

SCHEDULE 4

Fitness to teach: further provision

Legal assessor

3.—(1) The GTCS must appoint a legal assessor to advise it on questions of law arising in proceedings held under paragraph 2.

(2) A legal assessor must be an advocate or solicitor of not less than 10 years' standing.

(3) A legal assessor—

(a) may be appointed generally or for particular proceedings or types of proceeding;

(b) is to be remunerated by the GTCS at such rates as it may determine;

(c) otherwise holds and vacates office in accordance with the instrument appointing the legal assessor.

(4) The Lord President may, by statutory instrument, make rules relating to the functions of legal assessors.

(5) Those rules may, in particular—

(a) contain provision for ensuring that every party to proceedings is informed of the legal assessor's advice to the GTCS;

(b) require the GTCS to inform every party to proceedings of any case where it does not accept the legal assessor's advice;

(c) contain such incidental and supplementary provisions as the Lord President considers expedient.

(6) The Statutory Instruments Act 1946⁽¹⁾ applies to any such statutory instrument as if the instrument had been made by a Minister of the Crown.

(1) 1946 c.36; relevantly modified by S.I. 1999/1096.