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**An Bille um Theanga Chomharthaíochta na hÉireann do na Bodhair a Aithint,  
2016**

**Recognition of Irish Sign Language for the Deaf Community Bill 2016**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM THEANGA CHOMHARTHAÍOCHTA NA hÉIREANN DO NA  
BODHAIR A AITHINT, 2016  
RECOGNITION OF IRISH SIGN LANGUAGE FOR THE DEAF COMMUNITY BILL  
2016**

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**AN BILLE UM THEANGA CHOMHARTHAÍOCHTA NA hÉIREANN DO NA  
BODHAIR A AITHINT, 2016  
RECOGNITION OF IRISH SIGN LANGUAGE FOR THE DEAF COMMUNITY BILL  
2016**

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# Bill

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An Act to provide for the recognition of Irish Sign Language and for that purpose to set down principles to guide the operations of public bodies; to require public bodies to prepare and implement action plans on Irish Sign Language; to provide for classes for the parents of deaf children; to permit the use of Irish Sign Language in legal proceedings; to provide for the making available of sign language interpreting services; to introduce statutory targets regarding the accessibility of television programming; to provide for the regulation of Irish Sign Language interpreters, deaf interpreters and Irish Sign Language teachers and for that purpose to establish the Irish Sign Language Council; to provide for the establishment of registers; to provide for continuing education requirements; to provide for offences; to amend the Broadcasting Act 2009; and to provide for related matters. 10 15

WHEREAS Irish Sign Language is used as a primary means of communication by over 5,000 members of the deaf community in Ireland;

AND WHEREAS the Good Friday Agreement contains commitments regarding linguistic diversity which implicitly encompasses some degree of recognition for native languages, including Irish Sign Language; 20

AND WHEREAS the State has ratified the UN Convention on the Rights of Persons with Disabilities and the recommendation 1598 (2003) on the Protection of Sign Languages in the Member States of the Council of Europe;

AND WHEREAS the Brussels Declaration on Sign Language in the European Union (2010) urged Member States to actively support the use of sign languages; 25

AND WHEREAS limited recognition has been afforded to Irish Sign Language under the Education Act 1998.

**Be it enacted by the Oireachtas as follows:**

## PART 1

### PRELIMINARY AND GENERAL

#### Short title and commencement

1. (1) This Act may be cited as the Recognition of Irish Sign Language Act 2016.
- (2) This Act, other than *sections 4, 5 and 6*, shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions. 5

#### Interpretation

2. In this Act— 10
  - “Council” means the Irish Sign Language Council;
  - “deaf community” means persons in the State who utilise Irish Sign Language as their primary means of communication;
  - “establishment day” means the day appointed by the Minister under *section 9* to be the establishment day for the purposes of this Act; 15
  - “interpreting services for Irish Sign Language” means Irish Sign Language interpreting services which are provided for remuneration or reward;
  - “Irish Sign Language” means the language which is used by the majority of deaf people in the Republic of Ireland and which involves the use of the hands and facial expressions and which is known in the Irish language as *Teanga Chomharthaíochta na hÉireann* and for the purpose of this Act, where the context so permits, references to Irish Sign Language also encompass Irish Sign Language/English interpreting; 20
  - “Irish Sign Language Council” means the body established under *section 10*;
  - “legal proceedings” means any proceedings which take place before a court, tribunal, commission of investigation or other similar forum involving the resolution of disputes and from which may emerge a binding outcome; 25
  - “Minister” means the Minister for Justice and Equality;
  - “public body” means:
    - (a) a Department of State;
    - (b) a board, authority or other body other than a company under the Companies Acts, established by or under any enactment; 30
    - (c) a company under the Companies Acts in which all of the shares are held by or on behalf of a Minister of the Government or by directors appointed by such a Minister;
    - (d) a company under the Companies Acts in which all of the shares are held by and of the entities referred to in *paragraph (b) or (c)*; 35
  - “registrant” means a person whose name appears in the Register of ISL and Deaf

Interpreters, or the Register of ISL Teachers.

### **Regulations**

3. (1) The Minister or, subject to the consent of the Minister, the Council, may make regulations prescribing any matter which is referred to in this Act as prescribed or to be prescribed or in relation to any matter referred to in this Act as the subject of regulations or for the purposes of enabling any provision of this Act to have full effect. 5
- (2) Every regulation or order made by the Minister and rules made by the Council shall be laid before each House of the Oireachtas as soon as practicable after they are made and, if a resolution annulling the regulation, order or rules is passed by either House within the next subsequent 21 days on which that House has sat after the regulation, order or rules are laid before it, the regulation, order or rules shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder. 10
- (3) Regulations made under this Act may— 15
- (a) include such consequential, incidental, transitional or supplementary provisions as may be considered by the Minister or the Council, as the case may be, to be necessary or appropriate for the purposes of this Act, and
- (b) apply, either generally or by reference, to a specified class or classes of persons or category or categories of recognised school or to any other matter as may be considered by the Minister or the Council to be appropriate. 20

## **PART 2**

### **RECOGNITION OF IRISH SIGN LANGUAGE**

#### **Recognition of Irish Sign Language**

4. (1) The State recognises Irish Sign Language as the native and independent language which is utilised as a primary means of communication by a sizeable minority of the Irish population. 25
- (2) The community of persons using Irish Sign Language shall have the right to use, develop and preserve Irish Sign Language, as well as to foster, extend and transmit deaf culture. 30

#### **Use of Irish Sign Language in legal proceedings**

5. In legal proceedings, Irish Sign Language may be used by any of the following persons where his or her primary or preferred language is Irish Sign Language— 35
- (a) any member of the court, tribunal, or body before which the proceedings are being conducted,
- (b) any party or witness,
- (c) any counsel or other person representing a party in the proceedings, and

- (d) any other person with leave of the judge or presiding officer.

### **Communication for deaf children**

6. The Minister shall, by regulations made under this section, establish a scheme for the provision of Irish Sign Language classes to—
- (a) parents, siblings, grandparents of a child who is deaf, and 5
  - (b) other persons who serve *in loco parentis* or as a guardian to a child who is deaf.

### **Irish Sign Language interpreting**

7. (1) The State shall provide an annual level of interpreting services for Irish Sign Language of—
- (a) 18,000 hours with a maximum of 60 hours per person per year by 2014, and 10
  - (b) 36,000 hours with a maximum of 120 hours per person per year by 2016.
- (2) In addition to the annual objectives set out in *subsection (1)*, the State shall provide interpreting services for Irish Sign Language of—
- (a) up to 120 hours per academic year for students in primary and secondary schools,
  - (b) up to 60 hours per semester for students in third level education institutions, 15
  - (c) up to 20 per cent of the training hours for persons taking part in adult training with respect to each training course.
- (3) Services provided under this section are in addition to interpreting services for Irish Sign Language being provided to the deaf community in the context of—
- (a) accessing medical services, 20
  - (b) accessing education, and
  - (c) legal proceedings.

## **PART 3**

### **PUBLIC BODIES**

### **Principles to guide public bodies** 25

8. (1) When exercising its powers and discharging functions, a public body shall adhere to the following principles:
- (a) persons or agencies who are representative of the deaf community in the State shall be consulted on matters relating to Irish Sign Language;
  - (b) Irish Sign Language shall be used in all instances— 30
    - (i) in the promotion to the public of government or other public services, and
    - (ii) in the provision of information to the public;

- (c) services or information provided by a public body should be made accessible to the deaf community through the use of Irish Sign Language.
- (2) The purpose of the principles set out in *subsection (1)* is to promote access to public body information and services for the deaf community, but nothing in *subsection (1)* is to be read as conferring on the deaf community advantages not enjoyed by other persons. 5

**Public body action plans for Irish Sign Language**

- 9. (1) Upon the expiration of 6 months of the commencement of this section and thereafter at three-yearly intervals, each public body shall devise and implement an Irish Sign Language Action Plan in relation to the services provided to members of the public. 10
- (2) Notwithstanding the generality of *subsection (1)*, an action plan prepared under *subsection (1)* may include—
  - (a) an assessment of the approach which the public body is currently adhering to in its interactions with, and the provision of its services to, members of the deaf community and its future commitments in respect of same, 15
  - (b) a statement of the public body’s intentions regarding any proposed improvement in the accessibility of its services and its interactions with members of the deaf community,
  - (c) a statement of the actions taken and proposed to be taken by the public body so as to take into consideration the needs of the deaf community in devising policy and delivering its services, 20
  - (d) details of the consultations held and proposed to be held by the public body with members of the deaf community in respect of the devising of policy and the delivery of its services,
  - (e) details of the guidance and training which the public body has given and proposed to give to staff in respect of the needs of members of the deaf community. 25
- (3) An action plan prepared pursuant to *subsection (1)* shall be published on the website of the public body.

PART 4 30

AMENDMENT OF BROADCASTING ACT 2009

**Broadcasting targets**

- 10. The Broadcasting Act 2009 is amended by inserting the following section after section 43:

**“Subtitling and Irish Sign Language in broadcasting” 35**

**43A.** (1) Without prejudice to the generality of section 43(2), a broadcaster of audio-visual material shall ensure that, at a minimum, the access targets in respect of subtitling set out in Part 1 of Schedule 1 are

achieved within the stated timeframe.

- (2) Without prejudice to the generality of section 43(2), a broadcaster of audio-visual material shall ensure that, at a minimum, the access targets in respect of audio description and Irish Sign Language interpreting set out in Part 2 of Schedule 1 are achieved within the stated timeframe.” 5

## PART 5

### IRISH SIGN LANGUAGE COUNCIL

#### **Establishment day**

11. The Minister shall by order appoint a day to be the establishment day for the purposes of this Part. 10

#### **Establishment of Irish Sign Language Council**

12. (1) The body known as Sign Language Interpreting Service (SLIS), established by the Citizens Information Board shall continue in being and shall, from the establishment day, be known as An Chomhairle Teanga Chomharthaíochta na hÉireann or, in the English language, the Irish Sign Language Council, which shall perform the functions conferred on it by or under this Act. 15
- (2) The Council shall be a body corporate with perpetual succession and a seal and power to sue and be sued in its corporate name and, with the consent of the Minister (given with the approval of the Minister for Finance), to acquire, hold and dispose of land or an interest in land and to acquire, hold and dispose of any other property. 20
- (3) The Council may, subject to this Act, regulate its own procedure.
- (4) *Schedule 2* shall apply to the Council.

#### **Objects of the Council**

13. The objects of the Council shall be— 25
- (a) to promote the use and development of Irish Sign Language,
  - (b) to regulate the teaching of Irish Sign Language,
  - (c) to regulate the provision of Irish Sign Language interpreting services,
  - (d) to regulate the provision of deaf interpreting services, and
  - (e) to promote the continuing education and training and professional development of teachers. 30

#### **Functions of the Council**

14. (1) The functions of the Council shall be to do all things necessary or expedient in accordance with this Act to further the objects of the Council.

- (2) Without prejudice to the generality of *subsection (1)*, the Council shall perform the following functions—
- (a) promotional and development functions:
    - (i) promote the use of Irish Sign Language;
    - (ii) establish procedures for the exchange of information with users, teachers, and interpreters of Irish Sign Language; 5
    - (iii) conduct or commission and publish research on matters relating to—
      - (I) the use of Irish Sign Language,
      - (II) the teaching of Irish Sign Language, and
      - (III) the provision of Irish Sign Language interpreting services, 10
 including from a domestic or international perspective,
  - (b) regulatory functions:
    - (i) regulate the teaching of Irish Sign Language;
    - (ii) regulate the provision of Irish Sign Language interpreting services;
    - (iii) establish procedures and criteria for registration including the issue of certificates and renewal of registration; 15
    - (iv) establish and maintain a register of Irish Sign Language teachers;
    - (v) establish and maintain a register of Irish Sign Language interpreters;
    - (vi) establish and maintain a register of deaf interpreters,
  - (c) education related functions: 20
    - (i) determine from time to time, the education and training and qualifications required for a person to be registered;
    - (ii) review and accredit programmes of education and training concerning the teaching or use of Irish Sign Language;
    - (iii) establish, publish, review and maintain standards of knowledge, skill and competence governing registrants; 25
    - (iv) advise the Council in relation to the appropriate education and training and qualifications required for registration under this Act;
    - (v) act as the competent authority for the recognition of qualifications, obtained in a state other than a Member State of the European Communities, by a person who has applied under this Act to be registered, 30
  - (d) other functions:
    - (i) co-operate and engage on matters pertaining to its functions with such bodies in other jurisdictions which perform similar functions to the Council;
    - (ii) provide the Minister with such information as the Minister may from time to time require; and 35

(iii) such other functions as may be prescribed by the Minister.

### **Membership of Council**

- 15.** (1) The Minister shall appoint 7 persons to be members of the Council.
- (2) Each member of the Board shall be a person who, in the Minister's opinion, has experience in a field of expertise relevant to the Council's functions. 5
- (3) Of the members of the Council—
- (a) one member shall be a person nominated for such appointment by Irish Deaf Society (or any successor of it),
  - (b) one member shall be a person nominated for such appointment by Centre for Deaf Studies (or any successor of it), 10
  - (c) one member shall be a person nominated for such appointment by Council of Irish Sign Language Interpreters (or any successor of it),
  - (d) one member shall be a person nominated for such appointment by DeafHear (or any successor of it),
  - (e) one member shall be a person nominated for such appointment by Irish Deaf Youth Association (or any successor of it), 15
  - (f) one member shall be a person nominated for such appointment by Deaf Sports Ireland (or any successor of it),
  - (g) one member shall be a person who, in the Minister's opinion, has specialist knowledge or experience in either representing the users of Irish Sign Language, or social studies, in particular deaf studies. 20
- (4) The Minister shall, in so far as is practicable, ensure an equitable balance between the numbers of members of the Board who are women and the number of them who are men.

### **Director of Council** 25

- 16.** (1) Subject to *subsection (2)*, the Council shall from time to time appoint a Director of the Council in a whole-time capacity.
- (2) The Director shall be appointed in accordance with procedures determined by the Council subject to the consent of the Minister.
- (3) The Director shall carry on and manage, and control generally, the administration and business of the Council and shall perform such other functions as may be determined by the Council. 30

### **Staff of Council**

- 17.** (1) Subject to the consent of the Minister and the Minister for Finance, the Council may, from time to time, appoint such and so many persons to be employees of the Council as the Council may determine. 35
- (2) Subject to such conditions as it thinks fit, the Council may delegate to the Director

any of the functions of the Council in relation to the appointment of employees and the determination of selection procedures.

- (3) Except as otherwise provided by this Act, an employee of the Council shall be employed on such terms and conditions as the Director, with the consent of the Minister and the Minister for Finance, may from time to time determine. 5
- (4) Except as otherwise provided by this Act, the Council shall pay to its employees such remuneration, fees and allowances for expenses as the Council, with the consent of the Minister and the Minister for Finance, may from time to time determine.

### **Accounts**

18. (1) The Council shall keep all proper and usual accounts and records of— 10
- (a) all moneys received or expended by it and the sources of such income and the subject matter of such expenditure, and
- (b) all property, assets and liabilities of the Council.
- (2) Accounts kept in accordance with *subsection (1)* shall be audited at least once in each year by an auditor appointed for that purpose by the Minister and the auditor's fees 15 and the expenses generally of the audit shall be paid by the Council as soon as practicable after the audit.
- (3) As soon as practicable after each audit the Council shall provide a copy of the accounts and the auditor's certificate and report thereon to the Minister and shall cause copies of same to be printed, published and offered for sale, and immediately 20 after publication a copy of the accounts and the auditor's certificate and report thereon shall be laid before each House of the Oireachtas.

### **Borrowings**

19. The Council may, for the purpose of providing for current or capital expenditure, from time to time, borrow money (whether on the security of the assets of the Council or 25 otherwise), including money in a currency other than the currency of the State, subject to the consent of the Minister and the Minister for Finance and to such conditions as they may specify.

### **Advances**

20. The Minister may, from time to time, for 2 years after the establishment day, with the consent of the Minister for Finance, advance to the Council out of moneys provided by the Oireachtas, such sums as the Minister may determine for the purpose of expenditure 30 by the Council in the performance of its functions.

### **Expenses**

21. (1) All expenses incurred by the Council shall be defrayed by the Council out of funds at its disposal. 35
- (2) The expenses incurred by the Minister 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.

### **Fees**

22. (1) The Council may charge, receive and recover such fees as the Council may from time to time prescribe, subject to the consent of the Minister, in relation to the performance by the Council of its functions, the provision by it of services (other than a service consisting of the provision of advice to the Minister or another Minister of the Government) and the carrying on by it of activities. 5
- (2) Without prejudice to the generality of *subsection (1)*, the Council may charge fees in respect of all or any of the following:
- (a) registration or the renewal of registration under *Part 6*; 10
  - (b) the assessment of competence under *Part 7*;
  - (c) the review and accreditation of programmes conducted under *section 14*;
  - (d) any other service which the Council may, from time to time, provide.
- (3) The Council may recover as a simple contract debt in any court of competent jurisdiction, from any person by whom it is payable, any amount due and owing to it under *subsection (1)*. 15

## **PART 6**

### **REGISTRATION REQUIREMENTS**

#### **Register of Irish Sign Language and Deaf Interpreters**

23. (1) The Council shall establish and maintain a register (in this Act referred to as the “Register of ISL and Deaf Interpreters”) of persons who are eligible to provide Irish Sign Language interpreting services and deaf interpreting services for remuneration or reward. 20
- (2) The Register of ISL and Deaf Interpreters shall contain the following divisions—
- (a) Irish Sign Language Interpreters, and 25
  - (b) Deaf Interpreters.
- (3) In order to be eligible for inclusion in the relevant division of the Register of ISL and Deaf Interpreters, a person must—
- (a) have acquired a prescribed professional qualification in Irish Sign Language interpreting or deaf interpreting, 30
  - (b) have maintained the level of professional competence as is required pursuant to *Part 7*,
  - (c) not be under suspension of licence to practice the interpreting activity,
  - (d) have never been convicted of a criminal offence which resulted in the imposition of a term of imprisonment, and 35

(e) meet all other requirements prescribed by the Council under this section.	
(4) Each division of the Register of ISL and Deaf Interpreters shall include the following details of the registrants—	
(a) personal identification data,	
(b) address,	5
(c) contact details,	
(d) professional or vocational qualification or partial qualification, and the name of the issuing institution,	
(e) a description of his or her activity (competence),	
(f) the types of interpreting he or she undertakes to perform, and	10
(g) the date of his or her first inclusion in the Register.	
(5) It is an offence for a person whose name is not included in the register maintained pursuant to <i>subsection (1)</i> to provide for remuneration or reward—	
(a) interpreting services for Irish Sign Language, or	
(b) deaf interpreting services.	15
(6) The Council may publish, including on the internet, extracts of the Register of ISL and Deaf Interpreters.	
(7) An application for inclusion in the Register of ISL and Deaf Interpreters shall be subject to such fee as may be prescribed by the Council.	
<b>Register of Irish Sign Language teachers</b>	20
24. (1) The Council shall establish and maintain a register (in this Act referred to as the “Register of ISL Teachers”) of persons who are eligible to provide Irish Sign Language interpreting services.	
(2) In order to be eligible for inclusion in the Register of ISL Teachers, a person must—	
(a) have acquired a prescribed professional qualification in Irish Sign Language teaching,	25
(b) have maintained the level of professional competence as is required pursuant to <i>Part 7</i> ,	
(c) have never been convicted of a criminal offence, and	
(d) meet all other requirements prescribed by the Council under this section.	30
(3) The Register of ISL Teachers shall include the following details of the sign language teachers—	
(a) personal identification data,	
(b) address,	
(c) contact details,	35
(d) professional or vocational qualification or partial qualification, and the name of	

- the issuing institution,
- (e) a description of his or her activity (competence),
  - (f) the level of and nature of teaching he or she undertakes to perform, and
  - (g) the date of his or her first inclusion in the Register.
- (4) It is an offence for a person whose name is not included in the register maintained pursuant to *subsection (1)* to engage in the teaching of Irish Sign Language for remuneration or reward. 5
- (5) The Council may publish, including on the internet, extracts of the Register of ISL Teachers.
- (6) An application for inclusion in the Register of ISL Teachers shall be subject to such fee as may be prescribed by the Council. 10

## PART 7

### PROFESSIONAL COMPETENCE

#### **Duty of registrants to maintain professional competence**

25. (1) A registrant shall maintain professional competence on an ongoing basis. 15
- (2) A registrant shall, whenever required by the Council to do so, demonstrate competence to the satisfaction of the Council in accordance with any requirement of the Board under *section 26(1)*.
- (3) A registrant shall co-operate with any requirements relating to professional competence which are imposed by rules made by the Council under this section. 20

#### **Duty of registrants to demonstrate professional competence**

26. (1) The Council may require a registrant to demonstrate competence to the satisfaction of the Council in accordance with a professional competence scheme applicable to that registrant or specific classes of registrants.
- (2) The Council may require a registrant who fails to demonstrate competence to the satisfaction of the Council to attend a course or courses of further education or training or to do anything which, in the opinion of the Council, is necessary to satisfy the Council as to the competence of that registrant. 25
- (3) Where the Council considers that a registrant—
- (a) who, being required under *section 25(3)* to co-operate with any requirements imposed on him or her by the rules, has refused to so co-operate, has failed to so co-operate or has ceased to so co-operate, 30
  - (b) may have committed a serious breach of its guidance on ethical standards and behaviour,
- the Council shall forthwith remove the registrant's name from the relevant register. 35

### **Duty of Council in relation to maintenance of professional competence of registrants**

27. (1) The Council shall develop one or more than one scheme for the purposes of monitoring the maintenance of professional competence by registrants.
- (2) The Council shall in respect of a professional competence scheme—
- (a) review the operation of the scheme periodically, and 5
  - (b) following such a review and where required, implement changes so as to improve the operation of the scheme.

### **Duty of employers in relation to maintenance of professional competence of registrants**

28. (1) An employer of a registrant shall facilitate the maintenance by that registrant of his or her professional competence pursuant to the relevant professional competence scheme. 10
- (2) Without prejudice to the generality of *subsection (1)*, the employer may facilitate the maintenance of professional competence by a registrant it employs by providing learning opportunities for the registrant in the workplace.

## PART 8 15

### MISCELLANEOUS

#### **Penalties**

29. A person who is guilty of an offence under *sections 23(5) or 24(4)* is liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 12 months or to both. 20

#### **Review of the operation of the Act**

30. (1) The Minister shall, 3 years after the date on which this Act comes into force and at three-yearly intervals thereafter, require a report to be prepared on—
- (a) the operation of this Act, and
  - (b) whether any amendments to the scope and contents of this Act are necessary or desirable. 25
- (2) The Minister shall ensure that persons or organisations that are representative of the interests of the members of the deaf community are consulted on the matters to be considered in a report prepared under this section.
- (3) The Minister shall cause a copy of a report prepared under this section to be laid before each House of the Oireachtas. 30

## SCHEDULE 1

### PART 1

#### ACCESS TARGETS AND TIMEFRAMES - SUBTITLING

	2017	2018	2019	2020	
RTÉ 1	80 - 85%	82 - 87%	84 - 89%	85 - 90%	5
RTÉ2	56 - 62%	60 - 66%	63 - 69%	67 - 73%	
TV3	41 - 45%	43 - 47%	45 - 49%	47 - 51%	
TG4	40 - 46%	44 - 50%	47 - 53%	51 - 57%	
3e	13 - 17%	16 - 20%	19 - 23%	22 - 26%	
Setanta Ireland	7 - 9%	8 - 10%	9 - 11%	10 - 12%	10
CCTV	2%	3%	4%	5%	
DCTV	2%	3%	4%	5%	
P5TV	2%	3%	4%	5%	
RTÉ 1+1			Programme must be subtitled if the original carried subtitles.		15
RTÉ News Now			Programme must be subtitled if the original carried subtitles.		
RTÉ jr.			Programme must be subtitled if the original carried subtitles.		

### PART 2

#### ACCESS TARGETS - AUDIO DESCRIPTION AND IRISH SIGN LANGUAGE TARGETS

	2017	2018	2019	2020	
RTÉ 1+2 AD	1.25%	1.5%	1.75%	2%	
RTÉ 1+2 ISL	1.25%	1.5%	1.75%	2%	20

SCHEDULE 2  
MEMBERSHIP AND MEETINGS OF COUNCIL

**Interpretation**

1. In this Schedule, except where the context otherwise requires, “member” means a member of the Council, including the chairperson. 5

**Seal**

2. (1) The Council shall, as soon as practicable after its establishment, provide itself with and retain in its possession a seal.
- (2) The seal of the Council shall be authenticated by the signature of—
- (a) the chairperson of the Council or other member of the Council authorised by the Council to act in that behalf, and 10
- (b) an employee of the Council authorised by the Council to act in that behalf.
- (3) Judicial notice shall be taken of the seal of the Council and an instrument purporting to be an instrument made by the Council and to be sealed with its seal (purporting to be authenticated in accordance with *subparagraph (2)*) shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is shown. 15

**Removal of Council member**

3. (1) The Minister may at any time, for stated reasons, remove from office a member who was appointed to the Council by the Minister. 20
- (2) The Council may at any time, for stated reasons, remove a member from office (including, subject to *subparagraph 6(2)(c)*, the chairperson) other than a member appointed to the Council by the Minister.
- (3) A member (other than the chairperson) may at any time resign from office as a member by notice in writing to the chairperson and the resignation shall take effect on the date of the meeting of the Council next held after receipt by the Council of the notice. 25
- (4) A member (including the chairperson) who is absent from all meetings of the Council for 6 consecutive months, unless the absence was due to illness or was approved of by the Council, shall cease to be a member at the expiration of that period. 30

**Term of office**

4. (1) Subject to *scheduleparagraph 5*, the Minister, when appointing members, shall specify each member’s term of office which shall not exceed 3 years.
- (2) A member shall not serve more than 2 consecutive terms of office. 35
- (3) The terms of office referred to in *subparagraph (2)* shall include any term of office as chairperson.

### **Casual vacancies**

5. Where a casual vacancy occurs among the members (other than the chairperson) the Council shall, as soon as practicable, notify the Minister who shall, as soon as practicable, following consultation with such body or organisation as he or she considers appropriate, appoint a person to fill such a casual vacancy and a person so appointed shall, subject to this Schedule, hold office for the remainder of the term of office of the member whose death, resignation, removal from office or ceasing for any other reason to hold office occasioned the casual vacancy. 5

### **Council elections**

6. (1) The Council shall, from time to time, elect from among its members— 10
- (a) a chairperson, and
  - (b) a deputy chairperson.
- (2) The chairperson and deputy chairperson shall each hold office for such term as may be specified by the Council at the time of his or her appointment, unless—
- (a) he or she ceases to be, or becomes disqualified from being, a member, 15
  - (b) he or she resigns the office of chairperson or deputy chairperson, or
  - (c) the Council by a resolution removes the chairperson or deputy chairperson as chairperson or deputy chairperson.
- (3) The chairperson or deputy chairperson may at any time resign from office by notice in writing to the Council and the resignation shall take effect on the date of the meeting of the Council next held after the receipt by the Council of the notice. 20
- (4) Where, at an election of the chairperson or deputy chairperson, 2 or more persons receive an equal number of votes, it shall be determined by lot which of those persons shall be chairperson or deputy chairperson.

### **First meeting of Council**

7. (1) The Minister shall fix the date, time and place of the first meeting of the Council. 25
- (2) The Council shall hold at least 3 meetings in each year and such and so many other meetings and at such times as the chairperson may determine.

### **Quorum**

8. The quorum for a meeting of the Council shall be 3. 30

### **Requests to convene a meeting**

9. (1) The chairperson, shall convene a meeting of the Council when requested so to do by not less than 5 members.
- (2) If the chairperson, refuses to convene a meeting of the Council under *subparagraph (1)*, any 5 members may, as soon as practicable, convene a meeting of the Council. 35

- (3) If the chairperson, without refusing, does not, within 7 days after a request for that purpose has been made to him or her under *subparagraph (1)*, convene a meeting of the Council, any 5 members may, on the expiration of that period, convene a meeting of the Council.

**Notice of meeting**

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10. (1) At least 3 days before a meeting of the Council notice of the time and place of the meeting shall be sent to each member of the Council signed—
- (a) by the Director or chairperson, or
  - (b) if the meeting is convened by members, by those members.
- (2) If the meeting is convened by members, the notice convening the meeting shall specify the business to be transacted at that meeting.

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**Chairing of meetings**

11. At a meeting of the Council—
- (a) the chairperson shall, if present, be the chairperson of the meeting, or
  - (b) if and so long as the chairperson is not present, or if the office of chairperson is vacant, the deputy chairperson shall, if present, be the chairperson of the meeting, or
  - (c) if and so long as the chairperson is not present or the office of chairperson is vacant, and the deputy chairperson is not present or the office of deputy chairperson is vacant, the members who are present shall choose one of their number to preside at that meeting.

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**Minutes**

12. (1) Minutes of the proceedings of all meetings of the Council shall be drawn up and entered in a book kept for that purpose and such minutes shall be signed by the chairperson of the next subsequent meeting.
- (2) The names of all members present at a meeting of the Council shall be recorded in the minutes of the proceedings of the meeting.

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**Determination of issues**

13. (1) At a meeting of the Council every act of the Council and every question coming before the Council shall be determined by a majority of the votes of members (including the chairperson) present and voting in relation to the act or question.
- (2) In the case of an equal division of votes on any question arising at a meeting of the Council (other than the election of the chairperson or deputy chairperson) the chairperson or other person presiding at that meeting shall have a second or casting vote.

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**Vacancies**

14. Subject to *schedule paragraph 8*, the Council may act notwithstanding one or more than one vacancy among its members or any deficiency in the appointment of a member which may subsequently be discovered.

**Standing orders**

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15. Save as is otherwise provided by any enactment, including this Act, the Council may make, from time to time, such standing orders as it thinks fit for the regulation of its proceedings and may amend or revoke such standing orders.



An Bille um Theanga Chomharthaíochta na hÉireann do na Bodhair a Aithint, 2016

# BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le haitheantas a thabhairt do Theanga Chomharthaíochta na hÉireann agus chun na críche sin do leagan síos prionsabal chun oibríochtaí comhlachtaí poiblí a threorú; dá cheangal ar chomhlachtaí poiblí pleananna gníomhaíochta ar Theanga Chomharthaíochta na hÉireann a ullmhú agus a chur i ngníomh; do dhéanamh socrú maidir le ranganna do thuismitheoirí leanaí bodhra; do cheadú Teanga Chomharthaíochta na hÉireann a úsáid in imeachtaí dlí; do dhéanamh socrú maidir le seirbhísí ateangaireachta teanga comharthaíochta a chur ar fáil; do thabhairt isteach spriocanna reachtúla maidir le hinrochtaineacht ar chlár theilifíse; do dhéanamh socrú maidir le rialáil a dhéanamh ar ateangairí Theanga Chomharthaíochta na hÉireann, ar ateangairí do na bodhair agus ar mhúinteoirí Theanga Chomharthaíochta na hÉireann agus chun na críche sin do bhunú na Comhairle um Theanga Chomharthaíochta na hÉireann; do dhéanamh socrú maidir le clár a bhunú; do dhéanamh socrú maidir le riachtanais leantacha oideachais; do dhéanamh socrú maidir le cionta; do leasú an Achta Craolacháin, 2009; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Na Seanadóirí Marcus Ó Dálaigh, Keith Swanick  
agus Catherine Ardagh a thug isteach,*

21 Iúil, 2016

Recognition of Irish Sign Language for the Deaf Community Bill 2016

# BILL

(as initiated)

entitled

An Act to provide for the recognition of Irish Sign Language and for that purpose to set down principles to guide the operations of public bodies; to require public bodies to prepare and implement action plans on Irish Sign Language; to provide for classes for the parents of deaf children; to permit the use of Irish Sign language in legal proceedings; to provide for the making available of sign language interpreting services; to introduce statutory targets regarding the accessibility of television programming; to provide for the regulation of Irish Sign Language interpreters, deaf interpreters and Irish Sign Language teachers and for that purpose to establish the Irish Sign Language Council; to provide for the establishment of registers; to provide for continuing education requirements; to provide for offences; to amend the Broadcasting Act 2009; and to provide for related matters.

*Introduced by Senators Mark Daly, Keith Swanick  
and Catherine Ardagh,*

21st July, 2016

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

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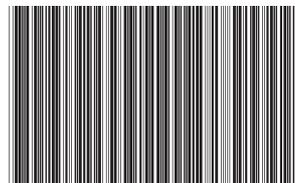
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