



# Welsh Language (Wales) Measure 2011

## 2011 nawm 1

### PART 7

#### WELSH LANGUAGE TRIBUNAL

##### *Practice and procedure etc*

#### **123 Welsh Language Tribunal Rules**

- (1) The President must make rules governing the practice and procedure to be followed in the Tribunal.
- (2) The rules are to be known as “Welsh Language Tribunal Rules” (but are referred to in this Measure as “Tribunal Rules”).
- (3) Tribunal Rules must include the following—
  - (a) provision about the selection under section 121(2) of the three members of the Tribunal to deal with proceedings;
  - (b) provision about the selection under section 121(5) of the legal member to chair proceedings;
  - (c) provision about conflicts of interest that arise—
    - (i) in relation to the participation of members of the Tribunal in the determination of proceedings, or
    - (ii) in relation to the exercise of the President's functions under section 121.
- (4) Tribunal Rules may, amongst other things, include provision about the following matters—
  - (a) the exercise by the President, or by the member chairing any proceedings, of any functions which relate to matters that are preliminary or incidental to the proceedings;
  - (b) the conduct of proceedings in the absence of any member other than the member chairing them;

*Status: Point in time view as at 10/07/2017.*

*Changes to legislation: There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011, Section 123. (See end of Document for details)*

- (c) the disclosure or inspection of documents, and such right to further particulars as might be granted by a county court;
  - (d) the determination of proceedings without a hearing in circumstances prescribed in Tribunal Rules;
  - (e) frivolous and vexatious proceedings;
  - (f) the award of costs (including, but not limited to, punitive costs) or expenses;
  - (g) assessing or otherwise settling any such costs or expenses (and, in particular, for enabling such costs to be assessed in the county court);
  - (h) the publication of reports of the Tribunal's decisions;
  - (i) the Tribunal's powers to review its decisions, or revoke or vary its orders, in such circumstances as may be determined in accordance with Tribunal Rules;
  - (j) the date upon which a notice is deemed to have been given by the Tribunal.
- (5) The power to make Tribunal Rules includes power—
- (a) to make different provision for different purposes, and
  - (b) to confer functions on the President or the Welsh Ministers (as well as on any other person), including functions involving the exercise of a discretion.
- (6) The President must submit Tribunal Rules to the Welsh Ministers.
- (7) The Welsh Ministers may allow or disallow Tribunal Rules submitted to them.
- (8) Rules allowed by the Welsh Ministers—
- (a) come into force on such day that the Welsh Ministers direct, and
  - (b) are to be contained in a statutory instrument to which the Statutory Instruments Act 1946 applies as if the instrument contained rules made by the Welsh Ministers.
- (9) A statutory instrument containing rules made by the President is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

**Commencement Information**

**II** S. 123 in force at 7.1.2014 by S.I. 2013/3140, art. 2(d)

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