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## SCHEDULE 1

(introduced by section 2)

### THE WELSH LANGUAGE COMMISSIONER

#### PART 1

#### STATUS ETC

##### *Status*

- 1 (1) The Commissioner is a corporation sole.
- (2) The Commissioner is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.
- (3) The Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.
- (4) When exercising functions in relation to the Commissioner, the Welsh Ministers must have regard to the fact that it is desirable to ensure that the Commissioner is under as few constraints as reasonably possible in determining his or her—
  - (a) activities,
  - (b) timetables, and
  - (c) priorities.

##### **Commencement Information**

**II** Sch. 1 para. 1 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

##### *Validity of acts*

- 2 (1) The validity of an act of a person as Commissioner is not affected by a defect in the appointment of—
  - (a) that person, or
  - (b) any member of the Advisory Panel.
- (2) The validity of an act of a person exercising functions of the Commissioner is not affected by a defect in the appointment of—
  - (a) that person,
  - (b) the Commissioner, or
  - (c) any member of the Advisory Panel.

##### **Commencement Information**

**I2** Sch. 1 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

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## PART 2

### APPOINTMENT

#### *Appointment*

- 3 (1) In appointing the Commissioner, the First Minister—
- (a) must comply with appointment regulations (see paragraph 7),
  - (b) must take account of the recommendations made by the selection panel in relation to the appointment (see paragraph 7), and
  - (c) may take into account the views of any other persons whom the First Minister thinks it is appropriate to consult.
- (2) The First Minister may not appoint a person to be Commissioner if the person—
- (a) is disqualified from being Commissioner on grounds of employment (see paragraph 13), or
  - (b) has already been appointed as Commissioner.
- (3) The views which the First Minister may take into account under sub-paragraph (1) (c) include, but are not limited to, the views of—
- (a) the National Assembly for Wales,
  - (b) committees of the National Assembly, and
  - (c) members of the National Assembly.

#### **Commencement Information**

**I3** Sch. 1 para. 3 in force at 28.6.2011 by S.I. 2011/1586, art. 2(a)

#### *Remuneration, allowances and pensions*

- 4 (1) The Welsh Ministers may pay remuneration to the Commissioner.
- (2) The Welsh Ministers may pay allowances (including, but not limited to, travelling and subsistence allowances) and gratuities to the Commissioner.
- (3) The Welsh Ministers may pay—
- (a) pensions to, or in respect of, persons who have been Commissioner, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been Commissioner.

#### **Commencement Information**

**I4** Sch. 1 para. 4 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

#### *Terms of appointment*

- 5 (1) The Commissioner holds office subject to the terms of his or her appointment.
- (2) But that is subject to the other provisions of this Schedule.

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- (3) The terms of the Commissioner's appointment must provide for him or her to hold office on a full-time basis.

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Duration of appointment*

- 6 (1) A person appointed as Commissioner holds the office (by virtue of that appointment) for 7 years.
- (2) But that is subject to Part 3 of this Schedule.

**Commencement Information**

**I6** Sch. 1 para. 6 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Appointment regulations*

- 7 (1) The Welsh Ministers must, by regulations, make provision about the appointment of the Commissioner (“appointment regulations”).
- (2) Appointment regulations must make provision for the establishment of a panel of persons (a “selection panel”) who are to—
- (a) interview candidates for appointment as Commissioner, and
  - (b) make recommendations to the First Minister in relation to the appointment.
- (3) The provision that may be made in appointment regulations includes, but is not limited to, provision of the kind referred to in sub-paragraphs (4) to (7).
- (4) Appointment regulations may make provision about principles to be followed in appointing the Commissioner.
- (5) Appointment regulations may make provision about—
- (a) the knowledge of, and proficiency in, the Welsh language, and
  - (b) the knowledge and experience of the matters in respect of which the Commissioner has functions,
- which the Commissioner must have.
- (6) Appointment regulations may—
- (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
  - (b) make other provision relating to any such code.
- (7) Appointment regulations may confer functions on the Welsh Ministers or First Minister (as well as on any other person), including functions involving the exercise of a discretion.

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**Commencement Information**

**I7** Sch. 1 para. 7 in force at 28.6.2011 by S.I. 2011/1586, art. 2(a)

*Delegation of appointment functions etc*

- 8 (1) The First Minister may, by order—
- (a) provide for the Welsh Ministers to exercise—
    - (i) the First Minister's function of appointing the Commissioner, and
    - (ii) any or all of the First Minister's other functions that relate to the Commissioner, and
  - (b) make such other related provision as the First Minister thinks appropriate.
- (2) The provision that may be made in an order under this paragraph includes, but is not limited to, provision amending or otherwise modifying this Measure.

**Commencement Information**

**I8** Sch. 1 para. 8 in force at 28.6.2011 by S.I. 2011/1586, art. 2(a)

**PART 3**

END OF APPOINTMENT

*Resignation*

- 9 The Commissioner may resign from office if he or she gives the First Minister not less than 3 months' notice in writing of his or her intention to do so.

**Commencement Information**

**I9** Sch. 1 para. 9 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Disqualification*

- 10 A person ceases to be Commissioner if the person is disqualified from being Commissioner on grounds of employment.

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Dismissal*

- 11 The First Minister may dismiss the Commissioner if the First Minister is satisfied that the Commissioner—
- (a) is unfit to continue as Commissioner, or

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(b) is unable or unwilling to exercise the Commissioner's functions.

**Commencement Information**

**I11** Sch. 1 para. 11 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Payments on ceasing to hold office*

12 The Welsh Ministers may make a payment to a person who ceases to hold the office of Commissioner if it appears to the Welsh Ministers that there are special circumstances which make it right that the person should receive the payment in compensation.

**Commencement Information**

**I12** Sch. 1 para. 12 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

**PART 4**

**DISQUALIFICATION FROM BEING COMMISSIONER**

13 A person is disqualified from being Commissioner on grounds of employment if the person is—

- (a) a Member of Parliament;
- (b) a Member of the National Assembly for Wales;
- (c) a member of a county council, a county borough council or a community council in Wales;
- (d) a member of the Tribunal;
- (e) a member of the Advisory Panel;
- (f) a person who is employed by, or advises, a person who is within Schedule 5 or Schedule 7;
- (g) a member of the Commissioner's staff.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 28.6.2011 by S.I. 2011/1586, art. 2(a)

**PART 5**

**FINANCIAL MATTERS**

*Payments by the Welsh Ministers*

14 The Welsh Ministers may pay the Commissioner such amounts, at such times and on such conditions (if any), as they think appropriate in respect of expenditure incurred in carrying out the functions of Commissioner.

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**Commencement Information**

**I14** Sch. 1 para. 14 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Financial year*

- 15 (1) The Commissioner's first financial year is the period that begins with the commencement day and ends with—
- (a) the following 31 March (if the commencement day is 1 April), or
  - (b) the second following 31 March (if the commencement day is not 1 April).
- (2) Subject to that, the Commissioner's financial year is the period of 12 months ending with 31 March.
- (3) In this paragraph “commencement day” means the day when section 2 comes into force.

**Commencement Information**

**I15** Sch. 1 para. 15 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Accounting officer*

- 16 (1) The Commissioner is the accounting officer for the office of the Commissioner.
- (2) The accounting officer has, in relation to the accounts and the finances of the office of the Commissioner, the responsibilities which are from time to time specified by the Treasury.
- (3) In this paragraph references to responsibilities include, amongst other things—
- (a) responsibilities in relation to the signing of accounts,
  - (b) responsibilities for the propriety and regularity of the finances of the Commissioner, and
  - (c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Commissioner are used.
- (4) The responsibilities which may be specified under this paragraph include, amongst other things, responsibilities owed to—
- (a) the National Assembly for Wales, the Welsh Ministers or the Public Accounts Committee of the National Assembly, or
  - (b) the House of Commons or the Committee of Public Accounts of that House.
- (5) If requested to do so by the Committee of Public Accounts of the House of Commons (“the Parliamentary Committee”), the Public Accounts Committee of the National Assembly for Wales may—
- (a) take evidence on behalf of the Parliamentary Committee from the accounting officer,
  - (b) report to the Parliamentary Committee on the evidence taken, and
  - (c) transmit to the Parliamentary Committee the evidence taken.

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- (6) Section 13 of the National Audit Act 1983 (interpretation of references to the House of Commons Committee of Public Accounts) applies for the purposes of this Measure as it applies for the purposes of that Act.
- (7) In this paragraph “office of the Commissioner” means the Commissioner and the Commissioner's staff.

**Commencement Information**

**I16** Sch. 1 para. 16 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Estimates*

- 17 (1) For each financial year other than the first, the Commissioner must prepare an estimate of the income and expenses of the Commissioner's office.
- (2) The Commissioner must submit the estimate to the Welsh Ministers at least five months before the beginning of the financial year to which it relates.
- (3) The Welsh Ministers must examine an estimate submitted to them in accordance with this paragraph and must then lay the estimate before the National Assembly for Wales with the modifications (if any) they think appropriate.
- (4) In sub-paragraph (1) “Commissioner's office” means the Commissioner and the Commissioner's staff.

**Commencement Information**

**I17** Sch. 1 para. 17 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Accounts*

- 18 (1) The Commissioner must—
- (a) keep proper accounting records, and
  - (b) prepare accounts in respect of each financial year in accordance with directions given, with the consent of the Treasury, by the Welsh Ministers.
- (2) The directions which the Welsh Ministers may give under this paragraph include, amongst other things, directions as to—
- (a) the information to be contained in the accounts and the manner in which the accounts are to be presented;
  - (b) the methods and principles in accordance with which the accounts are to be prepared;
  - (c) additional information (if any) that is to accompany the accounts.

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

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### *Audit*

- 19 (1) The Commissioner must submit the accounts prepared for a financial year to the Auditor General for Wales no later than 31 August in the following financial year.
- (2) The Auditor General for Wales must—
- (a) examine, certify and report on each set of accounts submitted under this paragraph, and
  - (b) no later than four months after the accounts are submitted, lay before the National Assembly for Wales a copy of them as certified by him or her together with his or her report on them.
- (3) In examining accounts submitted under this paragraph, the Auditor General for Wales must, amongst other things, satisfy him or herself that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority which governs it.

#### **Commencement Information**

**I19** Sch. 1 para. 19 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

### *Examinations into the use of resources*

- 20 (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which resources have been used in discharging the Commissioner's functions.
- (2) Sub-paragraph (1) is not to be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Commissioner.
- (3) In determining how to exercise the functions under this paragraph, the Auditor General for Wales must take into account the views of the Public Accounts Committee of the National Assembly for Wales as to the examinations which he or she should carry out.
- (4) The Auditor General for Wales may lay before the National Assembly for Wales a report of the results of any examination carried out under this paragraph.

#### **Commencement Information**

**I20** Sch. 1 para. 20 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

## **PART 6**

### **GENERAL**

#### *Interpretation*

- 21 In this Schedule—
- “appointment regulations” (*“rheoliadau penodi”*) means regulations made under paragraph 7;
- “selection panel” (*“panel dethol”*) has the meaning given in paragraph 7.



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**Commencement Information**

**I21** Sch. 1 para. 21 in force at 28.6.2011 by S.I. 2011/1586, art. 2(a)

SCHEDULE 2

(introduced by section 7)

INQUIRIES BY THE COMMISSIONER

*Introduction*

1 This Schedule applies to inquiries under section 7.

**Commencement Information**

**I22** Sch. 2 para. 1 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

*Terms of reference*

2 Before conducting an inquiry, the Commissioner must prepare the terms of reference of the inquiry.

**Commencement Information**

**I23** Sch. 2 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

- 3
- (1) This paragraph applies if the terms of reference relate to a particular person or category of person.
  - (2) The terms of reference must specify that person or category of person.
  - (3) Before settling the terms of reference, the Commissioner must—
    - (a) give each relevant person notice of the proposed terms,
    - (b) give each relevant person an opportunity to make representations about the proposed terms, and
    - (c) consider any representations made.
  - (4) After settling the terms of reference (having complied with sub-paragraph (3)), the Commissioner must—
    - (a) publish the terms of reference of the inquiry in a manner that the Commissioner thinks is likely to bring the inquiry to the attention of persons whom it concerns or who are likely to be interested in it, and
    - (b) give notice of the terms of reference to—
      - (i) each relevant person, and
      - (ii) the Welsh Ministers.
  - (5) In this paragraph “relevant person” means—
    - (a) a person specified in the terms of reference of an inquiry, and

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- (b) in relation to a category of persons specified in the terms of reference of an inquiry, each person whom the Commissioner considers to fall within that category.

**Commencement Information**

**I24** Sch. 2 para. 3 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

- 4 (1) This paragraph applies if the terms of reference do not relate to a particular person or category of person.
- (2) The Commissioner must—
- (a) publish the terms of reference of the inquiry in a manner that the Commissioner thinks is likely to bring the inquiry to the attention of persons whom it concerns or who are likely to be interested in it, and
- (b) give notice of the terms of reference to the Welsh Ministers.

**Commencement Information**

**I25** Sch. 2 para. 4 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

- 5 Paragraph 3 or 4 applies to any change in the terms of reference as the paragraph would apply if the change in the terms were the preparation of those terms.

**Commencement Information**

**I26** Sch. 2 para. 5 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

*Representations*

- 6 (1) The Commissioner must make arrangements for giving persons an opportunity to make representations in relation to inquiries.
- (2) The arrangements must give the following persons an opportunity to make representations in the course of an inquiry—
- (a) each person who—
- (i) is specified in the terms of reference, or
- (ii) falls within a category of person specified in the terms of reference, and
- (b) the Welsh Ministers.
- (3) Arrangements under this paragraph may, amongst other things, include arrangements for oral representations.

**Commencement Information**

**I27** Sch. 2 para. 6 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

- 7 (1) The Commissioner must consider representations made in relation to an inquiry by—
- (a) a person who—

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- (i) is specified in the terms of reference, or
  - (ii) falls within a category of person specified in the terms of reference,  
or
  - (b) a legal adviser who is acting on behalf of a person falling within paragraph (a)(i) or (ii), or
  - (c) the Welsh Ministers.
- (2) The Commissioner must consider representations made in relation to an inquiry by any other person, unless the Commissioner thinks it is appropriate to refuse to do so.
- (3) If the Commissioner refuses to consider representations made in relation to an inquiry, he or she must give the person who made the representations written notice of—
- (a) the decision to refuse to consider the representations, and
  - (b) the reasons for the decision.
- (4) In this paragraph “legal adviser” means—
- (a) a person who, for the purposes of the Legal Services Act 2007, is an authorised person, or a European lawyer who is an exempt person by virtue of paragraph 7 of Schedule 3 to that Act, in relation to an activity which constitutes the exercise of a right of audience or the conduct of litigation (within the meaning of that Act), and
  - (b) an advocate or solicitor in Scotland.

**Commencement Information**

**I28** Sch. 2 para. 7 in force at 1.4.2012 by S.I. 2012/969, art. 2(e)

*Reports on inquiries*

- 8 (1) The Commissioner must prepare a report of his or her findings on any inquiry.
- (2) The report must not—
- (a) identify a failure to comply with a relevant requirement (within the meaning of Part 5) by a person who is, or may be, identified by virtue of the report, or
  - (b) otherwise refer to the activities of a person who is, or may be, identified by virtue of the report, unless the Commissioner thinks that the reference—
    - (i) will not cause the person harm, or
    - (ii) is necessary for the report to adequately reflect the results of the inquiry (having regard to its terms of reference).
- (3) The Commissioner must send a draft of the report to the Welsh Ministers.
- (4) If the terms of reference specify a particular person or category of person, the Commissioner must also send a draft of the report to each relevant person.
- (5) The Commissioner must—
- (a) give the Welsh Ministers, and any other person to whom a draft of a report is sent, an opportunity to make representations about the draft report, and
  - (b) consider any representations made.

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- (6) After settling the report (having complied with sub-paragraph (5)), the Commissioner must publish it.
- (7) This paragraph does not affect the application of the Data Protection Act 1998 to the Commissioner.
- (8) In this paragraph “relevant person” has the same meaning as in paragraph 3.

**Commencement Information**

**I29** Sch. 2 para. 8(1) (2)(b) (3)-(8) in force at 1.4.2012 by [S.I. 2012/969](#), [art. 2\(e\)](#)

VALID FROM 07/07/2015

SCHEDULE 3

*(introduced by section 21)*

AMENDMENTS ABOUT JOINT AND COLLABORATIVE WORKING

SCHEDULE 4

*(introduced by section 23)*

MEMBERS OF THE ADVISORY PANEL

**PART 1**

APPOINTMENT

*Appointment*

- 1 (1) In appointing a member of the Advisory Panel, the Welsh Ministers must comply with appointment regulations (see paragraph 5).
- (2) The Welsh Ministers may not appoint a person to be a member of the Advisory Panel if the person is disqualified from being a member of the Advisory Panel on grounds of employment.

**Commencement Information**

**I30** Sch. 4 para. 1 in force at 10.1.2012 by [S.I. 2012/46](#), [art. 2\(b\)](#)

*Remuneration, allowances and pensions*

- 2 (1) The Welsh Ministers may pay remuneration to the members of the Advisory Panel.

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- (2) The Welsh Ministers may pay allowances (including, but not limited to, travelling and subsistence allowances) and gratuities to the members of the Advisory Panel.
- (3) The Welsh Ministers may pay—
  - (a) pensions to, or in respect of, persons who have been members of the Advisory Panel, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Advisory Panel.

**Commencement Information**

**I31** Sch. 4 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Terms of appointment*

- 3 (1) A member of the Advisory Panel holds office subject to the terms of his or her appointment.
- (2) But that is subject to the other provisions of this Schedule.

**Commencement Information**

**I32** Sch. 4 para. 3 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Duration of appointment*

- 4 (1) A person appointed as a member of the Advisory Panel holds office (by virtue of that appointment) for 3 years.
- (2) But that is subject to Part 2 of this Schedule.

**Commencement Information**

**I33** Sch. 4 para. 4 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Appointment regulations*

- 5 (1) The Welsh Ministers must, by regulations, make provision about the appointment of members of the Advisory Panel (“appointment regulations”).
- (2) The provision that may be made in appointment regulations includes, but is not limited to, provision of the kind referred to in sub-paragraphs (3) to (6).
- (3) Appointment regulations may make provision about principles to be followed in appointing members of the Advisory Panel.
- (4) Appointment regulations may make provision about—
  - (a) the knowledge of, and proficiency in, the Welsh language, and
  - (b) the knowledge and experience of—
    - (i) the matters in respect of which the Commissioner has functions, and

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- (ii) any other matters relevant to anything that falls to be done by the Commissioner,  
 which a member of the Advisory Panel must have.
- (5) Appointment regulations may—
- (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
  - (b) make any other provision relating to any such code.
- (6) Appointment regulations may confer functions on the Welsh Ministers (as well as on any other person), including functions involving the exercise of a discretion.

**Commencement Information**

**I34** Sch. 4 para. 5 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

**PART 2**

END OF APPOINTMENT

*Resignation*

- 6 A member of the Advisory Panel may resign from office if he or she gives the Welsh Ministers not less than 2 months' notice in writing of his or her intention to do so.

**Commencement Information**

**I35** Sch. 4 para. 6 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Disqualification from membership*

- 7 A person ceases to be a member of the Advisory Panel if the person is disqualified from being a member of the Advisory Panel on grounds of employment.

**Commencement Information**

**I36** Sch. 4 para. 7 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Dismissal*

- 8 (1) The Welsh Ministers may dismiss a member of the Advisory Panel if the Welsh Ministers are satisfied that the person—
- (a) is unfit to continue as a member of the Advisory Panel, or
  - (b) is unable or unwilling to act as a member of the Advisory Panel.
- (2) The Welsh Ministers must consult the Commissioner before dismissing a member of the Advisory Panel.

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**Commencement Information**

**I37** Sch. 4 para. 8 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Payments on ceasing to hold office*

- 9 The Welsh Ministers may make a payment to a person who ceases to be a member of the Advisory Panel if it appears to the Welsh Ministers that there are special circumstances which make it right that the person should receive the payment in compensation.

**Commencement Information**

**I38** Sch. 4 para. 9 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

**PART 3**

**DISQUALIFICATION**

*Disqualification on grounds of employment*

- 10 A person is disqualified from being a member of the Advisory Panel on grounds of employment if the person is—
- (a) a Member of Parliament;
  - (b) a Member of the National Assembly for Wales;
  - (c) a member of the Welsh Language Tribunal;
  - (d) a member of the Commissioner's staff.

**Commencement Information**

**I39** Sch. 4 para. 10 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

**PART 4**

**GENERAL**

*Interpretation*

- 11 In this Schedule “appointment regulations” means regulations made under paragraph 5.

**Commencement Information**

**I40** Sch. 4 para. 11 in force at 10.1.2012 by S.I. 2012/46, art. 2(b)

*Status: Point in time view as at 07/01/2014.*

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SCHEDULE 5

(introduced by section 33)

CATEGORIES OF PERSON THAT MAY BE ADDED TO SCHEDULE 6

**Commencement Information**

**I41** Sch. 5 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

Column 1Entry	Column 2Person/Category
(1)	Public authorities.
(2)	Persons providing services to the public established by an enactment.
(3)	Persons established by prerogative instrument— <ul style="list-style-type: none"> <li>(a) to advance learning and knowledge by teaching or research or by developing or awarding qualifications,</li> <li>(b) to collect, preserve or provide access to recorded knowledge or to objects and things which further understanding,</li> <li>(c) to support, improve, promote or provide access to heritage, culture, sport or recreational activities,</li> <li>(d) engaged in promoting a wider knowledge and representing the interests of Wales to other countries, or</li> <li>(e) engaged in central banking.</li> </ul>
(4)	Persons upon whom functions of providing services to the public are conferred or imposed by an enactment.
(5)	Persons providing services to the public who receive public money amounting to £400,000 or more in a financial year, where— <ul style="list-style-type: none"> <li>(a) that person also received public money in a previous financial year, or</li> <li>(b) a decision has been made that that person will receive public money in a subsequent financial year.</li> </ul>
(6)	Persons overseeing the regulation of a profession, industry or other similar sphere of activity.
(7)	Providers of social housing.
(8)	Persons who consent to being specified in Schedule 6.

Column 1Entry

Column 2Person/Category



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- |     |   |
|-----|---|
| (1) | Public authorities.   |
| (2) | Persons providing services to the public established by an enactment.   |
| (3) | Persons established by prerogative instrument— <ul style="list-style-type: none"><li>(a) to advance learning and knowledge by teaching or research or by developing or awarding qualifications,</li><li>(b) to collect, preserve or provide access to recorded knowledge or to objects and things which further understanding,</li><li>(c) to support, improve, promote or provide access to heritage, culture, sport or recreational activities,</li><li>(d) engaged in promoting a wider knowledge and representing the interests of Wales to other countries, or</li><li>(e) engaged in central banking.</li></ul> |
| (4) | Persons upon whom functions of providing services to the public are conferred or imposed by an enactment.   |
| (5) | Persons providing services to the public who receive public money amounting to £400,000 or more in a financial year, where— <ul style="list-style-type: none"><li>(a) that person also received public money in a previous financial year, or</li><li>(b) a decision has been made that that person will receive public money in a subsequent financial year.</li></ul>   |
| (6) | Persons overseeing the regulation of a profession, industry or other similar sphere of activity.  |
| (7) | Providers of social housing.  |
| (8) | Persons who consent to being specified in Schedule 6.   |

*Entry (5): amendment by order*

- 1 (1) The Welsh Ministers may, by order, amend entry (5) in the table by replacing the relevant amount with any other amount that is not less than £400,000.
- (2) In sub-paragraph (1), “relevant amount” means the amount of public money that is for the time being specified in entry (5) in the table.

**Commencement Information**

**I42** Sch. 5 para. 1 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

*Status: Point in time view as at 07/01/2014.*

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*Entry (8): interpretation etc*

- 2 For the purposes of entry (8) in the table—
- (a) “consent”, in relation to a person, means consent in writing given to the Welsh Ministers by the person;
  - (b) consent may be withdrawn, but only with the agreement of the Welsh Ministers.

**Commencement Information**

**I43** Sch. 5 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

*Interpretation*

- 3 In this Schedule—
- “public authority” (“awdurdod cyhoeddus”) means each public authority within the meaning of section 6 of the Human Rights Act 1998;
- “public money” (“*arian cyhoeddus*”) means—
- (a) moneys made available directly or indirectly by—
    - (i) the National Assembly for Wales;
    - (ii) the Welsh Ministers;
    - (iii) Parliament;
    - (iv) Ministers of the Crown; or
    - (v) an institution of the European Union;
  - (b) moneys provided by virtue of any enactment.

**Commencement Information**

**I44** Sch. 5 para. 3 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

SCHEDULE 6

(introduced by section 33)

PUBLIC BODIES ETC: STANDARDS

**Commencement Information**

**I45** Sch. 6 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

Column 1 Person/Category	Column 2 Potentially applicable standards
GOVERNMENT	
The Welsh Ministers (“ <i>Gweinidogion Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Promotion standards Record keeping standards

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Ministers of the Crown (“ <i>Gweinidogion y Goron</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Government departments (“ <i>Adrannau'r Llywodraeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Persons exercising, on behalf of the Crown, functions conferred by or under an Act or Measure (“ <i>Personau sy'n arfer, ar ran y Goron, swyddogaethau a roddir gan neu o dan Ddeddf neu Fesur</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
LOCAL GOVERNMENT ETC	
County borough councils and county councils in Wales (“ <i>Cynghorau sir a chynghorau bwrdeistref sirol yng Nghymru</i> ”)	Service delivery standards Policy making standards Operational standards Promotion standards Record keeping standards
Community councils (“ <i>Cynghorau cymuned</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Local authority joint committees (“ <i>Cyd-bwyllgorau awdurdodau lleol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Local authority joint boards (“ <i>Cyd-fyrddau awdurdodau lleol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Local Health Boards (“ <i>Byrddau Iechyd Lleol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Community Health Councils (“ <i>Cynghorau Iechyd Cymuned</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
National Health Service Trusts (“ <i>Ymddiriedolaethau Gwasanaeth Iechyd Gwladol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Special Health Authorities (“ <i>Awdurdodau Iechyd Arbennig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards

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National Park Authorities (“ <i>Awdurdodau Parciau Cenedlaethol</i> ”)	Service delivery standards Policy making standards Operational standards Promotion standards Record keeping standards
Police Authorities (“ <i>Awdurdodau'r Heddlu</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Probation Trusts (“ <i>Ymddiriedolaethau Prawf</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Fire and Rescue Authorities (“ <i>Awdurdodau Tân ac Achub</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Providers of Social Housing (“ <i>Darparwyr Tai Cymdeithasol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
GENERAL	
Aberystwyth University (“ <i>Prifysgol Aberystwyth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Agricultural Land Tribunal (Wales) (“ <i>Tribiwnlys Tir Amaethyddol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Agriculture and Horticulture Development Board (“ <i>Bwrdd Datblygu Amaethyddiaeth a Garddwriaeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Alcohol Education and Research Fund (“ <i>Cronfa Addysgu ac Ymchwilio Alcohol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Arts Council of Wales (“ <i>Cyngor Celfyddydau Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Arts and Humanities Research Council (“ <i>Y Cyngor Ymchwil i'r Celfyddydau a'r Dyniaethau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards

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The Auditor General for Wales (“ <i>Archwilydd Cyffredinol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Bangor University (“ <i>Prifysgol Bangor</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Bank of England (“ <i>Banc Lloegr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Big Lottery Fund (“ <i>Y Gronfa Loteri Fawr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Biotechnology and Biological Sciences Research Council (“ <i>Cyngor Ymchwil Biotechnoleg a Gwyddorau Biolegol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Broadcasting Corporation (“ <i>Y Gorfforaeth Ddarlledu Brydeinig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Council (“ <i>Y Cyngor Prydeinig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Waterways Board (“ <i>Bwrdd Dyffyrdd Prydain</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Wool Marketing Board (“ <i>Bwrdd Marchnata Gwlân Prydain</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Carbon Trust (“ <i>Yr Ymddiriedolaeth Garbon</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Cardiff University (“ <i>Prifysgol Caerdydd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Care Council for Wales (“ <i>Cyngor Gofal Cymru</i> ”)	Service delivery standards Policy making standards Operational standards

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	Record keeping standards
Charities Commission for England and Wales ("Comisiwn Elusennau Cymru a Lloegr")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Child Maintenance and Enforcement Commission ("Comisiwn Trefnu a Gorfodi Cynhaliaeth Plant")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Children's Commissioner for Wales ("Comisiynydd Plant Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
Colleges Wales Limited ("Colegau Cymru Cyfyngedig")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Commission for Equality and Human Rights ("Comisiwn Cydraddoldeb a Hawliau Dynol")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Commissioner for Older People in Wales ("Comisiynydd Pobl Hŷn Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Community Development Foundation ("Sefydliad Datblygu Cymunedol")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Competition Commission ("Y Comisiwn Cystadlu")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Consumer Council for Water ("Y Cyngor Defnyddwyr Dŵr")	Service delivery standards Policy making standards Operational standards Record keeping standards
Consumer Focus ("Llais Defnyddwyr")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Council for Healthcare Regulatory Excellence ("Cyngor Rhagoriaeth Rheoleiddio Gofal Iechyd")	Service delivery standards Policy making standards Operational standards Record keeping standards

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The Criminal Injuries Compensation Authority (“*Yr Awdurdod Digolledu am Anafiadau Troseddol*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Disabled Persons Transport Advisory Committee (“*Pwyllgor Ymgynghorol Trafnidiaeth i'r Anabl*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Economic and Social Research Council (“*Y Cyngor Ymchwil Economaidd a Chymdeithasol*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Electoral Commission (“*Y Comisiwn Etholiadol*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Energy Saving Trust Limited (“*Yr Ymddiriedolaeth Arbed Ynni Cyfyngedig*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Engineering and Physical Sciences Research Council (“*Cyngor Ymchwil Peirianneg a Gwyddorau Ffisegol*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Engineering Construction Industry Training Board (“*Bwrdd Hyfforddi'r Diwydiant Adeiladu Peiriannol*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

The Environment Agency (“*Asiantaeth yr Amgylchedd*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

Finance Wales plc (“*Cyllid Cymru ccc*”)

Service delivery standards  
Policy making standards  
Operational standards  
Record keeping standards

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[<sup>F6</sup>Financial Conduct Authority (“*Awdurdod Ymddygiad Ariannol*”)]

[<sup>F6</sup>Record keeping standards]  
[<sup>F6</sup>Service delivery standards]  
[<sup>F6</sup>Policy making standards]  
[<sup>F6</sup>Operational standards.]

Further education corporations (“*Corfforaethau addysg bellach*”)

Service delivery standards  
Policy making standards  
Operational standards

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	Record keeping standards
The Gambling Commission (“ <i>Y Comisiwn Hapchwarae</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Chiropractic Council (“ <i>Y Cyngor Ceiropractig Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Dental Council (“ <i>Y Cyngor Deintyddol Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Medical Council (“ <i>Y Cyngor Meddygol Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Optical Council (“ <i>Y Cyngor Optegol Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Osteopathic Council (“ <i>Y Cyngor Osteopathig Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Teaching Council for Wales (“ <i>Cyngor Addysgu Cyffredinol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Glyndŵr University (“ <i>Prifysgol Glyndŵr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The governing bodies of schools (“ <i>Cyrff llywodraethu ysgolion</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Health, Education and Social Care Chamber (“ <i>Y Siambr Iechyd, Addysg a Gofal Cymdeithasol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Health Professions Council (“ <i>Y Cyngor Proffesiynau Iechyd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Higher education corporations (“ <i>Corfforaethau addysg uwch</i> ”)	Service delivery standards Policy making standards



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	Operational standards Record keeping standards
The Higher Education Funding Council for Wales (“ <i>Cyngor Cyllido Addysg Uwch Cymru</i> ”)	ice delivery standards Policy making standards Operational standards Record keeping standards
Hybu Cig Cymru – Meat Promotion Wales	Service delivery standards Policy making standards Operational standards Record keeping standards
The Independent Living Funds (“ <i>Y Cronfeydd Byw'n Annibynnol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Independent Police Complaints Commission (“ <i>Comisiwn Cwynion Annibynnol yr Heddlu</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Information Commissioner's Office (“ <i>Swyddfa'r Comisiynydd Gwybodaeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Investors in People UK (“ <i>Buddsoddwyr mewn Pobl y DU</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Legal Services Commission (“ <i>Comisiwn Gwasanaethau Cyfreithiol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
[ <sup>F7</sup> The Local Democracy and Boundary Commission for Wales (“ <i>Comisiwn Ffiniau a Democratiaeth Leol Cymru</i> ”)]	Service delivery standards Policy making standards Operational standards Record keeping standards
The Local Government Data Unit–Wales (“ <i>Uned Ddata Llywodraeth Leol – Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Medical Research Council (“ <i>Y Cyngor Ymchwil Meddygol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Mental Health Review Tribunal for Wales (“ <i>Tribiwnlys Adolygiad Iechyd Meddwl Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Motability	Service delivery standards

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	<ul style="list-style-type: none"> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
National Botanic Garden of Wales (“ <i>Gardd Fotaneg Genedlaethol Cymru</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
National Clinical Assessment Service (“ <i>Yr Awdurdod Asesu Clinigol Cenedlaethol</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
National Endowment for Science, Technology and the Arts (“ <i>Y Gwaddol Cenedlaethol ar gyfer Gwyddoniaeth, Technoleg a'r Celfyddydau</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
National Heritage Memorial Fund (“ <i>Cronfa Goffa'r Dreftadaeth Genedlaethol</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
National Institute for Health and Clinical Excellence (“ <i>Sefydliad Cenedlaethol dros Iechyd a Rhagoriaeth Glinigol</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
The National Library of Wales (“ <i>Llyfrgell Genedlaethol Cymru</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
The National Lottery Commission (“ <i>Comisiwn y Loteri Genedlaethol</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
The National Museum of Wales (“ <i>Amgueddfa Genedlaethol Cymru</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
The National Policing Improvement Agency (“ <i>Yr Asiantaeth Genedlaethol er Gwella Plismona</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
The National Theatre of Wales	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>
The Natural Environment Research Council (“ <i>Cyngor Ymchwil yr Amgylchedd Naturiol</i> ”)	<ul style="list-style-type: none"> <li>Service delivery standards</li> <li>Policy making standards</li> <li>Operational standards</li> <li>Record keeping standards</li> </ul>

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[ <sup>F8</sup> The Natural Resources Body for Wales (“ <i>Corff Adnoddau Naturiol Cymru</i> ”)]	[ <sup>F8</sup> Service delivery standards] [ <sup>F8</sup> Policy making standards] [ <sup>F8</sup> Operational standards] [ <sup>F8</sup> Record keeping standards]
NIACE	Service delivery standards Policy making standards Operational standards Record keeping standards
The Nursing and Midwifery Council (“ <i>Y Cyngor Nyrsio a Bydwreigiaeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Office of Communications (“ <i>Y Swyddfa Gyfathrebiadau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Office of Rail Regulation (“ <i>Swyddfa Rheoleiddio'r Rheilffyrdd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Olympic Delivery Authority (“ <i>Awdurdod Gweithredu'r Gemau Olympaidd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Open University (“ <i>Y Brifysgol Agored</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Passenger Focus (“ <i>Ffocws ar Deithwyr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Pensions Advisory Service (“ <i>Gwasanaeth Cyngori ar Bensiynau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Pensions Ombudsman (“ <i>Yr Ombwdsmon Pensiynau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Pensions Regulator (“ <i>Y Rheoleiddiwr Pensiynau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Providers of career services (“ <i>Darparwyr gwasanaethau gyrfaoedd</i> ”)	Service delivery standards Policy making standards

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	Operational standards Record keeping standards
[ <sup>F9</sup> Prudential Regulation Authority (“ <i>Awdurdod Rheoleiddio Darbodus</i> ”)]	[ <sup>F9</sup> Record keeping standards] [ <sup>F9</sup> Service delivery standards] [ <sup>F9</sup> Policy making standards] [ <sup>F9</sup> Operational standards.]
The Quality Assurance Agency for Higher Education (“ <i>Asiantaeth Sicrwydd Ansawdd Addysg Uwch</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Rent Assessment Panel for Wales (“ <i>Panel Asesu Rhenti i Gymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Residential Property Tribunal Wales (“ <i>Tribiwnlys Eiddo Preswyl Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Royal Commission on the Ancient and Historical Monuments of Wales (“ <i>Comisiwn Brenhinol Henebion Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Royal Mail Group plc (“ <i>Grŵp y Post Brenhinol ccc</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Royal Pharmaceutical Society of Great Britain (“ <i>Cymdeithas Fferyllol Frenhinol Prydain Fawr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Royal Welsh College of Music and Drama Limited (“ <i>Coleg Brenhinol Cerdd a Drama Cymru Cyfyngedig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Sector Skills Councils (“ <i>Y Cyngorau Sgiliau Sector</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Security Industry Authority (“ <i>Awdurdod y Diwydiant Diogelwch</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Sianel 4 Cymru	Service delivery standards Policy making standards Operational standards Record keeping standards

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The Science and Technology Facilities Council (“ <i>Cyngor Cyfleusterau Gwyddoniaeth a Thechnoleg</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Social Fund Commissioner (“ <i>Comisiynydd y Gronfa Gymdeithasol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Special Educational Needs Tribunal for Wales (“ <i>Tribiwnlys Anghenion Addysgol Arbennig Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Sports Council for Wales (“ <i>Cyngor Chwaraeon Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Student Loans Company Limited (“ <i>Cwmni Benthyciadau Myfyrwyr Cyfyngedig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Sustainable Development Commission (“ <i>Y Comisiwn Datblygu Cynaliadwy</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Swansea University (“ <i>Prifysgol Abertawe</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Theatr Genedlaethol Cymru	Service delivery standards Policy making standards Operational standards Record keeping standards
UFI Ltd (“ <i>UFI Cyf</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The UK Commission For Employment and Skills (“ <i>Comisiwn y DU dros Gyflogaeth a Sgiliau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
UK Film Council (“ <i>Cyngor Ffilm y DU</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The UK Sports Council (“ <i>Cyngor Chwaraeon y DU</i> ”)	Service delivery standards Policy making standards Operational standards

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	Record keeping standards
Universities and Colleges Admission Service (“ <i>Gwasanaeth Derbyn y Prifysgolion a'r Colegau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
University of Glamorgan (“ <i>Prifysgol Morgannwg</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The University of Wales (“ <i>Prifysgol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The University of Wales Institute, Cardiff (“ <i>Athrofa Prifysgol Cymru, Caerdydd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The University of Wales, Newport (“ <i>Prifysgol Cymru, Casnewydd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
University of Wales: Trinity St David (“ <i>Prifysgol Cymru: Y Drindod Dewi Sant</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Valuation Tribunal Service for Wales (“ <i>Gwasanaeth Tribiwnlys Prisio Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Wales Council for Voluntary Action (“ <i>Cyngor Gweithredu Gwirfoddol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Wales Millennium Centre (“ <i>Canolfan Mileniwm Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Welsh Books Council (“ <i>Cyngor Llyfrau Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Welsh Local Government Association (“ <i>Cymdeithas Llywodraeth Leol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Welsh National Opera Limited (“ <i>Opera Cenedlaethol Cymru Cyfyngedig</i> ”)	Service delivery standards Policy making standards

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	Operational standards Record keeping standards
The Youth Justice Board for England and Wales (“ <i>Bwrdd Cyfiawnder Ieuencid Cymru a Lloegr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards

### Textual Amendments

- F5** Words in Sch. 6 omitted (1.4.2013) by virtue of [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 3 para. 3(2)** (with Sch. 7)
- F6** Sch. 6: entry inserted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), s. 122(3), **Sch. 18 para. 144(b)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F7** Words in Sch. 6 substituted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), **Sch. 1 para. 4**
- F8** Words in Sch. 6 inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 3 para. 3(3)** (with Sch. 7)
- F9** Words in Sch. 6 inserted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), s. 122(3), **Sch. 18 para. 144(d)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.

Column 1 Person/Category	Column 2 Potentially applicable standards
GOVERNMENT	
The Welsh Ministers (“ <i>Gweinidogion Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Promotion standards Record keeping standards
Ministers of the Crown (“ <i>Gweinidogion y Goron</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Government departments (“ <i>Adrannau'r Llywodraeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Persons exercising, on behalf of the Crown, functions conferred by or under an Act or Measure (“ <i>Personau sy'n arfer, ar ran y Goron, swyddogaethau a roddir gan neu o dan Ddeddf neu Fesur</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
LOCAL GOVERNMENT ETC	
County borough councils and county councils in Wales (“ <i>Cynghorau sir a chynghorau bwrdeistref sirol yng Nghymru</i> ”)	Service delivery standards Policy making standards Operational standards Promotion standards Record keeping standards

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Community councils (“ <i>Cynghorau cymuned</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Local authority joint committees (“ <i>Cydbwyllgorau awdurdodau lleol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Local authority joint boards (“ <i>Cyd-fyrddau awdurdodau lleol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Local Health Boards (“ <i>Byrddau Iechyd Lleol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Community Health Councils (“ <i>Cynghorau Iechyd Cymuned</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
National Health Service Trusts (“ <i>Ymddiriedolaethau Gwasanaeth Iechyd Gwladol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Special Health Authorities (“ <i>Awdurdodau Iechyd Arbennig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
National Park Authorities (“ <i>Awdurdodau Parciau Cenedlaethol</i> ”)	Service delivery standards Policy making standards Operational standards Promotion standards Record keeping standards
Police Authorities (“ <i>Awdurdodau'r Heddlu</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Probation Trusts (“ <i>Ymddiriedolaethau Prawf</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Fire and Rescue Authorities (“ <i>Awdurdodau Tân ac Achub</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Providers of Social Housing (“ <i>Darparwyr Tai Cymdeithasol</i> ”)	Service delivery standards Policy making standards



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	Operational standards Record keeping standards
GENERAL	
Aberystwyth University (“ <i>Prifysgol Aberystwyth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Agricultural Land Tribunal (Wales) (“ <i>Tribiwnlys Tir Amaethyddol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Agriculture and Horticulture Development Board (“ <i>Bwrdd Datblygu Amaethyddiaeth a Garddwriaeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Alcohol Education and Research Fund (“ <i>Cronfa Addysgu ac Ymchwilio Alcohol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Arts Council of Wales (“ <i>Cyngor Celfyddydau Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Arts and Humanities Research Council (“ <i>Y Cyngor Ymchwil i'r Celfyddydau a'r Dyniaethau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Auditor General for Wales (“ <i>Archwilydd Cyffredinol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Bangor University (“ <i>Prifysgol Bangor</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Bank of England (“ <i>Banc Lloegr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Big Lottery Fund (“ <i>Y Gronfa Loteri Fawr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Biotechnology and Biological Sciences Research Council (“ <i>Cyngor Ymchwil Biotechnoleg a Gwyddorau Biolegol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards

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The British Broadcasting Corporation (“ <i>Y Gorfforaeth Ddarlledu Brydeinig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Council (“ <i>Y Cyngor Prydeinig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Waterways Board (“ <i>Bwrdd Dyffyrdd Prydain</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The British Wool Marketing Board (“ <i>Bwrdd Marchnata Gwlân Prydain</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Carbon Trust (“ <i>Yr Ymddiriedolaeth Garbon</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Cardiff University (“ <i>Prifysgol Caerdydd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Care Council for Wales (“ <i>Cyngor Gofal Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Charities Commission for England and Wales (“ <i>Comisiwn Elusennau Cymru a Lloegr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Child Maintenance and Enforcement Commission (“ <i>Comisiwn Trefnu a Gorfodi Cynhaliaeth Plant</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Children's Commissioner for Wales (“ <i>Comisiynydd Plant Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Colleges Wales Limited (“ <i>Colegau Cymru Cyfyngedig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Commission for Equality and Human Rights (“ <i>Comisiwn Cydraddoldeb a Hawliau Dynol</i> ”)	Service delivery standards Policy making standards Operational standards

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	Record keeping standards
The Commissioner for Older People in Wales (“ <i>Comisiynydd Pobl Hŷn Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Community Development Foundation (“ <i>Sefydliad Datblygu Cymunedol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Competition Commission (“ <i>Y Comisiwn Cystadlu</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Consumer Council for Water (“ <i>Y Cyngor Defnyddwyr Dŵr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Consumer Focus (“ <i>Llais Defnyddwyr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Council for Healthcare Regulatory Excellence (“ <i>Cyngor Rhagoriaeth Rheoleiddio Gofal Iechyd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
F5	F5 ...
...	
The Criminal Injuries Compensation Authority (“ <i>Yr Awdurdod Digolledu am Anafiadau Troseddol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Disabled Persons Transport Advisory Committee (“ <i>Pwyllgor Ymgynghorol Trafnidiaeth i'r Anabl</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Economic and Social Research Council (“ <i>Y Cyngor Ymchwil Economaidd a Chymdeithasol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Electoral Commission (“ <i>Y Comisiwn Etholiadol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Energy Saving Trust Limited (“ <i>Yr Ymddiriedolaeth Arbed Ynni Cyfyngedig</i> ”)	Service delivery standards Policy making standards Operational standards

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	Record keeping standards
The Engineering and Physical Sciences Research Council (“ <i>Cyngor Ymchwil Peirianneg a Gwyddorau Ffisegol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Engineering Construction Industry Training Board (“ <i>Bwrdd Hyfforddi'r Diwydiant Adeiladu Peiriannol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Environment Agency (“ <i>Asiantaeth yr Amgylchedd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Finance Wales plc (“ <i>Cyllid Cymru ccc</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
F6	F6
...	...
[ <sup>F6</sup> Financial Conduct Authority (“ <i>Awdurdod Ymddygiad Ariannol</i> ”)]	[ <sup>F6</sup> Record keeping standards] [ <sup>F6</sup> Service delivery standards] [ <sup>F6</sup> Policy making standards] [ <sup>F6</sup> Operational standards.]
Further education corporations (“ <i>Corfforaethau addysg bellach</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Gambling Commission (“ <i>Y Comisiwn Hapchwarae</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Chiropractic Council (“ <i>Y Cyngor Ceiropractig Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Dental Council (“ <i>Y Cyngor Deintyddol Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Medical Council (“ <i>Y Cyngor Meddygol Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Optical Council (“ <i>Y Cyngor Optegol Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards

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	Record keeping standards
The General Osteopathic Council (“ <i>Y Cyngor Osteopathig Cyffredinol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The General Teaching Council for Wales (“ <i>Cyngor Addysgu Cyffredinol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Glyndŵr University (“ <i>Prifysgol Glyndŵr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The governing bodies of schools (“ <i>Cyrff llywodraethu ysgolion</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Health, Education and Social Care Chamber (“ <i>Y Siambr Iechyd, Addysg a Gofal Cymdeithasol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Health Professions Council (“ <i>Y Cyngor Proffesiynau Iechyd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Higher education corporations (“ <i>Corfforaethau addysg uwch</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Higher Education Funding Council for Wales (“ <i>Cyngor Cyllido Addysg Uwch Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Hybu Cig Cymru – Meat Promotion Wales	Service delivery standards Policy making standards Operational standards Record keeping standards
The Independent Living Funds (“ <i>Y Cronfeydd Byw'n Annibynnol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Independent Police Complaints Commission (“ <i>Comisiwn Cwynion Annibynnol yr Heddlu</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Information Commissioner's Office (“ <i>Swyddfa'r Comisiynydd Gwybodaeth</i> ”)	Service delivery standards Policy making standards

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	Operational standards Record keeping standards
Investors in People UK (“ <i>Buddsoddwyr mewn Pobl y DU</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Legal Services Commission (“ <i>Comisiwn Gwasanaethau Cyfreithiol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
[ <sup>F7</sup> The Local Democracy and Boundary Commission for Wales (“ <i>Comisiwn Ffiniau a Democratiaeth Leol Cymru</i> ”)]	Service delivery standards Policy making standards Operational standards Record keeping standards
The Local Government Data Unit–Wales (“ <i>Uned Ddata Llywodraeth Leol – Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Medical Research Council (“ <i>Y Cyngor Ymchwil Meddygol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Mental Health Review Tribunal for Wales (“ <i>Tribiwnlys Adolygiad Iechyd Meddwl Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Motability	Service delivery standards Policy making standards Operational standards Record keeping standards
National Botanic Garden of Wales (“ <i>Gardd Fotaneg Genedlaethol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
National Clinical Assessment Service (“ <i>Yr Awdurdod Asesu Clinigol Cenedlaethol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
National Endowment for Science, Technology and the Arts (“ <i>Y Gwaddol Cenedlaethol ar gyfer Gwyddoniaeth, Technoleg a'r Celfyddydau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
National Heritage Memorial Fund (“ <i>Cronfa Goffa'r Dreftadaeth Genedlaethol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards

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National Institute for Health and Clinical Excellence (“ <i>Sefydliad Cenedlaethol dros Iechyd a Rhagoriaeth Glinigol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The National Library of Wales (“ <i>Llyfrgell Genedlaethol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The National Lottery Commission (“ <i>Comisiwn y Loteri Genedlaethol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The National Museum of Wales (“ <i>Amgueddfa Genedlaethol Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The National Policing Improvement Agency (“ <i>Yr Asiantaeth Genedlaethol er Gwella Plismona</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The National Theatre of Wales	Service delivery standards Policy making standards Operational standards Record keeping standards
The Natural Environment Research Council (“ <i>Cyngor Ymchwil yr Amgylchedd Naturiol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
[ <sup>F8</sup> The Natural Resources Body for Wales (“ <i>Corff Adnoddau Naturiol Cymru</i> ”)]	[ <sup>F8</sup> Service delivery standards] [ <sup>F8</sup> Policy making standards] [ <sup>F8</sup> Operational standards] [ <sup>F8</sup> Record keeping standards]
NIACE	Service delivery standards Py making standards Operational standards Record keeping standards
The Nursing and Midwifery Council (“ <i>Y Cyngor Nyrsio a Bydwreigiaeth</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Office of Communications (“ <i>Y Swyddfa Gyfathrebiadau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Office of Rail Regulation (“ <i>Swyddfa Rheoleiddio'r Rheilffyrdd</i> ”)	Service delivery standards Policy making standards

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	Operational standards Record keeping standards
The Olympic Delivery Authority (“ <i>Awdurdod Gweithredu'r Gemau Olympaidd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Open University (“ <i>Y Brifysgol Agored</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Passenger Focus (“ <i>Ffocws ar Deithwyr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Pensions Advisory Service (“ <i>Gwasanaeth Cyngori ar Bensiynau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Pensions Ombudsman (“ <i>Yr Ombwdsmon Pensiynau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Pensions Regulator (“ <i>Y Rheoleiddiwr Pensiynau</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Providers of career services (“ <i>Darparwyr gwasanaethau gyrfaedd</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
[ <sup>F9</sup> Prudential Regulation Authority (“ <i>Awdurdod Rheoleiddio Darbodus</i> ”)]	[ <sup>F9</sup> Record keeping standards] [ <sup>F9</sup> Service delivery standards] [ <sup>F9</sup> Policy making standards] [ <sup>F9</sup> Operational standards.]
The Quality Assurance Agency for Higher Education (“ <i>Asiantaeth Sicrwydd Ansawdd Addysg Uwch</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Rent Assessment Panel for Wales (“ <i>Panel Asesu Rhenti i Gymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Residential Property Tribunal Wales (“ <i>Tribiwnlys Eiddo Preswyl Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards



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The Royal Commission on the Ancient and Historical Monuments of Wales (“ <i>Comisiwn Brenhinol Henebion Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Royal Mail Group plc (“ <i>Grŵp y Post Brenhinol ccc</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Royal Pharmaceutical Society of Great Britain (“ <i>Cymdeithas Fferyllol Frenhinol Prydain Fawr</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Royal Welsh College of Music and Drama Limited (“ <i>Coleg Brenhinol Cerdd a Drama Cymru Cyfyngedig</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Sector Skills Councils (“ <i>Y Cyngorau Sgiliau Sector</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Security Industry Authority (“ <i>Awdurdod y Diwydiant Diogelwch</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Sianel 4 Cymru	Service delivery standards Policy making standards Operational standards Record keeping standards
The Science and Technology Facilities Council (“ <i>Cyngor Cyfleusterau Gwyddoniaeth a Thechnoleg</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Social Fund Commissioner (“ <i>Comisiynydd y Gronfa Gymdeithasol</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Special Educational Needs Tribunal for Wales (“ <i>Tribiwnlys Anghenion Addysgol Arbennig Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
The Sports Council for Wales (“ <i>Cyngor Chwaraeon Cymru</i> ”)	Service delivery standards Policy making standards Operational standards Record keeping standards
Student Loans Company Limited (“ <i>Cwmni Benthyciadau Myfyrwyr Cyfyngedig</i> ”)	Service delivery standards Policy making standards Operational standards

*Status: Point in time view as at 07/01/2014.*

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	Record keeping standards
The Sustainable Development Commission ("Y Comisiwn Datblygu Cynaliadwy")	Service delivery standards Policy making standards Operational standards Record keeping standards
Swansea University ("Prifysgol Abertawe")	Service delivery standards Policy making standards Operational standards Record keeping standards
Theatr Genedlaethol Cymru	Service delivery standards Policy making standards Operational standards Record keeping standards
UFI Ltd ("UFI Cyf")	Service delivery standards Policy making standards Operational standards Record keeping standards
The UK Commission For Employment and Skills ("Comisiwn y DU dros Gyflogaeth a Sgiliau")	Service delivery standards Policy making standards Operational standards Record keeping standards
UK Film Council ("Cyngor Ffilm y DU")	Service delivery standards Policy making standards Operational standards Record keeping standards
The UK Sports Council ("Cyngor Chwaraeon y DU")	Service delivery standards Policy making standards Operational standards Record keeping standards
Universities and Colleges Admission Service ("Gwasanaeth Derbyn y Prifysgolion a'r Colegau")	Service delivery standards Policy making standards Operational standards Record keeping standards
University of Glamorgan ("Prifysgol Morgannwg")	Service delivery standards Policy making standards Operational standards Record keeping standards
The University of Wales ("Prifysgol Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
The University of Wales Institute, Cardiff ("Athrofa Prifysgol Cymru, Caerdydd")	Service delivery standards Policy making standards Operational standards Record keeping standards
The University of Wales, Newport ("Prifysgol Cymru, Casnewydd")	Service delivery standards Policy making standards

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	Operational standards Record keeping standards
University of Wales: Trinity St David ("Prifysgol Cymru: Y Drindod Dewi Sant")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Valuation Tribunal Service for Wales ("Gwasanaeth Tribiwnlys Prasio Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
Wales Council for Voluntary Action ("Cyngor Gweithredu Gwirfoddol Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
Wales Millennium Centre ("Canolfan Mileniwm Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Welsh Books Council ("Cyngor Llyfrau Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Welsh Local Government Association ("Cymdeithas Llywodraeth Leol Cymru")	Service delivery standards Policy making standards Operational standards Record keeping standards
Welsh National Opera Limited ("Opera Cenedlaethol Cymru Cyfyngedig")	Service delivery standards Policy making standards Operational standards Record keeping standards
The Youth Justice Board for England and Wales ("Bwrdd Cyfiawnder Ieuencid Cymru a Lloegr")	Service delivery standards Policy making standards Operational standards Record keeping standards

*Interpretation etc*

- 1 The table has effect subject to the following provisions—
- (a) the entry relating to government departments does not include anything that is within the entry relating to Ministers of the Crown;
  - (b) the entry relating to persons exercising functions on behalf of the Crown does not include any person that is within any other entry.

**Commencement Information**

**I46** Sch. 6 para. 1 in force at 1.4.2012 by [S.I. 2012/969](#), [art. 2\(j\)](#)

- 2 In this Schedule—

*Status: Point in time view as at 07/01/2014.*

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“Act” (“*Deddf*”) means an Act of Parliament or an Act of the National Assembly of Wales;

“Agricultural Land Tribunal (Wales)” (“*Tribiwnlys Tir Amaethyddol Cymru*”) means the agricultural land tribunal established for Wales by the Agricultural Land Tribunals (Areas) Order 1982;

“Community Health Council” (“*Cyngor Iechyd Cymuned*”) means a community health council established under section 182 of the National Health Service (Wales) Act 2006;

“Consumer Focus” (“*Llais Defnyddwyr*”) means the National Consumer Council established under section 1 of the Consumers, Estate Agents and Redress Act 2007;

“Fire and Rescue Authority” (“*Awdurdod Tân ac Achub*”) means a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies;

“further education corporation” (“*corfforaeth addysg bellach*”) means a further education corporation established under section 15 or 16 of the Further and Higher Education Act 1992;

“governing body of a school” (“*corff llywodraethu ysgolion*”) means a governing body of a community, foundation or voluntary school or a community<sup>F10</sup>... special school within the meaning of the School Standards and Framework Act 1998, as substituted by section 140(1) and paragraph 50 of Schedule 30 of the School Standards and Framework Act 1998;

“higher education corporation” (“*corfforaeth addysg uwch*”) means a higher education corporation established under section 121 or 122 of the Education Reform Act 1988;

“local authority joint board” (“*cyd-fwrdd awdurdod lleol*”) means a joint board of which the members are two or more of following—

- (a) county councils,
- (b) county borough councils, or
- (c) community councils;

“local authority joint committee” (“*cyd-bwyllgor awdurdod lleol*”) means a joint committee of two or more of following—

- (a) county councils,
- (b) county borough councils, or
- (c) community councils;

“Local Health Board” (“*Bwrdd Iechyd Lleol*”) means a local health board established under section 11 of the National Health Service (Wales) Act 2006;

“Minister of the Crown” (“*Gweinidog y Goron*”) includes the Treasury;

“National Health Service Trust” (“*Ymddiriedolaeth y Gwasanaeth Iechyd Gwladol*”) means a National Health Service trust constituted under the National Health Service Act 2006 or the National Health Service (Wales) Act 2006;

“Passenger Focus” (“*Ffocws ar Deithwyr*”) means the Rail Passengers' Council established under the Railways Act 2005;

“provider of career services” (“*darparwr gwasanaethau gyrfaedd*”) means a person with whom the Secretary of State for Wales has made arrangements (not being arrangements which have been terminated) under

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section 10 of the Employment and Training Act 1973 (provision of career services);

“Special Health Authority” (“*Awdurdod Iechyd Arbennig*”) means a special health authority established under section 28 of the National Health Service Act 2006 or section 22 of the National Health Service (Wales) Act 2006.

#### Textual Amendments

**F10** Words in Sch. 6 para. 2 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 30\(2\)](#); S.I. 2013/1800, art. 3(j)

#### Commencement Information

**I47** Sch. 6 para. 2 in force at 1.4.2012 by [S.I. 2012/969](#), [art. 2\(j\)](#)

## SCHEDULE 7

(introduced by section 33)

### CATEGORIES OF PERSON THAT MAY BE ADDED TO SCHEDULE 8

#### Commencement Information

**I48** [Sch. 7](#) in force at 1.4.2012 by [S.I. 2012/969](#), [art. 2\(j\)](#)

Column 1Entry	Column 2Description of person	Column 3Available service(s)
(1)	Qualifying persons who provide the public with gas, water or electricity services (including supply or distribution).	(a) Gas, water or electricity services (including supply or distribution). (b) Other services which relate to services within paragraph (a).
(2)	Qualifying persons who provide the public with sewerage services (including disposal of sewage).	(a) Sewerage services (including disposal of sewage). (b) Other services which relate to services within paragraph (a).
(3)	Qualifying persons who provide the public with postal services or post offices.	(a) Postal services or post office services. (b) Other services which relate to services within paragraph (a).
(4)	Qualifying persons who provide the public with telecommunication services.	(a) Telecommunication services.

*Status: Point in time view as at 07/01/2014.*

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		(b) Other services which relate to services within paragraph (a).
(5)	Qualifying persons who provide the public with education, training (where the provider receives public money for its provision), or career guidance.	(a) Education, training (where the provider receives public money for its provision), or career guidance. (b) Other services which relate to services within paragraph (a).
(6)	Qualifying persons who provide the public with services to encourage, enable or assist participation in education, training or career guidance.	(a) Services to encourage, enable or assist participation in education, training or career guidance. (b) Other services which relate to services within paragraph (a).
(7)	Qualifying persons who provide the public with bus or railway services.	(a) Bus or railway services. (b) Other services which relate to services within paragraph (a).
(8)	Qualifying persons who provide the public with services to develop or award educational or vocational qualifications.	(a) Services to develop or award educational or vocational qualifications. (b) Other services which relate to services within paragraph (a).
(9)	Qualifying persons who provide the public with services which relate to any primary service.	Services which relate to any primary service.
(10)	Qualifying persons who provide services to the public under an agreement, or in accordance with arrangements, made with a public authority.	Services to the public provided under the agreement, or in accordance with the arrangements, made with the public authority.
Column 1Entry	Column 2Description of person	Column 3Available service(s)
(1)	Qualifying persons who provide the public with gas, water or electricity	(a) Gas, water or electricity services

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	services (including supply or distribution).	(including supply or distribution).
		(b) Other services which relate to services within paragraph (a).
(2)	Qualifying persons who provide the public with sewerage services (including disposal of sewage).	(a) Sewerage services (including disposal of sewage). (b) Other services which relate to services within paragraph (a).
(3)	Qualifying persons who provide the public with postal services or post offices.	(a) Postal services or post office services. (b) Other services which relate to services within paragraph (a).
(4)	Qualifying persons who provide the public with telecommunication services.	(a) Telecommunication services. (b) Other services which relate to services within paragraph (a).
(5)	Qualifying persons who provide the public with education, training (where the provider receives public money for its provision), or career guidance.	(a) Education, training (where the provider receives public money for its provision), or career guidance. (b) Other services which relate to services within paragraph (a).
(6)	Qualifying persons who provide the public with services to encourage, enable or assist participation in education, training or career guidance.	(a) Services to encourage, enable or assist participation in education, training or career guidance. (b) Other services which relate to services within paragraph (a).
(7)	Qualifying persons who provide the public with bus or railway services.	(a) Bus or railway services. (b) Other services which relate to services within paragraph (a).
(8)	Qualifying persons who provide the public with services to develop or award educational or vocational qualifications.	(a) Services to develop or award educational or vocational qualifications.

*Status: Point in time view as at 07/01/2014.*

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		(b) Other services which relate to services within paragraph (a).
(9)	Qualifying persons who provide the public with services which relate to any primary service.	Services which relate to any primary service.
(10)	Qualifying persons who provide services to the public under an agreement, or in accordance with arrangements, made with a public authority.	Services to the public provided under the agreement, or in accordance with the arrangements, made with the public authority.

*Services provided in shops: exclusions*

- 1 (1) The references in the table to “related services” do not include services provided in shops, unless those services are—
- (a) post office counter services, or
  - (b) the sale of tickets or the provision of timetables for bus and railway services.
- (2) For that purpose, the references in the table to related services are—
- (a) in column (3) of each of rows (1) to (8) of the table, the references in each paragraph (b) to other services, and
  - (b) in columns (2) and (3) of row (9) of the table, the references to services which relate to any primary service.

**Commencement Information**

**I49** Sch. 7 para. 1 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

*Interpretation*

- 2 In this Schedule—
- “bus services” (“*gwasanaethau bysiau*”) means a scheduled service, by public service vehicle (within the meaning of section 1 of the Public Passenger Vehicles Act 1981), for the carriage of passengers at separate fares, other than a service—
- (a) for which the whole capacity of the vehicle has been purchased by a charterer for the charterer's own use or for resale;
  - (b) which is a journey or trip organised privately by any person acting independently of the vehicle operator; or
  - (c) on which the passengers travel together on a journey, with or without breaks and whether or not on the same day, from one or more places to one or more places and back;
- “postal services” (“*gwasanaethau post*”) means the service of conveying letters, parcels, packets or other articles from one place to another by post and the incidental services of receiving, collecting, sorting and delivering such articles;



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“primary service” (“*gwasanaeth sylfaenol*”) means a service within paragraph (a) in column (3) of any of rows (1) to (8) in the table;

“public authority” (“*diwrnod gosod yr awdurdod cyhoeddus*”) means each public authority within the meaning of section 6 of the Human Rights Act 1998;

“public money” (“*arian cyhoeddus*”) means—

(a) moneys made available directly or indirectly by—

(i) the National Assembly for Wales;

(ii) the Welsh Ministers;

(iii) Parliament;

(iv) Ministers of the Crown; or

(v) an institution of the European Union;

(b) moneys provided by virtue of any enactment;

“qualifying person” (“*diwrnod gosod y person neilltuedig*”) means a person who is not within Schedule 6;

“shop” (“*siop*”) means any premises where the sale of goods is the principal trade or business carried on;

“telecommunications service” (“*gwasanaethau telathrebu*”) means any service that consists of providing access to, or facilities for making use of, any system which exists (whether wholly or partly in the United Kingdom or elsewhere) for the purpose of facilitating the transmission of communications by any means involving the use of electrical, magnetic or electro-magnetic energy (including the apparatus comprised in the system), but does not include broadcasting, radio, or television.

**Commencement Information**

**I50** Sch. 7 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

SCHEDULE 8

(introduced by section 33)

OTHER BODIES: STANDARDS

**Commencement Information**

**I51** Sch. 8 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

Column 1 Person/Category	Column 2 Specified service(s)
Qualifying persons who are licensed gas suppliers.	Supply of gas to the public under the relevant gas licence.
Qualifying persons who, by virtue of an appointment under section 6 of the Water Industry Act 1991, or by virtue of a variation of such an appointment under section 7 of	Services provided to the public in the exercise of the functions of water undertaker for the whole or any part of Wales.

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that Act, are water undertakers for the whole or any part of Wales.

Qualifying persons who, by virtue of an appointment under section 6 of the Water Industry Act 1991, or by virtue of a variation of such an appointment under section 7 of that Act, are sewerage undertakers for the whole or any part of Wales.

Qualifying persons who are licensed electricity suppliers.

Qualifying persons who provide the public with post offices.

Qualifying persons, other than not for profit organisations, who provide the public with postal services.

Qualifying persons who provide the public with telecommunications services.

Qualifying persons who provide the public with bus services.

Qualifying persons who provide the public with passenger railway services.

Qualifying persons who provide the public with education, training (where the provider receives public money for its provision), or career guidance.

Qualifying persons who provide the public with services to encourage, enable or assist participation in education, training or career guidance.

Qualifying persons who provide the public with services to develop or award educational or vocational qualifications.

Qualifying persons who provide the public with services (the “related services”) which relate to a service that is within column (2) of any of the preceding entries in this table (the “primary service”), whether or not they are the persons providing the primary service.

Qualifying persons who provide services to the public under an agreement, or in accordance with arrangements, made with—

- (a) the Welsh Ministers,
- (b) a Minister of the Crown,
- (c) a government department,
- (d) a person exercising on behalf of the Crown functions conferred by or under an Act or Measure, or

Services provided to the public in the exercise of the functions of sewerage undertaker for the whole or any part of Wales.

Supply of electricity to the public under the relevant electricity licence.

Providing the public with post offices.

Providing the public with postal services.

Providing the public with telecommunications services.

Providing the public with bus services.

Providing the public with passenger railway services.

Providing the public with education, training (where the provider receives public money for its provision), or career guidance.

Providing the public with services to encourage, enable or assist participation in education, training or career guidance.

Providing the public with services to develop or award educational or vocational qualifications.

Providing the public with the related services.

Providing services to the public under that agreement, or in accordance with those arrangements.

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(e) a county borough or county council in Wales.

Column 1 Person/Category	Column 2 Specified service(s)
Qualifying persons who are licensed gas suppliers.	Supply of gas to the public under the relevant gas licence.
Qualifying persons who, by virtue of an appointment under section 6 of the Water Industry Act 1991, or by virtue of a variation of such an appointment under section 7 of that Act, are water undertakers for the whole or any part of Wales.	Services provided to the public in the exercise of the functions of water undertaker for the whole or any part of Wales.
Qualifying persons who, by virtue of an appointment under section 6 of the Water Industry Act 1991, or by virtue of a variation of such an appointment under section 7 of that Act, are sewerage undertakers for the whole or any part of Wales.	Services provided to the public in the exercise of the functions of sewerage undertaker for the whole or any part of Wales.
Qualifying persons who are licensed electricity suppliers.	Supply of electricity to the public under the relevant electricity licence.
Qualifying persons who provide the public with post offices.	Providing the public with post offices.
Qualifying persons, other than not for profit organisations, who provide the public with postal services.	Providing the public with postal services.
Qualifying persons who provide the public with telecommunications services.	Providing the public with telecommunications services.
Qualifying persons who provide the public with bus services.	Providing the public with bus services.
Qualifying persons who provide the public with passenger railway services.	Providing the public with passenger railway services.
Qualifying persons who provide the public with education, training (where the provider receives public money for its provision), or career guidance.	Providing the public with education, training (where the provider receives public money for its provision), or career guidance.
Qualifying persons who provide the public with services to encourage, enable or assist participation in education, training or career guidance.	Providing the public with services to encourage, enable or assist participation in education, training or career guidance.
Qualifying persons who provide the public with services to develop or award educational or vocational qualifications.	Providing the public with services to develop or award educational or vocational qualifications.
Qualifying persons who provide the public with services (the “related services”) which relate to a service that is within column (2) of any of the preceding entries in this table (the	Providing the public with the related services.

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“primary service”), whether or not they are the persons providing the primary service.

Qualifying persons who provide services to the public under an agreement, or in accordance with arrangements, made with—

- (a) the Welsh Ministers,
- (b) a Minister of the Crown,
- (c) a government department,
- (d) a person exercising on behalf of the Crown functions conferred by or under an Act or Measure, or
- (e) a county borough or county council in Wales.

Providing services to the public under that agreement, or in accordance with those arrangements.

### *Interpretation*

- 1 (1) Expressions used in this Schedule and in Schedule 7 (apart from “related service” and “primary service”) have the same meanings in this Schedule as in Schedule 7.
- (2) But that is subject to the following provisions of this Schedule.

#### **Commencement Information**

**I52** Sch. 8 para. 1 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

- 2 References to the provision of a service to the public include (but are not limited to)—
- (a) provision of the service to the public in general or to particular members of the public, and
  - (b) provision of the service for any purpose (whether it is a domestic, business or other purpose).

#### **Commencement Information**

**I53** Sch. 8 para. 2 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

### *Gas*

- 3 In this Schedule—
- “licensed gas supplier” (“*cyflenwr nwy trwyddedig*”) means the holder of a relevant gas licence;
- “relevant gas licence” (“*trwydded nwy berthnasol*”) means a licence under section 7A of the Gas Act 1986.

#### **Commencement Information**

**I54** Sch. 8 para. 3 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

*Status: Point in time view as at 07/01/2014.*

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### *Electricity*

- 4 In this Schedule—
- “licensed electricity supplier” (“*cyflenwr trydan trwyddedig*” ) means the holder of a relevant electricity licence;
  - “relevant electricity licence” (“*trwydded drydan berthnasol*”) means a licence under section 6(1)(d) of the Electricity Act 1989.

#### **Commencement Information**

**I55** Sch. 8 para. 4 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

### *Postal services*

- 5 In this Schedule “not for profit organisation” means a person or other body that—
- (a) is not constituted for the purpose of making a profit, or
  - (b) is required (after payment of outgoings) to apply the whole of its income, and any capital which it expends, for charitable or public purposes.

#### **Commencement Information**

**I56** Sch. 8 para. 5 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

### *Railways*

- 6 In this Schedule “passenger railway services” includes (but is not limited to) passenger services provided on a narrow gauge or heritage railway.

#### **Commencement Information**

**I57** Sch. 8 para. 6 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

### *Related services*

- 7 In this Schedule the references to “related services” do not include services provided in shops, unless those services are—
- (a) post office counter services, or
  - (b) the sale of tickets or the provision of timetables for bus and railway services.

#### **Commencement Information**

**I58** Sch. 8 para. 7 in force at 1.4.2012 by S.I. 2012/969, art. 2(j)

*Status: Point in time view as at 07/01/2014.*

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## SCHEDULE 9

*(introduced by section 42)*

### ACTIVITIES IN RELATION TO WHICH SERVICE DELIVERY STANDARDS MUST BE SPECIFIED

#### **Commencement Information**

**I59** Sch. 9 in force at 1.4.2012 by [S.I. 2012/969](#), [art. 2\(j\)](#)

These are the activities referred to in section 42(2)—

- correspondence;
- telephone calls;
- help-lines and call-centres;
- personal meetings;
- public meetings;
- publicity and advertising;
- public exhibitions;
- publications;
- forms;
- websites and online services;
- signage;
- reception of visitors;
- official notices;
- awarding grants;
- awarding contracts;
- raising awareness of Welsh language services that are available.

VALID FROM 07/07/2015

## SCHEDULE 10

*(introduced by section 71)*

### COMMISSIONER'S INVESTIGATION OF FAILURE TO COMPLY WITH STANDARDS ETC

#### PART 1

#### GENERAL

##### *Introduction*

- 1 This Schedule applies to investigations under section 71.

##### *Terms of reference*

- 2 (1) Before conducting an investigation, the Commissioner must prepare the terms of reference of the investigation.

*Status: Point in time view as at 07/01/2014.*

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- (2) The terms of reference must specify—
  - (a) the person who is being investigated (“D”),
  - (b) the suspected failure to comply with a relevant requirement.
- (3) Before settling the terms of reference, the Commissioner must—
  - (a) give notice of the proposed terms to—
    - (i) D, and
    - (ii) any other interested person,
  - (b) give each person who is given notice of the proposed terms an opportunity to make representations about the proposed terms, and
  - (c) consider any representations made.
- (4) After settling the terms of reference (having complied with sub-paragraph (3)), the Commissioner must—
  - (a) publish the terms of reference of the investigation in a manner that the Commissioner thinks is likely to bring the investigation to the attention of persons whom it concerns or who are likely to be interested in it, and
  - (b) give notice of the terms of reference to—
    - (i) D, and
    - (ii) any other interested person.
- (5) This paragraph applies to any change in the terms of reference as the paragraph would apply if the change in the terms were the preparation of those terms.

#### *Representations*

- 3 (1) The Commissioner must make arrangements for giving persons an opportunity to make representations in relation to investigations.
- (2) The arrangements must give the following persons an opportunity to make representations in the course of an investigation—
  - (a) D, and
  - (b) any other interested person.
- (3) Arrangements under this paragraph may, amongst other things, include arrangements for oral representations.
- 4 (1) The Commissioner must consider representations made in relation to an investigation by—
  - (a) D, or
  - (b) a legal adviser who is acting on behalf of D.
- (2) The Commissioner must consider representations made in relation to an investigation by any other person, unless the Commissioner thinks it is appropriate to refuse to do so.
- (3) If the Commissioner refuses to consider representations made in relation to an investigation, he or she must give the person who made the representations written notice of—
  - (a) the decision to refuse to consider the representations, and
  - (b) the reasons for the decision.

*Status: Point in time view as at 07/01/2014.*

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- (4) In this paragraph “legal adviser” means—
- (a) a person who, for the purposes of the Legal Services Act 2007, is an authorised person, or a European lawyer who is an exempt person by virtue of paragraph 7 of Schedule 3 to that Act, in relation to an activity which constitutes the exercise of a right of audience or the conduct of litigation (within the meaning of that Act), or
  - (b) an advocate or solicitor in Scotland.

## PART 2

### INFORMATION, DOCUMENTS AND ORAL EVIDENCE

#### *Evidence notices*

- 5 (1) In the course of an investigation, the Commissioner may give a person (A) an evidence notice.
- (2) In this Measure, “evidence notice” means a notice that requires A to do one or more of the following—
- (a) to provide information in A's possession;
  - (b) to produce documents in A's possession;
  - (c) to give oral evidence.
- (3) A notice under this paragraph may include provision about—
- (a) the form of information, documents or evidence;
  - (b) the timing of anything to be done in accordance with the notice.
- (4) A notice under this paragraph may not require A to do anything that A could not be compelled to do in proceedings before the High Court.
- (5) A notice under this paragraph must inform A of—
- (a) the consequences if A does not comply with the notice; and
  - (b) the right of appeal under paragraph 9.
- 6 (1) This paragraph applies if, in the course of an investigation, a person (B)—
- (a) provides information,
  - (b) produces documents, or
  - (c) gives oral evidence.
- (2) The Commissioner may, if he or she thinks fit, pay to B—
- (a) sums in respect of expenses properly incurred by B, and
  - (b) allowances by way of compensation for loss of B's time.
- (3) Any payment to B is to be made—
- (a) in accordance with such scales as may be determined by the Commissioner, and
  - (b) subject to such conditions as may be determined by the Commissioner.

#### *Confidentiality etc*

- 7 A notice under paragraph 5—



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- (a) may not require a person to provide information that the person is prohibited from disclosing by virtue of an enactment, and
  - (b) may not require a person to do anything that the person could not be compelled to do in proceedings before the High Court.
- 8 (1) A must disregard a notice given under paragraph 5, and must notify the Commissioner that A is disregarding it, in so far as A thinks it would require A—
- (a) to disclose sensitive information within the meaning of paragraph 4 of Schedule 3 to the Intelligence Services Act 1994 (Intelligence and Security Committee),
  - (b) to disclose information which might lead to the identification of an employee or agent of an intelligence service (other than one whose identity is already known to the Commissioner),
  - (c) to disclose information which might provide details of processes used in recruiting, selecting or training employees or agents of an intelligence service,
  - (d) to disclose information which might provide details of, or cannot practicably be separated from, information falling within any of paragraphs (a) to (c), or
  - (e) to make a disclosure of information relating to an intelligence service which would prejudice the interests of national security.
- (2) In sub-paragraph (1) “intelligence service” means—
- (a) the Security Service,
  - (b) the Secret Intelligence Service, and
  - (c) the Government Communications Headquarters.
- (3) If A notifies the Commissioner under sub-paragraph (1) above—
- (a) paragraphs 9 and 10 do not apply in relation to that part of the notice under paragraph 5 to which the notice under sub-paragraph (1) above relates,
  - (b) the Commissioner may apply to the tribunal established by section 65 of the Regulation of Investigatory Powers Act 2000 for an order requiring the person to take such steps as may be specified in the order to comply with the notice,
  - (c) the following provisions of that Act are to apply in relation to proceedings under this paragraph as they apply in relation to proceedings under that Act (with any necessary modifications)—
    - (i) section 67(7), (8) and (10) to (12) (determination),
    - (ii) section 68 (procedure), and
    - (iii) section 69 (rules), and
  - (d) the tribunal established by section 65 of that Act must determine proceedings under this paragraph by considering the opinion of A in accordance with the principles that would be applied by a court on an application for judicial review of the giving of the notice.
- (4) Where the Commissioner receives information or documents from or relating to an intelligence service in response to a notice under paragraph 5, the Commissioner must store and use the information or documents in accordance with any arrangements specified by the Secretary of State.

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### *Appeals*

- 9 A may apply to the Tribunal to have the notice under paragraph 5 cancelled on the grounds that a requirement imposed by the notice is—
- (a) unnecessary having regard to the purpose of the investigation, or
  - (b) otherwise unreasonable or disproportionate.
- 10 A may apply to the Tribunal to have the notice under paragraph 5 cancelled on the grounds that the requirement imposed by the notice is undesirable for reasons of national security, other than for the reason that it would require a disclosure of a kind to which paragraph 8(1) applies.

### *Enforcement*

- 11 (1) This paragraph applies where the Commissioner thinks that A—
- (a) has failed without reasonable excuse to comply with a notice under paragraph 5, or
  - (b) is likely to fail without reasonable excuse to comply with a notice under paragraph 5.
- (2) The Commissioner may apply to a county court for an order requiring A to take such steps as may be specified in the order to comply with the notice.

## PART 3

### POWER OF ENTRY AND INSPECTION

#### *Power of entry and inspection*

- 12 (1) The Commissioner, or any person authorised by the Commissioner, may enter and inspect premises if the Commissioner or the authorised person thinks that the entry and inspection is necessary for the purposes of an investigation.
- (2) But that is subject to sub-paragraphs (3) and (4).
- (3) This paragraph does not authorise entry to—
- (a) a dwelling, or
  - (b) premises that are not under the control of the person being investigated.
- (4) This paragraph does not authorise entry to premises at a particular time if entry at that time is unreasonable.

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## SCHEDULE 11

*(introduced by section 120)*

### THE WELSH LANGUAGE TRIBUNAL

#### PART 1

##### NUMBER OF MEMBERS OF THE TRIBUNAL

###### *Legally-qualified members*

- 1 (1) The Welsh Ministers must from time to time determine the number of legally-qualified members which the Tribunal is to have.
- (2) The Welsh Ministers must consult the President before determining that number.
- (3) So far as it is practicable to do so, the Welsh Ministers must secure that the number of persons serving as legally-qualified members of the Tribunal is equal to the number determined under this paragraph.

###### **Commencement Information**

**I60** Sch. 11 para. 1 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

###### *Lay members*

- 2 (1) The Welsh Ministers must from time to time determine the number of lay members which the Tribunal is to have.
- (2) The Welsh Ministers must consult the President before determining that number.
- (3) So far as it is practicable to do so, the Welsh Ministers must secure that the number of persons serving as lay members of the Tribunal is equal to the number determined under this paragraph.

###### **Commencement Information**

**I61** Sch. 11 para. 2 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

#### PART 2

##### APPOINTMENT

###### *The President*

- 3 (1) The Welsh Ministers may appoint a person to be President only if the person satisfies—
  - (a) the judicial-appointment eligibility condition on a 10-year basis, and
  - (b) any other conditions applicable to the appointment that are specified in appointment regulations.

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- (2) But the Welsh Ministers may not appoint a person to be President if the person is—
- (a) disqualified from membership of the Tribunal on grounds of employment or unsuitability, or
  - (b) disqualified from appointment as President on grounds of age, previous appointment or previous dismissal.
- (3) Part 2 of the Tribunals, Courts and Enforcement Act 2007 applies for determining whether a person satisfies the judicial-appointment eligibility condition on a 10-year basis as if this paragraph were a statutory provision (within the meaning of section 50 of that Act).

**Commencement Information**

**I62** Sch. 11 para. 3 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Legally-qualified members*

- 4 (1) The Welsh Ministers may appoint a person to be a legally-qualified member only if the person satisfies—
- (a) the judicial-appointment eligibility condition on a 5-year basis,
  - (b) any other conditions applicable to the appointment that are specified in appointment regulations.
- (2) But the Welsh Ministers may not appoint a person to be a legally-qualified member if the person is—
- (a) disqualified from membership of the Tribunal on grounds of employment or unsuitability, or
  - (b) disqualified from appointment as a legally-qualified member on grounds of age, previous appointment or previous dismissal.
- (3) Part 2 of the Tribunals, Courts and Enforcement Act 2007 applies for determining whether a person satisfies the judicial-appointment eligibility condition on a 5-year basis as if this paragraph were a statutory provision (within the meaning of section 50 of that Act).

**Commencement Information**

**I63** Sch. 11 para. 4 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Lay members*

- 5 (1) The Welsh Ministers may appoint a person to be a lay member only if the person satisfies any conditions applicable to the appointment that are specified in appointment regulations.
- (2) But the Welsh Ministers may not appoint a person to be a lay member if the person—
- (a) is disqualified from membership of the Tribunal on grounds of employment or unsuitability,
  - (b) is disqualified from appointment as a lay member on grounds of age, previous appointment or previous dismissal, or

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- (c) may be appointed as a legally-qualified member of the Tribunal.

**Commencement Information**

**I64** Sch. 11 para. 5 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Remuneration etc*

- 6 (1) The Welsh Ministers may pay remuneration to the members of the Tribunal.
- (2) The Welsh Ministers may pay allowances (including, but not limited to, travelling and subsistence allowances) and gratuities to the members of the Tribunal.
- (3) The Welsh Ministers may pay—
- (a) pensions to, or in respect of, persons who have been members of the Tribunal, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Tribunal.

**Commencement Information**

**I65** Sch. 11 para. 6 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Terms of appointment*

- 7 (1) A member of the Tribunal holds office subject to the terms of his or her appointment.
- (2) But that is subject to the other provisions of this Schedule.

**Commencement Information**

**I66** Sch. 11 para. 7 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Duration of appointment*

- 8 (1) A person appointed to be a member of the Tribunal is a member (by virtue of that appointment) for 5 years.
- (2) But, if the Welsh Ministers think it necessary or expedient, they may appoint a person to be a legally-qualified or lay member of the Tribunal for a period of less than 5 years.
- (3) This paragraph is subject to Part 3 of this Schedule.

**Commencement Information**

**I67** Sch. 11 para. 8 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

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### *Appointment regulations*

- 9 (1) The Welsh Ministers may, by regulations, make provision about the appointment of members of the Tribunal (“appointment regulations”).
- (2) Appointment regulations may, amongst other things, make provision about any of the following matters—
- (a) principles to be followed in making any appointment to the Tribunal;
  - (b) the knowledge of, and proficiency in, the Welsh language which the members of the Tribunal must have.
- (3) Appointment regulations may, amongst other things—
- (a) apply (with or without modifications) any code of practice that is concerned with appointments to public bodies, or
  - (b) make other provision relating to any such code.
- (4) Appointment regulations may, amongst other things, confer functions on the Welsh Ministers (as well as on any other person), including functions involving the exercise of a discretion.

#### **Commencement Information**

**I68** Sch. 11 para. 9 in force at 1.4.2012 by S.I. 2012/969, art. 2(l)

## **PART 3**

### END OF APPOINTMENT

#### *Resignation*

- 10 (1) The President may resign from the Tribunal if he or she gives the Welsh Ministers not less than 3 months' notice in writing of his or her intention to do so.
- (2) A legally-qualified or lay member of the Tribunal may resign from the Tribunal if he or she gives the Welsh Ministers not less than 2 months' notice in writing of his or her intention to do so.

#### **Commencement Information**

**I69** Sch. 11 para. 10 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

#### *Disqualification from membership*

- 11 A person ceases to be a member of the Tribunal if the person is disqualified from membership of the Tribunal on grounds of employment or unsuitability.

#### **Commencement Information**

**I70** Sch. 11 para. 11 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

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### *Dismissal*

- 12 (1) The Welsh Ministers may dismiss a member of the Tribunal if the Welsh Ministers are satisfied that he or she—
- (a) is unfit to continue as a member of the Tribunal, or
  - (b) is unable or unwilling to exercise his or her duties as a member of the Tribunal.
- (2) The Welsh Ministers must consult the President before dismissing any other member of the Tribunal.

#### **Commencement Information**

**I71** Sch. 11 para. 12 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

## **PART 4**

### **DISQUALIFICATION FROM MEMBERSHIP OR APPOINTMENT**

#### *Disqualification from membership: employment*

- 13 (1) A person is disqualified from membership of the Tribunal on grounds of employment if the person is—
- (a) a Member of Parliament;
  - (b) a Member of the National Assembly for Wales;
  - (c) a member of the staff of the Welsh Assembly Government;
  - (d) a member of the staff of the National Assembly for Wales Commission;
  - (e) the Commissioner;
  - (f) the Deputy Commissioner;
  - (g) any other member of the staff of the Commissioner; or
  - (h) the husband or wife or civil partner of a person falling within paragraph (e), (f) or (g).

#### **Commencement Information**

**I72** Sch. 11 para. 13 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

#### *Disqualification from membership: unsuitability*

- 14 (1) A person is disqualified from membership of the Tribunal on grounds of unsuitability if the person—
- (a) has been adjudged bankrupt and remains bankrupt;
  - (b) has been granted a debt relief order (within the meaning of Part VIIA of the Insolvency Act 1986), and the moratorium period under that order is continuing;
  - (c) has made an arrangement with his or her creditors and the arrangement remains in force;
  - (d) has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and a sentence of imprisonment (whether suspended

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- or not) for a period of not less than three months without the option of a fine has been imposed;
  - (e) is disqualified from being a member of a county borough council or county council in Wales; or
  - (f) is disqualified from being a director of a company.
- (2) For the purposes of sub-paragraph (1)(a) a person remains bankrupt until such time as—
- (a) the person is discharged from bankruptcy, or
  - (b) the bankruptcy order made against that person is annulled.
- (3) For the purposes of sub-paragraph (1)(c) an arrangement with a person's creditors remains in force until—
- (a) the person pays his or her debts in full, or
  - (b) if later, the end of the period of five years beginning with the day on which the terms of the arrangement are fulfilled.
- (4) If the question of whether a person is disqualified from membership of the Tribunal on grounds of unsuitability arises in relation to the appointment of the person to be a member of the Tribunal, any conviction which that person received more than five years before the date of the appointment is to be disregarded.

**Commencement Information**

**I73** Sch. 11 para. 14 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Disqualification from appointment: age*

- 15 A person is disqualified from appointment as President or as a legally-qualified or lay member of the Tribunal if the person has already reached the age of 70 at the date of the appointment.

**Commencement Information**

**I74** Sch. 11 para. 15 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Disqualification from appointment: previous appointment*

- 16 (1) A person is disqualified from appointment as President on grounds of previous appointment if the person has already been President for a period of 10 years or more (whether in consecutive or non-consecutive appointments).
- (2) A person is disqualified from appointment as a legally-qualified member of the Tribunal on grounds of previous appointment if the person has already been a legally-qualified member for a period of 10 years or more (whether in consecutive or non-consecutive appointments).
- (3) A person is disqualified from appointment as a lay member of the Tribunal on grounds of previous appointment if the person has already been a lay member for a period of 10 years or more (whether in consecutive or non-consecutive appointments).



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**Commencement Information**

**I75** Sch. 11 para. 16 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

*Disqualification from appointment: previous dismissal from office*

- 17 A person is disqualified from appointment as President or as a legally-qualified or lay member of the Tribunal on grounds of previous dismissal if the Welsh Ministers have previously dismissed the person from the Tribunal under paragraph 12.

**Commencement Information**

**I76** Sch. 11 para. 17 in force at 7.1.2014 by S.I. 2013/3140, art. 2(k)

**PART 5**

**GENERAL**

*Interpretation*

- 18 In this Schedule “appointment regulations” means regulations made under paragraph 9.

**Commencement Information**

**I77** Sch. 11 para. 18 in force at 1.4.2012 by S.I. 2012/969, art. 2(l)

**SCHEDULE 12**

*(introduced by section 146)*

**ABOLITION OF WELSH LANGUAGE BOARD: OTHER PROVISION**

*Staff of the Board*

- 1 (1) The Welsh Ministers may, by order, make provision for staff of the Board to be transferred to—
- (a) the Commissioner, or
  - (b) the Welsh Assembly Government.
- (2) The contract of employment of a person transferred by virtue of this paragraph—
- (a) is not terminated by the transfer, and
  - (b) has effect from the date of the transfer as if originally made between the transferred person and the transferee.
- (3) Without prejudice to sub-paragraph (2)—
- (a) where a person is transferred to the employment of the Commissioner—

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- (i) all the rights, powers, duties and liabilities of the Board under or in connection with the person's contract of employment are transferred to the Commissioner on the date of the transfer, and
- (ii) anything done before that date by or in relation to the Board in respect of the person or the contract is to be treated from that date as having been done by or in relation to the Commissioner,
- (b) where a person is transferred to the employment of the Welsh Assembly Government—
  - (i) all the rights, powers, duties and liabilities of the Board under or in connection with the person's contract of employment are transferred to the Welsh Ministers on the date of the transfer, and
  - (ii) anything done before that date by or in relation to the Board in respect of the person or the contract is to be treated from that date as having been done by or in relation to the Welsh Ministers.
- (4) Where a person is transferred by virtue of this paragraph, that person's period of employment with the Board immediately before the transfer date—
  - (a) counts as a period of employment as a member of the staff of the transferee, and
  - (b) is to be treated as continuous employment as a member of the staff of the transferee for the purposes of section 218(3) of the Employment Rights Act 1996.
- (5) A contract of employment (or the rights, powers, duties and liabilities under or in connection with it) is not transferred under this paragraph if the employee objects to the transfer and informs the Board or the transferee of that objection.
- (6) If the employee informs the Board or the transferee of an objection under sub-paragraph (5)—
  - (a) the contract of employment is terminated immediately before the date the transfer would occur, but
  - (b) the employee is not treated, for any purpose, as having been dismissed by the Board.
- (7) Nothing in this paragraph affects any right of a person transferred to terminate his or her contract of employment if (apart from the change of employer) a substantial change is made to the person's detriment in his or her working conditions.
- (8) Provision may be made under sub-paragraph (1) in respect of all persons employed by the Board, any class or description of person, or any individual person.
- (9) In this paragraph “transferee” refers to the employer to whom the person is or would be transferred under this paragraph.

**Commencement Information**

**I78** Sch. 12 para. 1 in force at 28.6.2011 by S.I. 2011/1586, art. 2(d)

*Property, rights and liabilities of the Board*

- 2 (1) Without prejudice to paragraph 1, the Welsh Ministers may, by order, make provision about the property, rights and liabilities of the Board.

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- (2) The power conferred by sub-paragraph (1) includes, but is not limited to, power to make provision for—
- (a) property, rights and liabilities to be transferred to—
    - (i) the Commissioner, or
    - (ii) the Welsh Ministers;
  - (b) transfers of property, rights or liabilities of the Board to have effect subject to exceptions or reservations;
  - (c) transfers of property, rights or liabilities to have effect in spite of any provision (of whatever nature) which would otherwise prevent or restrict the transfer;
  - (d) the creation of interests in, or rights over, property of the Board or property transferred from the Board;
  - (e) the creation of rights and liabilities—
    - (i) between the Board and the Commissioner, or
    - (ii) between the Board and the Welsh Ministers.
- (3) In this paragraph—
- “property” (“*eiddo*”) includes property situated outside the United Kingdom;
  - “rights and liabilities” (“*hawliau a rhwymedigaethau*”) includes rights and liabilities arising otherwise than under the law of England and Wales.

**Commencement Information**

**I79** Sch. 12 para. 2 in force at 28.6.2011 by S.I. 2011/1586, art. 2(d)

*Modification of 1993 Act in relation to functions transferred to Welsh Ministers*

- 3 If the functions conferred on the Board by section 3 of the 1993 Act are transferred to the Welsh Ministers (whether instead of, or in addition to, the functions being transferred to the Commissioner), the following provisions of the 1993 Act do not apply to the functions as they are exercisable by the Welsh Ministers—
- (a) section 3(2)(a);
  - (b) section 3(3) and (4);
  - (c) section 4(1).

**Commencement Information**

**I80** Sch. 12 para. 3 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*References to the Board*

- 4 Any reference to the Board in the 1993 Act is to be construed—
- (a) so far as it relates to a function of the Board that is transferred to the Commissioner, as being, or including, a reference to the Commissioner; and
  - (b) so far as it relates to a function of the Board that is transferred to the Welsh Ministers, as being, or including, a reference to the Welsh Ministers.

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**Commencement Information**

**181** Sch. 12 para. 4 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Continuation of legal proceedings, validity of acts etc*

- 5 (1) Anything (including legal proceedings) which relates to—
- (a) a transferred function, or
  - (b) transferred property, rights or liabilities,
- and which is in the process of being done by, or in relation to, the Board immediately before the transfer time may be continued by, or in relation to, the transferee.
- (2) Anything which was done by, or in relation to, the Board for the purpose of, or in connection with—
- (a) a transferred function, or
  - (b) transferred property, rights or liabilities,
- and which is in effect immediately before the transfer time, has effect after the transfer as if done by, or in relation to, the transferee.
- (3) In any instruments, contracts or legal proceedings which relate to—
- (a) a transferred function, or
  - (b) transferred property, rights or liabilities,
- and which are made or commenced before the transfer time, the transferee is substituted for the Board.
- (4) This paragraph does not apply in relation to rights and liabilities under a contract of employment of a member of the staff of the Board.
- (5) In this paragraph—
- “transfer time” (*“adeg y trosglwyddo”*), in relation to a transferred function, or transferred property, rights or liabilities, means the time of the transfer of the function, or property, rights or liabilities;
- “transferred function” (*“swyddogaeth a drosglwyddwyd”*) means a function of the Board transferred to the Commissioner or Welsh Ministers under this Measure;
- “transferred property, rights or liabilities” (*“eiddo, hawliau neu rwymedigaethau a drosglwyddwyd”*) means property, rights or liabilities of the Board transferred to the Commissioner or Welsh Ministers under this Measure.

**Commencement Information**

**182** Sch. 12 para. 5 in force at 1.4.2012 by S.I. 2012/969, art. 2(b)

*Interpretation*

- 6 In this Schedule—
- “1993 Act” (*“Deddf 1993”*) has the meaning given in section 147(5);
- “Board” (*“y Bwrdd”*) has the meaning given in section 147(5).

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*Status: Point in time view as at 07/01/2014.*

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**Commencement Information**

**183** Sch. 12 para. 6 in force at 28.6.2011 by S.I. 2011/1586, **art. 2(d)**

**Status:**

Point in time view as at 07/01/2014.

**Changes to legislation:**

Welsh Language (Wales) Measure 2011 is up to date with all changes known to be in force on or before 17 July 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.