

SCHEDULES

SCHEDULE 5

PRESIDENT OF WELSH TRIBUNALS

PART 2

SELECTION BY THE JUDICIAL APPOINTMENTS COMMISSION

Effect of acceptance of selection

- 9 (1) Subject to the following provisions of this paragraph, where the Lord Chief Justice accepts a selection made under paragraph 4(4) he or she must appoint the person selected.
- (2) Before making the appointment the Lord Chief Justice may direct the Commission to make arrangements in accordance with the direction—
- (a) for any assessment of the health of the person selected that the Lord Chief Justice considers appropriate, and
 - (b) for a report of the assessment to be made to the Lord Chief Justice.
- (3) Sub-paragraph (4) applies in any of the following circumstances—
- (a) the Lord Chief Justice notifies the Commission that he or she is not satisfied on the basis of a report under sub-paragraph (2)(b), having consulted the Welsh Ministers, that the health of the person selected is satisfactory for the purposes of the appointment;
 - (b) the person selected declines to be appointed, or does not agree within a time specified to him for that purpose;
 - (c) the person selected is otherwise not available within a reasonable time to be appointed.
- (4) Where this sub-paragraph applies—
- (a) the selection accepted and any previous selection for the appointment are to be disregarded;
 - (b) the request pursuant to which the selection was made continues to have effect;
 - (c) any subsequent selection pursuant to that request may be made in accordance with the same or a different selection process.