make provision about the appointment of members of the Advisory Panel (“appointment regulations”).
- (2) The provision that may be made in appointment regulations includes, but is not limited to, provision of the kind referred to in sub-paragraphs (3) to (6).
- (3) Appointment regulations may make provision about principles to be followed in appointing members of the Advisory Panel.
- (4) Appointment regulations may make provision about—
- (a) the knowledge of, and proficiency in, the Welsh language, and
  - (b) the knowledge and experience of—
    - (i) the matters in respect of which the Commissioner has functions, and
    - (ii) any other matters relevant to anything that falls to be done by the Commissioner,
 which a member of the Advisory Panel must have.
- (5) Appointment regulations may—
- (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
  - (b) make any other provision relating to any such code.
- (6) Appointment regulations may confer functions on the Welsh Ministers (as well as on any other person), including functions involving the exercise of a discretion.

#### **Commencement Information**

**I5** Sch. 4 para. 5 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

## PART 2

### END OF APPOINTMENT

#### *Resignation*

- 6 A member of the Advisory Panel may resign from office if he or she gives the Welsh Ministers not less than 2 months' notice in writing of his or her intention to do so.

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**Commencement Information**

**I6** Sch. 4 para. 6 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Disqualification from membership*

- 7 A person ceases to be a member of the Advisory Panel if the person is disqualified from being a member of the Advisory Panel on grounds of employment.

**Commencement Information**

**I7** Sch. 4 para. 7 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Dismissal*

- 8 (1) The Welsh Ministers may dismiss a member of the Advisory Panel if the Welsh Ministers are satisfied that the person—
- (a) is unfit to continue as a member of the Advisory Panel, or
  - (b) is unable or unwilling to act as a member of the Advisory Panel.
- (2) The Welsh Ministers must consult the Commissioner before dismissing a member of the Advisory Panel.

**Commencement Information**

**I8** Sch. 4 para. 8 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Payments on ceasing to hold office*

- 9 The Welsh Ministers may make a payment to a person who ceases to be a member of the Advisory Panel if it appears to the Welsh Ministers that there are special circumstances which make it right that the person should receive the payment in compensation.

**Commencement Information**

**I9** Sch. 4 para. 9 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

**PART 3**

**DISQUALIFICATION**

*Disqualification on grounds of employment*

- 10 A person is disqualified from being a member of the Advisory Panel on grounds of employment if the person is—
- (a) a Member of Parliament;
  - (b) a Member of the National Assembly for Wales;

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- (c) a member of the Welsh Language Tribunal;
- (d) a member of the Commissioner's staff.

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**Commencement Information**

**I10** Sch. 4 para. 10 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

**PART 4**

GENERAL

*Interpretation*

- 11 In this Schedule “appointment regulations” means regulations made under paragraph 5.

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**Commencement Information**

**I11** Sch. 4 para. 11 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

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