WELSH STATUTORY INSTRUMENTS

# 2009 No. 2816 (W.243)

# TRANSPORT, WALES

## The Public Transport Users' Committee for Wales (Establishment) Order 2009

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| *Made - - - -* | *20 October 2009* |
| *Laid before the National Assembly for Wales - -* | *22 October 2009* |
| *Coming into force - -* | *16 November 2009* |

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by sections 8, 9 and 10 of the Transport (Wales) Act 2006(**1**), and now vested in them(**2**), make the following Order:

### Title, commencement and application

**1.** The title of this Order is the Public Transport Users' Committee for Wales (Establishment) Order 2009. It comes into force on 16 November 2009 and applies in relation to Wales.

### Interpretation

**2.** In this Order—

"Public Appointment Code of Practice" ("*y Cod Ymarfer ar Benodiadau Cyhoeddus*") means the Code of Practice for Ministerial Appointments published in August 2009 by the Commissioner for Public Appointments, which sets out the mandatory regulatory framework by which public appointments are made.

### Establishment of the Public Transport Users' Committee for Wales

**3.** For the purposes of discharging the functions prescribed by section 9 of the Transport (Wales) Act 2006,there is established, from the date of the coming into force of this Order, a body corporate to be known as the Public Transport Users' Committee for Wales ("the Committee").

(**1**) 2006 c. 5.
(**2**) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

### Constitution and membership of the Committee

**4.**—(1) The Committee is to consist of—

(a) a chairperson, appointed in accordance with paragraph (2):

(b) at least 8 but no more than 11 other members, appointed in accordance with paragraph (2) ; and

(c) 1 additional member, to be the person appointed from time to time by the Secretary of State pursuant to section 125 of the Transport Act 1985(**3**), to represent the interests of Wales on the Disabled Persons' Transport Advisory Committee(**4**).

(2) The chairperson and members of the Committee, other than the member appointed in accordance with sub paragraph (1)(c), will be appointed by the Welsh Ministers via the Public Appointment Code of Practice.

(3) At least 2 of the members appointed in accordance with paragraph (2) above will be disabled persons within the meaning of section 1(2) of the Disability Discrimination Act 1995(**5**).

(4) The chairperson or other members of the Committee appointed in accordance with paragraph (2) above:

(a) will be appointed for such a period as is specified in their instrument of appointment;

(b) may, by notice in writing to the Welsh Ministers, resign as a member or chairperson;

(c) will in other respects hold and vacate office in accordance with the terms of their appointment; and

(d) will, on ceasing to hold office, be eligible for re-appointment.

(5) The Welsh Ministers may remove a member from office if they are satisfied that the member—

(a) without reasonable excuse, has not complied with the terms of the appointment;

(b) is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member.

### Allowances and expenses for Committee members

**5.** There will be paid to the chairperson and other members of the Committee such allowances and expenses as the Welsh Ministers may determine.

### Staff

**6.** The Committee may, with the approval of the Welsh Ministers, appoint such employees as it considers are required on such terms and conditions as it may, with approval, determine.

### Sub-committees

**7.**—(1) The Committee may—

(a) establish such sub-committees as it may from time to time consider necessary or desirable;

(b) refer to any such sub-committee such matter as it may from time to time specify;

(c) delegate any of its functions to any such sub-committee; and

(d) regulate the procedure of any such sub-committee.

(**3**) 1985 (c. 67).
(**4**) The Disabled Persons' Transport Advisory Committee (DPTAC) is a statutory body established by section 125 of the Transport Act 1985.
(**5**) 1995 (c. 50).