

STATUTORY INSTRUMENTS

2003 No.

CONSTITUTIONAL LAW, WALES

The National Assembly for Wales (Disqualification) Order 2003

Made 2003
Coming into force 28th February 2003

At the Court at Buckingham Palace, the day of 2003
Present,
The Queen's Most Excellent Majesty in Council

Whereas

the National Assembly for Wales, having considered the provisions of section 12(7) of the Government of Wales Act 1998¹ has resolved that the Secretary of State for Wales be requested to recommend the making of an Order in Council revoking the National Assembly for Wales (Disqualification) Order 1999², and

the Secretary of State for Wales has recommended the making of this Order,

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred on Her by section 12(1)(b) and (5) of the Government of Wales Act 1998, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows: -

Citation and commencement

1. This Order may be cited as the National Assembly for Wales (Disqualification) Order 2003 and shall come into force on 28th February 2003.

Designation of disqualifying offices

2. The offices described in the Schedule are hereby designated as offices disqualifying the holders of such offices from being members of the National Assembly for Wales.

Revocation of 1999 Order

3. The National Assembly for Wales (Disqualification) Order 1999 is hereby revoked.

Clerk of the Privy Council

SCHEDULE

Article 2

¹ 1998 c.38.

² S.I. 1999/449.

OFFICES DISQUALIFYING HOLDERS FROM MEMBERSHIP OF THE NATIONAL
ASSEMBLY FOR WALES

PART 1

Bodies of which all Members are Disqualified

A National Park authority for a National Park in Wales.

An urban development corporation for an urban development area wholly in Wales.

A panel, established under Schedule 10 to the Rent Act 1977, of persons to act as chairmen and other members of rent assessment committees for an area or areas every part of which is in Wales.

A tribunal constituted under Schedule 2 to the School Inspections Act 1996.

Sianel Pedwar Cymru.

The Adjudication Panel for Wales.

The Arts Council of Wales.

The Audit Commission for Local Authorities and the National Health Service in England and Wales.

The Broadcasting Standards Commission.

The Care Council for Wales.

The Central Arbitration Committee.

The Channel Four Television Corporation.

The Children and Family Court Advisory and Support Service for England and Wales.

The Commission for Health Improvement.

The Commission for Local Administration in Wales.

The Commission for Racial Equality.

The Competition Appeal Tribunal.

The Competition Commission.

The Competition Service.

The Council of the Advisory, Conciliation and Arbitration Service.

The Council for the Regulation of Health Care Professionals.

The Countryside Council for Wales.

The Disability Rights Commission.

The Electoral Commission.

The Environment Agency.

The Equal Opportunities Commission.

The Food Standards Agency.

The Food Standards Agency advisory committee for Wales.

The Forestry Commissioners.

The Gas and Electricity Markets Authority.

The General Teaching Council for Wales.

The Independent Police Complaints Commission.

The Independent Television Commission.

The Joint Nature Conservation Committee.

The Library Advisory Council for Wales (known as the Library and Information Services Council (Wales)).

The Local Government Boundary Commission for Wales.

The Mental Health Review Tribunal for Wales.

The National Council for Education and Training for Wales

The Occupational Pensions Regulatory Authority.

The Office of Communications.

The Office of Fair Trading.

The Pensions Compensation Board.

The Postal Services Commission.

The Radio Authority.

The Royal Commission on Ancient and Historical Monuments of Wales.

The Sports Council for Wales.

The Strategic Rail Authority.

The Wales Tourist Board.

The Welsh Industrial Development Advisory Board.

The Welsh Language Board.

PART 2

Other Disqualifying Offices

Additional Commissioner of the Commission for Racial Equality.

Additional Commissioner of the Equal Opportunities Commission.

Any director of Finance Wales Public Limited Company.

Any member, not being also an employee, of the Higher Education Funding Council for Wales.

Any member, not being also an employee, of the Qualifications, Curriculum and Assessment Authority for Wales.

Any member, not being also an employee, of the Welsh Development Agency.

Assistant Electoral Commissioners.

Certification officer or any assistant certification officer.

Chairman of the Beef Assurance Scheme Panel.

Chairman of the National Lottery Charities Board and, if in receipt of remuneration, any other member of that Board.

Chairman of the New Opportunities Fund and, if in receipt of remuneration, any other member of that Fund.

Chairman of the Sustainable Development Commission

Chairman or any member, not being also an employee, of a Health Authority for an area in, or consisting of, Wales.

Chairman or any member, not being also an employee, of a Local Health Board for an area in Wales.

Chairman or any member, not being also an employee, of a Special Health Authority performing functions only or mainly in respect of Wales.

Chairman or non-executive director of a National Health Service trust all or some of whose hospitals, establishments or other facilities are situated in Wales.

Children's Commissioner for Wales.

Civil Service Commissioner.

Commissioner for Public Appointments.

Commissioner or assistant Commissioner of the Boundary Commission for Wales.

Comptroller and Auditor General.

Deputy Electoral Commissioners.

Director General of Fair Trading.

Director General of Telecommunications.

Director of the Post Office company (within the meaning of Part IV of the Postal Services Act 2000) being a director nominated or appointed by a Minister of the Crown or by a person acting on behalf of the Crown.

Governor of the British Broadcasting Corporation.

Health Service Commissioner for Wales.

Her Majesty's Chief Inspector of Education and Training in Wales.

Independent Groundwater Complaints Administrator.

Member of a panel of persons appointed under section 6 of the Social Security Act 1998.

Member of a panel of persons who may be appointed to serve on a tribunal established by section 9 of the Protection of Children Act 1999³.

Member of the Council of the National Library of Wales.

Member of the Council of the National Museum of Wales.

Member of the staff of the Auditor General for Wales.

Member of the staff of the Children's Commissioner for Wales.

Member of the staff of the Electoral Commission.

Member of the staff of the Forestry Commissioners.

Member of the staff of the National Audit Office.

Parliamentary Commissioner for Administration.

Pensions Ombudsman.

Person holding a politically restricted post, within the meaning of Part I of the Local Government and Housing Act 1989, under -

- (a) a local authority in Wales, within the meaning of that Part, or
- (b) a National Park authority for a National Park in Wales.

President of appeal tribunals (within the meaning of Chapter I of Part I of the Social Security Act 1998) appointed under section 5 of that Act.

President of the Special Educational Needs Tribunal for Wales, or member of a panel of persons appointed to act as chairman or other member of that Tribunal.

President of the tribunal constituted under section 9 of the Protection of Children Act 1999.

Rent officer appointed in pursuance of a scheme under section 63 of the Rent Act 1977.

- Returning officer for a constituency or an electoral region of the National Assembly for Wales.
Social Fund Commissioner.

³ This tribunal is known as the Tribunal for the Protection of Children and Vulnerable Adults and Care Standards.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates those offices which disqualify the holders of such offices from being members of the National Assembly for Wales. The offices designated are described in the Schedule to the Order.

The Order revokes the previous Order made in 1999.