

*Changes to legislation: Wales Act 2017, Cross Heading: Effect of acceptance of selection is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## 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.

#### **Commencement Information**

- II Sch. 5 para. 9 in force at 10.7.2017 or the first day on which regulations made under 2017 c. 4, Sch. 5 para. 7(1) come into force, whichever is the later by S.I. 2017/351, reg. 2

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**Changes and effects yet to be applied to :**

- specified provision(s) transitional and savings provisions for commencing S.I. 2017/1179 by [S.I. 2018/278](#) [reg. 2](#)[Sch.](#)