



Bille na dTeangacha Oifigiúla (Leasú), 2019
Official Languages (Amendment) Bill 2019

Mar a tionscnaíodh

As initiated

[Uimh. 104 de 2019]
[No. 104 of 2019]



OFFICIAL LANGUAGES (AMENDMENT) BILL 2019

As initiated

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BILLE NA dTEANGACHA OIFIGIÚLA (LEASÚ), 2019

Mar a tionscnaíodh

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ACTS REFERRED TO

Civil Law (Miscellaneous Provisions) Act 2008 (No. 14)

Companies Acts

Gaeltacht Act 2012 (No. 34)

Juries Act 1976 (No. 4)

Official Languages Act 2003 (No. 32)

NA HAHTANNA DÁ DTAGRAÍTEAR

Acht um an Dlí Sibhialta (Forálacha Ilghnéitheacha), 2008 (Uimh. 14)

Achtanna na gCuideachtaí

Acht na Gaeltachta, 2012 (No. 34)

Acht na nGiúiréithe, 1976 (Uimh. 4)

Acht na dTeangacha Oifigiúla, 2003 (Uimh. 32)



OFFICIAL LANGUAGES (AMENDMENT) BILL 2019

Bill

entitled

An Act to amend and extend the Official Languages Act 2003; to amend the Juries Act 1976; and to provide for related matters. 5

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act “Principal Act” means the Official Languages Act 2003.

Amendment of section 2 of Principal Act

2. Section 2(1) of the Principal Act is amended— 10

(a) by the substitution of the following definition for the definition of ‘Gaeltacht area’:

“ ‘Gaeltacht area’ has the same meaning as it has in Part 2 of the Act of 2012;”,

(b) by the substitution of the following definition for the definition of ‘head of a public body’: 15

“ ‘head of a public body’ means the person appointed as the principal officer of the public body or, where no such person has been appointed, the person designated by order of the Government made under section 4A to be the head of the public body for the purposes of this Act;” 20

(c) by the insertion of the following definitions:

“ ‘Act of 2012’ means the Gaeltacht Act 2012;

‘Advisory Committee’ has the meaning assigned to it by section 18A;

‘establishment day’ shall be construed in accordance with section 18A; 25

‘Gaeltacht Language Planning Area’ has the same meaning as it has in Part 2 of the Act of 2012;

‘Gaeltacht Service Town’ has the same meaning as it has in Part 2 of the Act of 2012;



BILLE NA dTEANGACHA OIFIGIÚLA (LEASÚ), 2019

Bille

dá ngairtear

Acht do leasú agus do leathnú Acht na dTeangacha Oifigiúla, 2003; do leasú Acht na nGiúiréithe, 1976; agus do dhéanamh socrú i dtaobh nithe gaolmhara. 5

Achtaítear ag an Oireachtas mar a leanas:

Míniú

1. San Acht seo, ciallaíonn “Príomh-Acht” Acht na dTeangacha Oifigiúla, 2003.

Leasú ar alt 2 den Phríomh-Acht

2. Leasaítear alt 2(1) den Phríomh-Acht— 10

(a) tríd an míniú seo a leanas a chur in ionad an mhínithe ar ‘limistéar Gaeltachta’:

“tá le ‘limistéar Gaeltachta’ an bhrí chéanna atá leis i gCuid 2 d’Acht 2012;”,

(b) tríd an míniú seo a leanas a chur in ionad an mhínithe ar ‘ceann comhlachta phoiblí’: 15

“ciallaíonn ‘ceann comhlachta phoiblí’ an duine arna cheapadh nó arna ceapadh ina phríomhoifigeach nó ina príomhoifigeach ar an gcomhlacht poiblí nó, i gcás nach mbeidh aon duine den sórt sin ceaptha, an duine arna shainainmniú nó arna sainainmniú le hordú ón Rialtas arna dhéanamh faoi alt 4A chun bheith ina cheann nó ina ceann ar an gcomhlacht poiblí chun críocha an Achta seo;”, 20

(c) trí na mínithe seo a leanas a chur isteach:

“ciallaíonn ‘Acht 2012 ’ Acht na Gaeltachta, 2012;

tá le ‘Coiste Comhairleach’ an bhrí a shanntar dó le halt 18A;

déanfar ‘lá bunaithe’ a fhorléiriú de réir alt 18A; 25

“tá le ‘Limistéar Pleanála Teanga Gaeltachta’ an bhrí chéanna atá leis i gCuid 2 d’Acht 2012;

tá le ‘Baile Seirbhíse Gaeltachta’ an bhrí chéanna atá leis i gCuid 2 d’Acht 2012;

tá le ‘Líonra Gaeilge’ an bhrí chéanna atá leis i gCuid 2 d’Acht 2012; 30

‘Irish Language Network’ has the same meaning as it has in Part 2 of the Act of 2012;

‘National Plan’ has the meaning assigned to it by section 18C;

‘statutory body’ means a body established by or under statute;”.

Appointment of head of public body

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3. The Principal Act is amended by the insertion of the following section after section 4:

“4A. (1) Where for the time being no person stands appointed as the principal officer of a public body, the Government may by order designate a person to be head of the public body for the purposes of this Act.

(2) Every order under subsection (1) 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 21 days on which that House sits after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.”.

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Amendment of Principal Act – insertion of sections 9A to 9D

4. The Principal Act is amended by the insertion of the following sections after section 9:

“Duty of public bodies regarding names, addresses and titles in Irish language

9A. (1) For the purpose of ensuring the correct recording and use by a public body of a person’s name (including the patronymic or matronymic form of the name), address or title in the Irish language, the Minister may, after consultation with such (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of the public body, prescribe the body for the purposes of this section.

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(2) The Minister may, in prescribing a public body under subsection (1), specify the services offered or provided by the body in respect of which it is so prescribed.

(3) A public body that is prescribed under subsection (1) shall ensure that the information and communications systems, and any other systems (whether electronic or otherwise), that are used by the body in its communications with the general public, or a class of the general public, as may be appropriate, are configured in a manner that permits a person’s name (including the patronymic or matronymic form of the name), address or title, in the Irish language, to be correctly recorded and used by such systems in relation to the services offered or provided by the body in respect of which it is so prescribed.

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(4) (a) The Minister may, following consultation with such (if any) other Ministers of the Government as the Minister considers appropriate, prepare and issue guidelines (including guidelines in relation to the appropriate written form of names, addresses and titles and lenition

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tá le ‘Plean Náisiúnta’ an bhrí a shanntar dó le halt 18C;

ciallaíonn ‘comhlacht reachtúil’ comhlacht arna bhunú le reacht nó faoi reacht;”.

Ceann comhlachta phoiblí a cheapadh

3. Leasaítear an Príomh-Acht tríd an alt seo a leanas a chur isteach i ndiaidh alt 4: 5
- “4A. (1) Más rud é, de thuras na huaire, nach bhfuil aon duine arna cheapadh nó arna ceapadh ina phríomhoifigeach nó ina príomhoifigeach ar chomhlacht poiblí, féadfaidh an Rialtas, le hordú, duine a shainainmniú chun bheith ina cheann nó ina ceann ar an gcomhlacht poiblí chun críocha an Achta seo. 10
- (2) Déanfar gach ordú faoi fho-alt (1) 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 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.” 15

Leasú ar an bPríomh-Acht – ailt 9A go 9D a chur isteach

4. Leasaítear an Príomh-Acht trí na hailt seo a leanas a chur isteach i ndiaidh alt 9:
- “**Dualgas comhlachtaí poiblí maidir le hainmneacha, seoltaí agus teidil i nGaeilge** 20
- 9A. (1) D’fhonn a chinntiú go ndéanfaidh comhlacht poiblí ainm (lena n-áirítear foirm athartha nó foirm mháthartha an ainm), seoladh nó teideal duine i nGaeilge, a thaifeadh agus a úsáid i gceart, féadfaidh an tAire, tar éis comhchomhairle a dhéanamh le cibé Aire (más ann) den Rialtas is cuí leis an Aire, ag féachaint d’fheidhmeanna an chomhlachta phoiblí, an comhlacht a fhorordú chun críocha an ailt seo. 25
- (2) Féadfaidh an tAire, le linn comhlacht poiblí a fhorordú faoi fho-alt (1), na seirbhísí a thairgeann nó a sholáthraíonn an comhlacht a shonrú, is seirbhísí ar ina leith a fhorordófar amhlaidh é.
- (3) Cinnteoidh comhlacht poiblí a fhorordófar faoi fho-alt (1) go mbeidh na córais faisnéise agus chumarsáide, agus aon chórais eile (cibé acu córais leictreonacha nó eile), a úsáideann an comhlacht ina chumarsáidí leis an bpobal i gcoitinne, nó le haicme den phobal i gcoitinne, de réir mar is cuí, cumraithe ar mhodh lena gceadófar, leis na córais sin, ainm (lena n-áirítear foirm athartha nó foirm mháthartha an ainm), seoladh nó teideal duine i nGaeilge a thaifeadh agus a úsáid i gceart i ndáil leis na seirbhísí a thairgeann nó a sholáthraíonn an comhlacht, is seirbhísí ar ina leith a fhorordófar amhlaidh é. 30
- (4) (a) Féadfaidh an tAire, tar éis comhchomhairle a dhéanamh le cibé Airí eile (más ann) den Rialtas is cuí leis an Aire, treoirlínte a ullmhú agus a eisiúint (lena n-áirítear treoirlínte i ndáil le foirm scríofa chuí ainmneacha, seoltaí agus teideal agus i ndáil leis an séimhiú ar 40

of consonants in the Irish language) to assist public bodies in complying with their obligations under this section.

- (b) A public body shall have regard to the guidelines, if any, issued under paragraph (a) in complying with its obligations under this section. 5
- (c) The Minister shall, as soon as practicable, publish on the website of the Department of Culture, Heritage and the Gaeltacht any guidelines issued under paragraph (a).
- (d) The Minister shall, at such intervals as he or she considers appropriate, revise any guidelines issued under paragraph (a) and the provisions of this subsection shall apply to the issuing of such revised guidelines as they apply to the guidelines first issued. 10

Duty of public bodies regarding official forms

- 9B.** (1) For the purpose of prescribing the content and layout of official forms of a public body the Minister may, after consultation with such (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of the public body, prescribe the body for the purposes of this section. 15
- (2) The Minister may, in prescribing a public body under subsection (1), prescribe the contents and layout of official forms of the public body to be in the Irish language or in both the Irish and English languages and different provisions may be made in relation to different public bodies or official forms. 20
- (3) In prescribing the content and layout of forms under subsection (2) the Minister shall have regard to the following matters where text, in the official form concerned, is in both the Irish and English languages: 25
- (a) the order in which the text in each language shall appear in the official form;
 - (b) the prominence, visibility, legibility, size, font, overall appearance and style of the text, in the official form, of one language with respect to the text of the other language; 30
 - (c) the need for each official language to communicate the same message;
 - (d) the manner in which a title is to be used prior to or after a person's name in the official form, particularly with reference to acknowledging the different forms of such titles in each language; 35
 - (e) the manner in which abbreviated words may be used in each language.
- (4) In prescribing the content and layout of forms under subsection (2) the Minister shall have regard to the following matters where text, in the official form concerned, is in the Irish language only: 40

chonsain sa Ghaeilge) chun cuidiú le comhlachtaí poiblí a gcuid oibleagáidí faoin alt seo a chomhlíonadh.

- (b) Beidh aird ag comhlacht poiblí ar na treoirlínte, más ann, a eiseofar faoi mhír (a) le linn dó a chuid oibleagáidí faoin alt seo a chomhlíonadh. 5
- (c) Déanfaidh an tAire, a luaithe is indéanta, aon treoirlínte a eiseofar faoi mhír (a) a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreacht agus Gaeltachta.
- (d) Déanfaidh an tAire, i gceann cibé eatramh is cuí leis nó léi, aon treoirlínte a eiseofar faoi mhír (a) a athmheas agus beidh feidhm ag forálacha an fho-ailt seo maidir le heisiúint na dtreoirlínte athmheasta sin mar atá feidhm acu maidir leis na treoirlínte a eisíodh i gcéadair. 10

Dualgas comhlachtaí poiblí maidir le foirmeacha oifigiúla

- 9B.** (1) D'fhonn ábhar agus leagan amach foirmeacha oifigiúla de chuid comhlacht poiblí a fhorordú, féadfaidh an tAire, tar éis comhchomhairle a dhéanamh le cibé Aire (más ann) den Rialtas is cuí leis an Aire, ag féachaint d'fheidhmeanna an chomhlachta poiblí, an comhlacht a fhorordú chun críocha an ailt seo. 15
- (2) Féadfaidh an tAire, le linn comhlacht poiblí a fhorordú faoi fho-alt (1), a fhorordú gur i nGaeilge nó i nGaeilge agus i mBéarla araon a bheidh ábhar agus leagan amach foirmeacha oifigiúla an chomhlachta poiblí agus féadfar forálacha éagsúla a dhéanamh i ndáil le comhlachtaí poiblí éagsúla nó le foirmeacha oifigiúla éagsúla. 20
- (3) Le linn ábhar agus leagan amach foirmeacha a fhorordú faoi fho-alt (2), beidh aird ag an Aire ar na nithe seo a leanas i gcás gur i nGaeilge agus i mBéarla araon a bheidh téacs san fhoirm oifigiúil lena mbaineann: 25
- (a) an t-ord ina mbeidh an téacs i ngach teanga san fhoirm oifigiúil;
 - (b) feiceálacht, infheictheacht, inléiteacht, méid, cló, cuma fhoiriomlán agus stíl téacs teanga amháin san fhoirm oifigiúil i leith théacs na teanga eile; 30
 - (c) an gá atá ann go gcuirfean an teachtaireacht chéanna in iúl le gach ceann de na teangacha oifigiúla;
 - (d) an modh ar a mbeidh teideal le húsáid roimh ainm duine nó i ndiaidh ainm duine san fhoirm oifigiúil, go háirithe faoi threoir aitheantas a thabhairt do na foirmeacha éagsúla de na teidil sin i ngach teanga; 35
 - (e) an modh ar a bhféadfar focail ghiorraithe a úsáid i ngach teanga.
- (4) Le linn ábhar agus leagan amach foirmeacha a fhorordú faoi fho-alt (2), beidh aird ag an Aire ar na nithe seo a leanas i gcás gur i nGaeilge amháin a bheidh téacs san fhoirm oifigiúil lena mbaineann: 40

- (a) the manner in which a title is to be used prior to or after a person's name in the official form, particularly with reference to acknowledging the different forms of such titles in each language;
- (b) the manner in which abbreviated words may be used in each language.

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Duty of public bodies regarding logos

9C. (1) A public body shall, on and from the commencement of this section, where it is renewing or altering its logo, ensure that text that forms part of the new or altered logo shall be in the Irish language or in both the Irish and English languages.

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(2) Where text referred to in subsection (1) is in both the Irish and English languages—

- (a) the part of the text that is in the Irish language shall appear before the part of the text that is in the English language,
- (b) the part of the text that is in the Irish language shall not be in a smaller font, or less prominent, visible or legible than the part of the text that is in the English language, and
- (c) and part of the text that is in the Irish language is abbreviated the part of the text that is in the English language which is the translation of that abbreviated text shall also be abbreviated.

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(3) In this section and in section 9D 'logo' means the logo usually used by a body on headings of stationery, livery or signage of the body and generally accompanied by the name of the body, and includes the logo of any scheme, programme, policy initiative or website administered by the body or for which the body is responsible.

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Names and logos of newly established statutory bodies

9D. (1) The name of a statutory body established, on and from the commencement of this section, shall be in the Irish language or in both the Irish and English languages.

(2) Text that forms part of a logo of a statutory body established, on and from the commencement of this section, shall be in the Irish language or in both the Irish and English languages.

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(3) Where text referred to in subsection (2) is in both the Irish and English languages—

- (a) the part of the text that is in the Irish language shall appear before the part of the text that is in the English language,
- (b) the part of the text that is in the Irish language shall not be in a smaller font, or less prominent, visible or legible than the part of the text that is in the English language, and

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- (a) an modh ar a mbeidh teideal le húsáid roimh ainm duine nó i ndiaidh ainm duine san fhoirm oifigiúil, go háirithe faoi threoir aitheantas a thabhairt do na foirmeacha éagsúla de na teidil sin i ngach teanga;
- (b) an modh ar a bhféadfar focail ghiorraithe a úsáid i ngach ceann de na teangacha. 5

Dualgas comhlachtaí poiblí maidir le lógónna

- 9C.** (1) Cinnteoidh comhlacht poiblí, ar agus ó thosach feidhme an ailt seo, i gcás go mbeidh a lógó á athnuachan nó á athrú aige, gur i nGaeilge nó i nGaeilge agus i mBéarla araon a bheidh téacs is cuid den lógó nua nó den lógó athraithe. 10
- (2) I gcás gur i nGaeilge agus i mBéarla araon a bheidh téacs dá dtagraítear i bhfo-alt (1)—
- (a) beidh an chuid den téacs a bheidh i nGaeilge roimh an gcuid den téacs a bheidh i mBéarla, 15
 - (b) maidir leis an gcuid den téacs a bheidh i nGaeilge, ní bheidh sí i gcló níos lú ná an chuid den téacs a bheidh i mBéarla agus beidh sí chomh feiceálach, chomh hinfheicthe agus chomh hinléite céanna leis an gcuid den téacs a bheidh i mBéarla, agus
 - (c) agus go mbeidh cuid den téacs a bheidh i nGaeilge giorraithe, beidh an chuid den téacs a bheidh i mBéarla, arb í an t-aistriúchán ar an téacs giorraithe sin í, giorraithe freisin. 20
- (3) San alt seo agus in alt 9D, ciallaíonn “lógó” an lógó a úsáideann comhlacht de ghnáth ar cheannteidil stáiseanóireachta, libhré nó comharthaíocht de chuid an chomhlachta agus lena ngabhann, i gcoitinne, ainm an chomhlachta, agus folaíonn sé lógó aon scéime, cláir, tionscnaimh beartais nó suímh gréasáin arna riaradh ag an gcomhlacht nó dá bhfuil an comhlacht freagrach.”. 25

Ainmneacha agus lógónna comhlachtaí reachtúla nuabhunaithe

- 9D.** (1) Maidir le hainm comhlachta reachtúil a bhunófar, ar agus ó thosach feidhme an ailt seo, is i nGaeilge nó i nGaeilge agus i mBéarla araon a bheidh sé. 30
- (2) Maidir le téacs is cuid de lógó comhlachta reachtúil a bhunófar, ar agus ó thosach feidhme an ailt seo, is i nGaeilge nó i nGaeilge agus i mBéarla araon a bheidh sé. 35
- (3) I gcás gur i nGaeilge agus i mBéarla araon a bheidh téacs dá dtagraítear i bhfo-alt (2)—
- (a) beidh an chuid den téacs a bheidh i nGaeilge roimh an gcuid den téacs a bheidh i mBéarla,
 - (b) maidir leis an gcuid den téacs a bheidh i nGaeilge, ní bheidh sí i gcló níos lú ná an chuid den téacs a bheidh i mBéarla agus beidh sí chomh feiceálach, chomh hinfheicthe agus chomh hinléite céanna leis an gcuid den téacs a bheidh i mBéarla, agus 40

- (c) and part of the text that is in the Irish language is abbreviated the part of the text that is in the English language which is the translation of that abbreviated text shall also be abbreviated.”.

Amendment of section 14 of Principal Act

5. Section 14 of the Principal Act is amended by the insertion of the following subsection after subsection (3): 5
- “(4) Where a language standard has been prescribed to apply to a public body under section 19A(2) a scheme confirmed by the Minister under this section or pursuant to section 15 shall, notwithstanding subsection (3), cease to be in force.”. 10

Amendment of Principal Act – insertion of sections 18A to 18E

6. The Principal Act is amended by the insertion of the following sections after section 18:
- “Establishment of Advisory Committee**
- 18A.** (1) The Minister shall, by order, appoint a day to be the establishment day (in this Act referred to as the ‘establishment day’) for the purposes of this Act. 15
- (2) There shall stand established on the establishment day a committee to be known as the Irish Language Services Advisory Committee (in this Act referred to as ‘the Advisory Committee’).
- (3) The secretariat and the executive functions of the Advisory Committee shall be provided by the Minister. 20
- (4) An order under subsection (1) 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 21 days on which that House sits 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

Membership of Advisory Committee

- 18B.** (1) The Advisory Committee shall consist of the following members— 30
- (a) a Chairperson, and
- (b) not less than 5 and not more than 11 ordinary members, each of whom shall be appointed by the Minister.
- (2) The Minister shall designate one member of the Advisory Committee as Chairperson.
- (3) The ordinary members of the Advisory Committee shall include— 35
- (a) one member nominated by the Minister as a representative of the Department of Culture, Heritage and the Gaeltacht,

- (c) agus go mbeidh cuid den téacs a bheidh i nGaeilge giorraithe, beidh an chuid den téacs a bheidh i mBéarla, arb í an t-aistriúchán ar an téacs giorraithe sin í, giorraithe freisin.”.

Leasú ar alt 14 den Phríomh-Acht

5. Leasaítear alt 14 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (3): 5

“(4) I gcás go mbeidh caighdeán teanga forordaithe, is caighdeán teanga a mbeidh feidhm aige maidir le comhlacht poiblí faoi alt 19A(2), maidir le scéim arna daingniú ag an Aire faoin alt seo nó de bhun alt 15, scoirfidh sí de bheith i bhfeidhm, d’ainneoin fho-alt (3).” 10

Leasú ar an bPríomh-Acht – ailt 18A go 18E a chur isteach

6. Leasaítear an Príomh-Acht trí na hailt seo a leanas a chur isteach i ndiaidh alt 18:

“An Coiste Comhairleach a bhunú

18A. (1) Déanfaidh an tAire, le hordú, lá a cheapadh chun bheith ina lá bunaithe (dá ngairtear an “lá bunaithe” san Acht seo) chun críoche an Achta seo. 15

(2) An lá bunaithe, beidh coiste arna bhunú ar a dtabharfar an Coiste Comhairleach um Sheirbhísí Gaeilge (dá ngairtear “an Coiste Comhairleach” san Acht seo).

(3) Is é nó is í an tAire a sholáthróidh rúnaireacht agus feidhmeanna feidhmiúcháin an Choiste Chomhairligh. 20

(4) Déanfar ordú faoi fho-alt (1) 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 t-ordú a leagan faoina bhráid, rún a rith ag neamhniú an ordaithe, beidh an t-ordú ar neamhni dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin ordú. 25

Comhaltas an Choiste Chomhairligh

18B. (1) Is iad a bheidh ar an gCoiste Comhairleach na comhaltaí seo a leanas— 30

(a) Cathaoirleach, agus

(b) líon gnáthchomhaltaí nach lú ná 5 ná nach mó ná 11, agus is é nó is í an tAire a cheapfaidh gach duine acu.

(2) Déanfaidh an tAire aon chomhalta amháin den Choiste Comhairleach a shainainmniú mar Chathaoirleach. 35

(3) Áireofar ar ghnáthchomhaltaí an Choiste Chomhairligh—

(a) aon chomhalta amháin a bheidh ainmnithe ag an Aire mar ionadaí don Roinn Cultúir, Oidhreachta agus Gaeltachta,

- (b) one member nominated by the Minister for Public Expenditure and Reform as a representative of the Department of Public Expenditure and Reform,
 - (c) one member nominated by the Public Appointments Service as a representative of the Public Appointments Service, 5
 - (d) not more than 7 other members nominated by public bodies as representatives of such public bodies as the Minister considers appropriate, and
 - (e) one member nominated by the Minister as a representative of a Gaeltacht area. 10
- (4) A member of the Advisory Committee shall be subject to such terms and conditions and be paid such allowances for expenses as the Minister may, with the consent of the Minister for Public Expenditure and Reform, determine.
 - (5) If the Chairperson is for any reason unable to continue to act as Chairperson, the Minister may designate another member of the Advisory Committee to act as Chairperson. 15
 - (6) A member of the Advisory Committee shall hold office for such period not exceeding 6 years from the date of his or her appointment, as the Minister shall determine. 20
 - (7) Subject to subsection (8), a member of the Advisory Committee whose term of office expires by the effluxion of time shall be eligible for reappointment to the Advisory Committee.
 - (8) A member of the Advisory Committee who has served 2 consecutive terms of office shall not be eligible for reappointment to the Advisory Committee until a period of 6 years has elapsed following the end of the 2 consecutive terms. 25
 - (9) A member of the Advisory Committee may resign from the Advisory Committee by letter addressed to the Minister, and the resignation shall take effect on the date specified in the letter, or the date on which the Minister receives the letter, whichever is the later. 30
 - (10) A member of the Advisory Committee may at any time be removed from membership of the Advisory Committee by the Minister if, in the Minister's opinion, the member has become incapable through ill-health of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Minister to be necessary for the effective performance by the Advisory Committee of its functions. 35
 - (11) A member of the Advisory Committee shall cease to be, and shall be disqualified from being, a member of the Advisory Committee where such member— 40

- (b) aon chomhalta amháin a bheidh ainmnithe ag an Aire Caiteachais Phoiblí agus Athchóirithe mar ionadaí don Roinn Caiteachais Phoiblí agus Athchóirithe,
- (c) aon chomhalta amháin a bheidh ainmnithe ag an tSeirbhís um Cheapacháin Phoiblí mar ionadaí don tSeirbhís um Cheapacháin Phoiblí, 5
- (d) 7 gcomhalta eile ar a mhéid a bheidh ainmnithe ag comhlachtaí poiblí mar ionadaithe do na comhlachtaí poiblí sin is cuí leis an Aire, agus
- (e) aon chomhalta amháin a bheidh ainmnithe ag an Aire mar ionadaí do limistéar Gaeltachta. 10
- (4) Beidh comhalta den Choiste Comhairleach faoi réir cibé téarmaí agus coinníollacha, agus íocfar leis nó léi cibé liúntais i leith caiteachas, a chinnfidh an tAire, le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe. 15
- (5) Más rud é go bhfuil an Cathaoirleach neamhábalta ar chúis ar bith gníomhú mar Chathaoirleach, féadfaidh an tAire comhalta eile den Choiste Comhairleach a shainainmniú chun gníomhú mar Chathaoirleach.
- (6) Sealbhóidh comhalta den Choiste Comhairleach oifig ar feadh cibé tréimhse, nach faide ná 6 bliana ó dháta a cheaptha nó a ceaptha, a chinnfidh an tAire. 20
- (7) Faoi réir fho-alt (8), beidh comhalta den Choiste Comhairleach a rachaidh a théarma oifige nó a téarma oifige in éag trí imeacht aimsire in-athcheaptha chun an Choiste Chomhairligh. 25
- (8) Aon chomhalta den Choiste Comhairleach a mbeidh fóna aige nó aici ar feadh 2 théarma oifige as a chéile, ní bheidh sé nó sí in-athcheaptha chun an Choiste Chomhairligh go dtí go mbeidh tréimhse 6 bliana caite tar éis dheireadh an 2 théarma as a chéile.
- (9) Féadfaidh comhalta den Choiste Comhairleach éirí as an gCoiste Comhairleach trí litir a bheidh dírithe chuig an Aire, agus beidh éifeacht leis an éirí as ar an dáta a bheidh sonraithe sa litir, nó ar an dáta ar a bhfaighidh an tAire an litir, cibé acu is déanaí. 30
- (10) Féadfaidh an tAire, aon tráth, comhalta den Choiste Comhairleach a chur as comhaltas den Choiste Comhairleach más rud é, i dtuairim an Aire, go bhfuil an comhalta tar éis éirí éagumasach, de dheasca easláinte, ar a fheidhmeanna nó a feidhmeanna a chomhlíonadh, nó gur mhí-iompair an comhalta é féin nó í féin mar a bheidh sonraithe, nó gur dealraitheach don Aire gur gá é nó í a chur as comhaltas chun go gcomhlíonfaidh an Coiste Comhairleach a fheidhmeanna go héifeachtach. 40
- (11) Scoirfidh comhalta den Choiste Comhairleach de bheith, agus beidh sé nó sí dícháilithe chun bheith, ina chomhalta nó ina comhalta den

- (a) is adjudicated bankrupt,
 - (b) makes a composition or arrangement with creditors,
 - (c) on conviction on indictment by a court of competent jurisdiction is sentenced to a term of imprisonment, or
 - (d) is disqualified or restricted from being a director of any company (within the meaning of the Companies Acts). 5
- (12) The Minister shall determine the procedures of the Advisory Committee.

Functions of Advisory Committee

- 18C.** (1) The Advisory Committee shall— 10
- (a) as soon as may be after the establishment day prepare and submit to the Minister for approval a National Plan for the provision of public services through the medium of the Irish language (in this Act referred to as the ‘National Plan’) for a period specified in the National Plan (being not more than 6 years) in order to— 15
 - (i) identify services provided by a public body or class of public bodies that are not provided through the medium of the Irish language and in relation to which the Advisory Committee is of the view that a language standard should be prescribed under section 19A(2), and 20
 - (ii) specify, for the period to which the National Plan relates, strategies public bodies may employ (including how to make best use of resources available to the bodies) so that services of the public bodies concerned that are not provided through the medium of the Irish language may be so provided, 25
 - (b) advise public bodies with respect to how services that are not provided by the bodies through the medium of the Irish language may be so provided, including—
 - (i) advice with respect to the number and grade of staff who are competent in the Irish language that the body would require to provide such services through the medium of the Irish language, 30
 - (ii) recommendations as to how to increase the number of staff who are competent in the Irish language, and
 - (iii) advice as to the level of competence, having regard to the system of standards known as the Common European Framework of Reference for Languages, required by a person in order for him or her to provide such services through the medium of the Irish language, 35

Choiste Comhairleach más rud é, maidir leis an gcomhalta sin—

- (a) go mbreithneofar ina fhéimheach nó ina féimheach é nó í,
 - (b) go ndéanfaidh sé nó sí imshocraíocht nó comhshocraíocht le creidiúnaithe,
 - (c) ar é nó í a chiontú ar díotáil ag cúirt dlínse inniúla, go ngearrfar 5 téarma príosúnachta air nó uirthi, nó
 - (d) go ndícháileofar é nó í chun bheith, nó go srianfar é nó í ó bheith, ina stiúrthóir ar aon chuideachta (de réir bhrí Achtanna na gCuideachtaí).
- (12) Is é nó is í an tAire a chinnfidh nósanna imeachta an Choiste 10 Chomhairligh.

Feidhmeanna an Choiste Chomhairligh

18C. (1) Déanfaidh an Coiste Comhairleach—

- (a) a luaithe is féidir tar éis an lae bunaithe, Plean Náisiúnta (dá ngairtear an “Plean Náisiúnta” san Acht seo), maidir le soláthar 15 seirbhísí poiblí trí mheán na Gaeilge ar feadh tréimhse a bheidh sonraithe sa Phlean Náisiúnta (is tréimhse nach faide ná 6 bliana), a ullmhú agus a chur faoi bhráid an Aire lena cheadú d’fhonn na nithe seo a leanas a dhéanamh—
 - (i) seirbhísí a shainaithe is seirbhísí a sholáthraíonn comhlacht 20 poiblí nó aicme comhlachtaí poiblí agus nach soláthraítear trí mheán na Gaeilge agus ar i ndáil leo atá an Coiste Comhairleach den tuairim gur chóir caighdeán teanga a fhorordú faoi alt 19A(2), agus
 - (ii) straitéisí a shonrú, ar feadh na tréimhse lena mbaineann an 25 Plean Náisiúnta, is straitéisí a fhéadfaidh comhlachtaí poiblí a úsáid (lena n-áirítear an chaoi a mbainfear an úsáid is fearr as acmhainní atá ar fáil do na comhlachtaí) ionas go bhféadfar seirbhísí de chuid na gcomhlachtaí poiblí lena mbaineann nach soláthraítear trí mheán na Gaeilge a sholáthar amhlaidh, 30
- (b) comhairle a thabhairt do chomhlachtaí poiblí maidir leis an gcaoi a bhféadfar seirbhísí nach soláthraíonn na comhlachtaí trí mheán na Gaeilge a sholáthar amhlaidh, lena n-áirítear an méid seo a leanas—
 - (i) comhairle maidir leis an líon foirne agus leis an ngrád foirne atá 35 inniúil i nGaeilge a mbeadh gá ag an gcomhlacht leo chun na seirbhísí sin a sholáthar trí mheán na Gaeilge,
 - (ii) moltaí maidir leis an gcaoi a méadófar an líon foirne atá inniúil i nGaeilge, agus
 - (iii) comhairle maidir leis an leibhéal inniúlachta, ag féachaint don 40 chóras caighdeán ar a dtugtar an Creat Comhchoiteann Tagartha Eorpach le haghaidh Teangacha, is gá a bheith ag duine chun go

and

- (c) conduct, or commission the conduct of, such research as the Advisory Committee deems appropriate in order to carry out its functions under paragraphs (a) and (b).
- (2) The Advisory Committee shall prepare each subsequent National Plan not earlier than 6 months, and not later than 3 months, before the expiration of the period specified in the National Plan and section 18D shall apply, with any necessary modifications, in relation to each subsequent National Plan as if any reference, to the National Plan, in that section were a reference to a subsequent National Plan.
- (3) The Advisory Committee shall, in performing its functions under this Act, have regard to the following objectives—
 - (a) increasing the services provided by public bodies through the medium of the Irish language, having particular regard to services provided by public bodies in Gaeltacht Language Planning Areas, Gaeltacht Service Towns and Irish Language Networks, and
 - (b) increasing the number of staff of public bodies who are competent in the Irish language so that, as soon as practicable after the establishment day, at least 20 per cent of staff recruited to public bodies are so competent.
- (4) The Advisory Committee shall have all such powers as are necessary or expedient for the performance of its functions.

Duty of Minister in respect of National Plan prepared under section 18C

18D. The Minister shall—

- (a) within 3 months of receiving the National Plan under section 18C(1)(a)—
 - (i) approve the National Plan without modification or with such modifications as he or she considers appropriate,
 - (ii) specify the date on which the National Plan should come into operation, and
 - (iii) submit the National Plan to the Government,and
- (b) as soon as may be thereafter—
 - (i) cause copies of the National Plan to be laid before each House of the Oireachtas, and
 - (ii) publish a copy of the National Plan on the website of the Department of Culture, Heritage and the Gaeltacht.

Report of Advisory Committee

18E. (1) The Advisory Committee shall, within 6 months of the end of the 2 year period from the establishment day and within 6 months of the end

soláthróidh sé nó sí na seirbhísí sin trí mheán na Gaeilge,

agus

- (c) cibé taighde a sheoladh, nó a choimisiúnú go seolfar cibé taighde, is cuí leis an gCoiste Comhairleach d'fhonn a fheidhmeanna a chomhlíonadh faoi mhíreanna (a) agus (b). 5
- (2) Ullmhóidh an Coiste Comhairleach gach Plean Náisiúnta dá éis sin tráth nach luaithe ná 6 mhí, agus nach déanaí ná 3 mhí, roimh dheireadh na tréimhse a bheidh sonraithe sa Phlean Náisiúnta agus beidh feidhm ag alt 18D, fara aon mhodhnuithe is gá, i ndáil le gach Plean Náisiúnta dá éis sin amhail is dá mba thagairt do Phlean Náisiúnta dá éis sin aon tagairt don Phlean Náisiúnta san alt sin. 10
- (3) Le linn dó a fheidhmeanna a chomhlíonadh faoin Acht seo, beidh aird ag an gCoiste Comhairleach ar na cuspóirí seo a leanas—
- (a) na seirbhísí a sholáthraíonn comhlachtaí poiblí trí mheán na Gaeilge a mhéadú, ag féachaint go háirithe do sheirbhísí a sholáthraíonn comhlachtaí poiblí i Limistéir Pleanála Teanga Ghaeltachta, i mBailte Seirbhíse Gaeltachta agus i Líonraí Gaeilge, agus 15
- (b) an líon foirne de chuid comhlachtaí poiblí atá inniúil i nGaeilge a mhéadú ionas go mbeidh, a luaithe is indéanta tar éis an lae bunaithe, 20 faoin gcéad ar a laghad den fhoireann a earcófar chuig comhlachtaí poiblí inniúil amhlaidh. 20
- (4) Beidh ag an gCoiste Comhairleach na cumhachtaí sin go léir is gá nó is fóirsteanach chun a fheidhmeanna a chomhlíonadh.

Dualgas an Aire i leith Plean Náisiúnta arna ullmhú faoi alt 18C 25

18D. Déanfaidh an tAire—

- (a) laistigh de 3 mhí ón bPlean Náisiúnta a fháil faoi alt 18C(1)(a)—
- (i) an Plean Náisiúnta a cheadú gan mhodhnú nó fara cibé modhnuithe is cuí leis nó léi,
- (ii) an dáta ar ar chóir don Phlean Náisiúnta teacht i ngníomh a shonrú, agus 30
- (iii) an Plean Náisiúnta a chur faoi bhráid an Rialtais,
- agus
- (b) a luaithe is féidir ina dhiaidh sin—
- (i) a chur faoi deara cóipeanna den Phlean Náisiúnta a leagan faoi bhráid gach Tí den Oireachtas, agus 35
- (ii) cóip den Phlean Náisiúnta a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreachta agus Gaeltachta.

Tuarascáil an Choiste Chomhairligh

18E. (1) Déanfaidh an Coiste Comhairleach, laistigh de 6 mhí ó dheireadh na 40

of each 2 year period thereafter, provide a progress report to the Minister and to the Commissioner with regard to its work during the previous 2 years.

- (2) Notwithstanding subsection (1), the Advisory Committee may, from time to time, furnish to the Minister such information about the performance of its functions as it considers appropriate and shall furnish to the Minister any information about the performance of its functions requested by the Minister. 5
- (3) The Commissioner shall, within 6 months of receiving the report referred to in subsection (1), prepare and submit to the Minister a commentary on the report. 10
- (4) The Minister shall, within 3 months of receiving the commentary referred to in subsection (3), submit the commentary and the report referred to in subsection (1) to the Government and, as soon as may be thereafter— 15
 - (a) cause copies of the report and commentary to be laid before each House of the Oireachtas, and
 - (b) publish copies of the report and commentary on the website of the Department of Culture, Heritage and the Gaeltacht.”.

Amendment of Principal Act – insertion of sections 19A to 19D 20

7. The Principal Act is amended by the insertion of the following sections after section 19:

“Language standards

- 19A.** (1) For the purpose of prescribing language standards to apply to a public body or class of public bodies in order to promote the use of the Irish language for official purposes in the State the Minister may, with the consent of the Minister of the Government in whom functions in relation to the body or each body in the class of public bodies is vested, prescribe the public body or class of public bodies for the purposes of this section. 25
- (2) The Minister may prescribe language standards to apply to a public body or class of public bodies prescribed under subsection (1) and different standards may apply to different public bodies or different classes of public bodies. 30
- (3) Language standards prescribed under subsection (2) may include standards specifying— 35
 - (a) services to be provided, through the medium of the Irish language, by the public body or class of public bodies concerned,

tréimhse 2 bhliain ón lá bunaithe agus laistigh de 6 mhí ó dheireadh gach tréimhse 2 bhliain ina dhiaidh sin, tuarascáil a sholáthar don Aire agus don Choimisinéir faoi dhul chun cinn maidir lena chuid oibre le linn an 2 bhliain roimhe sin.

- (2) D’ainneoin fho-alt (1), féadfaidh an Coiste Comhairleach, ó am go ham, cibé faisnéis maidir le comhlíonadh a fheidhmeanna a mheasfaidh sé is cuí a thabhairt don Aire agus tabharfaidh sé don Aire aon fhaisnéis maidir le comhlíonadh a fheidhmeanna a iarrfaidh an tAire. 5
- (3) Déanfaidh an Coimisinéir, laistigh de 6 mhí ón tuarascáil dá dtagraítear i bhfo-alt (1) a fháil, tráchtairacht ar an tuarascáil a ullmhú agus a chur faoi bhráid an Aire. 10
- (4) Déanfaidh an tAire, laistigh de 3 mhí ón tráchtairacht dá dtagraítear i bhfo-alt (3) a fháil, an tráchtairacht agus an tuarascáil dá dtagraítear i bhfo-alt (1) a chur faoi bhráid an Rialtais agus, a luaithe is féidir ina dhiaidh sin— 15
- (a) a chur faoi deara cóipeanna den tuarascáil agus den tráchtairacht a leagan faoi bhráid gach Tí den Oireachtas, agus
- (b) cóipeanna den tuarascáil agus den tráchtairacht a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreacht agus Gaeltachta.”. 20

Leasú ar an bPríomh-Acht – ailt 19A go 19D a chur isteach

7. Leasaítear an Príomh-Acht trí na hailt seo a leanas a chur isteach i ndiaidh alt 19:

“Caighdeáin teanga

- 19A.** (1) D’fhonn caighdeáin teanga a fhorordú, is caighdeáin teanga a mbeidh feidhm acu maidir le comhlacht poiblí nó maidir le haicme comhlachtaí poiblí chun úsáid na Gaeilge a chur chun cinn chun críoch oifigiúil sa Stát, féadfaidh an tAire, le toiliú an Aire den Rialtas a bhfuil feidhmeanna dílisithe dó nó di i ndáil leis an gcomhlacht nó le gach ceann de na comhlachtaí san aicme comhlachtaí poiblí, an comhlacht poiblí nó an aicme comhlachtaí poiblí a fhorordú chun críocha an ailt seo. 25 30
- (2) Féadfaidh an tAire caighdeáin teanga a fhorordú, is caighdeáin teanga a mbeidh feidhm acu maidir le comhlacht poiblí nó maidir le haicme comhlachtaí poiblí a fhorordófar faoi fho-alt (1), agus féadfaidh feidhm a bheith ag caighdeáin éagsúla maidir le comhlachtaí poiblí éagsúla nó maidir le haicmí éagsúla comhlachtaí poiblí. 35
- (3) Maidir le caighdeáin teanga a fhorordófar faoi fho-alt (2), féadfaidh caighdeáin a bheith ar áireamh iontu lena sonrú an méid seo a leanas— 40
- (a) seirbhísí a bheidh le soláthar, trí mheán na Gaeilge, ag an gcomhlacht poiblí nó ag an aicme comhlachtaí poiblí lena

- (b) services to be provided, through the medium of both the Irish and English languages, by the public body or class of public bodies concerned,
 - (c) the level of competence in the Irish language required by staff of the public body or class of public bodies concerned so as to enable—
 - (i) the public body or class of public bodies to comply with paragraphs (a) and (b), and
 - (ii) staff of each public body concerned to communicate, within that body, with other staff of the body—
 - (I) through the medium of the Irish language, or
 - (II) through the medium of both the Irish and English languages,
 - (d) where a public body or class of public bodies is delivering or implementing, or intends to deliver or implement, a service, programme or policy in a Gaeltacht Language Planning Area, Gaeltacht Service Town or Irish Language Network, the extent to which the linguistic impact on the Gaeltacht Language Planning Area, Gaeltacht Service Town or Irish Language Network concerned shall be taken into account as respects the delivery or implementation of that service, programme or policy, and
 - (e) a timescale within which the Irish language shall become the working language in the offices, in a Gaeltacht area, of a public body or class of public bodies.
- (4) The Minister shall, when prescribing language standards under subsection (2), have regard to the following—
- (a) the services provided by the body through the medium of the Irish language,
 - (b) any scheme in force in respect of the body under section 14,
 - (c) any language standard prescribed under this section that applies to the body,
 - (d) the extent to which the public body or class of public bodies concerned interacts with the general public or a class of the general public,
 - (e) the extent to which a service, programme or policy delivered or implemented, or to be delivered or implemented, by a public body or class of public bodies may affect the general public or a class of the general public in a Gaeltacht Language Planning Area, a

mbaineann,

- (b) seirbhísí a bheidh le soláthar, trí mheán na Gaeilge agus an Bhéarla araon, ag an gcomhlacht poiblí nó ag an aicme comhlachtaí poiblí lena mbaineann,
- (c) an leibhéal inniúlachta i nGaeilge is gá a bheith ag foireann de chuid an chomhlachta poiblí nó de chuid na haicme comhlachtaí poiblí lena mbaineann chun an méid seo a leanas a dhéanamh—
- (i) a chumasú don chomhlacht poiblí nó don aicme comhlachtaí poiblí míreanna (a) agus (b) a chomhlíonadh, agus
- (ii) a chumasú d’fhoireann de chuid gach ceann de na comhlachtaí poiblí lena mbaineann cumarsáid a dhéanamh, laistigh den chomhlacht sin, le foireann eile de chuid an chomhlachta—
- (I) trí mheán na Gaeilge, nó
- (II) trí mheán na Gaeilge agus an Bhéarla araon,
- (d) i gcás go bhfuil seirbhís, clár nó beartas á seachadadh nó á sheachadadh nó á cur i ngníomh nó á chur i ngníomh ag comhlacht poiblí nó ag aicme comhlachtaí poiblí, nó go mbeartaíonn comhlacht poiblí nó aicme comhlachtaí poiblí seirbhís, clár nó beartas a sheachadadh nó a chur i ngníomh, i Limistéar Pleanála Teanga Gaeltachta, i mBaile Seirbhíse Gaeltachta nó i Líonra Gaeilge, a mhéid a chuirfear i gcuntas an tionchar teanga ar an Limistéar Pleanála Teanga Gaeltachta, ar an mBaile Seirbhíse Gaeltachta nó ar an Líonra Gaeilge lena mbaineann maidir le seachadadh nó cur i ngníomh na seirbhíse, an chláir nó an bheartais sin, agus
- (e) scála ama ar laistigh de a thiocfaidh an Ghaeilge chun bheith mar an teanga oibre sna hoifigí, i limistéar Gaeltachta, de chuid comhlacht poiblí nó de chuid aicme comhlachtaí poiblí.
- (4) Le linn dó nó di caighdeán teanga a fhorordú faoi fho-alt (2), beidh aird ag an Aire ar an méid seo a leanas—
- (a) na seirbhísí a sholáthraíonn an comhlacht trí mheán na Gaeilge,
- (b) aon scéim a bheidh i bhfeidhm i leith an chomhlachta faoi alt 14,
- (c) aon chaighdeán teanga a fhorordófar faoin alt seo, is caighdeán teanga a mbeidh feidhm aige maidir leis an gcomhlacht,
- (d) a mhéid a idirghníomhaíonn an comhlacht poiblí nó an aicme comhlachtaí poiblí lena mbaineann leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne,
- (e) a mhéid a fhéadfaidh seirbhís, clár nó beartas arna seachadadh nó arna sheachadadh nó arna cur i ngníomh nó arna chur i ngníomh, nó a bheidh le seachadadh nó le cur i ngníomh, ag comhlacht poiblí nó ag aicme comhlachtaí poiblí difear a dhéanamh don phobal i gcoitinne nó d’aicme den phobal i gcoitinne i Limistéar Pleanála

Gaeltacht Service Town or an Irish Language Network, with particular reference to Gaeltacht Language Planning Areas,

- (f) any views received under subsection (6)(c) or (d), and
 - (g) services identified in the National Plan.
- (5) The Minister shall, when prescribing language standards under subsection (2), ensure that a standard to be prescribed shall not have the effect that the public body concerned may be required to provide fewer services through the medium of the Irish language than the body provided (either of the body's own accord, pursuant to a scheme in force in respect of the body under section 14 or pursuant to a language standard prescribed under this section) prior to the standard being prescribed. 5 10
- (6) Before prescribing language standards under subsection (2), the Minister shall—
- (a) consult— 15
 - (i) such other Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister, and
 - (ii) such public body as the Minister considers appropriate,
 - (b) seek the advice of the Advisory Committee, 20
 - (c) publish, on the website of the Department of Culture, Heritage and the Gaeltacht, a draft of the standards giving the general public 3 months from the date of publication to provide to the Minister views, in writing, on the draft standards, and
 - (d) contact each public body to which a standard shall apply to advise that the body may, within 3 months of the date of publication of the draft standards under paragraph (c), provide to the Minister its views on the draft standards. 25
- (7) The Minister may, where he or she considers it appropriate to do so, extend the period referred to in subsection (6)(c) or (d). 30
- (8) The Minister shall forward a copy of language standards prescribed under subsection (2) to the Commissioner.
- (9) (a) The Minister shall, from time to time but at least once every 5 years, carry out a review of language standards prescribed under subsection (2). 35
- (b) When carrying out the review referred to in paragraph (a), the Minister shall seek the advice of the Advisory Committee.
- (10) Notwithstanding this section, the Minister may, with the consent of the Minister for Public Expenditure and Reform, 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 40

Teanga Gaeltachta, i mBaile Seirbhíse Gaeltachta nó i Líonra Gaeilge, agus aird ar leith ar Limistéir Pleanála Teanga Ghaeltachta,

- (f) aon bharúlacha a gheobhaidh sé nó sí faoi fho-alt (6)(c) nó (d), agus 5
- (g) seirbhísí a shaináithneofar sa Phlean Náisiúnta.
- (5) Cinnteoidh an tAire, le linn dó nó di caighdeán teanga a fhorordú faoi fho-alt (2), nach mbeidh d'éifeacht le caighdeán a bheidh le forordú a cheangal ar an gcomhlacht poiblí lena mbaineann líon níos lú seirbhísí a sholáthar trí mheán na Gaeilge ná an líon arna sholáthar ag an gcomhlacht (de dheoin an chomhlachta féin, de bhun scéim a bheidh i bhfeidhm i leith an chomhlachta faoi alt 14 nó de bhun caighdeán teanga arna fhorordú faoin alt seo) roimh an gcaighdeán a fhorordú. 10
- (6) Sula ndéanfaidh an tAire caighdeán teanga a fhorordú faoi fho-alt (2)— 15
- (a) rachaidh sé nó sí i gcomhairle—
- (i) le cibé Aire eile den Rialtas is cúí leis an Aire, ag féachaint d'fheidhmeanna an Aire eile sin, agus
- (ii) le cibé comhlacht poiblí is cúí leis an Aire,
- (b) lorgóidh sé nó sí comhairle an Choiste Chomhairligh, 20
- (c) déanfaidh sé nó sí dréacht de na caighdeáin a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreacht agus Gaeltachta agus 3 mhí, ón dáta foilsithe, a thabhairt don phobal i gcoitinne chun barúlacha, i scríbhinn, a sholáthar don Aire ar na dréachtchaighdeáin, 25
- (d) rachaidh sé nó sí i dteagmháil le gach comhlacht poiblí a mbeidh feidhm ag caighdeán maidir leis lena chur in iúl go bhféadfaidh an comhlacht, laistigh de 3 mhí ó dháta foilsithe na ndréachtchaighdeán faoi mhír (c), a bharúlacha ar na dréachtchaighdeáin a sholáthar don Aire. 30
- (7) Féadfaidh an tAire, i gcás gur cúí leis nó léi déanamh amhlaidh, an tréimhse dá dtagraítear i bhfo-alt (6)(c) nó (d) a fhadú.
- (8) Déanfaidh an tAire cóip de chaighdeán teanga a fhorordófar faoi fho-alt (2) a chur ar aghaidh chuig an gCoimisinéir.
- (9) (a) Déanfaidh an tAire, ó am go ham ach uair amháin ar a laghad gach 5 bliana, athbhreithniú ar chaighdeán teanga a fhorordófar faoi fho-alt (2). 35
- (b) Le linn dó nó di an t-athbhreithniú dá dtagraítear i mír (a) a dhéanamh, lorgóidh an tAire comhairle an Choiste Chomhairligh.
- (10) D'ainneoin an ailt seo, féadfaidh an tAire, le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe, a ordú do chomhlacht poiblí, i ndáil leis na 40

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.

Duty to comply with language standards

- 19B.** (1) Where the Minister has prescribed, under section 19A(2), a language standard to apply to a public body, the body shall, unless and until a derogation has been granted in respect of the standard or part of the standard, comply with the standard, or part of the standard, as the case may be. 5
- (2) Nothing in a language standard prescribed under section 19A(2) to apply to a public body shall be construed as prohibiting a public body from implementing further measures to promote the status of the Irish language within its organisation. 10

Derogation from language standards

- 19C.** (1) A public body may, within 3 months of a language standard being prescribed to apply to the body under section 19A(2), apply, in writing, to the Minister to seek a derogation from the standard or part of the standard. 15
- (2) An application under subsection (1) shall include—
- (a) a statement setting out the reasons why the body considers that it will not be in a position to comply with the language standard, or part of the standard, as the case may be, due to— 20
- (i) lack of availability, particularly in remote geographic locations, of staff of the body who have the required level of competence in the Irish language, 25
- (ii) failure of the body, despite reasonable and satisfactory efforts, to recruit staff who have the required level of competence in the Irish language, or
- (iii) incompatibility of the body's existing IT or other systems with compliance, by the body, with the proposed standard due to existing configuration of those systems, 30
- (b) a plan to outline the action to be taken by the body to—
- (i) mitigate, in so far as possible, any adverse effects on the general public or a class of the general public, as may be appropriate, as a result of the derogation being granted, and 35
- (ii) enable it to comply, at a specified future date, with the proposed standard,

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 freisin, mar aon le meastachán a thabhairt ar an tréimhse ama is gá chun an plean a chur i ngníomh.

Dualgas caighdeán teanga a chomhlíonadh 5

19B. (1) I gcás go mbeidh caighdeán teanga forordaithe, faoi alt 19A(2), ag an Aire, is caighdeán teanga a mbeidh feidhm aige maidir le comhlacht poiblí, déanfaidh an comhlacht, mura mbeidh maolú deonaithe agus go dtí go mbeidh maolú deonaithe i leith an chaighdeáin nó i leith cuid den chaighdeán, an caighdeán, nó cuid den chaighdeán, de réir mar a bheidh, a chomhlíonadh. 10

(2) Ní fhorlíreofar aon ní i gcaighdeán teanga a fhorordófar faoi alt 19A(2), is caighdeán teanga a mbeidh feidhm aige maidir le comhlacht poiblí, mar ní a thoirmiscéann ar chomhlacht poiblí bearta breise a chur i ngníomh chun stádas na Gaeilge a chur chun cinn laistigh dá eagraíocht. 15

Maolú ar chaighdeán teanga

19C. (1) Laistigh de 3 mhí tar éis caighdeán teanga a fhorordú, is caighdeán teanga a mbeidh feidhm aige maidir leis an gcomhlacht faoi alt 19A(2), féadfaidh comhlacht poiblí iarratas a dhéanamh, i scríbhinn, chuig an Aire chun maolú a lorg ar an gcaighdeán nó ar chuid den chaighdeán. 20

(2) Beidh na nithe seo a leanas in iarratas faoi fho-alt (1)—

(a) ráiteas ina leagfar amach na cúiseanna go measann an comhlacht nach mbeidh sé in ann an caighdeán teanga, nó cuid den chaighdeán, de réir mar a bheidh, a chomhlíonadh mar gheall ar na nithe seo a leanas— 25

(i) gan dóthain foirne de chuid an chomhlachta, ag a mbeidh an leibhéal inniúlachta is gá i nGaeilge, a bheith ar fáil, go háirithe i suíomhanna geografacha iargúlta, 30

(ii) mainneachtain ag an gcomhlacht, d'ainneoin iarrachtaí réasúnacha agus sásúla, foireann ag a mbeidh an leibhéal inniúlachta is gá i nGaeilge a earcú, nó

(iii) neamh-chomhoiriúnacht na gcóras láithreach teicneolaíochta faisnéise nó na gcóras láithreach eile atá ag an gcomhlacht i ndáil leis an gcomhlacht do chomhlíonadh an chaighdeáin bheartaithe, mar gheall ar chumraíocht láithreach na gcóras sin. 35

(b) plean lena dtabharfar sracléiriú ar an ngníomh a dhéanfaidh an comhlacht—

(i) chun aon éifeachtaí dochracha ar an bpobal i gcoitinne nó ar aicme den phobal i gcoitinne a laghdú, a mhéid is féidir, de réir mar is cuí, de thoradh an maolú a dheonú, agus 40

(ii) chun a chumasú dó an caighdeán beartaithe a chomhlíonadh ar

and

- (c) any other information that the body considers relevant to the application.
- (3) The Minister shall, when considering whether to grant a derogation under this section, have regard to— 5
 - (a) the statement, plan and any other information submitted to the Minister under subsection (2), and
 - (b) any other matter the Minister considers relevant.
- (4) The Minister may, when considering whether to grant a derogation under this section, consult the public body concerned or such other person as the Minister considers appropriate. 10
- (5) Subject to subsection (6), the Minister shall, within 3 months of receipt of the application referred to in subsection (1), or such further period not exceeding 6 months, grant or refuse to grant a derogation from the language standard, or part of the standard, concerned. 15
- (6) The Minister shall not grant a derogation under this section where to do so would have the effect that the public body concerned may be required to provide fewer services through the medium of the Irish language than the body provided (of the body's own accord, pursuant to a scheme in force under section 14 or pursuant to a language standard prescribed under section 19A) prior to the standard, in respect of which the application under subsection (1) was made, being prescribed. 20
- (7) (a) The Minister may attach such conditions to a derogation granted under this section as are, in the Minister's opinion, appropriate. 25
 - (b) Subject to subsection (8), the Minister may specify a period, not exceeding 3 years, in relation to which a derogation shall apply, after which period the language standard or part of the standard in respect of which the derogation was granted shall apply to the public body concerned. 30
- (8) The Minister may, if he or she deems it appropriate to do so, extend, for a further period not exceeding 2 years, the period for which a derogation granted under this section shall apply.
- (9) A public body to which a derogation has been granted shall report to the Minister within 12 months of the granting of the derogation or such shorter period as the Minister may specify in a condition attached to the derogation, and no later than the expiration of each 12 month period thereafter until the derogation expires, to outline the action taken by the body during that period so that the body may comply with the proposed language standard by a specified future date. 35 40

dháta sonraithe sa toadhcháí,

agus

- (c) aon fhaisnéis eile a mheasann an comhlacht is iomchuí maidir leis an iarratas.
- (3) Le linn dó nó di breithniú a dhéanamh i dtaobh maolú a dheonú faoin alt seo, beidh aird ag an Aire ar na nithe seo a leanas— 5
- (a) an ráiteas, an plean agus aon fhaisnéis eile a chuirfear faoi bhráid an Aire faoi fho-alt (2), agus
- (b) aon ní eile a mheasann an tAire is iomchuí.
- (4) Le linn dó nó di breithniú a dhéanamh i dtaobh maolú a dheonú faoin alt seo, féadfaidh an tAire dul i gcomhairle leis an gcomhlacht poiblí lena mbaineann nó le cibé duine eile is cuí leis an Aire. 10
- (5) Faoi réir fho-alt (6), déanfaidh an tAire, laistigh de 3 mhí ón iarratas dá dtagraítear i bhfo-alt (1) a fháil, nó cibé tréimhse bhreise nach faide ná 6 mhí, maolú ar an gcaighdeán teanga lena mbaineann, nó ar chuid den chaighdeán lena mbaineann, a dheonú nó diúltú an céanna a dheonú. 15
- (6) Ní dhéanfaidh an tAire maolú a dheonú faoin alt seo i gcás go mbeadh d'éifeacht leis, dá ndéanfaí amhlaidh, a cheangal ar an gcomhlacht poiblí lena mbaineann líon níos lú seirbhísí a sholáthar trí mheán na Gaeilge ná an líon arna sholáthar ag an gcomhlacht (de dheoin an chomhlachta féin, de bhun scéim a bheidh i bhfeidhm faoi alt 14 nó de bhun caighdeán teanga arna fhorordú faoi alt (19A) roimh an gcaighdeán, ar ina leith a bheidh an t-iarratas faoi fho-alt (1) déanta, a fhorordú. 20 25
- (7) (a) Féadfaidh an tAire cibé coinníollacha is cuí, i dtuairim an Aire, a chur ag gabháil le maolú a dheonófar faoin alt seo.
- (b) Faoi réir fho-alt (8), féadfaidh an tAire tréimhse a shonrú, is tréimhse nach faide ná 3 bliana, ar i ndáil léi a bheidh feidhm ag maolú, agus ar ina diaidh a bheidh feidhm ag an gcaighdeán teanga nó ag an gcuid den chaighdeán, ar ina leith a bheidh an maolú deonaithe, maidir leis an gcomhlacht poiblí lena mbaineann. 30
- (8) Féadfaidh an tAire, más cuí leis nó léi déanamh amhlaidh, an tréimhse, ar ar a feadh a bheidh feidhm ag maolú a dheonófar faoin alt seo, a fhadú ar feadh tréimhse bhreise nach faide ná 2 bhliain. 35
- (9) Aon chomhlacht poiblí a mbeidh maolú deonaithe dó, tabharfaidh sé tuarascáil don Aire laistigh de 12 mhí ón maolú a dheonú nó cibé tréimhse is giorra ná sin a shonróidh an tAire i gcoinníoll a bheidh ag gabháil leis an maolú, agus tráth nach déanaí ná deireadh gach tréimhse 12 mhí ina dhiaidh sin go dtí go rachaidh an maolú in éag, chun sracléiriú a thabhairt ar an ngníomh a bheidh déanta ag an gcomhlacht le linn na tréimhse sin ionas go bhféadfaidh an comhlacht an caighdeán teanga beartaithe a chomhlíonadh faoi dháta sonraithe sa 40

Guidelines in respect of language standards

19D. (1) The Minister may issue guidelines for the purpose of providing practical guidance to public bodies as respects the compliance, by those bodies, with language standards prescribed under section 19A(2). 5

(2) The Minister shall, as soon as practicable, publish on the website of the Department of Culture, Heritage and the Gaeltacht any guidelines issued under subsection (1).”.

Amendment of section 31 of Principal Act

8. Section 31 of the Principal Act is amended by the deletion of the definition of “the Commission”. 10

Amendment of section 32 of Principal Act

9. Section 32(1) of the Principal Act is amended by the substitution of “the Minister, having consulted with such persons who either have experience of, or expertise in, matters relating to placenames, or both, as he or she considers appropriate” for “the Minister, having received and considered advice from the Commission”. 15

Amendment of section 12 of Juries Act 1976

10. Section 12 (as amended by section 56 of the Civil Law (Miscellaneous Provisions) Act 2008) of the Juries Act 1976 is amended—

- (a) in subsection (1), by the substitution of “a summons, in writing and in both the Irish and English languages” for “a written summons”, and 20
- (b) in subsection (2), by the substitution of “notice in writing and in both the Irish and English languages” for “notice”.

Repeals

11. Sections 11, 12, 13, 14, 15, 16, 17 and 18 of the Principal Act are repealed. 25

Transitional provision

12. Where, on receipt of a notice issued under section 11 or 15 of the Principal Act, a public body has not, prior to the commencement of this section, complied with section 11, 13 or 15 of the Principal Act—

- (a) the said notice has no effect and the public body concerned shall not be required to comply with the said section 11, 13 or 15, and 30
- (b) notwithstanding section 17 of the Principal Act, the Minister shall not report a failure, refusal or inability, by the public body concerned, to prepare a draft scheme to which the notice refers.

todhchaí.

Treoirlínte i leith caighdeáin teanga

- 19D.** (1) Féadfaidh an tAire treoirlínte a eisiúint chun treoir phraiticiúil a sholáthar do chomhlachtaí poiblí maidir leis na comhlachtaí sin do chomhlíonadh caighdeáin teanga a fhorordófar faoi alt 19A(2). 5
- (2) Déanfaidh an tAire, a luaithe is indéanta, aon treoirlínte a eiseofar faoi fho-alt (1) a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreacht agus Gaeltachta.”.

Leasú ar alt 31 den Phríomh-Acht

- 8.** Leasaítear alt 31 den Phríomh-Acht tríd an míniú ar “an Coimisiún” a scriosadh. 10

Leasú ar alt 32 den Phríomh-Acht

- 9.** Leasaítear alt 32(1) den Phríomh-Acht trí “féadfaidh an tAire, tar éis dó nó di dul i gcomhairle le cibé daoine ag a bhfuil taithí nó saineolas, nó iad araon, ar nithe a bhaineann le logainmneacha, de réir mar is cuí leis nó léi” a chur in ionad “féadfaidh an tAire, tar éis dó nó di comhairle a fháil ón gCoimisiún agus an chomhairle sin a bhreithniú”. 15

Leasú ar alt 12 d’Acht na nGiúiréithe, 1976

- 10.** Leasaítear alt 12 (arna leasú le halt 56 den Acht um an Dlí Sibhialta (Forálacha Ilghnéitheacha), 2008) d’Acht na nGiúiréithe, 1976—
- (a) i bhfo-alt (1), trí “toghairm, i scríbhinn agus i nGaeilge agus i mBéarla araon,” a chur in ionad “toghairm scríofa”, agus 20
- (b) i bhfo-alt (2), trí “fógra, i scríbhinn agus i nGaeilge agus i mBéarla araon,” a chur in ionad “fógra”.

Aisghairm

- 11.** Aisghairtear ailt 11, 12, 13, 14, 15, 16, 17 agus 18 den Phríomh-Acht. 25

Foráil idirthréimhseach

- 12.** Más rud é, ar fhógra arna eisiúint faoi alt 11 nó 15 den Phríomh-Acht a fháil, nach mbeidh alt 11, 13 nó 15 den Phríomh-Acht comhlíonta ag comhlacht poiblí roimh thosach feidhme an ailt seo—
- (a) ní bheidh aon éifeacht leis an bhfógra sin agus ní cheanglófar ar an gcomhlacht poiblí lena mbaineann an t-alt sin 11, 13 nó 15 a chomhlíonadh, agus 30
- (b) d’ainneoin alt 17 den Phríomh-Acht, ní thuairisceoidh an tAire mainneachtain, diúltú nó neamhábalacht ag an gcomhlacht poiblí lena mbaineann dréacht-scéim dá dtagraítear san fhógra a ullmhú.

Short title, collective citation and commencement

- 13.** (1) This Act may be cited as the Official Languages (Amendment) Act 2019.
- (2) The Official Languages Act 2003 and this Act may be cited together as the Official Languages Acts 2003 and 2019.
- (3) This Act shall come into operation on such day or days as the Minister for Culture, Heritage and the Gaeltacht may by order or orders appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions. 5

Gearrtheideal, comhlua agus tosach feidhme

13. (1) Féadfar Acht na dTeangacha Oifigiúla (Leasú), 2019 a ghairm den Acht seo.
- (2) Féadfar Achtanna na dTeangacha Oifigiúla, 2003 agus 2019 a ghairm d'Acht na dTeangacha Oifigiúla, 2003 agus den Acht seo le chéile.
- (3) Tiocfaidh an tAcht seo i ngníomh cibé lá nó laethanta a cheapfaidh an tAire Cultúir, Oidhreachta agus Gaeltachta le hordú nó le horduithe i gcoitinne nó faoi threoir aon chríoch nó foráil áirithe, agus féadfar laethanta éagsúla a cheapadh amhlaidh chun críoch éagsúil nó le haghaidh forálacha éagsúla. 5

BILL

(as initiated)

entitled

An Act to amend and extend the Official Languages Act 2003; to amend the Juries Act 1976; and to provide for related matters.

Presented by the Minister for Culture, Heritage and the Gaeltacht,

11th December, 2019

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú agus do leathnú Acht na dTeangacha Oifigiúla, 2003; do leasú Acht na nGiúiréithe, 1976; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An tAire Cultúir, Oidhreachta agus Gaeltachta a thíolaic,

11 Nollaig, 2019

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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