



BILLE NA dTEANGACHA OIFIGIÚLA (LEASÚ) 2005
OFFICIAL LANGUAGES (AMENDMENT) BILL 2005

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Short title, collective citation and construction.
2. Amendment of section 32 of Act of 2003.

ACTS REFERRED TO

Local Government Act 2001	2001, No. 37
Local Government (Financial Provisions) Act 1978	1978, No. 35
Official Languages Act 2003	2003, No. 32



BILLE NA dTEANGACHA OIFIGIÚLA (LEASÚ) 2005
OFFICIAL LANGUAGES (AMENDMENT) BILL 2005

BILL

entitled

5 AN ACT TO AMEND THE OFFICIAL LANGUAGES ACT
2003.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) This Act may be cited as the Official Languages (Amendment) Act 2005. Short title, collective citation and construction.

10 (2) This Act and the Official Languages Act 2003 may be cited together as the Official Languages Act 2003 to 2005.

2.—(1) The Official Languages Act 2003 is amended by the substitution of the following for section 32— Amendment of section 32 of Act of 2003.

“Changing of name of town.

32.—(1) In this Section—

15 ‘functional area’ means as respects—

(a) a county council, the county exclusive of any town which has a town council situated in it,

(b) a town council, the town;

20 ‘locality’ means any area which is a portion of a county or town (or any combination of them) for which a separate name is in common use, and where such portion is not a town, townland, non-municipal town or street;

25 ‘qualified electors’ means every person who in relation to the town, townland, non-municipal town, street or locality, as the case may be—

30 (a) is registered as a local government elector in the register of electors for the time being in force, or

(b) not being so registered, is the rated occupier of a hereditament other than

a hereditament the valuation of which attracts an allowance equal to full abatement of rates under section 3 of the Local Government (Financial Provisions) Act 1978;

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‘street’ includes part of a street and also the whole or part of any road, square, lane or other public place by whatever name known.

(2) A town council or county council may by resolution, for which at least one-half of the total number of members of the council vote in favour, adopt a proposal to change the name of the town to a proposed new name.

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(3) Where a town council or county council adopts a proposal under subsection (1) it shall—

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(a) notify such persons as may be prescribed by regulations made by the Minister of the proposal and such persons shall be entitled to make submissions in writing to the council within a period of 2 months from the date of the notification, and

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(b) publish a public notice of the proposal inviting submissions with regard to it from any person concerned within a period of 2 months from the date of the public notice, and

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(c) consider any submissions received.

(4) Following compliance with subsection (2), the town council or county council may by resolution, for which at least one-half of the total number of members of the council vote in favour, decide—

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(a) to proceed with the proposal (in this section referred to as the ‘original proposal’ in accordance with the resolution under subsection (1), or

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(b) to proceed with a proposal (in this section referred to as the ‘amended proposal’) to change the name of the town to such other name as it considers appropriate, or

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(c) not to proceed with the original proposal.

(5) Where the town council or county council has made a decision under paragraph (a) or (b) of subsection (3), the council shall seek, in accordance with regulations made by the Minister for the Environment and Local Government under section 196 of the Local Government Act 2001, the consent of the majority of the qualified electors in the town concerned to the proposed new

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name as set out in the original proposal or amended proposal as the case may be.

5 (6) (a) Where a majority of the qualified electors consent to the proposed new name the Cathaoirleach of the council concerned shall make a declaration, in a form prescribed by regulations made by the Minister for the Environment and Local Government under section 10 196 of the Local Government Act 2001, confirming such consent and specifying the proposed new name and the date on which, in accordance with paragraph (b), it comes into operation.

15 (b) A proposal confirmed by declaration under this subsection shall come into operation—

20 (i) on the 1st day of January next following the date of such declaration where the interval between the date of the declaration concerned and the 1st day of January is not less than 3 months, or

25 (ii) in any other case, on the first anniversary of the said 1st day of January.

30 (c) Every declaration made under this subsection shall be published in the manner prescribed by regulations made by the Minister for the Environment and Local Government under section 196 of the Local Government Act 2001 and shall be notified to such persons as may be so prescribed.

35 (d) Every declaration under this subsection shall be published in *Iris Oifigiúil*, as soon as possible after its making.

40 (7) 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’)—

45 (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,

(b) amend or revoke a placenames order,

50 (c) 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 subsection (6) or under Part 18 of the Local Government Act 2001 is in force.

(8) Every placenames order shall be laid before both Houses 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 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.” 5