WELSH STATUTORY INSTRUMENTS

2011 No. 1593 (W.184)

WELSH LANGUAGE, WALES

The Welsh Language Commissioner (Appointment) Regulations 2011

Made - - - -	*28 June 2011*
Coming into force - -	*29 June 2011*

The Welsh Ministers, in exercise of the powers conferred by section 2(3) of, and paragraph 7 of Schedule 1 to, the Welsh Language (Wales) Measure 2011(**1**), make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Welsh Language Commissioner (Appointment) Regulations 2011.

(2) These Regulations come into force on the 29 June 2011 and apply in relation to Wales.

Establishment of a selection panel

2.—(1) Upon being requested to do so by the First Minister the Welsh Ministers must convene a selection panel for the purposes of paragraph 7(2) of Schedule 1 to the Welsh Language (Wales) Measure 2011.

(2) Subject to paragraph (3), a selection panel must comprise of—

(a) a member of staff of the Welsh Assembly Government;

(b) a person accredited by the Office of the Commissioner for Public Appointments to act as an independent appointments assessor;

(c) a person who appears to the Welsh Ministers to possess relevant experience; and

(d) a member of the National Assembly for Wales nominated by a relevant committee.

(3) Where a relevant committee either:

(a) declines to make a nomination; or

(b) fails to make a nomination within a reasonable time,

paragraph (2)(d) of this regulation does not apply.

(4) In this regulation—

(**1**) 2011 nawm 1

"relevant committee" ("*pwyllgor perthnasol*") means a committee of the National Assembly for Wales invited by the Welsh Ministers to make a nomination;

"relevant experience" ("*profiad perthnasol*") means experience of the promotion of the use of Welsh and/or another language.

Disqualified persons

3. A person who holds or has held the post of the Commissioner or the Deputy Commissioner is disqualified from sitting on a selection panel.

Principles to be followed

4. In appointing the Commissioner the First Minister must follow the principles of ministerial responsibility, merit, independent scrutiny, equal opportunities, probity, openness and transparency and proportionality taking into account the description of those principles in the Commissioner for Public Appointments' Code of Practice for Ministerial Appointments to Public Bodies of August 2009.

Welsh language knowledge and proficiency

5.—(1) In interviewing candidates for appointment as Commissioner, a selection panel must assess each candidate's knowledge of, and proficiency in, the Welsh language.

(2) A selection panel's recommendations to the First Minister in relation to the appointment must include the panel's assessment of the knowledge of, and proficiency in, the Welsh language of each candidate.

(3) Before appointing a person as Commissioner the First Minister must be satisfied that the person has sufficient knowledge of, and proficiency in, the Welsh language to exercise the functions of the Commissioner.

Leighton Andrews
Minister for Education and Skills, one of the Welsh Ministers

28 June 2011