Uimhir 49 *de* 2021
Number 49 *of* 2021

Acht na dTeangacha Oifigiúla (Leasú), 2021
Official Languages (Amendment) Act 2021

Number 49 *of* 2021

OFFICIAL LANGUAGES (AMENDMENT) ACT 2021

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OFFICIAL LANGUAGES (AMENDMENT) ACT 2021

An Act to amend and extend the Official Languages Act 2003; to amend the Juries Act 1976; and to provide for related matters. [22*nd December*, 2021]

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—

(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':

" '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;",

(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;

'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;

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

ACHT NA dTEANGACHA OIFIGIÚLA (LEASÚ), 2021

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.

[22 *Nollaig*, 2021]

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—

(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':

"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;",

(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;

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;

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

'official form' means a form, including an electronic form, used by a public body in connection with the provision of a service by that body;

'statutory body' means a body established by or under statute;".

Amendment of Principal Act – insertion of sections 4A and 4B

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

"Appointment of head of public body

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.

Report on performance of obligations under Act

4B. The head of a public body shall—

(a) appoint, from senior management, another member of staff of the body to oversee the performance of, and report to him or her as appropriate in relation to, the obligations of the body under this Act, and

(b) ensure that a summary of any of the matters reported to him or her in accordance with paragraph (a) is included in the annual report of the body concerned.".

Amendment of section 9 of Principal Act

4. Section 9 of the Principal Act is amended—

(a) in subsection (1)—

(i) by the deletion of "or advertisements" in each place it occurs, and

(ii) by the substitution of "stationery or signage" for "stationery, signage",

(b) by the substitution of the following subsection for subsection (2):

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

ciallaíonn 'foirm oifigiúil' foirm, lena n-áirítear foirm leictreonach, a úsáideann comhlacht poiblí i dtaca leis an gcomhlacht sin do sholáthar seirbhíse;

ciallaíonn 'comhlacht reachtúil' comhlacht arna bhunú le reacht nó faoi reacht;".

Leasú ar an bPríomh-Acht – ailt 4A agus 4B a chur isteach

3. Leasaítear an Príomh-Acht trí na hailt seo a leanas a chur isteach i ndiaidh alt 4:

"Ceann comhlachta phoiblí a cheapadh

4A. (1) Más rud é, de thuras na huaire, nach mbeidh duine ar bith 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.

(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 neamhní dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin ordú.

Tuarascáil ar chomhlíonadh oibleagáidí faoin Acht

4B. Déanfaidh ceann comhlachta phoiblí—

(a) comhalta foirne eile den chomhlacht a cheapadh, ón mbainistíocht shinsearach, chun formhaoirsiú a dhéanamh ar chomhlíonadh oibleagáidí an chomhlachta faoin Acht seo agus tuarascáil a thabhairt dó nó di, de réir mar is cuí, i ndáil le hoibleagáidí an chomhlachta faoin Acht seo, agus

(b) a chinntiú go ndéanfar achoimre ar aon cheann de na nithe arna dtuairisciú dó nó di de réir mhír (a) a áireamh i dtuarascáil bhliantúil an chomhlachta lena mbaineann.".

Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht—

(a) i bhfo-alt (1)—

(i) trí "nó fógrán" a scriosadh gach áit a bhfuil sé, agus

(ii) trí "stáiseanóireachta nó comharthaí" a chur in ionad "stáiseanóireachta, comharthaí",

(b) tríd an bhfo-alt seo a leanas a chur in ionad fho-alt (2):

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

and

(c) by the substitution of the following subsections for subsection (3):

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

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

(a) 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

(b) where 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 Principal Act – insertion of sections 9A to 9E

5. 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 (including the option to use no 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.

(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—

"(2) I gcás go ndéanfaidh duine cumarsáid i scríbhinn, leis an bpost leictreonach nó ar na meáin shóisialta, i dteanga oifigiúil le comhlacht poiblí, freagróidh an comhlacht poiblí sa teanga chéanna.",

agus

(c) trí na fo-ailt seo a leanas a chur in ionad fho-alt (3):

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

(4) I gcás gur i nGaeilge agus i mBéarla a bheidh an chumarsáid dá dtagraítear i bhfo-alt (3)—

(a) 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

(b) más rud é, maidir leis an téacs a bheidh i nGaeilge, go mbeidh cuid de 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 an bPríomh-Acht – ailt 9A go 9E a chur isteach

5. 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

9A. (1) D'fhonn a chinntiú go ndéanfaidh comhlacht poiblí ainm (lena n-áirítear foirm athartha nó foirm mháthartha an ainm), seoladh nó teideal (lena n-áirítear an rogha gan teideal ar bith a úsáid) duine i nGaeilge, a thaifeadadh agus a úsáid i gceart, féadfaidh an tAire, tar éis dul i gcomhairle 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.

(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—

(a) permits a person's name (including the patronymic or matronymic form of the name), address or title (including the option to use no 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, and

(b) facilitates the use of the length accent in Irish language text.

(4) (a) The Minister shall, not later than 3 months after the commencement of *section 4* of the *Official Languages (Amendment) Act 2021* and following consultation with such (if any) other Minister of the Government as the Minister considers appropriate, prepare and issue guidelines to assist public bodies in complying with their obligations under this section and under sections 9B, 9C and 9D.

(b) A public body shall have regard to the guidelines, if any, issued under paragraph (a) in complying with its obligations under this section and under sections 9B, 9C and 9D.

(c) The Minister shall, as soon as practicable, publish on the website of the Department of Culture, Heritage and the Gaeltacht guidelines issued under paragraph (a).

(d) The Minister shall, at such intervals as he or she considers appropriate, revise guidelines issued under paragraph (a) and the provisions of this subsection shall apply to the preparation, issuing and publication of such revised guidelines as they apply to the guidelines first issued.

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.

(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.

(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:

(a) the order in which the text in each language shall appear in the official form;

(a) lena gceadófar, leis na córais sin, ainm (lena n-áirítear foirm athartha nó foirm mháthartha an ainm), seoladh nó teideal (lena n-áirítear an rogha gan teideal ar bith a úsáid) duine i nGaeilge a thaifeadadh agus a úsáid i gceart i ndáil leis na seirbhísí arna dtairiscint nó arna soláthar ag an gcomhlacht ar ina leith a fhorordófar amhlaidh é, agus

(b) lena ndéanfar úsáid an tsínte fhada sa téacs Gaeilge a éascú.

(4) (a) Déanfaidh an tAire, tráth nach déanaí ná 3 mhí ó thosach feidhme *alt 4 d'Acht na dTeangacha Oifigiúla (Leasú)*, *2021* agus tar éis dul i gcomhairle le cibé Aire eile (más ann) den Rialtas is cuí leis an Aire, treoirlínte a ullmhú agus a eisiúint chun cuidiú le comhlachtaí poiblí a gcuid oibleagáidí faoin alt seo agus faoi ailt 9B, 9C agus 9D 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 agus faoi ailt 9B, 9C agus 9D a chomhlíonadh.

(c) Déanfaidh an tAire, a luaithe is indéanta, treoirlínte a eiseofar faoi mhír (a) a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreachta agus Gaeltachta.

(d) Déanfaidh an tAire, i gceann cibé eatramh is cuí leis nó léi, treoirlínte a eiseofar faoi mhír (a) a athmheas agus beidh feidhm ag forálacha an fho-ailt seo maidir le hullmhú, eisiúint agus foilsiú na dtreoirlínte athmheasta sin mar atá feidhm acu maidir leis na treoirlínte a eisíodh i gcéaduair.

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 dul i gcomhairle 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.

(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 phoiblí agus féadfar forálacha éagsúla a dhéanamh i ndáil le comhlachtaí poiblí éagsúla nó le foirmeacha oifigiúla éagsúla.

(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:

(a) an t-ord ina mbeidh an téacs i ngach teanga san fhoirm oifigiúil;

(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;

(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;

(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:

(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.

Duty of public bodies regarding logos

9C. (1) A public body shall, on and from the commencement of *section 4* of the *Official Languages (Amendment) Act 2021*, 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.

(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) where 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.

(b) feiceálacht, infheictheacht, inléiteacht, méid, cló, cuma fhoriomlán agus stíl téacs teanga amháin san fhoirm oifigiúil i leith théacs na teanga eile;

(c) an gá atá ann go gcuirfear 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;

(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:

(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.

Dualgas comhlachtaí poiblí maidir le lógónna

9C. (1) Cinnteoidh comhlacht poiblí, ar agus ó thosach feidhme *alt 4 d'Acht na dTeangacha Oifigiúla (Leasú)*, *2021*, 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.

(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,

(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) más rud é 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.

(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.

(4) In subsection (1), 'text' shall include any abbreviation or acronym of the name, in the Irish language, of the body concerned.

Names and logos of newly established statutory bodies

9D. (1) The name of a statutory body established, on and from the commencement of *section 4* of the *Official Languages (Amendment) Act 2021*, shall be in the Irish language.

(2) Text that forms part of a logo of a statutory body established, on and from the commencement of *section 4* of the O*fficial Languages (Amendment) Act 2021*, shall be in the Irish language or in both the Irish and English languages.

(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

(c) where 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.

Public facing services

9E. (1) A public body shall take all appropriate steps to ensure that, where a person provides a public facing service on behalf of the public body, that person shall, in respect of the provision of that service, comply with—

(a) regulations under section 9(1) applying to the public body concerned,

(b) subsections (2) and (3) of section 9, and

(c) such of the relevant language standards prescribed by the Minister under section 19A(2) to apply to the public body concerned.

(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.

(4) I bhfo-alt (1), folóidh 'téacs' aon ghiorrúchán nó acrainm ar ainm, i nGaeilge, an chomhlachta lena mbaineann.

Ainmneacha agus lógónna comhlachtaí reachtúla nuabhunaithe

9D. (1) Maidir le hainm comhlachta reachtúil a bhunófar, ar agus ó thosach feidhme *alt 4 d'Acht na dTeangacha Oifigiúla (Leasú)*, *2021*, is i nGaeilge a bheidh sé.

(2) Maidir le téacs is cuid de lógó comhlachta reachtúil a bhunófar, ar agus ó thosach feidhme *alt 4 d'Acht na dTeangacha Oifigiúla (Leasú)*, *2021*, is i nGaeilge nó i nGaeilge agus i mBéarla araon a bheidh sé.

(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

(c) más rud é 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.

Seirbhísí pobal-inrochtana

9E. (1) Déanfaidh comhlacht poiblí gach beart cuí chun a chinntiú, i gcás go soláthraíonn duine seirbhís phobal-inrochtana thar ceann an chomhlachta phoiblí, go ndéanfaidh an duine sin, i leith sholáthar na seirbhíse sin, na nithe seo a leanas a chomhlíonadh—

(a) rialacháin faoi alt 9(1) a mbeidh feidhm acu maidir leis an gcomhlacht poiblí lena mbaineann,

(b) fo-ailt (2) agus (3) d'alt 9, agus

(c) cibé caighdeáin de na caighdeáin teanga iomchuí arna bhforordú ag an Aire faoi alt 19A(2), is caighdeáin a mbeidh feidhm acu maidir leis an gcomhlacht poiblí lena mbaineann.

(2) In this section, 'public facing service' means a service offered or provided, whether or not for remuneration, on behalf of a public body by a person other than a public body, to the general public or a class of the general public.".

Advertising by public bodies

6. The Principal Act is amended by the insertion of the following section after section 10:

"**10A.** (1) A public body shall ensure that—

(a) at least 20 per cent of any advertising placed by the body in any year shall be in the Irish language, and

(b) at least 5 per cent of any money expended by the body on advertising in any year shall be used to place advertising in the Irish language through Irish language media.

(2) In this section—

'advertising' means—

(a) any form of commercial communication with the aim or direct or indirect effect of promoting a product or service of the public body concerned, and

(b) any form of communication, to the public, in respect of—

(i) the recruitment of staff,

(ii) legislative or policy initiatives,

(iii) the purchase or sale of land or assets,

(iv) the provision of services, or

(v) public consultation;

'Irish language media' means any media where 50 per cent or more of the content of that media is through the Irish language.".

Amendment of section 14 of Principal Act

7. Section 14 of the Principal Act is amended by the insertion of the following subsection after subsection (3):

"(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.".

(2) San alt seo, ciallaíonn ‘seirbhís phobal-inrochtana’ seirbhís arna tairiscint nó arna soláthar ag duine seachas comhlacht poiblí, is cuma i gcomhair luach saothair nó nach ea, don phobal i gcoitinne nó d’aicme den phobal i gcoitinne thar ceann comhlacht poiblí.”.

Fógraíocht ag comhlachtaí poiblí

6. Leasaítear an Príomh-Acht tríd an alt seo a leanas a chur isteach i ndiaidh alt 10:

“10A. (1) Cinnteoidh comhlacht poiblí—

(a) gur i nGaeilge a bheidh 20 faoin gcéad ar a laghad d’aon fhógraíocht arna déanamh ag an gcomhlacht in aon bhliain, agus

(b) go ndéanfar 5 faoin gcéad ar a laghad d’aon airgead a chaithfidh an comhlacht ar fhógraíocht in aon bhliain a úsáid chun fógraíocht a chur amach i nGaeilge trí na meáin Ghaeilge.

(2) San alt seo—

ciallaíonn‘fógraíocht’—

(a) cumarsáid tráchtála d’aon chineál a bhfuil d’aidhm léi, nó a bhfuil d’éifeacht léi, go díreach nó go neamhdhíreach, táirge nó seirbhís de chuid an chomhlachta phoiblí lena mbaineann a chur chun cinn, agus

(b) cumarsáid d’aon chineál leis an bpobal, i leith na nithe seo a leanas—

(i) foireann a earcú,

(ii) tionscnaimh reachtaíochta nó bheartais,

(iii) talamh nó sócmhainní a cheannach nó a dhíol,

(iv) seirbhísí a sholáthar, nó

(v) comhchomhairliúchán poiblí;

ciallaíonn “meáin Ghaeilge” aon mheáin ina bhfuil 50 faoin gcéad nó níos mó d’ábhar na meán sin trí mheán na Gaeilge.”.

Leasú ar alt 14 den Phríomh-Acht

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

“(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).”.

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

8. 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, and the establishment day shall be a day that is not later than 6 months after the passing of the *Official Languages (Amendment) Act 2021*.

(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 and shall include, at the request of a member of the Advisory Committee or as the Minister considers appropriate, facilities for the simultaneous or consecutive interpretation of proceedings of the committee from one official language into the other official language.

(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.

Membership of Advisory Committee

18B. (1) The Advisory Committee shall consist of the following members—

(a) a Chairperson, and

(b) not less than 5 and not more than 10 ordinary members,

each of whom shall be appointed by the Minister.

(2) The Minister shall designate one member of the Advisory Committee as Chairperson, and the person so designated shall be a person who is competent in the Irish language.

(3) The ordinary members of the Advisory Committee shall include—

(a) one member nominated by the Minister as a representative of the Department of Culture, Heritage and the Gaeltacht,

(b) one member nominated by the Minister for Public Expenditure and Reform as a representative of the Department of Public Expenditure and Reform,

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

8. 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, tráth nach déanaí ná 6 mhí tar éis *Acht na dTeangacha Oifigiúla (Leasú), 2021* a rith, chun bheith ina lá bunaithe (dá ngairtear an 'lá bunaithe' san Acht seo) chun críocha an Achta seo.

(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 rúnaíocht agus feidhmeanna feidhmiúcháin an Choiste Chomhairligh agus áireofar leo, ar iarraidh a fháil ó chomhalta den Choiste Comhairleach nó de réir mar is cuí leis an Aire, saoráidí chun ateangaireacht chomhuaineach nó chomhleanúnach ó theanga oifigiúil amháin go dtí an teanga oifigiúil eile a dhéanamh ar imeachtaí de chuid an choiste.

(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 neamhní dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin ordú.

Comhaltas an Choiste Chomhairligh

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

(a) Cathaoirleach, agus

(b) líon gnáthchomhaltaí nach lú ná 5 ná nach mó ná 10,

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, agus is duine atá inniúil i nGaeilge an duine arna shainainmniú nó arna sainainmniú amhlaidh.

(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) aon chomhalta amháin a bheidh ainmnithe ag an Aire Caiteachais Phoiblí agus Athchóirithe mar ionadaí don Roinn Caiteachais Phoiblí agus Athchóirithe,

(c) one member nominated by the Public Appointments Service as a representative of the Public Appointments Service,

(d) not more than 6 other members nominated by public bodies as representatives of such public bodies as the Minister considers appropriate,

(e) one member, who shall be competent in the Irish language, nominated by the Minister, following a process established by the Public Appointments Service, as a representative of Gaeltacht Language Planning Areas, and

(f) one member, who shall be competent in the Irish language, nominated by the Minister, following a process established by the Public Appointments Service, as a representative of areas of the State that are not Gaeltacht Language Planning Areas.

(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.

(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.

(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 second consecutive term.

(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.

(c) aon chomhalta amháin a bheidh ainmnithe ag an tSeirbhís um Cheapacháin Phoiblí mar ionadaí don tSeirbhís um Cheapacháin Phoiblí,

(d) 6 chomhalta eile ar a mhéid a bheidh ainmnithe ag comhlachtaí poiblí mar ionadaithe do na comhlachtaí poiblí sin is cuí leis an Aire,

(e) aon chomhalta amháin a bheidh inniúil i nGaeilge agus a bheidh ainmnithe ag an Aire, tar éis próiseas arna bhunú ag an tSeirbhís um Cheapacháin Phoiblí, mar ionadaí do Limistéir Pleanála Teanga Ghaeltachta, agus

(f) aon chomhalta amháin a bheidh inniúil i nGaeilge agus a bheidh ainmnithe ag an Aire, tar éis próiseas arna bhunú ag an tSeirbhís um Cheapacháin Phoiblí, mar ionadaí do limistéir den Stát nach Limistéir Pleanála Teanga Ghaeltachta.

(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.

(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.

(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.

(8) Aon chomhalta den Choiste Comhairleach a mbeidh fónta 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 dara téarma 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.

(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.

(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—

(a) on conviction on indictment by a court of competent jurisdiction is sentenced to a term of imprisonment, or

(b) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.

(12) The Minister shall determine the procedures of the Advisory Committee.

Functions of Advisory Committee

18C. (1) The Advisory Committee shall—

(a) as soon as may be but not later than 2 years 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—

(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

(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,

(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.

(11) Scoirfidh comhalta den Choiste Comhairleach de bheith, agus beidh sé nó sí dícháilithe chun bheith, ina chomhalta nó ina comhalta den Choiste Comhairleach más rud é, maidir leis an gcomhalta sin—

(a) ar é nó í a chiontú ar díotáil ag cúirt dlínse inniúla, go ngearrfar téarma príosúnachta air nó uirthi, nó

(b) go bhfuil sé nó sí, nó go measfar é nó í a bheith, faoi réir ordú dícháilíochta, de réir bhrí Chaibidil 4 de Chuid 14 d'Acht na gCuideachtaí, 2014, cibé acu de bhua na Caibidle sin nó de bhua aon fhoráil eile den Acht sin.

(12) Is é nó is í an tAire a chinnfidh nósanna imeachta an Choiste Chomhairligh.

Feidhmeanna an Choiste Chomhairligh

18C. (1) Déanfaidh an Coiste Comhairleach—

(a) a luaithe is féidir ach tráth nach déanaí ná 2 bhliain tar éis an lae bunaithe, Plean Náisiúnta (dá ngairtear an 'Plean Náisiúnta' san Acht seo), maidir le soláthar 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 shainaithint is seirbhísí a sholáthraíonn comhlacht 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 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,

(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,

(ii) having regard to the objective referred to in subsection (3)(b), 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,

(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), and

(d) every 5 years after the establishment day, carry out and submit to the Minister a survey on the level of competence in the Irish language of staff of public bodies, and such survey shall include the following:

(i) the total number of staff of public bodies who are competent in the Irish language;

(ii) the total number of staff of public bodies who have undertaken an Irish language training course;

(iii) the total number of staff of public bodies who speak the Irish language in the workplace, whether when carrying out their duties or otherwise, and the frequency with which they speak the Irish language.

(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) 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 inniúil i nGaeilge a mbeadh gá ag an gcomhlacht leo chun na seirbhísí sin a sholáthar trí mheán na Gaeilge,

(ii) ag féachaint don chuspóir dá dtagraítear i bhfo-alt (3)(b), 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 chóras caighdeán ar a dtugtar an Creat Comhchoiteann Tagartha Eorpach le haghaidh Teangacha, is gá a bheith ag duine chun go soláthróidh sé nó sí na seirbhísí sin trí mheán na Gaeilge,

(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), agus

(d) gach 5 bliana tar éis an lae bunaithe, suirbhé ar an leibhéal inniúlachta i nGaeilge atá ag foireann comhlachtaí poiblí a sheoladh agus a chur faoi bhráid an Aire, agus áireofar na nithe seo a leanas i suirbhé den sórt sin:

(i) an líon iomlán foirne de chuid comhlachtaí poiblí atá inniúil i nGaeilge;

(ii) an líon iomlán foirne de chuid comhlachtaí poiblí a bhfuil cúrsa oiliúna Gaeilge déanta acu;

(iii) an líon iomlán foirne de chuid comhlachtaí poiblí a labhraíonn an Ghaeilge san ionad oibre, cibé acu le linn dóibh a gcuid dualgas a chomhall nó ar shlí eile, agus a mhinice a labhraíonn siad an Ghaeilge.

(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.

(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

(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, but no later than 31 December 2030, 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. (1) 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.

(2) The Minister may, as he or she considers appropriate, request a public body, in respect of whom services identified in the National Plan as services provided by the body concerned that are not provided through the medium of the Irish language, to report to the Minister in relation to progress made by the body to so provide the services and to implement the Plan, and the Minister shall be responsible for the co-ordination of the implementation of the Plan by all such public bodies.

Public bodies in Gaeltacht Language Planning Areas

18E. The Minister shall, by order, within 3 months of submitting the National Plan to the Government under section 18D(1)(a)(iii) and having regard to the National Plan—

(a) specify the date by which the Irish language shall become the working language in the offices, in a Gaeltacht Language Planning Area, of a public body or class of public bodies and different dates may be specified in respect of different Gaeltacht Language Planning Areas, and

(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, ach tráth nach déanaí ná an 31 Nollaig 2030, 20 faoin gcéad ar a laghad den fhoireann a earcófar chuig comhlachtaí poiblí inniúil amhlaidh.

(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

18D. (1) 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

(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

(ii) cóip den Phlean Náisiúnta a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreachta agus Gaeltachta.

(2) Féadfaidh an tAire, de réir mar is cuí leis nó léi, a iarraidh ar chomhlacht poiblí, a mbeidh seirbhísí sainaitheanta ina leith sa Phlean Náisiúnta mar sheirbhísí a sholáthraíonn an comhlacht lena mbaineann nach bhfuil á soláthar trí mheán na Gaeilge, tuarascáil a thabhairt don Aire i ndáil leis an dul chun cinn atá déanta ag an gcomhlacht chun na seirbhísí a sholáthar amhlaidh agus chun an Plean a chur i ngníomh, agus is é nó is í an tAire a bheidh freagrach as comhordú a dhéanamh ar chur i ngníomh an Phlean ag na comhlachtaí poiblí sin go léir.

Comhlachtaí poiblí i Limistéir Pleanála Teanga Ghaeltachta

18E. Déanfaidh an tAire, le hordú, laistigh de 3 mhí ón tráth a dhéanfar an Plean Náisiúnta a chur faoi bhráid an Rialtais faoi alt 18D(1)(a)(iii) agus aird aige nó aici ar an bPlean Náisiúnta—

(a) an dáta a shonrú faoina dtiocfaidh an Ghaeilge chun bheith ina teanga oibre in oifigí, i Limistéar Pleanála Teanga Gaeltachta, comhlachta phoiblí nó aicme comhlachtaí poiblí agus féadfar dátaí éagsúla a shonrú i leith Limistéir Pleanála Teanga Ghaeltachta éagsúla, agus

(b) specify the date by which all services provided by a public body or class of public bodies in a Gaeltacht Language Planning Area (including such services provided by a public body or class of public bodies from outside the Gaeltacht Language Planning Area) shall be provided through the medium of the Irish language and different dates may be specified in respect of different Gaeltacht Language Planning Areas.

Report of Advisory Committee

18F. (1) The Advisory Committee shall, not later than 30 June of each year, provide a progress report to the Minister and to the Commissioner with regard to its work during the preceding year or, in the case of its first progress report, its work from the establishment day up to and including 31 December of the following year.

(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.

(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.

(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—

(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

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

(b) an dáta a shonrú faoina ndéanfar na seirbhísí go léir arna soláthar ag comhlacht poiblí nó ag aicme comhlachtaí poiblí i Limistéar Pleanála Teanga Gaeltachta (lena n-áirítear seirbhísí den sórt sin arna soláthar ag comhlacht poiblí nó ag aicme comhlachtaí poiblí ó áit lasmuigh den Limistéar Pleanála Teanga Gaeltachta) a sholáthar trí mheán na Gaeilge agus féadfar dátaí éagsúla a shonrú i leith Limistéir Pleanála Teanga Ghaeltachta éagsúla.

Tuarascáil an Choiste Chomhairligh

18F. (1) Déanfaidh an Coiste Comhairleach, tráth nach déanaí ná an 30 Meitheamh gach bliain, tuarascáil ar dhul chun cinn a sholáthar don Aire agus don Choimisinéir maidir lena chuid oibre le linn na bliana roimhe sin nó, i gcás na chéad tuarascála ar dhul chun cinn uaidh, maidir lena chuid oibre ón lá bunaithe suas go dtí an 31 Nollaig an bhliain ina dhiaidh sin agus an lá sin san áireamh.

(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.

(3) Déanfaidh an Coimisinéir, laistigh de 6 mhí ón tuarascáil dá dtagraítear i bhfo-alt (1) a fháil, tráchtaireacht ar an tuarascáil a ullmhú agus a chur faoi bhráid an Aire.

(4) Déanfaidh an tAire, laistigh de 3 mhí ón tráchtaireacht dá dtagraítear i bhfo-alt (3) a fháil, an tráchtaireacht agus an tuarascáil dá dtagraítear i bhfo-alt (1) a chur faoi bhráid an Rialtais agus, a luaithe is féidir ina dhiaidh sin—

(a) a chur faoi deara cóipeanna den tuarascáil agus den tráchtaireacht a leagan faoi bhráid gach Tí den Oireachtas, agus

(b) cóipeanna den tuarascáil agus den tráchtaireacht a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreachta agus Gaeltachta.".

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

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

(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.

(3) Language standards prescribed under subsection (2) may include standards specifying—

(a) services to be provided, through the medium of the Irish language, by the public body or class of public bodies concerned,

(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,

and

"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 dílsithe 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.

(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.

(3) Maidir le caighdeáin teanga a fhorordófar faoi fho-alt (2), féadfaidh caighdeáin a bheith ar áireamh iontu lena sonrófar an méid seo a leanas—

(a) seirbhísí a bheidh le soláthar, trí mheán na Gaeilge, ag an gcomhlacht poiblí nó ag an aicme comhlachtaí poiblí lena 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 phoiblí 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,

agus

(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.

(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 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.

(6) Before prescribing language standards under subsection (2), the Minister shall—

(a) consult—

(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.

(4) Le linn dó nó di caighdeáin 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 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

(g) seirbhísí a shainaithneofar sa Phlean Náisiúnta.

(5) Cinnteoidh an tAire, le linn dó nó di caighdeáin 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.

(6) Sula ndéanfaidh an tAire caighdeáin teanga a fhorordú faoi fho-alt (2)—

(a) rachaidh sé nó sí i gcomhairle—

(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,

(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.

(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).

(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).

(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 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.

(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.

(i) le cibé Aire eile den Rialtas is cuí leis an Aire, ag féachaint d'fheidhmeanna an Aire eile sin, agus

(ii) le cibé comhlacht poiblí is cuí leis an Aire,

(b) lorgóidh sé nó sí comhairle an Choiste Chomhairligh,

(c) déanfaidh sé nó sí dréacht de na caighdeáin a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreachta 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, agus

(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.

(7) Féadfaidh an tAire, i gcás gur cuí leis nó léi déanamh amhlaidh, an tréimhse dá dtagraítear i bhfo-alt (6)(c) nó (d) a fhadú.

(8) Déanfaidh an tAire cóip de chaighdeáin 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 chaighdeáin teanga a fhorordófar faoi fho-alt (2).

(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 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 caighdeáin teanga a chomhlíonadh

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.

(2) Ní fhorléireofar 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 thoirmisceann ar chomhlacht poiblí bearta breise a chur i ngníomh chun stádas na Gaeilge a chur chun cinn laistigh dá eagraíocht.

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.

(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—

(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,

(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,

(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

(ii) enable it to comply, at a specified future date, with the proposed standard,

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—

(a) the statement, plan and any other information submitted to the Minister under subsection (2), and

(b) any other matter the Minister considers relevant.

Maolú ar chaighdeáin 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.

(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—

(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,

(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,

(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

(ii) chun a chumasú dó an caighdeán beartaithe a chomhlíonadh ar dháta sonraithe sa todhchaí,

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—

(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) 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.

(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.

(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.

(7) (a) The Minister may attach such conditions to a derogation granted under this section as are, in the Minister's opinion, appropriate.

(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.

(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.

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).

(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).".

(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.

(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.

(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.

(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.

(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.

(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 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).

(2) Déanfaidh an tAire, a luaithe is indéanta, aon treoirlínte a eiseofar faoi fho-alt (1) a fhoilsiú ar shuíomh gréasáin na Roinne Cultúir, Oidhreachta agus Gaeltachta.".

Amendment of section 21 of Principal Act

10. Section 21 of the Principal Act is amended by the insertion of the following paragraph after paragraph (a):

“(aa) to monitor, where he or she considers appropriate, compliance by public bodies with any other enactment relating to the status or use of an official language,”.

Amendment of section 29 of Principal Act

11. Section 29 of the Principal Act is amended by the substitution of “of this Act, or any enactment relating to the status or use of an official language,” for “of this Act”.

Amendment of section 31 of Principal Act

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

Amendment of Principal Act – insertion of sections 31A to 31C

13. The Principal Act is amended by the insertion of the following sections after section 31:

“Establishment of Placenames Committee

31A. (1) On the commencement of *section 13* of the *Official Languages (Amendment) Act 2021* there shall stand established a committee to be known as the Placenames Committee.

(2) The secretariat and the executive functions of the Placenames Committee shall be provided by the Minister.

Membership of Placenames Committee

31B. (1) The Placenames Committee shall consist of the following members—

(a) a Chairperson, and

(b) not less than 7 and not more than 10 ordinary members,

each of whom shall be appointed by the Minister.

(2) The Minister shall designate one member of the Placenames Committee as Chairperson.

(3) The Placenames Committee shall consist of persons who are competent in the Irish language, and—

(a) have experience of, or expertise in, matters relating to placenames, or both, or

(b) are experts in Irish history.

Leasú ar alt 21 den Phríomh-Acht

10. Leasaítear alt 21 den Phríomh-Acht tríd an mír seo a leanas a chur isteach i ndiaidh mhír (a):

"(aa) faireachán a dhéanamh, más cuí leis nó léi déanamh amhlaidh, ar chomhlíonadh aon achtacháin eile ag comhlachtaí poiblí, is achtachán a bhaineann le stádas nó úsáid teanga oifigiúla,".

Leasú ar alt 29 den Phríomh-Acht

11. Leasaítear alt 29 den Phríomh-Acht trí "den Acht seo, nó fhorálacha aon achtacháin, nó aon fhorálacha áirithe d'aon achtachán a bhaineann le stádas nó úsáid teanga oifigiúla," a chur in ionad "den Acht seo,".

Leasú ar alt 31 den Phríomh-Acht

12. Leasaítear alt 31 den Phríomh-Acht tríd an míniú ar "an Coimisiún" a scriosadh.

Leasú ar an bPríomh-Acht – ailt 31A go 31C a chur isteach

13. Leasaítear an Príomh-Acht trí na hailt seo a leanas a chur isteach i ndiaidh alt 31:

"An Coiste Logainmneacha a bhunú

31A. (1) Beidh arna bhunú ar thosach feidhme *alt 13 d'Acht na dTeangacha Oifigiúla (Leasú), 2021* coiste ar a dtabharfar an Coiste Logainmneacha.

(2) Is é nó is í an tAire a sholáthróidh rúnaíocht agus feidhmeanna feidhmiúcháin an Choiste Logainmneacha.

Comhaltas an Choiste Logainmneacha

31B. (1) Is iad a bheidh ar an gCoiste Logainmneacha na comhaltaí seo a leanas—

(a) Cathaoirleach, agus

(b) líon gnáthchomhaltaí nach lú ná 7 ná nach mó ná 10,

agus is é nó is í an tAire a cheapfaidh gach duine acu.

(2) Déanfaidh an tAire comhalta amháin den Choiste Logainmneacha a shainainmniú mar Chathaoirleach.

(3) Is daoine atá inniúil i nGaeilge a bheidh ar an gCoiste Logainmneacha, agus—

(a) beidh taithí nó saineolas, nó taithí agus saineolas araon, acu ar nithe a bhaineann le logainmneacha, nó

(b) is saineolaithe ar stair na hÉireann a bheidh iontu.

(4) A member of the Placenames 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 Placenames Committee to act as Chairperson.

(6) A member of the Placenames Committee shall hold office for such period not exceeding 3 years from the date of his or her appointment, as the Minister shall determine.

(7) Subject to subsection (8), a member of the Placenames Committee whose term of office expires by the effluxion of time shall be eligible for reappointment to the Placenames Committee.

(8) A member of the Placenames Committee who has served 2 consecutive terms of office shall not be eligible for reappointment to the Placenames Committee until a period of 3 years has elapsed following the end of the second consecutive term.

(9) A member of the Placenames Committee may resign from the Placenames 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.

(10) A member of the Placenames Committee may at any time be removed from membership of the Placenames 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 Placenames Committee of its functions.

(11) A member of the Placenames Committee shall cease to be, and shall be disqualified from being, a member of the Placenames Committee where such member—

(a) on conviction on indictment by a court of competent jurisdiction is sentenced to a term of imprisonment, or

(b) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.

(12) The Minister shall determine the procedures of the Placenames Committee.

(4) Beidh comhalta den Choiste Logainmneacha 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.

(5) Más rud é nach bhfuil an Cathaoirleach ábalta ar aon chúis leanúint de bheith ag gníomhú mar Chathaoirleach, féadfaidh an tAire comhalta eile den Choiste Logainmneacha a shainainmniú chun gníomhú mar Chathaoirleach.

(6) Beidh comhalta den Choiste Logainmneacha i seilbh oifige go ceann cibé tréimhse, nach faide ná 3 bliana ó dháta a cheaptha nó a ceaptha, a chinnfidh an tAire.

(7) Faoi réir fho-alt (8), beidh comhalta den Choiste Logainmneacha a rachaidh a théarma nó a téarma oifige in éag trí imeacht aimsire in-athcheaptha chun an Choiste Logainmneacha.

(8) Maidir le comhalta den Choiste Logainmneacha a mbeidh 2 théarma oifige as a chéile curtha isteach aige nó aici, ní bheidh sé nó sí in-athcheaptha chun an Choiste Logainmneacha go dtí go mbeidh tréimhse 3 bliana caite tar éis dheireadh an dara téarma as a chéile.

(9) Féadfaidh comhalta den Choiste Logainmneacha éirí as an gCoiste Logainmneacha 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 a gheobhaidh an tAire an litir, cibé acu is déanaí.

(10) Féadfaidh an tAire, aon tráth, comhalta den Choiste Logainmneacha a chur as oifig mar chomhalta den Choiste Logainmneacha más rud é, i dtuairim an Aire, go bhfuil an comhalta tagtha chun bheith 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 oifig chun go gcomhlíonfaidh an Coiste Logainmneacha a fheidhmeanna go héifeachtach.

(11) Scoirfidh comhalta den Choiste Logainmneacha de bheith, agus beidh sé nó sí dícháilithe chun bheith, ina chomhalta nó ina comhalta den Choiste Logainmneacha más rud é, maidir leis an gcomhalta sin—

(a) ar é nó í a chiontú ar díotáil ag cúirt dlínse inniúla, go ngearrfar téarma príosúnachta air nó uirthi, nó

(b) go bhfuil sé nó sí, nó go measfar é nó í a bheith, faoi réir ordú dícháilíochta, de réir bhrí Chaibidil 4 de Chuid 14 d'Acht na gCuideachtaí, 2014, cibé acu de bhua na Caibidle sin nó de bhua aon fhoráil eile den Acht sin.

(12) Is é nó is í an tAire a chinnfidh nósanna imeachta an Choiste Logainmneacha.

Functions of Placenames Committee

31C. (1) The Placenames Committee shall—

(a) provide advice to the Minister regarding the making of placenames orders under section 32,

(b) carry out, or commission, research in relation to placenames,

(c) provide, on request, such information to the public and to public bodies regarding placenames as the Placenames Committee considers appropriate, and

(d) have such other functions as the Minister may, from time to time, prescribe.

(2) In carrying out its functions under subsection (1), the Placenames Committee shall, to such extent as it considers necessary for that purpose, take into account and provide to the Minister any work or advice completed by the body known as An Coimisiún Logainmneacha, established by warrant of the Minister for Finance dated the 24th day of October 1946, and the non-statutory committee (known as the Placenames Committee) in existence before the commencement of *section 13* of the *Official Languages (Amendment) Act 2021*.".

Amendment of section 32 of Principal Act

14. Section 32(1) of the Principal Act is amended by the substitution of "Placenames Committee" for "Commission".

Amendment of First Schedule to Principal Act

15. The First Schedule to the Principal Act is amended—

(a) in paragraph 1—

(i) by the deletion of subparagraph (4), and

(ii) in subparagraph (5), by the substitution of the following clause for clause (d):

"(d) any other body, organisation or group—

(i) on which functions which relate to the general public or a class of the general public stand conferred by any enactment, or

(ii) which is permitted or required by any licence or authority granted or given under any enactment to perform functions under that or any other enactment which relate to the general public or a class of the general public.",

(b) in paragraph 2, by the substitution of "clause (d) of paragraph 1(5)" for "clause (b) of paragraph 1(5)",

Feidhmeanna an Choiste Logainmneacha

31C. (1) Maidir leis an gCoiste Logainmneacha—

(a) déanfaidh sé comhairle a sholáthar don Aire maidir le horduithe logainmneacha a dhéanamh faoi alt 32,

(b) déanfaidh sé taighde, nó déanfaidh sé taighde a choimisiúnú, i ndáil le logainmneacha,

(c) déanfaidh sé, ar iarraidh a fháil, cibé faisnéis maidir le logainmneacha, is cuí leis an gCoiste Logainmneacha, a sholáthar don phobal agus do chomhlachtaí poiblí, agus

(d) beidh aige cibé feidhmeanna eile a fhorordóidh an tAire ó am go ham.

(2) Le linn don Choiste Logainmneacha a fheidhmeanna faoi fho-alt (1) a chomhall, déanfaidh sé, a mhéid is dóigh leis is gá chun na críche sin, aon obair nó aon chomhairle arna cur i gcrích ag an gcomhlacht ar a dtugtar an Coimisiún Logainmneacha, arna bhunú le barántas ón Aire Airgeadais dar dáta an 24ú lá de Dheireadh Fómhair, 1946, agus ag an gcoiste neamhreachtúil (ar a dtugtar an Coiste Logainmneacha) a bhí ar marthain roimh thosach feidhme *alt 13 d'Acht na dTeangacha Oifigiúla (Leasú), 2021*, a chur i gcuntas agus a sholáthar don Aire.".

Leasú ar alt 32 den Phríomh-Acht

14. Leasaítear alt 32(1) den Phríomh-Acht trí "ón gCoiste Logainmneacha" a chur in ionad "ón gCoimisiún".

Leasú ar an gCéad Sceideal a ghabhann leis an bPríomh-Acht

15. Leasaítear an Chéad Sceideal a ghabhann leis an bPríomh-Acht—

(a) i mír 1—

(i) trí fhomhír (4) a scriosadh, agus

(ii) i bhfomhír (5), tríd an gclásal seo a leanas a chur in ionad chlásal (d):

"(d) aon chomhlacht, eagraíocht nó grúpa eile—

(i) a bhfuil feidhmeanna a bhaineann leis an bpobal i gcoitinne, nó le haicme den phobal i gcoitinne, tugtha dó nó di le haon achtachán, nó

(ii) a gceadaítear dó nó di nó a gceanglaítear air nó uirthi le haon cheadúnas nó údarás arna dheonú nó arna thabhairt faoi aon achtachán feidhmeanna a chomhlíonadh faoin achtachán sin nó faoi aon achtachán eile a bhaineann leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne.",

(b) i mír 2, trí "chlásal (d) de mhír 1(5)" a chur in ionad "chlásal (b) de mhír 1(5)",

(c) in paragraph 3, by the substitution of—

(i) “shall, at least once every 2 years and,” for “may,”, and

(ii) “subparagraph (1) or (2)” for “subparagraph (2)”,

and

(d) by the insertion of the following paragraph after paragraph 3:

“3A. In making regulations in respect of a body, organisation or group in accordance with this Schedule, the Minister shall have regard to the purposes of this Act and, in so doing, shall take the following into account:

(a) the level of communication, whether in writing or by electronic mail, by telephone or in person, between the body, organisation or group concerned and the general public or a class of the general public;

(b) the level of communication, whether in writing or by electronic mail, by telephone or in person, between the body, organisation or group concerned and the general public or a class of the general public living in a Gaeltacht area, Gaeltacht Language Planning Area, Gaeltacht Service Town or Irish Language Network.”.

Amendment of section 12 of Juries Act 1976

16. 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

(b) in subsection (2), by the substitution of “notice in writing and in both the Irish and English languages” for “notice”.

Repeals

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

Abolition of *An Coimisiún Logainmneacha*

18. For the avoidance of doubt and without prejudice to any work carried out by it, the body known as *An Coimisiún Logainmneacha*, established by warrant of the Minister for Finance dated the 24th day of October 1946, is abolished.

(c) i mír 3—

(i) trí "Déanfaidh an tAire, uair ar a laghad gach 2 bhliain agus," a chur in ionad "Féadfaidh an tAire,", agus

(ii) trí "fomhír (1) nó (2)" a chur in ionad "fomhír (2)",

agus

(d) tríd an mír seo a leanas a chur isteach i ndiaidh mhír 3:

"3A. Le linn don Aire rialacháin a dhéanamh i leith comhlachta, eagraíochta nó grúpa de réir an Sceidil seo, beidh aird aige nó aici ar chríocha an Achta seo agus, le linn dó nó di déanamh amhlaidh, cuirfidh sé nó sí na nithe seo a leanas i gcuntas:

(a) an leibhéal cumarsáide, cibé acu i scríbhinn nó leis an bpost leictreonach, leis an teileafón nó i bpearsa, idir an comhlacht, an eagraíocht nó an grúpa lena mbaineann agus an pobal i gcoitinne nó aicme den phobal i gcoitinne;

(b) an leibhéal cumarsáide, cibé acu i scríbhinn nó leis an bpost leictreonach, leis an teileafón nó i bpearsa, idir an comhlacht, an eagraíocht nó an grúpa lena mbaineann agus an pobal i gcoitinne nó aicme den phobal i gcoitinne a chónaíonn i Limistéar Gaeltachta, i Limistéar Pleanála Teanga Gaeltachta, i mBaile Seirbhíse Gaeltachta nó i Líonra Gaeilge.".

Leasú ar alt 12 d'Acht na nGiúiréithe, 1976

16. 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

(b) i bhfo-alt (2), trí "fógra, i scríbhinn agus i nGaeilge agus i mBéarla araon," a chur in ionad "fógra".

Aisghairm

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

Deireadh a chur leis an gCoimisiún Logainmneacha

18. D'fhonn amhras a sheachaint agus gan dochar d'aon obair arna déanamh aige, cuirtear deireadh leis an gcomhlacht ar a dtugtar an Coimisiún Logainmneacha, arna bhunú le barántas ón Aire Airgeadais dar dáta an 24ú lá de Dheireadh Fómhair, 1946.

Transitional provision

19. 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

(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.

Short title, collective citation and commencement

20. (1) This Act may be cited as the Official Languages (Amendment) Act 2021.

(2) The Official Languages Act 2003 and this Act may be cited together as the Official Languages Acts 2003 and 2021.

(3) This Act shall come into operation on such day or days, not later than 3 years after the passing of this Act, 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.

Foráil idirthréimhseach

19. 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

(b) d’ainneoin alt 17 den Phríomh-Acht, ní thuairisceoidh an tAire mainneachtain, diúltú nó neamhábaltacht ag an gcomhlacht poiblí lena mbaineann dréachtscéim dá dtagraítear san fhógra a ullmhú.

Gearrtheideal, comhlua agus tosach feidhme

20. (1) Féadfar Acht na dTeangacha Oifigiúla (Leasú), 2021 a ghairm den Acht seo.

(2) Féadfar Achtanna na dTeangacha Oifigiúla, 2003 agus 2021 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, nach déanaí ná 3 bliana tar éis an tAcht seo a rith, 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.