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BILLE NA dTEANGACHA  
OIFIGIÚLA 2002

OFFICIAL LANGUAGES BILL  
2002

*athraithe ó  
changed from*

BILLE NA dTEANGACHA OIFIGIÚLA (COMHIONANNAS) 2002  
OFFICIAL LANGUAGES (EQUALITY) BILL 2002

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*Mar a ritheadh ag Dáil Éireann  
As passed by Dáil Éireann*

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**OFFICIAL LANGUAGES BILL 2002**

*changed from*

OFFICIAL LANGUAGES (EQUALITY) BILL 2002

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*As passed by Dáil Éireann*

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**BILLE NA dTEANGACHA OIFIGIÚLA 2002**

*athraithe ó*

BILLE NA dTEANGACHA OIFIGIÚLA (COHMIONANNAS) 2002

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*Mar a ritheadh ag Dáil Éireann*

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**OFFICIAL LANGUAGES BILL 2002**

*changed from*

OFFICIAL LANGUAGES (EQUALITY) BILL 2002

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**BILL**

*entitled*

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AN ACT TO PROMOTE THE USE OF THE IRISH LANGUAGE FOR OFFICIAL PURPOSES IN THE STATE; TO PROVIDE FOR THE USE OF BOTH OFFICIAL LANGUAGES OF THE STATE IN PARLIAMENTARY PROCEEDINGS, IN ACTS OF THE OIREACHTAS, IN THE ADMINISTRATION OF JUSTICE, IN COMMUNICATING WITH OR PROVIDING SERVICES TO THE PUBLIC AND IN CARRYING OUT THE WORK OF PUBLIC BODIES; TO SET OUT THE DUTIES OF SUCH BODIES WITH RESPECT TO THE OFFICIAL LANGUAGES OF THE STATE; AND FOR THOSE PURPOSES, TO PROVIDE FOR THE ESTABLISHMENT OF OIFIG CHOIMISINÉIR NA dTEANGACHA OIFIGIÚLA AND TO DEFINE ITS FUNCTIONS; TO PROVIDE FOR THE PUBLICATION BY THE COMMISSIONER OF CERTAIN INFORMATION RELEVANT TO THE PURPOSES OF THIS ACT; AND TO PROVIDE FOR RELATED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART 1

25

PRELIMINARY AND GENERAL

Short title and commencement.

**1.**—(1) This Act may be cited as the Official Languages Act 2003.

(2) This Act shall come into operation on such day or days not later than 3 years after the passing of this Act as, by order or orders made by the Minister under this section, may be fixed therefor either generally or with reference to any particular purpose or provision, and different days may be so fixed for different purposes and different provisions.



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## BILLE NA dTEANGACHA OIFIGIÚLA 2002

*athraithe ó*

BILLE NA dTEANGACHA OIFIGIÚLA (COMHIONANNAS) 2002

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# BILLE

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*dá ngairtear*

ACHT CHUN ÚSÁID NA GAEILGE A CHUR CHUN CINN  
CHUN CRÍOCH OIFIGIÚIL SA STÁT; CHUN SOCRÚ A  
DHÉANAMH MAIDIR LE DHÁ THEANGA OIFIGIÚLA  
AN STÁIT A ÚSÁID IN IMEACHTAÍ PARLAIMINTE, IN  
10 ACHTANNA AN OIREACHTAIS, I RIARADH AN  
CHEARTAIS, LE LINN CUMARSÁID A DHÉANAMH  
LEIS AN bPOBAL NÓ SEIRBHÍSÍ A SHOLÁTHAR DON  
PHOBAL AGUS LE LINN OBAIR COMHLACHTAÍ  
POIBLÍ A DHÉANAMH; CHUN DUALGAIS  
15 COMHLACHTAÍ DEN SÓRT SIN I LEITH THEANGA-  
CHA OIFIGIÚLA AN STÁIT A LEAGAN AMACH; AGUS  
CHUN NA gCRÍOCH SIN, CHUN SOCRÚ A DHÉANAMH  
MAIDIR LE BUNÚ OIFIG CHOIMISINÉIR NA dTEAN-  
GACHA OIFIGIÚLA AGUS CHUN A FEIDHMEANNA A  
20 MHÍNIÚ; CHUN SOCRÚ A DHÉANAMH MAIDIR LEIS  
AN gCOIMISINÉIR D'FHOILSIÚ FAISNÉIS ÁIRITHE A  
BHAINEANN LE CRÍOCHA AN ACHTA SEO; AGUS  
CHUN SOCRÚ A DHÉANAMH I dTAOBH NITHE  
GAOLMHARA.

25 ACHTAÍTEAR AG AN OIREACHTAS MAR A LEANAS:

### CUID 1

#### RÉAMHRÁITEACH AGUS GINEARÁLTA

1.—(1) Féadfar Acht na dTeangacha Oifigiúla 2003 a ghairm den Acht seo. Gearrtheideal agus tosach feidhme.

30 (2) Tiofáidh an tAcht seo i ngníomh cibé lá nó laethanta, nach déanaí ná 3 bliana tar éis an tAcht seo a rith, a shocrófar chuige sin, le hordú nó le horduithe ón Aire faoin alt seo, i gcoitinne nó faoi threoir aon chríche nó forála áirithe agus féadfar laethanta éagsúla a shocrú amhlaidh chun críoch éagsúil agus le haghaidh forálacha  
35 éagsúla.

## 2.—(1) In this Act, save where the context otherwise requires—

“Commissioner” means, as the context may require, Oifig Choimisi-  
néir na dTeangacha Oifigiúla established by *section 20* or the holder,  
for the time being, of that office;

“court” includes a tribunal established under the Tribunals of 5  
Inquiry (Evidence) Acts 1921 to 2002;

“draft scheme” means a draft scheme to be prepared by a public  
body under this Act;

“enactment” means a statute or an instrument made under a power  
conferred by a statute; 10

“functions” includes powers and duties and references to the per-  
formance of functions include, with respect to powers and duties,  
references to the exercise of the powers and the carrying out of the  
duties;

“Gaeltacht area” means an area for the time being determined to be 15  
a Gaeltacht area by order made under section 2 of the Ministers and  
Secretaries (Amendment) Act 1956;

“head” means the head of a public body;

“head of a public body” means—

(a) in relation to a Department of State, the Minister of the 20  
Government having charge of it,

(b) in relation to the Office of the Attorney General, the  
Attorney General,

(c) in relation to the Office of the Civil Service Commissioners,  
the Civil Service Commissioners, 25

(d) in relation to the Office of the Comptroller and Auditor  
General, the Comptroller and Auditor General,

(e) in relation to the Office of the Director of Public Pros-  
ecutions, the Director of Public Prosecutions,

(f) in relation to the Office of the Houses of the Oireachtas, the 30  
Chairman of Dáil Éireann,

(g) in relation to the Office of the Information Commissioner,  
the Information Commissioner,

(h) in relation to the Office of the Local Appointments Com-  
missioners, the Local Appointments Commissioners, 35

(i) in relation to the Office of the Ombudsman, the  
Ombudsman,

(j) in relation to any other public body, the person who holds,  
or performs the functions of, the office of chief executive  
officer (by whatever name called) of the body; 40

“local authority” has the meaning assigned to it by subsection (1) of  
section 2 of the Local Government Act 2001;

“the Minister” means the Minister for Community, Rural and Gael-  
tacht Affairs;

2.—(1) San Acht seo, ach amháin mar a n-éilíonn an comhthéacs Léiriú. a mhalairt—

5 ciallaíonn “Coimisinéir”, de réir mar a éilíonn an comhthéacs, Oifig Choimisinéir na dTeangacha Oifigiúla a bhunaítear le *halt* 20 nó sealbhóir na hoifige sin de thuras na huairé;

folaíonn “cúirt” binse arna bhunú faoi na hAchtanna um Binsí Fios-rúcháin (Fianaise) 1921 go 2002;

ciallaíonn “dréacht-scéim” dréacht-scéim a bheidh le hullmhú ag comhlacht poiblí faoin Acht seo;

10 ciallaíonn “achtachán” reacht nó ionstraim arna déanamh faoi chumhacht a thugtar le reacht;

15 folaíonn “feidhmeanna” cumhachtaí agus dualgais, agus aon tagairtí do chomhlíonadh feidhmeanna folaíonn siad, maidir le cumhachtaí agus dualgais, tagairtí d’fheidhmiú na gcumhachtaí agus do chomhall na ndualgas;

ciallaíonn “limistéar Gaeltachta” limistéar a mbeidh cinnte de thuras na huairé le hordú arna dhéanamh faoi alt 2 den Acht Airí agus Rúnaithe (Leasú) 1956 gur limistéar Gaeltachta é;

ciallaíonn “ceann” ceann comhlachta phoiblí;

20 ciallaíonn “ceann comhlachta phoiblí”—

(a) i ndáil le Roinn Stáit, an tAire den Rialtas atá i bhfeighil na Roinne sin,

(b) i ndáil le hOifig an Ard-Aighne, an tArd-Aighne,

25 (c) i ndáil le hOifig Choimisinéirí na Státseirbhíse, Coimisinéirí na Státseirbhíse,

(d) i ndáil le hOifig an Ard-Reachtair Cuntas agus Ciste, an tArd-Reachtair Cuntas agus Ciste,

(e) i ndáil le hOifig an Stiúrthóra Ionchúiseamh Poiblí, an Stiúrthóir Ionchúiseamh Poiblí,

30 (f) i ndáil le hOifig Thithe an Oireachtais, Cathaoirleach Dháil Éireann,

(g) i ndáil le hOifig an Choimisinéara Faisnéise, an Coimisinéir Faisnéise,

35 (h) i ndáil le hOifig na gCoimisinéirí um Cheapacháin Áitiúla, na Coimisinéirí um Cheapacháin Áitiúla,

(i) i ndáil le hOifig an Ombudsman, an tOmbudsman,

40 (j) i ndáil le haon chomhlacht poiblí eile, an duine atá i seilbh, nó a chomhlíonann feidhmeanna, oifig phríomhoifigeach feidhmiúcháin (cibé ainm a thugtar uirthi) an chomhlachta;

tá le “údarás áitiúil” an bhrí a shanntar dó le fo-alt (1) d’alt 2 den Acht Rialtais Áitiúil 2001;

ciallaíonn “an tAire” an tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta;

“the official languages” means the Irish language (being the national language and the first official language) and the English language (being a second official language) as specified in Article 8 of the Constitution;

“prescribed” means prescribed by the Minister by regulations under *section 4*; 5

“proceedings” means civil or criminal proceedings before any court;

“public body” shall be construed in accordance with the *First Schedule*;

“record” includes any memorandum, book, plan, map, drawing, diagram, pictorial or graphic work or other document, any photograph, film or recording (whether of sound or images or both), any form in which data (within the meaning of the Data Protection Act 1988) are held, any other form (including machine-readable form) or thing in which information is held or stored manually, mechanically or electronically and anything that is a part or a copy, in any form, of any of the foregoing or is a combination of two or more of the foregoing; 10 15

“a scheme” means a scheme confirmed by the Minister under *section 14*; 20

“service” means a service offered or provided (whether directly or indirectly) to the general public or a class of the general public by a public body.

(2) (a) In this Act a reference to a section or schedule is a reference to a section of or Schedule to this Act unless it is indicated that reference to some other enactment is intended. 25

(b) In this Act a reference to a subsection or paragraph or subparagraph is a reference to the subsection or paragraph or subparagraph of the provision in which the reference occurs unless it is indicated that reference to some other provision is intended. 30

Expenses.

**3.**—The expenses incurred by the Minister and any other Minister of the Government in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas. 35

Regulations.

**4.**—(1) The Minister may, with the consent of the Minister for Finance—

(a) by regulations provide, subject to the provisions of this Act, for any matter referred to in this Act as prescribed or to be prescribed, 40

(b) in addition to any other power conferred on him or her to make regulations, make regulations generally for the purposes of, and for the purpose of giving full effect to, this Act, 45

(c) if, during the first 3 years of application of this Act to a public body specified in *subparagraph (3), (4) or (5) of paragraph 1* of the *First Schedule*, any difficulty arises in bringing this Act into operation in so far as it applies to that body, by regulations do anything which appears to 50

ciallaíonn “na teangacha oifigiúla” an Ghaeilge (ós í an teanga náisiúnta agus an phríomhtheanga oifigiúil í) agus an Béarla (ós teanga oifigiúil eile é) mar a shonraítear in Airteagal 8 den Bhunreacht;

5 ciallaíonn “forordaithe” forordaithe ag an Aire le rialacháin faoi *alt 4*;

ciallaíonn “imeachtaí” imeachtaí sibhialta nó coiriúla os comhair aon chúirte;

déanfar “comhlacht poiblí” a fhorléiriú de réir an *Chéad Sceidil*;

10 folaíonn “taifead” aon mheabhrán, leabhar, pleán, léarscáil, líníocht, léaráid, saothar pictiúrtha nó grafach nó doiciméad eile, aon ghrianghraf, scannán nó taifeadadh (cibé acu is taifeadadh fuaimne nó taifeadadh íomhánna nó iad araon é), aon fhoirm ina gcoimeádtar sonraí (de réir bhrí an Achta um Chosaint Sonraí 1988), aon fhoirm eile (lena n-áirítear foirm mheaisín-inléite) nó rud eile ina ndéantar  
15 faisnéis a choimeád nó a stóráil de lámh, go meicniúil nó go leictreonach agus aon rud ar cuid nó cóip é, i bhfoirm ar bith, d’aon cheann díobh sin roimhe seo nó ar teaghlaim é de dhá cheann nó níos mó díobh sin roimhe seo;

ciallaíonn “scéim” scéim arna daingniú ag an Aire faoi *alt 14*;

20 ciallaíonn “seirbhís” seirbhís arna tairiscint nó arna soláthar (cibé acu go díreach nó go neamhdhíreach) ag comhlacht poiblí don phobal i gcoitinne nó d’aicme den phobal i gcoitinne.

(2) (a) San Acht seo aon tagairt d’alt nó do sceideal is tagairt í d’alt den Acht seo nó do Sceideal a ghabhann leis an  
25 Acht seo, mura gcuirtear in iúl gur tagairt d’achtachán éigin eile atá beartaithe.

(b) San Acht seo aon tagairt d’fho-alt nó do mhír nó d’fhómhír is tagairt í don fho-alt nó don mhír nó don fhomhír den fhoráil ina bhfuil an tagairt, mura gcuirtear  
30 in iúl gur tagairt d’fhoráil éigin eile atá beartaithe.

**3.**—Déanfar na caiteachais a thabhoíd an tAire agus aon Aire Caiteachais.  
eile den Rialtas ag riaradh an Achta seo a íoc, a mhéid a cheadóidh an tAire Airgeadais é, as airgead a sholáthróidh an tOireachtas.

**4.**—(1) Féadfaidh an tAire, le toiliú an Aire Airgeadais— Rialacháin.

35 (a) le rialacháin, foráil a dhéanamh, faoi réir fhorálacha an Achta seo, le haghaidh aon ní dá dtagraítear san Acht seo mar ní atá forordaithe nó le forordú,

(b) i dteannta aon chumhachta eile a thugtar dó nó di chun rialacháin a dhéanamh, rialacháin a dhéanamh i gcoitinne  
40 chun críocha an Achta seo agus chun lánéifeacht a thabhairt don Acht seo,

(c) más rud é, le linn na chéad 3 bliana d’fheidhm an Achta seo maidir le comhlacht poiblí a shonraítear i *bhfómhír (3)*,  
45 (4) nó (5) de *mhír 1* den *Chéad Sceideal*, go n-éireoidh aon deacracht i ndáil leis an Acht seo a thabhairt i ngníomh a mhéid atá feidhm aige maidir leis an

be necessary or expedient for bringing this Act into operation in so far as it applies to that body and regulations under this paragraph may, in so far only as may appear necessary for carrying the regulations into effect, modify a provision of this Act if the modification is in conformity with the purposes, principles and spirit of this Act, and 5

(d) if in any other respect any difficulty arises during the period of 3 years from the commencement of this Act in bringing this Act into operation, by regulations do anything which appears to be necessary or expedient for bringing this Act into operation and regulations under this paragraph may, in so far only as may appear necessary for carrying the regulations into effect, modify a provision of this Act if the modification is in conformity with the purposes, principles and spirit of this Act. 10 15

(2) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

(3) Where the Minister proposes to make regulations under *paragraph (c) or (d) of subsection (1) or for the purposes of paragraph 1 (5), or under paragraph 3, of the First Schedule*, he or she shall cause a draft of the regulations to be laid before each House of the Oireachtas and the regulations shall not be made until a resolution approving of the draft has been passed by each such House. 20

(4) Where the Minister proposes to make regulations under *subsection (1)(c)*, he or she shall, before doing so, consult with such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government in relation to the proposed regulations. 25

(5) Regulations prescribing a body, organisation or group (“the body”) for the purposes of *paragraph 1(5) of the First Schedule* may provide that this Act shall apply to the body only as respects specified functions of the body, and this Act shall apply and have effect in accordance with any such provision. 30

(6) Every regulation under this Act (other than a regulation referred to in *subsection (3)*) shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder. 35 40

## PART 2

### ORGANS OF STATE

Annual report to Houses of Oireachtas.

**5.**—In each year, beginning with the year following the year in which this Act is commenced, the Minister shall make a report to each House of the Oireachtas on the operation in the preceding year of this Act. 45

5 gcomhlacht sin, aon ní a dhéanamh le rialacháin ar dealraitheach gur gá nó gur fóirsteanach é chun an tAcht seo a thabhairt i ngníomh a mhéid atá feidhm aige maidir leis an gcomhlacht sin agus féadfar, le rialacháin faoin mír seo, a mhéid amháin is dealraitheach gur gá é chun na rialacháin a thabhairt in éifeacht, foráil den Acht seo a mhodhnú má tá an modhnú i gcomhréir le críocha, prionsabail agus meon an Achta seo, agus

10 (d) más rud é, in aon slí eile, go n-éireoidh aon deacracht le linn na tréimhse 3 bliana ó thosach feidhme an Achta seo i ndáil leis an Acht seo a thabhairt i ngníomh, aon ní a dhéanamh le rialacháin ar dealraitheach gur gá nó gur fóirsteanach é chun an tAcht seo a thabhairt i ngníomh agus féadfar, le rialacháin faoin mír seo, a mhéid amháin  
15 is dealraitheach gur gá é chun na rialacháin a thabhairt in éifeacht, foráil den Acht seo a mhodhnú má tá an modhnú i gcomhréir le críocha, prionsabail agus meon an Achta seo.

20 (2) Féadfaidh cibé forálacha teagmhasacha, forlíontacha agus iarmhartacha a bheith i rialacháin faoin Acht seo is dóigh leis an Aire a bheith riachtanach nó fóirsteanach chun críocha na rialachán.

(3) I gcás ina mbeartaíonn an tAire rialacháin a dhéanamh faoi *mhír (c)* nó *(d) d'fho-alt (1)* nó chun críocha *mhír 1(5)*, nó faoi *mhír 3*, den *Chéad Sceideal*, cuirfidh sé nó sí faoi deara dréacht de na  
25 rialacháin a leagan faoi bhráid gach Tí den Oireachtas agus ní dhéanfar na rialacháin go dtí go mbeidh rún ag ceadú an dréachta rite ag gach Teach acu sin.

(4) I gcás ina mbeartaíonn an tAire rialacháin a dhéanamh faoi *fho-alt (1)(c)*, rachaidh sé nó sí, sula ndéanfaidh sé nó sí amhlaidh, i  
30 gcomhairle le cibé Aire eile (más ann) den Rialtas is cúil leis an Aire ag féachaint d'fheidhmeanna an Aire eile sin den Rialtas i ndáil leis na rialacháin atá beartaithe.

(5) Féadfar, le rialacháin lena bhforordaítear comhlacht, eagraíocht nó grúpa (“an comhlacht”) chun críocha *mhír 1 (5)* den *Chéad Sceideal*, a fhoráil nach mbeidh feidhm ag an Acht seo maidir leis an gcomhlacht ach amháin i leith feidhmeanna sonraithe de chuid an chomhlachta, agus beidh feidhm ag an Acht seo agus beidh éifeacht leis de réir aon fhorála den sórt sin.  
35

(6) Déanfar gach rialachán faoin Acht seo (seachas rialachán dá dtagraítear i *bhfo-alt (3)*) a leagan faoi bhráid gach Tí den Oireachtas a luaithe is féidir tar éis a dhéanta agus má dhéanann ceachtar Teach acu sin, laistigh den 21 lá a shuífidh an Teach sin tar éis an rialachán a leagan faoina bhráid, rún a rith ag neamhniú an rialacháin, beidh an rialachán ar neamhniú dá réir sin, ach sin gan dochar do bhailíocht  
45 aon ní a rinneadh roimhe sin faoin rialachán.

## CUID 2

### ORGAIN STÁIT

5.—Déanfaidh an tAire gach bliain, ag tosú an bhliain tar éis bhliain thosach feidhme an Achta seo, tuarascáil a thabhairt do gach Teach den Oireachtas maidir le hoibriú an Achta seo an bhliain roimhe sin.

Tuarascáil bhliantúil do Thithe an Oireachtais.

Use of official languages in Houses of Oireachtas.

**6.—(1)** A member of either House of the Oireachtas has the right to use either of the official languages in any debates or other proceedings in that House or of a committee of either House, a joint committee of both Houses or sub-committee of such a committee or joint committee.

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(2) A person appearing before either House of the Oireachtas or before such a committee, joint committee or sub-committee as aforesaid has the right to use either of the official languages.

(3) Every official report of the debates and other proceedings of the Houses of the Oireachtas shall be published in each of the official languages, except that contributions (whether oral or in writing) in either of the official languages by persons may be published therein solely in that language.

Acts of the Oireachtas.

**7.—**As soon as may be after the enactment of any Act of the Oireachtas, the text thereof shall be printed and published in each of the official languages simultaneously.

Administration of justice.

**8.—(1)** A person may use either of the official languages in, or in any pleading in or document issuing from, any court.

(2) Every court has, in any proceedings before it, the duty to ensure that any person appearing in or giving evidence before it may be heard in the official language of his or her choice, and that in being so heard the person will not be placed at a disadvantage by not being heard in the other official language.

(3) For the purposes of ensuring that no person is placed at a disadvantage as aforesaid, the court may cause such facilities to be made available, as it considers appropriate, for the simultaneous or consecutive interpretation of proceedings from one official language into the other.

(4) Where the State or a public body is a party to civil proceedings before a court—

(a) the State or the public body shall use in the proceedings, the official language chosen by the other party, and

(b) if two or more persons (other than the State or a public body) are party to the proceedings and they fail to choose or agree on the official language to be used in the proceedings, the State or, as appropriate, the public body shall use in the proceedings such official language as appears to it to be reasonable, having regard to the circumstances.

(5) Notwithstanding any other provision of this section, a person shall not be compelled to give evidence in a particular official language in any proceedings.

(6) In choosing to use a particular official language in any proceedings before a court, a person shall not be put by the court or a public body to any inconvenience or expense over and above that which would have been incurred had he or she chosen to use the other official language.

6.—(1) Beidh ceart ag comhalta de cheachtar Teach den Oireachtas ceachtar de na teangacha oifigiúla a úsáid in aon dhíospóireachtaí nó in aon imeachtaí eile sa Teach sin nó de chuid coiste de cheachtar Teach, comhchoiste den dá Theach nó fochoiste de choiste nó de chomhchoiste den sórt sin. Úsáid na dteangacha oifigiúla i dTithe an Oireachtais.

(2) Beidh ceart ag duine a bheidh ag láithriú os comhair ceachtar Tí den Oireachtas nó os comhair coiste, comhchoiste nó fochoiste den sórt sin a dúradh ceachtar de na teangacha oifigiúla a úsáid.

10 (3) Déanfar gach tuairisc oifigiúil ar dhíospóireachtaí agus ar imeachtaí eile Thithe an Oireachtais a fhoilsiú i ngach ceann de na teangacha oifigiúla, ach amháin go bhféadfar óráidí daoine (cibé acu ó bhéal nó i scríbhinn) i gceachtar de na teangacha oifigiúla a fhoilsiú inti sa teanga sin amháin.

15 7.—A luaithe is féidir tar éis aon Acht den Oireachtas a achtú, déanfar an téacs den chéanna a chló agus a fhoilsiú go comhuaineach i ngach ceann de na teangacha oifigiúla. Achtanna an Oireachtais.

8.—(1) Féadfaidh duine ceachtar de na teangacha oifigiúla a úsáid in aon chúirt nó in aon phléadáil in aon chúirt nó in aon doiciméad a eiseofar ó aon chúirt. Riaradh an cheartais.

20 (2) Tá dualgas ar gach cúirt, in aon imeachtaí os a comhair, a chinntiú go bhféadfaidh aon duine a bheidh ag láithriú inti nó a bheidh ag tabhairt fianaise os a comhair éisteacht a fháil sa teanga oifigiúil is rogha leis nó léi, agus nach mbeidh an duine, trí éisteacht a fháil amhlaidh, faoi mhíbhuntáiste toisc nach bhfaigheann sé nó sí éisteacht sa teanga oifigiúil eile.

30 (3) D'fhonn a chinntiú nach mbeidh aon duine faoi mhíbhuntáiste mar a dúradh, féadfaidh an chúirt a chur faoi deara cibé saoráidí is dóigh léi is cuí a chur ar fáil chun ateangaireacht chomhuaineach nó chomhleanúnach ó theanga oifigiúil amháin go dtí an teanga oifigiúil eile a dhéanamh ar imeachtaí.

(4) I gcás inar páirtí in imeachtaí sibhialta os comhair cúirte an Stát nó comhlacht poiblí—

35 (a) déanfaidh an Stát, nó an comhlacht poiblí, an teanga oifigiúil a bheidh roghnaithe ag an bpáirtí eile a úsáid sna himeachtaí, agus

40 (b) más rud é gur páirtí sna himeachtaí beirt duine nó níos mó (seachas an Stát nó comhlacht poiblí) agus nach ndéanfaidh siad an teanga oifigiúil a bheidh le húsáid sna himeachtaí a roghnú nó a chomhaontú, déanfaidh an Stát nó, de réir mar is cuí, an comhlacht poiblí, cibé teanga oifigiúil is dealraitheach dó a bheith réasúnach, ag féachaint do na himthosca, a úsáid sna himeachtaí.

45 (5) D'ainneoin aon fhorála eile den alt seo, ní chuirfear iallach ar dhuine fianaise a thabhairt i dteanga oifigiúil ar leith in aon imeachtaí.

(6) Nuair a bheidh teanga oifigiúil ar leith á roghnú ag duine lena húsáid in aon imeachtaí os comhair cúirte, ní churifidh an chúirt nó comhlacht poiblí aon cheataí nó caiteachas breise air nó uirthi thar mar a thabhófaí dá roghnódh sé nó sí an teanga oifigiúil eile a úsáid.

PART 3

PUBLIC BODIES

Duty of public bodies to use official languages on official stationery, etc.

**9.**—(1) The Minister may by regulations provide that oral announcements (whether live or recorded) made by a public body, the headings of stationery used by a public body and the contents and the lay out of any signage or advertisements placed by it shall, to such extent as may be specified, be in the Irish language or in the English and Irish languages and different provisions may be made in relation to different classes of body, oral announcements, stationery, signage or advertisements. 5 10

(2) Where a person communicates in writing or by electronic mail in an official language with a public body, the public body shall reply in the same language.

(3) Where a public body communicates in writing or by electronic mail with the general public or a class of the general public for the purpose of furnishing information to the public or the class, the body shall ensure that the communication is in the Irish language or in the English and Irish languages. 15

Duty of public bodies to publish certain documents in both official languages simultaneously.

**10.**—Notwithstanding any other enactment, the following documents made by or under the authority of a public body (other than a body, organisation or group standing prescribed pursuant to regulations for the purposes of *clause (b) of paragraph 1(5) of the First Schedule*) shall be published by that body in each of the official languages simultaneously: 20

(a) any document setting out public policy proposals; 25

(b) any annual report;

(c) any audited account or financial statement;

(d) any statement of strategy required to be prepared under section 5 of the Public Service Management Act 1997; and 30

(e) any document of a description or class standing prescribed for the time being, with the consent of the Minister for Finance and such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government, and being a document of a description or class that is, in the opinion of the Minister, of major public importance. 35

Use of official languages by public bodies.

**11.**—(1) For the purpose of promoting the use of the Irish language for official purposes in the State, the Minister may, by notice in writing to the head of a public body, require the public body to prepare and present to him or her for confirmation within such time (not being more than 6 months from the date of issue of the notice) as is specified in the notice a draft scheme specifying— 40

(a) the services which the public body proposes to provide—

(i) exclusively through the medium of the Irish language, 45

(ii) exclusively through the medium of the English language, and

COMHLACHTAÍ POIBLÍ

9.—(1) Féadfaidh an tAire, le rialacháin, a fhoráil gur i nGaeilge, Dualgas  
 nó i mBéarla agus i nGaeilge, a mhéid a bheidh sonraithe, a bheidh comhlachtaí poiblí  
 5 fógairtí béil (cibé acu beo nó taifeadta) arna ndéanamh ag comhlacht na teangacha  
 poiblí, ceanteidil stáiseanóireachta a úsáideann comhlacht poiblí oifigiúla a úsáid ar  
 agus ábhar leagan amach aon chomharthaí nó fógrán dá chuid stáiseanóireacht  
 agus féadfar forálacha éagsúla a dhéanamh i ndáil le haicmí éagsúla oifigiúil, etc.  
 comhlachta, fógairtí béil, stáiseanóireachta, comharthaí nó fógrán.

10 (2) I gcás ina ndéanfaidh duine cumarsáid i dteanga oifigiúil le comhlacht poiblí, i scríbhinn nó leis an bpost leictreonach, freagróidh an comhlacht poiblí sa teanga chéanna.

(3) I gcás ina ndéanfaidh comhlacht poiblí cumarsáid i scríbhinn nó leis an bpost leictreonach leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne chun faisnéis a thabhairt don phobal nó don aicme, cinnteoidh an comhlacht gur i nGaeilge, nó i mBéarla agus i nGaeilge, a bheidh an chumarsáid.

10.—D’ainneoin aon achtacháin eile, déanfaidh comhlacht poiblí Dualgas  
 (seachas comhlacht, eagraíocht nó grúpa a bheidh forordaithe de comhlachtaí poiblí  
 20 bhun rialachán chun críocha *chlásal (b)* de *mhír 1(5)* den *Chéad doiciméid áirithe a*  
*Sceideal*) na doiciméid seo a leanas, a dhéanfaidh sé nó a dhéanfar fhoilsiú go  
 faoina údarás, a fhoilsiú go comhuaineach i ngach ceann de na tean- comhuaineach sa dá  
 gacha oifigiúla: theanga oifigiúla.

(a) aon doiciméad ina leagtar amach tograí beartais phoiblí;

25 (b) aon tuarascáil bhliantúil;

(c) aon chuntas iniúchta nó ráiteas airgeadais;

(d) aon ráiteas straitéise a cheanglaítear a ullmhú faoi alt 5 den Acht um Bainistíocht na Seirbhíse Poiblí 1997; agus

30 (e) aon doiciméad de thuairisc nó d’aicme a bheidh forordaithe de thuras na huaire, le toiliú an Aire Airgeadais agus cibé Aire eile (más ann) den Rialtas is cuí leis an Aire ag féachaint d’fheidhmeanna an Aire eile sin den Rialtas, agus is doiciméad de thuairisc nó d’aicme a bhfuil, i dtuairim an Aire, tábhacht mhór phoiblí ag baint leis.

35 11.—(1) D’fhonn úsáid na Gaeilge a chur chun cinn chun críoch oifigiúil sa Stát, féadfaidh an tAire, le fógra i scríbhinn chuig ceann comhlachta phoiblí, a cheangal ar an gcomhlacht poiblí dréacht- scéim a ullmhú agus a thíolacadh dó nó di lena daingniú laistigh de cibé tréimhse ama (nach faide ná 6 mhí ó dháta eisithe an fhógra) a bheidh sonraithe san fhógra, ar dréacht-scéim í ina sonrúfar— Úsáid na  
 dteangacha oifigiúla  
 ag comhlachtaí  
 poiblí.

(a) na seirbhísí a bheartaíonn an comhlacht poiblí a sholáthar—

(i) trí mheán na Gaeilge amháin,

(ii) trí mheán an Bhéarla amháin, agus

(iii) through the medium of both the Irish and English languages,

and

(b) the measures the body proposes to adopt to ensure that any services that are not provided by the body through the medium of the Irish language will be so provided. 5

(2) (a) A draft scheme referred to in *subsection (1)* shall specify the means of communication that are to be provided exclusively in the Irish language, exclusively in the English language and in both the Irish and English languages. 10

(b) In this section “means of communication” means the means of communication between the body concerned and the public generally or groups or individual members of the public in relation to the services concerned, the provision of the services and information relating to the services or such provision. 15

(3) The Minister may, with the consent of the Minister for Finance, in relation to those of its services delivered exclusively through the medium of the English language, direct a public body to draw up a plan for the delivery of those services in addition through the medium of the Irish language together with an estimate of the period of time required to implement the plan. 20

(4) A notice under *subsection (1)* shall be accompanied by a copy of the current guidelines issued by the Minister under *section 12*. 25

(5) Different notices may be given to a head of a public body under this section in respect of different services.

Publication of guidelines by Minister.

**12.**—(1) The Minister shall issue to public bodies guidelines in relation to the preparation by public bodies of draft schemes.

(2) As soon as practicable after the commencement of this section the Minister shall prepare a draft of any guidelines that he or she proposes to issue under *subsection (1)* and shall send copies of the draft to— 30

(a) every other Minister of the Government, and

(b) such other persons (including any other head) as he or she considers appropriate. 35

(3) The Minister shall, after considering any representations made to him or her about the draft guidelines, confirm the draft guidelines either without amendment or with such amendments as he or she considers appropriate. 40

(4) The Minister shall, as soon as practicable, lay before each House of the Oireachtas a copy of any guidelines issued under *subsection (1)*.

(5) The Minister shall, at such intervals as he or she considers appropriate, revise any guidelines issued under *subsection (1)* and the provisions of this section shall apply to the issuing of such revised guidelines as they apply to the guidelines first issued. 45

(iii) trí mheán na Gaeilge agus an Bhéarla araon,

agus

5 (b) na bearta a bheartaíonn an comhlacht a ghlacadh chun a chinntiú go ndéanfar aon seirbhísí nach soláthraíonn an comhlacht trí mheán na Gaeilge a sholáthar amhlaidh.

(2) (a) Sonrófar i ndrúacht-scéim dá dtagraítear i *bhfo-alt (1)* na modhanna cumarsáide atá le soláthar sa Ghaeilge amháin, sa Bhéarla amháin agus sa Ghaeilge agus sa Bhéarla araon.

10 (b) San alt seo, ciallaíonn “modhanna cumarsáide” na modhanna cumarsáide idir an comhlacht lena mbaineann agus an pobal i gcoitinne nó grúpaí nó daoine ar leithligh den phobal i ndáil leis na seirbhísí lena mbaineann, i ndáil le soláthar na seirbhísí agus i ndáil le faisnéis a bhaineann leis na seirbhísí nó leis an soláthar sin.

20 (3) Féadfaidh an tAire, le toiliú an Aire Airgeadais, a ordú do chomhlacht poiblí, i ndáil leis na seirbhísí sin dá chuid a sheachadtar trí mheán an Bhéarla amháin, plean a tharraingt suas chun na seirbhísí sin a sheachadadh trí mheán na Gaeilge chomh maith, mar aon le meastachán a thabhairt ar an tréimhse ama is gá chun an plean a chur i ngníomh.

(4) Beidh cóip de na treoirlínte reatha arna n-eisiúint ag an Aire faoi *alt 12* ag gabháil le fógra faoi *fho-alt (1)*.

25 (5) Féadfar fógraí éagsúla a thabhairt do cheann comhlachta phoiblí faoin alt seo i leith seirbhísí éagsúla.

**12.—(1)** Eiseoidh an tAire treoirlínte chuig comhlachtaí poiblí i ndáil le hullmhú dréacht-scéimeanna ag comhlachtaí poiblí. An tAire d’fhoilsíú treoirlínte.

30 (2) A luaithe is indéanta tar éis thosach feidhme an ailt seo, ullmhóidh an tAire dréacht d’aon treoirlínte a bheartaíonn sé nó sí a eisiúint faoi *fho-alt (1)* agus cuirfidh sé nó sí cóipeanna den dréacht—

(a) chuig gach Aire eile den Rialtas; agus

(b) chuig cibé daoine eile (lena n-áirítear aon cheann eile) is cuí leis nó léi.

35 (3) Déanfaidh an tAire, tar éis breithniú a dhéanamh ar aon uiríll a bheidh déanta chuige nó chuici maidir leis na dréacht-treoirlínte, na dréacht-treoirlínte a dhaingniú gan leasú nó fara cibé leasuithe is cuí leis nó léi.

40 (4) Déanfaidh an tAire, a luaithe is indéanta, cóip d’aon treoirlínte a eiseofar faoi *fho-alt (1)* a leagan faoi bhráid gach Tí den Oireachtas.

45 (5) Déanfaidh an tAire, ag cibé eatraimh is cuí leis nó léi, aon treoirlínte a eiseofar faoi *fho-alt (1)* a athmheas agus beidh feidhm ag forálacha an ailt seo maidir le heisiúint na dtreoirlínte athmheasta sin mar atá feidhm acu maidir leis na treoirlínte a eisíodh i gcéadair.

Preparation of draft scheme by public body.

**13.**—(1) On receipt of a notice under *section 11*, a public body shall—

- (a) publish notice of its intention to prepare a draft scheme and invite representations from any interested parties, and
- (b) within the time specified in the notice, prepare and present for confirmation to the Minister a draft scheme. 5

(2) In preparing a draft scheme the public body shall—

- (a) have regard to any guidelines issued under *section 12* and in force,
- (b) have regard to any representations made by any interested party under *subsection (1)*, 10
- (c) ensure that an adequate number of its staff are competent in the Irish language so as to be able to provide its service through Irish as well as English,
- (d) ensure that the particular Irish language requirements associated with the provision of services in Gaeltacht areas are met, 15
- (e) ensure that the Irish language becomes the working language in its offices in the Gaeltacht not later than such date as may be determined by it with the consent of the Minister. 20

(3) A draft scheme shall contain only such matters as are required to be specified under *subsections (1) and (2) of section 11*.

Confirmation by Minister of draft schemes.

**14.**—(1) Upon presentation of a draft scheme to the Minister by a public body, the Minister may, after consultation with such other persons including such other (if any) Minister of the Government as the Minister considers ought to be consulted, and with the consent of the head of the public body concerned, confirm the draft scheme either without amendment or with such amendments as he or she considers appropriate. 25

(2) The Minister shall, after confirmation of any draft scheme under this section, forward a copy of the scheme to the Commissioner. 30

(3) A scheme shall remain in force for a period of 3 years from the date on which it is confirmed by the Minister or until a new scheme has been confirmed by the Minister pursuant to *section 15*, whichever is the later. 35

Periodic review of schemes.

**15.**—(1) The Minister may, at any time, and shall, no later than 6 months before the expiration of the scheme, by notice in writing to the head of a public body require that body to review, within such period as may be specified in the notice, any scheme in force in relation to it. 40

(2) Upon receipt of a notice under *subsection (1)*, a public body shall conduct a review of the said scheme and shall, within the time specified in the notice, prepare and present, for confirmation by the Minister, a new draft scheme. 45

- 13.**—(1) Ar fhógra faoi *alt 11* a fháil, déanfaidh comhlacht poiblí— Comhlacht poiblí d'ullmhú dréacht-scéime.
- (a) fógra a fhoilsiú á rá go bhfuil ar intinn aige dréacht-scéim a ullmhú agus uiríll a lorg ó aon pháirtithe leasmhara, agus
- (b) laistigh den tréimhse ama a bheidh sonraithe san fhógra, dréacht-scéim a ullmhú agus a thíolacadh don Aire lena daingniú.
- (2) Le linn dréacht-scéim a ullmhú, déanfaidh an comhlacht poiblí—
- (a) aird a thabhairt ar aon treoirlínte arna n-eisiúint faoi *alt 12* agus atá i bhfeidhm,
- (b) aird a thabhairt ar aon uiríll arna ndéanamh ag aon pháirtí leasmhar faoi *fho-alt (1)*,
- (c) a chinntiú go bhfuil líon leordhóthanach dá fhoireann inniúil sa Ghaeilge chun go mbeidh siad in ann a sheirbhís a sholáthar trí Ghaeilge chomh maith lena soláthar trí Bhéarla,
- (d) a chinntiú go bhfreastalófar ar na riachtanais áirithe Gaeilge a bhaineann le seirbhísí a sholáthar i limistéir Ghaeltachta,
- (e) a chinntiú go mbeidh an Ghaeilge ina teanga oibre ina chuid oifigi sa Ghaeltacht tráth nach déanaí ná cibé dáta a chinnfidh sé le toiliú an Aire.
- (3) Ní bheidh i ndréacht-scéim ach cibé nithe a cheanglaítear a shonrú faoi *fho-ailt (1)* agus (2) *d'alt 11*.
- 14.**—(1) Ar chomhlacht poiblí do thíolacadh dréacht-scéime don Aire, féadfaidh an tAire, tar éis dul i gcomhairle le cibé daoine eile lena n-áirítear cibé Aire eile (más ann) den Rialtas a measfaidh an tAire gur chóir dul i gcomhairle leo, agus le toiliú cheann an chomhlachta phoiblí lena mbaineann, an dréacht-scéim a dhaingniú gan leasú nó fara cibé leasuithe is cuí leis nó léi.
- (2) Déanfaidh an tAire, tar éis aon dréacht-scéim a dhaingniú faoin alt seo, cóip den scéim a chur ar aghaidh chuig an gCoimisinéir.
- (3) Fanfaidh scéim i bhfeidhm ar feadh tréimhse 3 bliana ón dáta a ndaingníonn an tAire í nó go dtí go mbeidh scéim nua daingnithe ag an Aire de bhun *alt 15*, cibé acu is déanaí.
- 15.**—(1) Féadfaidh an tAire, aon tráth, agus déanfaidh an tAire, tráth nach déanaí ná 6 mhí sula rachaidh an scéim in éag, trí fhógra i scríbhinn chuig ceann comhlachta phoiblí, a cheangal ar an gcomhlacht sin aon scéim atá i bhfeidhm i ndáil leis a athbhreithniú laistigh de cibé tréimhse a bheidh sonraithe san fhógra.
- (2) Ar fhógra a fháil faoi *fho-alt (1)*, seolfaidh comhlacht poiblí athbhreithniú ar an scéim sin agus déanfaidh sé, laistigh den tréimhse ama a bheidh sonraithe san fhógra, dréacht-scéim nua a ullmhú agus a thíolacadh lena daingniú ag an Aire.
- An tAire do dhaingniú dréacht-scéimeanna.
- Athbhreithniú tréimhsiúil ar scéimeanna.

(3) Sections 11, 13 and 14 shall, with any necessary modifications, apply where a notice is given under subsection (1) as they apply where a notice is given under section 11.

Amendment of schemes.

**16.—**(1) Where the Minister is satisfied that, owing to any change—

(a) in the functions of a public body, or 5

(b) in the circumstance in which such functions are performed,

it may be appropriate to amend any scheme in force in relation to it, he or she may, on his or her own initiative or on request by the public body concerned, by notice in writing to the public body propose amendments to the scheme. 10

(2) The Minister may, after consultation with such other persons, including such other (if any) Minister of the Government as the Minister considers ought to be consulted, and with the consent of the head of the public body concerned, amend a scheme in the manner proposed in any notice under subsection (1) or in such other manner as he or she considers appropriate in the circumstances, and the scheme shall have effect thereafter subject to any such amendments. 15

(3) The Minister shall forward to the Commissioner a copy of any scheme amended under this section. 20

Failure to prepare a draft scheme.

**17.—**Where—

(a) a public body fails or refuses to prepare a draft scheme in accordance with a notice issued under section 11 or 15,

(b) after presentation by a public body of a draft scheme to the Minister for confirmation, the public body and the Minister are unable to agree the terms of the scheme, or 25

(c) after receipt by a public body of a notice of proposed amendments to a scheme, the public body and the Minister are unable to agree on any amendments,

the Minister shall report this failure, refusal or inability to each House of the Oireachtas. 30

Duty to carry out schemes.

**18.—**(1) Where the Minister confirms a scheme under this Act, the public body shall proceed to carry out the scheme.

(2) Nothing in a scheme shall be construed as prohibiting a public body from implementing further measures to promote the status of an official language within its organisation. 35

Prohibition on imposition of charges by public bodies.

**19.—**A public body shall not impose any charge on any person by virtue of any requirement imposed on that body by this Act.

#### PART 4

#### AN COIMISINEIR TEANGA

40

Establishment of Oifig Choimisinéir na dTeangacha Oifigiúla.

**20.—**(1) There is established an office to be known as Oifig Choimisinéir na dTeangacha Oifigiúla and the holder of the office shall be known as An Coimisinéir Teanga and is referred to in this Act as the Commissioner.

(3) Beidh feidhm ag *ailt 11, 13 agus 14*, fara aon mhodhnuithe is gá, i gcás ina dtabharfar fógra faoi *fho-alt (1)* mar atá feidhm acu i gcás ina dtabharfar fógra faoi *alt 11*.

**16.**—(1) I gcás inar deimhin leis an Aire, de bharr aon athrú— Scéimeanna a leasú.

5 (a) ar fheidhmeanna comhlachta phoiblí, nó

(b) ar an imthoisce ina gcomhlíontar na feidhmeanna sin,

go bhféadfaidh gur cuí aon scéim atá i bhfeidhm i ndáil leis an gcomhlacht sin a leasú, féadfaidh sé nó sí, ar a thionscnamh nó ar a tionscnamh féin, nó ar iarraidh ón gcomhlacht poiblí lena  
10 mbaineann, trí fhógra i scríbhinn chuig an gcomhlacht poiblí, leasuithe a mholadh ar an scéim.

(2) Féadfaidh an tAire, tar éis dul i gcomhairle le cibé daoine eile, lena n-áirítear cibé Aire eile (más ann) den Rialtas, a measfaidh an tAire gur chóir dul i gcomhairle leo, agus le toiliú cheann an  
15 chomhlachta phoiblí lena mbaineann, scéim a leasú sa tslí atá beartaithe in aon fhógra faoi *fho-alt (1)* nó i cibé slí eile is cuí leis nó léi sna himthosca, agus beidh éifeacht leis an scéim dá éis sin faoi réir aon leasuithe den sórt sin.

(3) Déanfaidh an tAire cóip d'aon scéim a bheidh leasaithe faoin  
20 alt seo a chur ar aghaidh chuig an gCoimisinéir.

**17.**—Más rud é—

Mainneachtain  
dréacht-scéim a  
ullmhú.

(a) go mainneoidh nó go ndiúltóidh comhlacht poiblí dréacht-scéim a ullmhú de réir fógra a eiseofar faoi *alt 11* nó *15*,

25 (b) tar éis do chomhlacht poiblí dréacht-scéim a thíolacadh don Aire lena daingniú, nach mbeidh an comhlacht poiblí agus an tAire ábalta téarmaí na scéime a chomhaontú, nó

(c) tar éis do chomhlacht poiblí fógra a fháil maidir le leasuithe beartaithe ar scéim, nach mbeidh an comhlacht poiblí agus an tAire ábalta comhaontú ar aon leasuithe,

30 déanfaidh an tAire an mhainneachtain, an diúltú nó an neamhábaltacht sin a thuairisciú do gach Teach den Oireachtas.

**18.**—(1) I gcás ina ndaingneoidh an tAire scéim faoin Acht seo, rachaidh an comhlacht poiblí ar aghaidh leis an scéim a chur i gcrích. Dualgas scéimeanna a chur i gcrích.

(2) Ní fhorléireofar aon ní i scéim mar ní a thoirmisceann ar  
35 chomhlacht poiblí bearta breise a chur i ngníomh chun stádas teanga oifigiúla a chur chun cinn laistigh dá eagraíocht.

**19.**—Ní dhéanfaidh comhlacht poiblí aon mhúirear a fhorchur ar aon duine de bhua aon cheanglais a fhorchuirtear ar an gcomhlacht sin leis an Acht seo. Toirmeasc ar chomhlachtaí poiblí d'fhorchur múirear.

40 CUID 4

#### AN COIMISINÉIR TEANGA

**20.**—(1) Bunaítear oifig ar a dtabharfar Oifig Choimisinéir na dTeangacha Oifigiúla agus tabharfar An Coimisinéir Teanga ar shealbhóir na hoifige agus gairtear an Coimisinéir de nó di san Acht  
45 seo. Oifig Choimisinéir na dTeangacha Oifigiúla a bhunú.

(2) The Commissioner shall be independent in the performance of his or her functions.

(3) The appointment of a person to be the Commissioner shall be made by the President on the advice of the Government following a resolution passed by Dáil Éireann and by Seanad Éireann recommending the appointment of the person. 5

(4) The provisions of the *Second Schedule* shall have effect in relation to the Commissioner.

Functions of Commissioner.

**21.**—The functions of the Commissioner shall be, in addition to any functions conferred on him or her by any other provision of this Act— 10

- (a) to monitor compliance by public bodies with the provisions of this Act, 15
- (b) to take all necessary measures within his or her authority to ensure compliance by public bodies with the provisions of this Act, 20
- (c) to carry out investigations, whether on his or her own initiative, on request by the Minister or pursuant to a complaint made to him or her by any person, into any failure by a public body to comply with the provisions of this Act that he or she or, as appropriate, the Minister, considers may have occurred, 25
- (d) to provide, as he or she considers appropriate, advice or other assistance to the public regarding their rights under this Act, 30
- (e) to provide, as he or she considers appropriate, advice or other assistance to public bodies regarding their obligations under this Act, and
- (f) to carry out an investigation, whether on his or her own initiative, on request by the Minister or pursuant to a complaint made to him or her by any person, to ascertain whether any provision of any other enactment relating to the status or use of an official language was not or is not being complied with. 35

Powers of Commissioner.

**22.**—(1) (a) For the purpose of his or her functions under this Act the Commissioner may require any person who, in the opinion of the Commissioner, is in possession of information, or has a record or thing in his or her power or control, that is relevant to the purposes aforesaid to furnish to the Commissioner any such information, record or thing and, where appropriate, may require the person to attend before him or her for that purpose, and the person shall comply with the requirement. 40

(b) *Paragraph (a)* of this subsection does not apply to information or so much of a record as relates to decisions and proceedings of the Government or of any committee of the Government and for the purposes of this paragraph, a certificate given by the Secretary to the Government and certifying that 50

(2) Beidh an Coimisinéir neamhspleách i gcomhlíonadh a fheidhmeanna nó a feidhmeanna.

(3) Is é nó is í an tUachtarán a dhéanfaidh duine a cheapadh mar Choimisinéir, ar chomhairle an Rialtais tar éis do Dháil Éireann agus do Sheanad Éireann rún a rith ag moladh an duine a cheapadh.

(4) Beidh éifeacht le forálacha an Dara Sceideal i ndáil leis an gCoimisinéir.

**21.**—Is iad feidhmeanna an Choimisinéara, i dteannta aon feidhmeanna a thugtar dó nó di le haon fhoráil eile den Acht seo— Feidhmeanna an Choimisinéara.

10 (a) faireachán a dhéanamh ar chomhlíonadh fhorálacha an Achta seo ag comhlachtaí poiblí,

(b) gach beart riachtanach atá faoi réim a údaráis nó a húdaráis a dhéanamh chun a chinntiú go gcomhlíonfaidh comhlachtaí poiblí forálacha an Achta seo,

15 (c) imscrúduithe a dhéanamh, cibé acu ar a thionscnamh nó ar a tionscnamh féin, ar iarraidh ón Aire nó de bhun gearán a bheidh déanta leis nó léi ag aon duine, maidir le haon mhainneachtain ag comhlacht poiblí forálacha an Achta seo a chomhlíonadh, ar mainneachtain í ar dóigh leis nó  
20 léi nó, de réir mar is cuí, leis an Aire, gur féidir gur tharla sí;

(d) comhairle nó cúnamh eile a sholáthar, de réir mar is cuí leis nó léi, don phobal maidir lena gcearta faoin Acht seo;

25 (e) comhairle nó cúnamh eile a sholáthar, de réir mar is cuí leis nó léi, do chomhlachtaí poiblí maidir lena n-oibleagáidí faoin Acht seo, agus

(f) imscrúdú a dhéanamh, cibé acu ar a thionscnamh nó ar a tionscnamh féin, ar iarraidh ón Aire nó de bhun gearán a bheidh déanta leis nó léi ag aon duine, chun a fháil amach an amhlaidh nach raibh nó nach bhfuil aon fhoráil d'aon achtachán eile a bhaineann le stádas nó le húsáid teanga oifigiúla á comhlíonadh.

**22.**—(1) (a) Chun críche a fheidhmeanna nó a feidhmeanna faoin Acht seo, féadfaidh an Coimisinéir a cheangal ar Cumhachtaí an Choimisinéara.

35 aon duine a bhfuil, i dtuairim an Choimisinéara, faisnéis aige nó aici, nó a bhfuil cumhacht nó rialú aige nó aici ar thairfead nó ar rud, a bhaineann leis na críocha réamhráite, aon fhaisnéis, tairfead nó rud den sórt sin a thabhairt don Choimisinéir agus, más cuí, féadfaidh sé nó sí a cheangal ar an duine freastal os a chomhair nó os a chomhair chun na críche sin, agus comhlíonfaidh an duine an ceanglas.

40 (b) Níl feidhm ag *mír (a)* den fho-alt seo maidir le faisnéis nó le cibé méid de thairfead a bhaineann le cinntí agus le himeachtaí de chuid an Rialtais nó de chuid aon choiste de chuid an Rialtais agus chun críocha na míre seo is deimhniú críochnaitheach deimhniú a thabharfaidh Rúnaí an Rialtais á dheimhniú go

any information or record or part of a record so relates shall be conclusive.

(2) Subject to *subsection (3)*, no enactment or rule of law prohibiting or restricting the disclosure or communication of information shall preclude a person from furnishing to the Commissioner any such information or record, as aforesaid. 5

(3) Subject to the provisions of this Act, a person to whom a requirement is addressed under this section shall be entitled to the same immunities and privileges as if he or she were a witness before the High Court. 10

(4) A person who fails or refuses to comply with a requirement under this section or who hinders or obstructs the Commissioner in the performance of his or her functions under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €2,000 or to imprisonment for a term not exceeding 6 months or both. 15

(5) Where an offence under *subsection (4)* has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to have been facilitated by any neglect on the part of any director, manager, secretary or other similar officer of such body or of any person who was purporting to act in any such capacity, that officer or person, as well as such body, shall be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence. 20 25

(6) Proceedings for an offence under this section may be brought and prosecuted by the Commissioner.

(7) The Commissioner may, if he or she thinks fit, pay to any person who, for the purposes aforesaid, attends before the Commissioner or furnishes information or a record or other thing to him or her— 30

(a) sums in respect of travelling and subsistence expenses properly incurred by the person, and

(b) allowances by way of compensation for loss of his or her time, 35

of such amount as may be determined by the Minister.

(8) A statement or admission made by a person for the purposes aforesaid shall not be admissible as evidence against that person in any criminal proceedings.

(9) Nothing in this section shall confer any right to production of, or access to, any record or thing subject to legal privilege. 40

Conduct of investigations.

**23.—**(1) An investigation by the Commissioner under this Act shall be conducted otherwise than in public.

(2) Where the Commissioner proposes to carry out an investigation under this Act he or she shall— 45

(a) notify—

(i) the public body concerned,

bhfuil aon fhaisnéis nó taifead nó cuid de thaifead bainteach amhlaidh.

5 (2) Faoi réir *fho-alt (3)*, ní chuirfidh aon achtachán nó riail dlí lena dtoirmisctear nó lena sriantar faisnéis a nochtadh nó a chur in iúl cosc ar dhuine aon fhaisnéis nó taifead den sórt sin, mar a dúradh, a thabhairt don Choimisinéir.

10 (3) Faoi réir fhorálacha an Achta seo, beidh duine a mbeidh ceanglas dírithe chuige nó chuici faoin alt seo i dteideal na ndíolúintí agus na bpríbhleáidí céanna a mbeadh sé nó sí ina dteideal dá mba fhinné os comhair na hArd-Chúirte é nó í.

15 (4) Aon duine a mhainneoidh nó a dhiúltóidh ceanglas faoin alt seo a chomhlíonadh nó a chuirfidh treampán nó bac ar an gCoimisinéir le linn a fheidhmeanna nó a feidhmeanna a chomhlíonadh faoin alt seo, beidh sé nó sí ciontach i gcion agus dlífeair ar é nó í a chiontú go hachomair fíneáil nach mó ná €2,000 nó príosúnacht ar feadh téarma nach faide ná 6 mhí, nó iad araon, a chur air nó uirthi.

20 (5) I gcás cion faoi *fho-alt (4)* a bheith déanta ag comhlacht corpraithe agus go gcruthófar go ndearnadh é le toiliú nó le cúlcheadú, nó gur éascaíodh é a dhéanamh le haon fhaillí ar thaobh, aon duine is stiúrthóir, bainisteoir, rúnaí nó oifigeach eile den tsamhail sin de chuid an chomhlachta, nó duine a d'airbheartaigh a bheith ag gníomhú in aon cháil den sórt sin, beidh an t-oifigeach nó an duine sin, chomh maith leis an gcomhlacht sin, ciontach i gcion agus dlífeair imeachtaí a thionscnamh ina choinne nó ina coinne agus é nó í a  
25 phionósú amhail is dá mbeadh sé nó sí ciontach sa chion céadluaite.

(6) Féadfaidh an Coimisinéir imeachtaí i leith ciona faoin alt seo a thionscnamh agus a thabhairt ar aghaidh.

30 (7) Féadfaidh an Coimisinéir, más cuí leis nó léi, íocaíochtaí mar a leanas a íoc le haon duine a dhéanfaidh, chun na gcríoch réamhráite, freastal os comhair an Choimisinéara nó faisnéis nó taifead nó rud eile a thabhairt dó nó di—

(a) suimeanna i leith caiteachas taistil agus cothaithe a thabhaigh an duine go cuí, agus

35 (b) liúntais mar chúiteamh as a chuid nó a cuid ama a chaill-eadh,

ina mbeidh cibé méid a chinnfidh an tAire.

(8) Ní bheidh ráiteas nó admháil ó dhuine chun na gcríoch réamhráite inghlactha mar fhianaise i gcoinne an duine sin in aon imeachtaí coiriúla.

40 (9) Ní dhéanfaidh aon ní san alt seo aon cheart a thabhairt chun aon taifead nó rud atá faoi réir príbhleáide dlíthiúla a thabhairt ar aird nó chun rochtain a fháil ar an gcéanna.

**23.—**(1) Is ar shlí seachas go poiblí a sheolfar imscrúdú a dhéanfaidh an Coimisinéir faoin Acht seo. Imscrúduithe a sheoladh.

45 (2) I gcás ina mbeartaíonn an Coimisinéir imscrúdú a dhéanamh faoin Acht seo déanfaidh sé nó sí—

(a) fógra i scríbhinn a thabhairt—

(i) don chomhlacht poiblí lena mbaineann,

- (ii) in a case where a complaint has been made to the Commissioner, the person who made the complaint, and
  - (iii) the Minister,
- in writing of that fact, and 5

(b) afford—

- (i) the public body concerned, and
  - (ii) any other person who appears or, in a case where a complaint has been made to the Commissioner, is alleged to have been responsible for the matter complained of, 10
- an opportunity to comment on the matter and, if a complaint in relation to the matter has been made to the Commissioner, on any allegations contained in the complaint. 15

(3) The Commissioner may—

- (a) refuse to investigate a complaint under this Act, or
- (b) discontinue an investigation under this Act into such a complaint,

if he or she becomes of opinion that— 20

- (i) the complaint is trivial or vexatious,
- (ii) the person making the complaint has not taken reasonable steps to seek redress in respect of the subject matter of the complaint or, if he or she has, has not been refused redress, 25
- (iii) the complaint relates solely to a matter within the power of the Ombudsman to investigate pursuant to section 4(2)(a) of the Ombudsman Act 1980, or
- (iv) the matter complained of does not involve any contravention of the provisions of this Act or of any other enactment relating to the status or use of an official language. 30

(4) Subject to the provisions of this Act, the procedure for conducting an investigation shall be such as the Commissioner considers appropriate in all the circumstances of the case. 35

(5) The Commissioner may determine whether any person may be represented, by counsel, solicitor or otherwise, in an investigation by him or her under this Act.

Exclusions.

**24.**—The Commissioner shall not investigate any complaint made by or on behalf of a person if the complaint is one in relation to which the person affected by the matter complained of has initiated, in any court, civil legal proceedings and the proceedings have not been dismissed for failure to disclose a cause of action or a complaint justiciable by that court, whether the proceedings have been otherwise concluded or have not been concluded: 40 45

Provided that the Commissioner may investigate the matter notwithstanding that it is one to which this section relates if it appears to the Commissioner that special circumstances make it proper to do so.

(ii) i gcás gearán a bheith déanta leis an gCoimisinéir, don duine a rinne an gearán, agus

(iii) don Aire,

ina thaobh sin, agus

5 (b) deis a thabhairt—

(i) don chomhlacht poiblí lena mbaineann, agus

(ii) d'aon duine eile ar dealraitheach nó, i gcás gearán a bheith déanta leis an gCoimisinéir, d'aon duine eile a líomhnaítear, go raibh sé nó sí freagrach as an ní a ndearnadh gearán faoi,

10 trácht ar an ní agus, má rinneadh gearán leis an gCoimisinéir i ndáil leis an ní, ar aon líomhaintí a bhí sa ghearán.

(3) Féadfaidh an Coimisinéir—

(a) diúltú gearán a imscrúdú faoin Acht seo, nó

15 (b) scor d'imscrúdú faoin Acht seo i dtaobh gearáin den sórt sin,

má thagann sé nó sí ar an tuairim—

(i) go bhfuil an gearán fánach nó cráiteach,

(ii) nach ndearna an duine a rinne an gearán bearta réasúnacha chun sásamh a lorg i leith ábhar an gearáin nó, má rinne, nár diúltaíodh sásamh dó nó di,

(iii) nach mbaineann an gearán ach amháin le ní a bhfuil cumhacht ag an Ombudsman imscrúdú a dhéanamh ina leith de bhun alt 4(2)(a) den Acht Ombudsman 1980, nó

(iv) nach bhfuil aon sárú ar fhorálacha an Achta seo nó aon achtacháin eile a bhaineann le stádas nó úsáid teanga oifigiúla i gceist sa ní a ndearnadh gearán faoi.

30 (4) Faoi réir fhorálacha an Achta seo, is é an nós imeachta le himscrúdú a sheoladh cibé nós imeachta is cuí leis an gCoimisinéir in imthosca uile an cháis.

(5) Féadfaidh an Coimisinéir a chinneadh an bhféadfaidh abhcóide nó aturnae, nó an féidir ar shlí eile, ionadaíocht a dhéanamh d'aon duine in imscrúdú a dhéanfaidh an Coimisinéir faoin Acht seo.

24.—Ní imscrúdóidh an Coimisinéir aon ghearán a dhéanfaidh Eisiamh. duine nó a dhéanfar thar ceann duine más gearán é a mbeidh imeachtaí dlíthiúla sibhialta tionscanta i ndáil leis in aon chúirt ag an duine a ndéanann an ní a ndearnadh gearán faoi difear dó nó di agus nach mbeidh na himeachtaí dífe de bharr gan cúis chaingne nó gearán is inbhreithnithe ag an gcúirt sin a nochtadh, cibé acu a bheidh na himeachtaí sin tugtha chun críche thairis sin nó nach mbeidh:

Ar choinníoll go bhféadfaidh an Coimisinéir an ní a imscrúdú d'ainneoin gur ní é lena mbaineann an t-alt seo más dealraitheach don Choimisinéir gur cuí déanamh amhlaidh de bharr imthosca speisialta.

Disclosure of information.

**25.**—Information or a record or thing obtained by the Commissioner or his or her officers in the course of the exercise by him or her of his or her functions under this Act shall not be disclosed except for the purposes of such exercise and of any statement, report or notification to be made under this Act and the Commissioner or his or her officers shall not be called upon to give evidence in any proceedings of matters coming to his or her or their knowledge in the course of such exercise. 5

Report of findings.

**26.**—(1) In any case where a complaint is made to the Commissioner and the Commissioner decides not to carry out an investigation under this Act or decides to discontinue such an investigation, he or she shall send to the person who made the complaint and to the public body concerned a statement in writing of his or her reasons for the decision and shall send to such other person as he or she considers appropriate such statement in writing in relation to the matter as he or she considers appropriate. 10 15

(2) In any case where the Commissioner conducts an investigation under this Act, he or she shall prepare and submit to—

(a) the public body concerned,

(b) the Minister, and 20

(c) in a case where a complaint is made to the Commissioner, the complainant,

a report in writing of the findings of the investigation and may include in the report any recommendations he or she considers appropriate having regard to the investigation. 25

(3) Without prejudice to *subsection (2)*, the Commissioner may issue an interim report if he or she considers it appropriate so to do.

(4) The Commissioner may request a public body to submit to him or her within a specified time any comments it may have regarding any findings or recommendations contained in a report under this section. 30

(5) If, within a reasonable time after a report containing recommendations is submitted to a public body under *subsection (2)*, any recommendations contained in the report have not, in the opinion of the Commissioner, been implemented by that body, the Commissioner may, after considering any responses made to him or her by the public body in respect of those recommendations, make a report thereon to each House of the Oireachtas. 35

(6) The Commissioner shall attach to every report under *subsection (5)* a copy of every response (if any) made by or on behalf of a public body to the said recommendations. 40

Schemes of compensation.

**27.**—(1) The Minister may, with the consent of the Minister for Finance, make a scheme of compensation providing for the payment by a public body to such persons of such sums as may be specified in the scheme, in respect of any failure, specified in a report by the Commissioner under *section 26*, by the body (other than a public body, standing prescribed for the purposes of *paragraph 1(5)* of the *First Schedule*) to comply with the provisions of this Act. 45

25.—Ní dhéanfar faisnéis nó taifead nó rud a gheobhaidh an Coimisinéir nó a gheobhaidh oifigigh an Choimisinéara i gcúrsa fheidhmiú a fheidhmeanna nó a feidhmeanna aige nó aici faoin Acht seo a nochtadh ach amháin chun críocha an fheidhmithe sin agus chun críocha aon ráitis, tuarascála nó fógra atá le tabhairt faoin Acht seo agus ní iarrfar ar an gCoimisinéir nó ar oifigigh an Choimisinéara fianaise a thabhairt in aon imeachtaí maidir le nithe a thiocfaidh ar a umhail nó ar a humhail nó ar a n-umhail i gcúrsa an fheidhmithe sin.

Faisnéis a nochtadh.

10 26.—(1) In aon chás ina ndéanfar gearán leis an gCoimisinéir agus ina gcinneadh an Coimisinéir gan imscrúdú a dhéanamh faoin Acht seo nó scor d'imscrúdú den sórt sin, déanfaidh sé nó sí ráiteas i scríbhinn maidir leis na cúiseanna atá aige nó aici leis an gcinneadh a chur chuig an duine a rinne an gearán agus chuig an gcomhlacht poiblí lena mbaineann agus déanfaidh sé nó sí cibé ráiteas i scríbhinn is cuí leis nó léi i ndáil leis an ní a chur chuig cibé duine eile is cuí leis nó léi.

Tuarascáil ar fhionnachtana.

(2) In aon chás ina seolfaidh an Coimisinéir imscrúdú faoin Acht seo, déanfaidh sé nó sí tuarascáil i scríbhinn a ullmhú agus a chur faoina mbráid seo a leanas—

(a) an comhlacht poiblí lena mbaineann,  
(b) an tAire, agus  
(c) i gcás ina ndéanfar gearán leis an gCoimisinéir, an gearánach,  
25 maidir le fionnachtana an imscrúdaithe agus féadfaidh sé nó sí aon mholtaí is cuí leis nó léi, ag féachaint don imscrúdú, a áireamh sa tuarascáil.

(3) Gan dochar *d'fho-alt (2)*, féadfaidh an Coimisinéir tuarascáil eatramhach a eisiúint más cuí leis nó léi déanamh amhlaidh.

30 (4) Féadfaidh an Coimisinéir a iarraidh ar chomhlacht poiblí aon tuairimí a bheidh aige maidir le haon fhionnachtana nó moltaí atá ar áireamh i dtuarascáil faoin alt seo a chur faoina bhráid nó faoina bráid laistigh de thréimhse ama shonraithe.

(5) Más rud é, laistigh de thréimhse ama réasúnach tar éis tuarascáil a bhfuil moltaí inti a chur faoi bhráid comhlachta phoiblí faoi *fho-alt (2)*, nach mbeidh, i dtuairim an Choimisinéara, aon chuid de na moltaí atá sa tuarascáil curtha i ngníomh ag an gcomhlacht sin, féadfaidh an Coimisinéir, tar éis aon fhreagraí a bhreithniú a bheidh tugtha ag an gcomhlacht poiblí dó nó di i leith na moltaí sin, tuarascáil a thabhairt do gach Teach den Oireachtas maidir leis an gcéanna.

40 (6) Cuirfidh an Coimisinéir ag gabháil le gach tuarascáil faoi *fho-alt (5)* cóip de gach freagra (más ann) a bheidh tugtha ag comhlacht poiblí nó thar a cheann ar na moltaí sin.

27.—(1) Féadfaidh an tAire, le toiliú an Aire Airgeadais, scéim cúitimh a dhéanamh lena bhforálfar go n-íocfaidh comhlacht poiblí le cibé daoine cibé suimeanna a bheidh sonraithe sa scéim, i leith aon mhainneachtana, a bheidh sonraithe i dtuarascáil ón gCoimisinéir faoi *alt 26*, ag an gcomhlacht (seachas comhlacht poiblí a bheidh forordaithe chun críocha *mhír 1(5)* den *Chéad Sceideal*) forálacha an Achta seo a chomhlíonadh.

Scéimeanna cúitimh.

(2) Notwithstanding *paragraph (f)* of *section 21*, a scheme under *subsection (1)* may not provide for the payment out of moneys in respect of any failure by a public body to comply with any other enactment relating to the status or use of an official language.

(3) A scheme under *subsection (1)* may be revoked or varied by a subsequent scheme made thereunder. 5

Appeals to the High Court.

**28.**—(1) A party to an investigation under this Act or any other person affected by the findings and recommendations of the Commissioner following such an investigation may appeal to the High Court on a point of law from the decision. 10

(2) An appeal under *subsection (1)* shall be initiated not later than 4 weeks after notice of the relevant findings and recommendations was given to the person bringing the appeal.

(3) (a) Where an appeal under this section by a person, other than a head, is dismissed by the High Court, that Court may, if it considers that the point of law concerned was of exceptional public importance, order that some or all of the costs of the person in relation to the appeal be paid by the public body concerned. 15

(b) The High Court may order that some or all of the costs of a person, other than a head, in relation to a reference under this section be paid by the public body concerned. 20

(4) A decision of the High Court following an appeal under *subsection (1)*, shall, where appropriate, specify the period within which effect shall be given to the decision. 25

Publication of commentaries by Commissioner on practical application etc. of Act.

**29.**—The Commissioner may prepare and publish commentaries on the practical application and operation of the provisions, or any particular provisions, of this Act, including commentaries based on the experience of holders of the office of Commissioner in relation to investigations and findings following investigations, of such holders under this Act. 30

Reports of Commissioner.

**30.**—(1) The Commissioner shall, not later than 6 months after the end of each year, prepare and furnish to the Minister a report, in each of the official languages, on his or her activities in that year. 35

(2) The Minister shall, not later than 2 months after the receipt of the report, cause a copy thereof to be laid before each House of the Oireachtas.

(3) The Commissioner may, if he or she considers it appropriate to do so in the public interest or in the interests of any person, prepare and publish a report in each of the official languages in relation to any investigation carried out or other function performed by him or her under this Act or any matter relating to or arising in the course of such an investigation or performance. 40

(4) In this section “report” does not include a report under *section 26*. 45

(2) D'ainneoin *mhír (f) d'alt 21*, ní fhéadfar a fhoráil le scéim faoi *fho-alt (1)* go n-íocfar airgead i leith aon mhainneachtana ag comhlacht poiblí aon achtachán eile a bhaineann le stádas nó úsáid teanga oifigiúla a chomhlíonadh.

5 (3) Féadfar scéim faoi *fho-alt (1)* a chúlghairm nó a athrú le scéim ina dhiaidh sin arna déanamh faoin bhfo-alt sin.

28.—(1) Féadfaidh páirtí in imscrúdú faoin Acht seo nó aon duine eile a ndéanann fionnachtana agus moltaí an Choimisinéara tar éis imscrúdú den sórt sin difear dó nó di, achomharc a dhéanamh chuig an Ard-Chúirt ar phonc dlí i gcoinne an chinnidh. Achomhairc chuig an Ard-Chúirt.

(2) Déanfar achomharc faoi *fho-alt (1)* a thionscnamh tráth nach déanaí ná 4 sheachtain tar éis fógra maidir leis na fionnachtana agus na moltaí iomchuí a thabhairt don duine a bheidh ag tionscnamh an achomhairc.

15 (3) (a) I gcás ina ndéanfaidh an Ard-Chúirt achomharc faoin alt seo ag duine, seachas ag ceann, a dhíbhe, féadfaidh an Chúirt sin, má mheasann sí gur ghabh tábhacht phoiblí eisceachtúil leis an bponc dlí lena mbaineann, a ordú go ndéanfaidh an comhlacht poiblí lena mbaineann cuid de chostais an duine i ndáil leis an achomharc, nó iad go léir, a íoc.

(b) Féadfaidh an Ard-Chúirt a ordú go ndéanfaidh an comhlacht poiblí lena mbaineann cuid de chostais duine, seachas ceann, i ndáil le tarchur faoin alt seo, nó iad go léir, a íoc.

(4) Maidir le cinneadh ón Ard-Chúirt tar éis achomhairc faoi *fho-alt (1)*, sonrúfar ann, i gcás inar cuí sin, an tréimhse ar laistigh di a thabharfar éifeacht don chinneadh.

29.—Féadfaidh an Coimisinéir tráchtairachtaí ar fheidhm phraiticiúil agus ar oibriú fhorálacha an Achta seo, nó aon fhorálacha áirithe den Acht seo, a ullmhú agus a fhoilsiú, lena n-áirítear tráchtairachtaí a bheidh bunaithe ar thaithí shealbhóirí oifig an Choimisinéara i ndáil le himscrúduithe, agus le fionnachtana tar éis imscrúduithe, de chuid sealbhóirí den sórt sin faoin Acht seo. An Coimisinéir d'fhoilsiú tráchtairachtaí maidir le feidhm phraiticiúil, etc. an Achta.

30. 30.—(1) Déanfaidh an Coimisinéir, tráth nach déanaí ná 6 mhí tar éis dheireadh gach bliana, tuarascáil i ngach ceann de na teangacha oifigiúla maidir lena ghníomhaíochtaí nó lena gníomhaíochtaí sa bhliain sin a ullmhú agus a thabhairt don Aire. Tuarascálacha ón gCoimisinéir.

(2) Déanfaidh an tAire, tráth nach déanaí ná dhá mhí tar éis an tuarascáil a fháil, a chur faoi deara cóip di a leagan faoi bhráid gach Tí den Oireachtas.

(3) Féadfaidh an Coimisinéir, más cuí leis nó léi déanamh amhlaidh ar mhaithe le leas an phobail nó ar mhaithe le leasanna aon duine, tuarascáil a ullmhú agus a fhoilsiú i ngach ceann de na teangacha oifigiúla i ndáil le haon imscrúdú a bheidh déanta aige nó aici nó i ndáil le haon fheidhm eile a bheidh comhlíonta aige nó aici faoin Acht seo nó i ndáil le haon ní a bhaineann le himscrúdú nó le comhlíonadh den sórt sin nó a éiríonn i gcúrsa an chéanna.

(4) San alt seo, ní fholáíonn “tuarascáil” tuarascáil faoi *alt 26*.

Definitions.

**31.**—In this Part, save where the context otherwise requires—

“the Commission” means the body known as An Coimisiún Logainmneacha and established by warrant of the Minister for Finance dated the 24th day of October 1946; 5

“placename” includes the name of any province, county, city, town, village, barony, parish or townland, or of any territorial feature (whether natural or artificial), district, region or place, as shown in the maps of Ordnance Survey Ireland; 10

“placenames order” has the meaning assigned to it by *section 32*.

Placenames orders.

**32.**—(1) Subject to *subsection (2)*, the Minister, having received and considered advice from the Commission, may by order (in this Part referred to as “a placenames order”)—

(a) declare the Irish language version of a placename specified in the order to be such word or words as he or she specifies in the order, 15

(b) amend or revoke a placenames order.

(2) The Minister shall not make a declaration under *subsection (1)* in relation to a place in a Gaeltacht area in respect of which a declaration under Part 18 of the Local Government Act 2001 is in force. 20

(3) Every placenames order shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next subsequent 21 days on which that House has sat after the order is laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder. 25

Construction of words in legal documents.

**33.**—(1) A word or words, declared by the Minister in a placenames order to be the Irish language version of a placename specified in the order, shall be construed in a legal document as referring to the same place and as having the same force and effect as the English language version of the placename so specified unless the contrary intention appears. 30

(2) Where the Minister makes a declaration under *section 32* in respect of a placename in a Gaeltacht area, the English language version of the placename shall no longer have any force and effect as on and from the operative date but without prejudice to anything done before or after that date including the use of that version other than its use— 35

(a) in any Act of the Oireachtas passed after the operative date or any statutory instrument made after that date under any Act, 40

(b) in such maps prepared and published by or with the permission of Ordnance Survey Ireland as may be prescribed, or 45

LOGAINMNEACHA

**31.**—Sa Chuid seo, ach amháin mar a n-éilíonn an comhthéacs a Míithe. mhalairt—

5 ciallaíonn “an Coimisiún” an comhlacht ar a dtugtar an Coimisiún Logainmneacha agus a bunaíodh le barántas ón Aire Airgeadais dar dáta an 24ú lá de Dheireadh Fómhair 1946;

folaíonn “logainm” ainm aon chúige, contae, cathrach, baile, sráidbhaile, barúntachta, paróiste nó baile fearainn, nó ainm aon  
10 ghné tíre (nádúrtha nó saorga), dúiche, limistéir nó áite, mar a thaispeántar ar léarscáileanna Shuirbhéireacht Ordanáis Éireann;

tá le “ordú logainmneacha” an bhrí a shanntar dó le *halt* 32.

**32.**—(1) Faoi réir *fho-alt* (2), féadfaidh an tAire, tar éis dó nó di Orduithe  
15 le hordú (dá ngairtear “ordú logainmneacha” sa Chuid seo)— logainmneacha.

(a) a dhearbhu gurb é an leagan Gaeilge de logainm a bheidh sonraithe san ordú cibé focal nó focail a shonróidh sé nó sí san ordú,

(b) ordú logainmneacha a leasú nó a chúlghairm.

20 (2) Ní dhéanfaidh an tAire dearbhú faoi *fho-alt* (1) i ndáil le háit i limistéar Gaeltachta a bhfuil dearbhú faoi Chuid 18 den Acht Rialtais Áitiúil 2001 i bhfeidhm ina leith.

(3) Leagfar gach ordú logainmneacha faoi bhráid gach Tí den Oireachtas a luaithe is féidir tar éis a dhéanta agus má dhéanann  
25 ceachtar Teach acu sin, laistigh den 21 lá a shuífidh an Teach sin tar éis an t-ordú a leagan faoina bhráid, rún a rith ag neamhniú an ordaithe, beidh an t-ordú ar neamhniú dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin ordú.

**33.**—(1) Focal nó focail a mbeidh dearbhaithe ag an Aire in ordú Forléiriú focal i  
30 logainmneacha gurb é an leagan Gaeilge é, nó gurb iad an leagan Gaeilge iad, de logainm a bheidh sonraithe san ordú, forléireofar i ndoiciméad dlíthiúil, mura léir a mhalairt d’intinn, é nó iad a bheith ag tagairt don áit chéanna agus a bheith ar chomhfheidhm agus ar chomhéifeacht leis an leagan Béarla den logainm a bheidh sonraithe  
35 amhlaidh.

(2) I gcás ina ndéanfaidh an tAire dearbhú faoi *alt* 32 i leith logainm i limistéar Gaeltachta, ní bheidh aon fheidhm ná éifeacht a thuilleadh leis an leagan Béarla den logainm amhail ar an agus ón dáta feidhme ach sin gan dochar d’aon ní arna dhéanamh roimh an  
40 dáta sin nó dá éis lena n-áirítear úsáid an leagain sin seachas a úsáid—

(a) in aon Acht den Oireachtas a rithfear tar éis an dáta feidhme nó in aon ionstraim reachtúil a dhéanfar tar éis an dáta sin faoi aon Acht,

45 (b) i cibé léarscáileanna, arna n-ullmhú agus arna bhfoilsíú ag Suirbhéireacht Ordanáis Éireann nó le cead uaithi, a bheidh forordaithe, nó

(c) on a road or street sign erected by or on behalf of a local authority.

(3) In this section—

“legal document” means—

(a) any Act of the Oireachtas passed after the operative date, any statutory instrument made after that date under any Act or the official translation of any Act or instrument; 5

(b) any instrument having or intended to have legal effect or consequences and executed on or after the operative date; 10

(c) any document used in or for the purposes of legal proceedings, and made, issued or served on or after the operative date,

“the operative date” means the date on which the relevant place-names order comes into operation. 15

Amendment of Ordnance Survey Ireland Act 2001.

**34.**—The Ordnance Survey Ireland Act 2001 is amended by the substitution of the following for paragraph (h) of section 4(2):

“(h) to depict placenames and ancient features in the national mapping and related records and databases in the Irish language or in the English and Irish languages.” 20

Repeal.

**35.**—The Place-Names (Irish Forms) Act 1973 is repealed.

## PART 6

### MISCELLANEOUS

Role of Ombudsman.

**36.**—Nothing in this Act shall prohibit the investigation by the Ombudsman, pursuant to subsection (2) of section 4 of the Ombudsman Act 1980, of any action taken by or on behalf of a Department of State or other person specified in Part 1 of the First Schedule to that Act. 25

(c) ar chomhartha bóthair nó sráide arna chur suas ag údarás áitiúil nó thar a cheann.

(3) San alt seo—

ciallaíonn “doiciméad dlíthiúil”—

5 (a) aon Acht den Oireachtas a rithfear tar éis an dáta feidhme, aon ionstraim reachtúil a dhéanfar tar éis an dáta sin faoi aon Acht nó an tiontú oifigiúil ar aon Acht nó ionstraim;

10 (b) aon ionstraim a bhfuil éifeacht dhlíthiúil nó iarmhairtí dlíthiúla aici nó a mbeartaítear an éifeacht nó na hiarmhairtí sin a bheith aici agus a fhorghníomhófar ar an dáta feidhme nó dá éis;

(c) aon doiciméad a úsáidtear in imeachtaí dlíthiúla nó chun críocha imeachtaí dlíthiúla agus a dhéanfar, a eiseofar nó a sheirbheálfar ar an dáta feidhme nó dá éis,

15 ciallaíonn “an dáta feidhme” an dáta a dtiocfaidh an t-ordú logainmneacha iomchuí i ngníomh.

**34.**—Leasaítear an tAcht um Shuirbhéireacht Ordanáis Éireann 2001 tríd an méid seo a leanas a chur in ionad mhír (h) d’alt 4(2):

Leasú ar an Acht um Shuirbhéireacht Ordanáis Éireann 2001.

20 “(h) logainmneacha agus gnéithe seanda sna taifid agus sna bunachair sonraí léarscáilíochta náisiúnta agus i dtairfid agus i mbunachair sonraí ghaolmhara a thaispeáint i nGaeilge nó i mBéarla agus i nGaeilge.”

**35.**—Aisghairtear an tAcht Logainmneacha (Foirmeacha Gaeilge) 1973.

Aisghairm.

25 CUID 6

#### ILGHNÉITHEACH

30 **36.**—Ní thoirmiscfidh aon ní san Acht seo ar an Ombudsman imscrúdú a dhéanamh, de bhun fho-alt (2) d’alt 4 den Acht Ombudsman 1980, ar aon ghníomh a rinne Roinn Stáit nó duine eile a shonraítear i gCuid 1 den Chéad Scedeal a ghabhann leis an Acht sin, nó a rinneadh thar a cheann nó thar a ceann.

Ról an Ombudsman.

## PUBLIC BODIES

1. Each of the following shall be a public body for the purposes of this Act:

- |   |    |
|---|----|
| (1) Department of Agriculture and Food  | 5  |
| Department of Arts, Sport and Tourism   |    |
| Department of Communications, Marine and Natural Resources                    |    |
| Department of Community, Rural and Gaeltacht Affairs                          |    |
| Department of Defence   | 10 |
| Department of Education and Science   |    |
| Department of Enterprise, Trade and Employment                                |    |
| Department of Finance   |    |
| Department of Foreign Affairs   |    |
| Department of Health and Children   | 15 |
| Department of Justice, Equality and Law Reform                                |    |
| Department of Public Enterprise   |    |
| Department of Social and Family Affairs                                       |    |
| Department of the Environment and Local Government                            |    |
| Department of the Taoiseach   | 20 |
| Department of Transport   |    |
| Office of the Director of Consumer Affairs                                    |    |
| Central Statistics Office   |    |
| Chief State Solicitor's Office  |    |
| Office of the Civil Service and Local Appointments Commissioners              | 25 |
| Office of the Attorney General  |    |
| Office of the Comptroller and Auditor General                                 |    |
| Office of the Director of Public Prosecutions                                 |    |
| Office of the Houses of the Oireachtas  | 30 |
| Office of the President   |    |
| Office of the Revenue Commissioners   |    |
| (2) Agencies, Boards, State Companies (commercial and non-commercial)         |    |
| a regional assembly   | 35 |
| the Eastern Regional Health Authority and an area health board                |    |
| a regional authority  |    |
| a university or other third level institution                                 |    |
| a vocational education committee  | 40 |
| Advisory Committee on Cultural Relations                                      |    |
| Aer Lingus Group plc  |    |
| Aer Rianta cpt  |    |
| An Bord Altranais   |    |
| An Bord Bia   | 45 |
| An Bord Glas  |    |
| An Bord Pleanála  |    |
| An Bord Uchtála   |    |
| An Chomhairle Leabharlanna  |    |
| An Chomhairle um Oideachas Gaeltachta agus Gael-scolaíochta                   | 50 |
| An Coimisiún Logainmneacha  |    |
| An Foras Áiseanna Saothair (FÁS)  |    |
| An Implementation Body established under the British-Irish Agreement Act 1999 | 55 |
| An Post   |    |
| An tÚdarás um Ard-Oideachas   |    |
| APSO (Agency for Personal Service Overseas)                                   |    |

## COMHLACHTAÍ POIBLÍ

1. Is comhlacht poiblí é gach ceann díobh seo a leanas chun críocha an Achta seo:

- 5 (1) An Roinn Talmhaíochta agus Bia  
 An Roinn Ealaíon, Spóirt agus Turasóireachta  
 An Roinn Cumarsáide, Mara agus Acmhainní Nádurtha  
 An Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta  
 An Roinn Cosanta
- 10 An Roinn Oideachais agus Eolaíochta  
 An Roinn Fiontar, Trádála agus Fostaíochta  
 An Roinn Airgeadais  
 An Roinn Gnóthaí Eachtracha  
 An Roinn Sláinte agus Leanaí
- 15 An Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí  
 An Roinn Fiontar Poiblí  
 An Roinn Gnóthaí Sóisialacha agus Teaghlaigh  
 An Roinn Comhshaoil agus Rialtais Áitiúil  
 Roinn an Taoisigh
- 20 An Roinn Iompair  
 Oifig an Stiúrthóra Gnóthaí Tomhaltóirí  
 An Phríomh-Oifig Staidrimh  
 Oifig an Phríomh-Aturnae Stáit  
 Oifig Choimisinéirí na Státseirbhíse agus na gCoimisinéirí um
- 25 Cheapacháin Áitiúla  
 Oifig an Ard-Aighne  
 Oifig an Ard-Reachtaire Cuntas agus Ciste  
 Oifig an Stiúrthóra Ionchúiseamh Poiblí  
 Oifig Thithe an Oireachtais
- 30 Oifig an Uachtaráin  
 Oifig na gCoimisinéirí Ioncaim

(2) Gníomhaireachtaí, Boird, Cuideachtaí Stáit (tráchtála agus neamhtráchtála):

- 35 tionól réigiúnach  
 Údarás Sláinte Réigiúnach an Oirthir agus bord sláinte limistéir  
 údarás réigiúnach  
 ollscoil nó foras tríú leibhéal eile  
 coiste gairmoideachais
- 40 Comhar Cultúra Éireann  
 Grúpa Aer Lingus cpt  
 Aer Rianta cpt  
 An Bord Altranais  
 An Bord Bia
- 45 An Bord Glas  
 An Bord Pleanála  
 An Bord Uchtála  
 An Chomhairle Leabharlanna  
 An Chomhairle um Oideachas Gaeltachta agus Gael-
- 50 scolaíochta  
 An Coimisiún Logainmneacha  
 An Foras Áiseanna Saothair (FÁS)  
 Comhlacht Forfheidhmithe arna bhunú faoin Acht um Chomh-
- 55 aontú na Breataine-na hÉireann 1999  
 An Post  
 An tÚdarás um Ard-Oideachas  
 APSO (an Ghníomhaireacht um Sheirbhís Phearsanta Thar Lear)

Area Development Management Limited	
Area Partnership Boards	
Arramara Teoranta	
Bioresearch Ireland	
Bord Fáilte Éireann	5
Bord Gáis Éireann	
Bord Iascaigh Mhara	
Bord na gCon	
Bord na Leabhar Gaeilge	
Bord na Móna	10
Bord na Radharcmhastóirí	
Bord Scannán na hÉireann	
Broadcasting Commission of Ireland	
Broadcasting Complaints Commission	
Bus Átha Cliath	15
Bus Éireann	
C.E.R.T. Limited	
Central and Regional Fisheries Boards	
Central Bank and Financial Services Authority of Ireland	
Chester Beatty Library	20
Coillte Teoranta	
Coiste an Asgard	
Comhairle	
Comhairle na Nimheanna	
Comhairle na nOspidéal	25
Comhar — The National Sustainable Development Partnership	
Commission for Aviation Regulation	
Commission for Communications Regulation	
Commission for Energy Regulation	30
Córas Iompair Éireann	
County Enterprise Boards	
Crafts Council of Ireland	
Crisis Pregnancy Agency	
Data Protection Commissioner	35
Defence Forces Canteen Board	
Dental Council	
District Registrars of Marriages appointed under the terms of section 57 of the Marriages (Ireland) Act 1844	
Drug Treatment Centre Board	40
Dublin Dental Hospital Board	
Dublin Docklands Development Authority	
Dublin Institute for Advanced Studies	
Dublin Transportation Office	
Economic and Social Research Institute	45
Electricity Supply Board	
Energy Advisory Board	
Enterprise Ireland	
Fire Services Council	
Food Safety Authority of Ireland	50
Forfás	
Further Education and Training Awards Council	
General Medical Services Payment Board	
General Register Office	
Government Information Services	55
Harbour Authorities within the meaning of the Harbours Act 1946	
Harbour Companies referred to in section 7 of the Harbours Act 1996	
Health and Safety Authority	60
Health Research Board	
Health Service Employers Agency	

	<i>Area Development Management Limited</i>
	Boird Chomhpháirtíochta Limistéir
	Arramara Teoranta
	Bith-Thaighde Éireann
5	Bord Fáilte Éireann
	Bord Gáis Éireann
	Bord Iascaigh Mhara
	Bord na gCon
	Bord na Leabhar Gaeilge
10	Bord na Móna
	Bord na Radharcmhastóirí
	Bord Scannán na hÉireann
	Coimisiún Craolacháin na hÉireann
	An Coimisiún um Ghearáin Chraolacháin
15	Bus Átha Cliath
	Bus Éireann
	An Chomhairle um Oideachas, Earcaíocht agus Oiliúint (C.E.R.T. <i>Limited</i> )
	An Príomh-Bhord Iascaigh agus Boird Iascaigh Réigiúnacha
20	Banc Ceannais agus Údarás Seirbhísí Airgeadais na hÉireann
	Leabharlann Chester Beatty
	Coillte Teoranta
	Coiste an Asgard
	Comhairle
25	Comhairle na Nimheanna
	Comhairle na nOspidéal
	Comhar—An Chomhpháirtíocht Náisiúnta Forbartha Inmharthana
	An Coimisiún um Rialáil Eitlíochta
	An Coimisiún um Rialáil Cumarsáide
30	An Coimisiún um Rialáil Fuinnimh
	Córas Iompair Éireann
	Boird Fiontar Contae
	Comhairle Cheardaíochta na hÉireann
	An Ghníomhaireacht um Thoirchis Ghéarchéime
35	An Coimisinéir Cosanta Sonraí
	Bord Ceaintín na bhFórsaí Cosanta
	An Chomhairle Fiaclóireachta
	Clárathóirí Ceantair Póstaí arna gceapadh faoi théarmaí alt 57 den <i>Marriages (Ireland) Act 1844</i>
40	Bord an Lárionaid Cóireála Drugaí
	Bord Ospidéal Déidliachta Bhaile Átha Cliath
	Údarás Forbartha Dugthailte Bhaile Átha Cliath
	Institiúid Ard-Léinn Bhaile Átha Cliath
	Oifig Iompair Bhaile Átha Cliath
45	An Institiúid Taighde Eacnamaíochta agus Sóisialta
	Bord Soláthair an Leictreachais
	An Bord Comhairleach Fuinnimh
	Fiontraíocht Éireann
	Comhairle na Seirbhísí Dóiteáin
50	Údarás Sábháilteachta Bia na hÉireann
	Forfás
	Comhairle na nDámhachtainí Breisoideachais agus Oiliúna
	An Bord Seirbhísí Liachta Ginearálta (Íocaíochtaí)
	An Phríomh-Oifig Chlárúcháin
55	Seirbhísí Eolais an Rialtais
	Údarás Chuain de réir bhrí an Achta Cuanta 1946
	Cuideachtaí Cuain dá dtagraítear in alt 7 den Acht Cuanta 1996
	An tÚdarás Sláinte agus Sábháilteachta
60	An Bord Taighde Sláinte
	An Ghníomhaireacht um Fhostóirí Seirbhíse Sláinte

Higher Education and Training Awards Council	
Horse Racing Ireland	
Hospital Bodies Administrative Bureau	
Hospitals Trust Board	
Housing Finance Agency plc	5
I.D.A. Ireland	
Iarnród Éireann	
Institiúid Teangeolaíochta Éireann	
Institute of Public Administration	
International Development Ireland Limited	10
Irish Aid Advisory Committee	
Irish Aviation Authority	
Irish Blood Transfusion Service	
Irish Council for Science, Technology and Innovation	
Irish Fertiliser Industries Limited	15
Irish Financial Services Appeals Tribunal	
Irish Financial Services Regulatory Authority	
Irish Museum of Modern Art	
Irish National Petroleum Corporation Limited	
Irish National Stud Company Limited	20
Irish Productivity Centre	
Irish Red Cross Society	
Irish Telecommunications Investments plc	
LEADER Groups	
Leopardstown Park Hospital Board	25
Levy Appeals Tribunal	
Local Employment Service Boards	
Local Government Computer Services Board	
Local Government Management Services Board	
Marine Institute	30
Medical Bureau of Road Safety	
Mental Health Commission	
National Authority for Occupational Safety and Health	
National Building Agency Limited	
National Cancer Registry Board	35
National Centre for Partnership and Performance	
National Committee for Development Education	
National Concert Hall	
National Council on Ageing and Older People	
National Council for Professional Development of Nursing and Midwifery	40
National Council for Special Education	
National Disability Authority	
National Economic and Social Council	
National Economic and Social Forum	45
National Gallery of Ireland	
National Library of Ireland	
National Microelectronics Applications Centre Ltd.	
National Milk Agency	
National Museum of Ireland	50
National Qualifications Authority of Ireland	
National Rehabilitation Board	
National Roads Authority	
National Safety Council	
National Social Work Qualification Board	55
National Standards Authority of Ireland	
National Statistics Board	
National Technology Park Plassey Ltd.	
National Theatre Society Limited (Abbey Theatre)	

- Comhairle na nDámhachtainí Ardoideachais agus Oiliúna  
 Rásaíocht Capall Éireann  
 Biúró Riaracháin na gComhlachtaí Ospidéal  
 Bord Iontaobhais na nOspidéal  
 5 An Ghníomhaireacht Airgeadais do Thithe cpt  
 G.F.T. Éireann  
 Iarnród Éireann  
 Institiúid Teangeolaíochta Éireann  
 An Foras Riaracháin  
 10 *International Development Ireland Limited*  
 Coiste Comhairleach na hÉireann um Chúnammh  
 Údarás Eitlíochta na hÉireann  
 Seirbhís Fuilaistriúcháin na hÉireann  
 Comhairle na hÉireann um Eolaíocht, Teicneolaíocht agus  
 15 Nuáil  
 Tionscail Leasacháin na hÉireann Teoranta  
 Binse Achomhairc Seirbhísí Airgeadais na hÉireann  
 Údarás Rialála Seirbhísí Airgeadais na hÉireann  
 Áras Nua-Ealaíne na hÉireann  
 20 Corparáid Náisiúnta Pheitriúil na hÉireann Teoranta  
 Comhlacht Graí Náisiúnta na hÉireann Teoranta  
 Airmheán Táirgiúlachta na hÉireann  
 Cumann Croise Deirge na hÉireann  
 Infheistíochtaí Teileachumarsáide na hÉireann cpt  
 25 Grúpaí LEADER  
 Bord Ospidéal Pháirc Bhaile na Lobhar  
 An Binse Achomhairc Tobhach  
 Boird Seirbhíse Fostaíochta Áitiúla  
 An Bord Seirbhísí Ríomhaire Rialtais Áitiúil  
 30 An Bord Seirbhísí Bainistíochta Rialtais Áitiúil  
 Foras na Mara  
 An Lia-Bhiúró um Shábháilteacht ar Bhóithre  
 An Coimisiún Meabhair-Shláinte  
 An tÚdarás Náisiúnta um Shábháilteacht agus Sláinte Ceirde  
 35 An Ghníomhaireacht Foirgníochta Náisiúnta Teoranta  
 An Bord um an gClárlann Náisiúnta Ailse  
 An tIonad Náisiúnta Comhpháirtíochta agus Feidhmíochta  
 An Coiste Náisiúnta um Oideachas Foráis  
 An Ceoláras Náisiúnta  
 40 An Chomhairle Náisiúnta um Dhul in Aois agus Daoine  
 Scothaosta  
 An Chomhairle Náisiúnta um Fhorbairt Ghairmiúil an  
 Altranais agus an Chnámhseachais  
 An Chomhairle Náisiúnta um Oideachas Speisialta  
 45 An tÚdarás Náisiúnta Míchumais  
 An Chomhairle Náisiúnta Eacnamaíoch agus Sóisialach  
 An Fóram Náisiúnta Eacnamaíoch agus Sóisialach  
 Dánlann Náisiúnta na hÉireann  
 Leabharlann Náisiúnta na hÉireann  
 50 An Lárionad Náisiúnta um Fheidhmiúcháin na Micrileic-  
 treonaice Teo.  
 An Ghníomhaireacht Náisiúnta Baine  
 Ard-Mhúsaem na hÉireann  
 Údarás Náisiúnta Cáilíochtaí na hÉireann  
 55 An Bord Náisiúnta Athshlánúcháin  
 An tÚdarás um Bóithre Náisiúnta  
 An Chomhairle Sábháilteachta Náisiúnta  
 An Bord Cáilíochtaí Náisiúnta d'Obair Shóisialta  
 An tÚdarás um Chaighdeán Náisiúnta na hÉireann  
 60 An Bord Náisiúnta Staidrimh  
*National Technology Park Plassey Ltd.*  
 An Chuideachta Amharclann Náisiúnta Teoranta  
 (Amharclann na Mainistreach)

National Treasury Management Agency	
Nítrigin Éireann Teoranta	
Office for Health Management	
Office of the Director of Corporate Enforcement	
Office of the Director of Equality Investigations	5
Office of the Paymaster General	
Office of the Refugee Applications Commissioner	
Office of Tobacco Control	
Ordnance Survey Ireland	
Patents Office	10
Pharmaceutical Society of Ireland	
Postgraduate Medical and Dental Board	
Public Voluntary Hospitals	
Radiological Protection Institute of Ireland	
Radio Telefís Éireann	15
Raidió na Gaeltachta	
Refugee Agency	
Refugee Appeals Tribunal	
Registrars of Births, Deaths and Roman Catholic Marriages	
Registration Council for Secondary Teachers	20
Registry of Deeds	
Rights Commissioners	
Shannon Free Airport Development Company Limited (SFADCo)	
Standards in Public Office Commission	25
State Laboratory	
Sustainable Energy Ireland	
Teagasc	
TEASTAS	
Teilifís na Gaeilge	30
Temple Bar Properties Limited	
Temple Bar Renewal Limited	
the Aquaculture Licences Appeals Board	
the Army Pensions Board	
the Arts Council (An Chomhairle Ealaíon)	35
the Censorship of Films Appeals Board	
the Censorship of Publications Appeals Board	
the Censorship of Publications Board	
the Combat Poverty Agency	
the Commissioners of Charitable Donations and Bequests for Ireland	40
the Commissioners of Public Works	
the Companies Registration Office	
the Competition Authority	
the Courts Service	45
the Criminal Injuries Compensation Tribunal	
the Defence Forces	
the Employment Appeals Tribunal	
the Environmental Protection Agency	
the Equality Authority	50
the Garda Síochána	
the Garda Síochána Complaints Appeals Board	
the Garda Síochána Complaints Board	
the Health Insurance Authority	
the Heritage Council	55
the Human Rights Commission	
the Information Society Commission	

	Gníomhaireacht Bainistíochta an Chisteáin Náisiúnta
	Nítrigin Éireann Teoranta
	An Oifig Bainistíochta Sláinte
	Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach
5	Oifig an Stiúrthóra Imscrúduithe Comhionannais
	Oifig an Phámháistir Ghinearálta
	Oifig an Choimisinéara Iarratais do Dhídeanaithe
	An Oifig um Rialú Tobac
	Suirbhéireacht Ordanáis Éireann
10	Oifig na bPaitinní
	Cumann Cógaiseoirí na hÉireann
	An Bord Míochaine agus Déidliachta Iarchéime
	Ospidéal Shaorálacha Phoiblí
	An Institiúid Éireannach um Chosaint Raideolaíoch
15	Radio Telefís Éireann
	Raidió na Gaeltachta
	An Ghníomhaireacht Dídeanaithe
	An Binse Achomhairc do Dhídeanaithe
	Cláraitheoirí Breitheanna, Básanna agus Póstaí Caitliceacha
20	Rómhánacha
	Comhairle Chláraitheachta na Meánmhúinteoirí
	Clárlann na nGníomhas
	Coimisinéirí um Chearta
	Cuideachta Forbartha Aerfort Neamhchustam na Sionna
25	Teoranta (SFADCo)
	An Coimisiún um Chaighdeáin in Oifigí Poiblí
	An tSaotharlann Stáit
	Fuinneamh Inmharthana Éireann
	Teagasc
30	TEASTAS
	Teilifís na Gaeilge
	<i>Temple Bar Properties Limited</i>
	<i>Temple Bar Renewal Limited</i>
	An Bord Achomhairc um Cheadúnais Dobharshaothraithe
35	Bord na nArm-Phinsean
	An Chomhairle Ealaíon
	An Bord Achomhairc um Scrúdóireacht Scannán
	An Bord Achomhairc um Chinsireacht Foilseachán
	An Bord um Chinsireacht Foilseachán
40	An Ghníomhaireacht do Chomhrac na Bochtaine
	Coimisinéirí na dTabhartas agus na dTiomnachtaí Carthanúla
	d'Éirinn
	Coimisinéirí na nOibreacha Poiblí
	An Oifig um Chlárú Cuideachtaí
45	An tÚdarás Iomaíochta
	An tSeirbhís Chúirteanna
	An Binse Cúitimh i leith Díobhálacha Coiriúla
	Óglaigh na hÉireann
	An Binse Achomhairc Fostaíochta
50	An Ghníomhaireacht um Chaomhnú Comhshaoil
	An tÚdarás Comhionannais
	An Garda Síochána
	An Bord Achomhairc um Ghearáin i gcoinne an Gharda
	Síochána
55	An Bord um Ghearáin i gcoinne an Gharda Síochána
	An tÚdarás Árachais Sláinte
	An Chomhairle Oidhreachta
	An Coimisiún um Chearta an Duine
	Coimisiún na Sochaí Faisnéise

the Ireland-United States Commission for Educational Exchange	
the Irish Manuscripts Commission	
the Irish Medicines Board	
the Irish Prison Service	5
the Irish Sports Council	
the Irish Water Safety Association	
the Labour Court	
the Labour Relations Commission	
the Land Registry	10
the Law Reform Commission	
the Legal Aid Board	
the Medical Council	
the Mining Board	
the National Archives	15
the National Archives Advisory Council	
the National Centre for Guidance in Education	
the National Competitiveness Council	
the National Council for Curriculum and Assessment	
the National Council for Forest Research and Development (COFORD)	20
the National Council for Vocational Awards	
the National Lottery	
the Office of the Appeal Commissioners for the purposes of the Tax Acts	25
the Office of the Chief Medical Officer for the Civil Service	
the Office of the Information Commissioner	
the Office of the Official Censor of Films	
the Office of the Ombudsman	
the Office of the Registrar of Friendly Societies	30
the Pensions Board	
the Probation and Welfare Service	
the Referendum Commission	
the Rent Tribunal	
the Social Welfare Tribunal	35
the State Examinations Commission	
the Valuation Office	
the Valuation Tribunal	
Údarás na Gaeltachta	
Veterinary Council	40
Voluntary Health Insurance Board	
Western Development Commission	
Women's Health Council	
(3) a local authority,	
(4) a health board,	45
(5) any body, organisation or group standing prescribed for the time being, with the consent of such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government, and being—	
(a) a body, organisation or group that receives moneys directly from a Minister of the Government, a Department of State, the Central Fund or a public body specified in <i>sub-paragraph (2), (3) or (4)</i> of this paragraph in circumstances where the amount or aggregate of the amounts so received constitutes 50 per cent or more of the current expenditure of that body, organisation or group in a financial year,	50 55

- Coimisiún na hÉireann-na Stát Aontaithe um Malartú Oide-  
achasúil
- Coimisiún Lámhscríbhinní na hÉireann
- Bord Leigheasra na hÉireann
- 5 Seirbhís Phríosúin na hÉireann
- Comhairle Spóirt na hÉireann
- An Comhlachas Snámha agus Tarrthála
- An Chúirt Oibreachais
- An Coimisiún um Chaidreamh Oibreachais
- 10 Clárlann na Talún
- An Coimisiún um Athchóiriú an Dlí
- An Bord um Chúnaimh Dlíthiúil
- Comhairle na nDochtúirí Leighis
- An Bord Mianadóireachta
- 15 An Chartlann Náisiúnta
- An Chomhairle um an gCartlann Náisiúnta
- An Lárionad Náisiúnta um Threoir san Oideachas
- An Chomhairle Náisiúnta Iomaíochais
- An Chomhairle Náisiúnta Curaclaim agus Measúnachta
- 20 An Chomhairle Náisiúnta um Thaighde agus Forbairt Foraoise (COFORD)
- Comhairle Náisiúnta na gCáilíochtaí Gairmoideachais
- An Crannchur Náisiúnta
- Oifig na gCoimisinéirí Achomhairc chun críocha na nAchtanna Cánach
- 25 Oifig an Phríomh-Dhochtúra Oifigiúil don Státseirbhís
- Oifig an Choimisinéara Faisnéise
- Oifig Scrúdóir Oifigiúil na Scannán
- Oifig an Ombudsman
- 30 Oifig Chláraitheoir na gCara-Chumann
- An Bord Pinsean
- An tSeirbhís Phromhaidh agus Leasa
- An Coimisiún Reifrinn
- An Binse Cíosa
- 35 An Binse Leasa Shóisialaigh
- An Coimisiún um Scrúduithe Stáit
- An Oifig Luachála
- An Binse Luachála
- Údarás na Gaeltachta
- 40 Comhairle na dTréidlianna
- An Bord Árachais Sláinte Shaorálaigh
- Coimisiún Forbartha an Iarthair
- Comhairle Sláinte na mBan

(3) údarás áitiúil,

45 (4) bord sláinte,

(5) aon chomhlacht, eagraíocht nó grúpa a bheidh forordaithe de thuras na huaire, le toiliú cibé Aire eile (más ann) den Rialtas is cuí leis an Aire ag féachaint d'fheidhmeanna an Aire eile sin den Rialtas, agus arb éard a bheidh ann—

50 (a) comhlacht, eagraíocht nó grúpa a fhaigheann airgead go díreach ó Aire den Rialtas, ó Roinn Stáit, ón bPríomh-Chiste nó ó chomhlacht poiblí a shonraítear i *bhfomhír* (2), (3) nó (4) den mhír seo in imthosca inarb éard é an méid, nó comhiomlán na méideanna, a fhaightear

55 amhlaidh 50 faoin gcéad nó níos mó de chaiteachas reatha an chomhlachta, na heagraíochta nó an ghrúpa sin i mbliain airgeadais,

- (b) a body, organisation or group that at the date of the coming into operation of this Schedule is a public body but subsequently comes under private ownership and control,
  - (c) a body, organisation or group performing functions which previously stood vested in a body, organisation or group under public ownership or control, or 5
  - (d) any other body, organisation or group on which functions in relation to the general public or a class of the general public stand conferred or permitted by any enactment or by any licence or authority given under any enactment. 10
2. A body, organisation or group standing prescribed pursuant to regulations for the purposes of *clause (b) of paragraph 1(5)* shall be a public body only as respects functions referred to in that clause.
3. The Minister may, with the consent of such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government, by regulations amend *subparagraph (2) of paragraph 1* by the insertion or deletion of a reference to any public body. 15
4. A reference in *paragraph 1* to any particular Department of State shall be construed as— 20
- (a) including a reference to a body, organisation or group specified in relation to that Department of State in the Schedule to the Ministers and Secretaries Act 1924 (not being another public body specified in that paragraph), and
  - (b) not including any other body, organisation or group. 25

- (b) comhlacht, eagraíocht nó grúpa ar comhlacht poiblí é nó í ar an dáta a dtiocfaidh an Sceideal seo i ngníomh ach a thagann faoi úinéireacht phríobháideach agus faoi rialú príobháideach ina dhiaidh sin,
- 5 (c) comhlacht, eagraíocht nó grúpa a chomhlíonann feidhmeanna a bhí dílsithe le dlí roimhe sin do chomhlacht, eagraíocht nó grúpa faoi úinéireacht phoiblí nó rialú poiblí, nó
- 10 (d) aon chomhlacht, eagraíocht nó grúpa eile a bhfuil feidhmeanna i ndáil leis an bpobal i gcoitinne, nó le haicme den phobal i gcoitinne, tugtha nó ceadaithe dó nó di le haon achtachán nó le haon cheadúnas nó údarás arna thabhairt faoi aon achtachán.
2. Ní comhlacht poiblí comhlacht, eagraíocht nó grúpa a bheidh forordaithe de bhun rialachán chun críocha *chlásal (b)* de *mhír 1(5)* ach amháin i leith feidhmeanna dá dtagraítear sa chlásal sin.
3. Féadfaidh an tAire, le toiliú cibé Aire eile (más ann) den Rialtas is cuí leis an Aire ag féachaint d'fheidhmeanna an Aire eile sin den Rialtas, *fomhír (2)* de *mhír 1* a leasú, le rialacháin, trí thagairt d'aon chomhlacht poiblí a chur isteach nó a scriosadh.
- 20 4. Déanfar tagairt i *mír 1* d'aon Roinn áirithe Stáit a fhorléiriú—
- (a) mar thagairt a fholaíonn tagairt do chomhlacht, d'eagraíocht nó do ghrúpa atá sonraithe i ndáil leis an Roinn Stáit sin sa Sceideal a ghabhann leis an Acht Airí agus Rúnaithe 1924 (nach comhlacht poiblí eile é atá sonraithe sa mhír sin), agus
- 25 (b) mar thagairt nach bhfolaíonn aon chomhlacht, eagraíocht nó grúpa eile.

## AN COIMISINÉIR TEANGA

1. Subject to the provisions of this Schedule, a person appointed to be the Commissioner shall hold the office for a term of 6 years and may be re-appointed to the office for a second or subsequent term. 5

2. A person appointed to be the Commissioner—

(a) may at his or her request be relieved of office by the President,

(b) may be removed from office by the President but shall not be removed from office except for stated misbehaviour, incapacity or bankruptcy and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for his or her removal, and 10

(c) shall in any case vacate the office on attaining the age of 67 years. 15

3. (1) Where a person who holds the office of Commissioner is—

(a) nominated as a member of Seanad Éireann,

(b) elected as a member of either House of the Oireachtas or a local authority or to the European Parliament, or 20

(c) regarded, pursuant to section 15 (inserted by the European Parliament Elections Act 1993) of the European Assembly Elections Act 1977 as having been elected to the European Parliament to fill a vacancy,

he or she shall thereupon cease to be the Commissioner. 25

(2) A person who is for the time being entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a member of the European Parliament or a local authority shall, while he or she is so entitled or is such a member, be disqualified for being appointed to be the Commissioner. 30

4. A person who holds the office of Commissioner shall not hold any other office or employment in respect of which emoluments are payable or be a member of the Reserve Defence Force.

5. The Commissioner shall be paid, out of moneys provided by the Oireachtas, such remuneration and allowances for expenses as the Minister, with the consent of the Minister for Finance, may from time to time determine. 35

6. (1) The Minister may make and carry out, in accordance with its terms, a scheme or schemes for the granting of pensions, gratuities

## AN COIMISINÉIR TEANGA

1. Faoi réir fhorálacha an Sceidil seo, beidh duine a cheapfar mar Choimisinéir i seilbh oifige go ceann téarma 6 bliana agus féadfar é  
5 nó í a athcheapadh chun na hoifige don dara téarma nó do théarma dá éis.

2. Aon duine a cheapfar mar Choimisinéir—

- (a) féadfaidh an tUachtarán, ar an duine á iarraidh sin, é nó í a scaoileadh ó oifig,
- 10 (b) féadfaidh an tUachtarán é nó í a chur as oifig ach ní chuirfear as oifig é nó í ach amháin mar gheall ar mhí-iompar sonraithe, éagumas nó féimheacht ná ansin féin ach tar éis do Dháil Éireann agus do Sheanad Éireann rúin a rith ag éileamh é nó í a chur as oifig, agus
- 15 (c) éireoidh sé nó sí as oifig ar chaoi ar bith ar 67 mbliana d'aois a shlánú.

3. (1) Más rud é, i gcás duine a shealbhaíonn oifig an Choimisinéara—

- (a) go n-ainmneofar é nó í mar chomhalta de Sheanad Éireann,
- 20 (b) go dtoghfear é nó í mar chomhalta de cheachtar Teach den Oireachtas nó d'údarás áitiúil nó chun Parlaimint na hEorpa, nó
- (c) go measfar, de bhun alt 15 (a cuireadh isteach leis an Acht um Thoghcháin do Pharlaimint na hEorpa 1993) den  
25 Acht um Thoghcháin do Thionól na hEorpa 1977 é nó í a bheith tofa chun Parlaimint na hEorpa chun folúntas a líonadh,

scoirfidh sé nó sí, air sin, de bheith ina Choimisinéir nó ina Coimisinéir.

30 (2) Duine a bheidh de thuras na huaire i dteideal faoi Bhuan-Orduithe ceachtar Tí den Oireachtas suí sa Teach sin nó is comhalta de Pharlaimint na hEorpa nó d'údarás áitiúil, beidh sé nó sí, fad a bheidh sé nó sí i dteideal amhlaidh nó ina chomhalta nó ina comhalta den sórt sin, dícháilithe chun a cheaptha nó a ceaptha mar  
35 Choimisinéir.

4. Aon duine a bheidh i seilbh oifig an Choimisinéara ní shealbhaíodh sé nó sí aon oifig nó fostaíocht eile a bhfuil díolaíochtaí iníoctha ina leith ná ní bheidh sé nó sí ina chomhalta nó ina comhalta de na hÓglaigh Cúltaca.

40 5. Íocfar leis an gCoimisinéir, as airgead a sholáthróidh an tOireachtas, cibé luach saothair agus cibé liúntais i leith caiteachas a chinnfidh an tAire ó am go ham le toiliú an Aire Airgeadais.

6. (1) Féadfaidh an tAire scéim nó scéimeanna a dhéanamh agus a chur i gcrích de réir a téarmaí, is scéim nó scéimeanna chun pinsin,

or allowances on retirement or death to, or in respect of, persons who have held the office of Commissioner.

(2) The Minister may at any time make and carry out, in accordance with its terms, a scheme or schemes amending or revoking a scheme under this paragraph. 5

(3) A scheme under this paragraph shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the scheme is passed by either such House within the next 21 days on which that House has sat after the scheme is laid before it, the scheme shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder. 10

7. (1) The Minister may appoint to be members of the staff of the Commissioner such number of persons as the Minister may, with the consent of the Minister for Finance, determine from time to time.

(2) Members of the staff of the Commissioner shall be civil servants in the Civil Service of the State (within the meaning of the Civil Service Regulation Act 1956). 15

(3) The Minister may delegate to the Commissioner the powers exercisable by him or her under the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 1996 as the appropriate authority in relation to members of the staff of the Commissioner and, if the Minister does so, then so long as the delegation remains in force— 20

(a) those powers shall, in lieu of being exercisable by the Minister, be exercisable by the Commissioner, and 25

(b) the Commissioner shall, in lieu of the Minister, be for the purposes of this Act the appropriate authority in relation to members of the staff of the Commissioner.

8. (1) The Commissioner shall keep, in such form as may be approved of by the Minister, all proper and usual accounts of all moneys received or expended by him or her and all such special accounts (if any) as the Minister may direct. 30

(2) Accounts kept in pursuance of this paragraph in respect of each year shall be submitted by the Commissioner in the following year on a date not later than a date specified by the Minister to the Comptroller and Auditor General for audit and, as soon as may be after the audit, a copy of those accounts, or of such extracts from those accounts as the Minister may specify, together with the report of the Comptroller and Auditor General on the accounts, shall be presented by the Commissioner to the Minister who shall cause copies of the documents presented to him or her to be laid before each House of the Oireachtas. 35 40

9. The Commissioner may delegate to a member of the staff of the Commissioner any of the functions of the Commissioner (other than

aiscís nó liúntais a dheonú, ar scor nó ar bhás, do dhaoine a bhí i seilbh oifig an Choimisinéara nó i leith na ndaoine sin.

5 (2) Féadfaidh an tAire, tráth ar bith, scéim nó scéimeanna lena leasaítear nó lena gcúlghairtear scéim faoin mír seo a dhéanamh agus a chur i gcrích de réir a téarmaí.

15 (3) Déanfar scéim faoin mír seo a leagan faoi bhráid gach Tí den Oireachtas a luaithe is féidir tar éis a déanta agus, má dhéanann ceachtar Teach acu sin, laistigh den 21 lá a shuífidh an Teach sin tar éis an scéim a leagan faoina bhráid, rún a rith ag neamhniú na scéime, beidh an scéim ar neamhní dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin scéim.

7. (1) Féadfaidh an tAire cibé líon daoine a chinnfidh an tAire ó am go ham, le toiliú an Aire Airgeadais, a cheapadh le bheith ina gcomhaltaí d'fhoireann an Choimisinéara.

15 (2) Beidh comhaltaí d'fhoireann an Choimisinéara ina státseirbhígh i Státseirbhís an Stáit (de réir bhrí Acht Rialuithe na Stát-Sheirbhíse 1956).

20 (3) Féadfaidh an tAire na cumhachtaí is infheidhmithe aige nó aici faoi Acht Choimisinéirí na Stát-Sheirbhíse 1956 agus faoi Achtanna Rialaithe na Státseirbhíse 1956 go 1996 mar an t-údarás iomchuí i ndáil le comhaltaí d'fhoireann an Choimisinéara a tharmligean chun an Choimisinéara agus, má dhéanann an tAire amhlaidh, ansin, fad a fhanfaidh an tarmligean i bhfeidhm—

25 (a) beidh na cumhachtaí sin, in ionad iad a bheith infheidhmithe ag an Aire, infheidhmithe ag an gCoimisinéir, agus

(b) is é nó is í an Coimisinéir, in ionad an Aire, an t-údarás iomchuí chun críocha an Achta seo i ndáil le comhaltaí d'fhoireann an Choimisinéara.

30 8. (1) Coimeádfaidh an Coimisinéir, i cibé foirm a cheadóidh an tAire, na cuntais go léir is cuí agus is gnách ar an airgead go léir a gheobhaidh nó a chaithfidh sé nó sí agus na cuntais speisialta sin go léir (más ann) a ordóidh an tAire.

35 (2) Déanfaidh an Coimisinéir cuntais a choimeádfar de bhun na míre seo i leith gach bliana a chur faoi bhráid an Ard-Reachtair Cuntas agus Ciste an bhliain ina dhiaidh sin, ar dháta nach déanfaí ná dáta a shonróidh an tAire, lena n-iniúchadh agus, a luaithe is féidir tar éis an iniúchta, déanfaidh an Coimisinéir cóip de na cuntais sin, nó de cibé sleachta as na cuntais sin a shonróidh an tAire, mar aon le tuarascáil an Ard-Reachtair Cuntas agus Ciste maidir leis na cuntais, a thíolacadh don Aire agus cuirfidh seisean nó sise faoi deara cóipeanna de na doiciméid a tíolacadh dó nó di a leagan faoi bhráid gach Tí den Oireachtas.

9. Féadfaidh an Coimisinéir aon fheidhm de chuid an Choimisinéara (seachas feidhmeanna faoin mír seo nó faoi *alt 26*) a tharmligean

those under this paragraph or *section 26*) and references in this Act to the Commissioner shall be construed, where appropriate having regard to any delegation under this paragraph, as including references to any person to whom functions stand delegated by the delegation.

chuíg comhalta d'fhoireann an Choimisinéara agus déanfar tagairtí san Acht seo don Choimisinéir a fhorléiriú, más cuí ag féachaint d'aon tarmligean faoin mír seo, mar thagairtí a fholáíonn tagairtí d'aon duine a mbeidh feidhmeanna tarmligthe chuige nó chuici leis an tarmligean.

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