



Achtanna na dTeangacha Oifigiúla

Official Languages Acts

Presentation

- ▶ Legal background & legislative framework
- ▶ Existing & enhanced statutory obligations
- ▶ Advice, Monitoring, Investigation

The Legal Background

BUNREACT na hÉIREANN:

Article 8

1. The Irish language as the national language is the first official language.
2. The English language is recognised as a second official language.
3. Provision may, however, be made by law for the exclusive use of either of the said languages for any one or more official purposes, either throughout the State or in any part thereof.

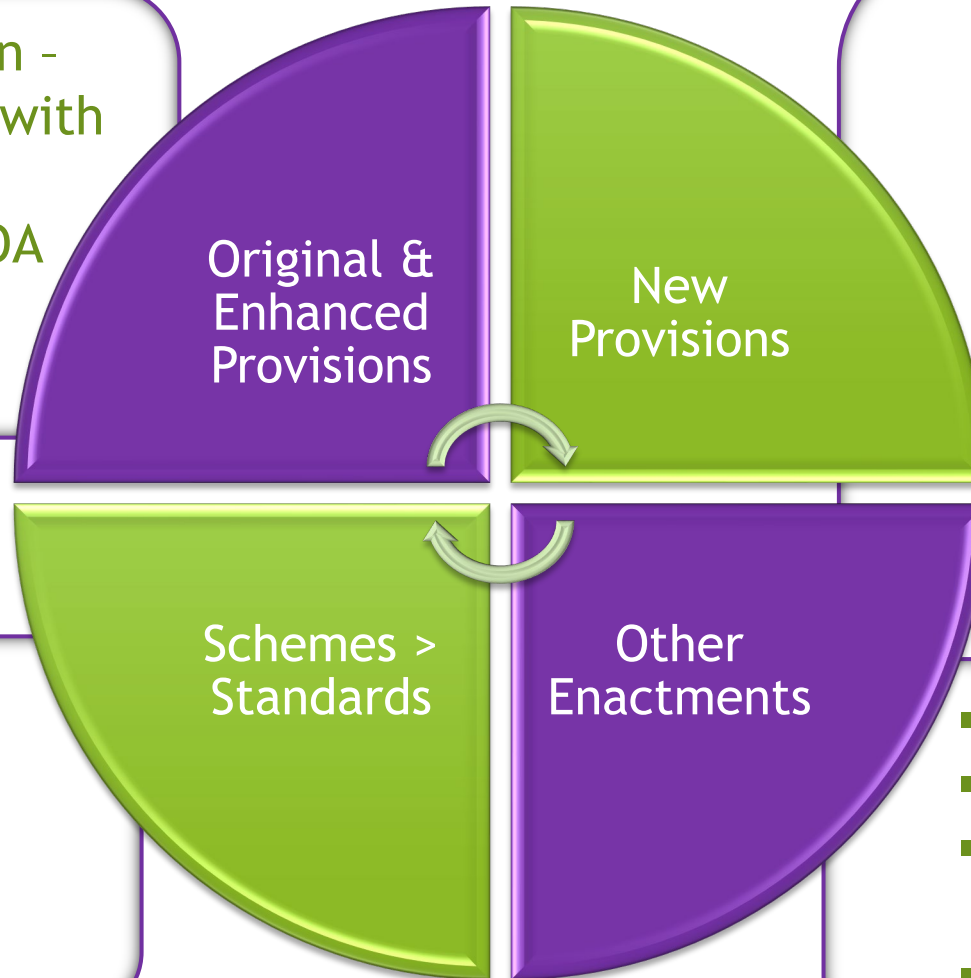
Official Languages Act 2003

Official Languages Act (Amendment) 2021

- ▶ The aim of the legislation is to increase, in an organised manner over a period of time, the quantity and quality of services provided for the public through Irish by public bodies.
- ▶ The Office of An Coimisinéir Teanga is an independent statutory office operating as an ombudsman service and as a compliance agency.

Legislative Framework & Obligations

- Written communication - email, social media & with the public in general
- Regulations - S, S & ROA
- Publications
- Placenames



- Names, addresses, titles
- Síneadh fada & ICT
- Official Forms
- Logos
- Recruitment & language competence
- Advertising
- Performance & Accountability
- Public Facing Services

- Online services
- Counter Services
- Telephone services
- Websites
- Gaeltacht LPAs

- Education Act 1998
- Garda Síochána Act 2005
- Planning and Development Act 2000
- Broadcasting Act 2009

Written Communications

2003 Act

- ▶ E-mails, letters - response required in the same official language
- ▶ Communication in writing with the public in general -
 - ▶ in Irish or in Irish and English

2021 Act

- ▶ Inclusion of social media - response required in the same official language
- ▶ Public information (including general/specific public marketing) -
 - ▶ in Irish or in Irish and English

Regulations

Stationery and Signage

Text in the Irish Language

- ▶ Shall appear first
- ▶ Shall not be less prominent, visible or legible
- ▶ Lettering shall not be smaller in size
- ▶ Shall communicate the same information
- ▶ Shall not be abbreviated unless a word in English is abbreviated

Recorded oral announcements, stationery and signage

- ▶ Will be in Irish or in Irish and English

Publications

Existing Obligations:

- ▶ Public policy proposals
- ▶ Annual Reports
- ▶ Audited Accounts/Financial Statements
- ▶ Statements of Strategy (under Public Service Management Act 1997)
- ▶ Other documents prescribed by Minister

Advertising included in this section under amended Act.

Placenames

Gaeltacht Placenames Orders 2004 & 2011

- ▶ 3 areas where confirmed Gaeltacht placenames **must** be used:
 - ▶ Acts of the Oireachtas or Statutory Instruments
 - ▶ Maps published by Ordnance Survey Ireland
 - ▶ On a road or street sign erected by or on behalf of a local authority

Names, addresses & titles

- ▶ Prescribed bodies must ensure the correct recording and use of a person's name.
- ▶ Public body services may be specified by Ministerial order.
- ▶ ICT systems must permit correct recording and use of a person's name, address or title in the Irish language.
 - Síneadh fada/length accent, upper & lower case: Mícheál Ó Dúill, Gráinne Ní Mháille
 - Title (including 'none'): An tUasal Marcas Ruiséal, Éilís Uí Chróinín
 - Patronymic or matronymic forms included: Séamas Mhicil Tom, Bríd Róise Rua
- ▶ Guidelines to be published by Minister.

Official Forms

Official forms

- Contents and layout of official forms -
 - in Irish or both Irish and English
- Different provisions may be made in relation to different public bodies or official forms
- Order of language & text - prominence, visibility, legibility, size, font, overall appearance and style
- Equivalence of message
- Titles - prior to and after names, acknowledging formal differences in each language
- Abbreviations

Logos

Logos include stationery, livery, signage, schemes, programmes, policy initiatives, websites administered by the public body or for which the body is responsible.

New statutory bodies

Name and logo texts in Irish language or both Irish and English.

Logo renewal and/or alteration in existing public bodies

Logo text in Irish or in both Irish and English.

In bilingual texts –

- (a) Irish language text comes before English language text
- (b) parity of prominence, legibility, font
- (c) consistency of abbreviations in both texts

Advertising

Advertising includes commercial communications, service/product promotions, recruitment notices, policy initiatives, asset sales, public consultations, service provision.

Public bodies must ensure:

- ▶ At least **20%** of all yearly advertising shall be in the Irish language.
- ▶ At least **5%** of yearly advertising spend shall be in the Irish language and published on Irish language media.

Irish language media = **50%** or more media content through Irish.

Public Body Accountability

Performance and Reporting

The head of a public body shall —

- ▶ appoint, from senior management, another member of staff to oversee the performance and reporting of obligations under the Acts.
- ▶ ensure that a summary of performance & reporting is included in the annual report of the body concerned.

Public Facing Services

Public facing services

- ▶ Services provided, whether or not for remuneration, on behalf of a public body by a person other than a public body to the general public/class of the general public.
- ▶ Public body shall take all appropriate steps to ensure in respect of the provision of that service that person shall comply with
 - ▶ Regulations under Section 9
 - ▶ Subsections 2 and 3 of Section 9
 - ▶ Such of the relevant language standards which apply to the public body concerned

Schemes/Language Standards

Introduction of language standards

- ▶ Schemes remain in force until replacement by Standards.
- ▶ Ministerial prescription of public bodies/classes of public bodies.
- ▶ Services to be provided through Irish by the public body.
- ▶ Services to be provided through Irish and English.
- ▶ Competence Level in the Irish language required by staff to enable compliance with Standard delivery.

Standards & Service Delivery

Consultation

- ▶ Public bodies will have 3 months to provide views to Minister on draft of Standard which shall apply.
- ▶ Draft of the Standard also published on Dept website for 3 month public consultation period.

Linguistic Impact

Public bodies providing/intending to provide services, programmes, policies to:

- ▶ Gaeltacht Language Planning Areas
- ▶ Gaeltacht Service Towns
- ▶ Irish Language Networks

Language Standards

Compliance

- ▶ Compliance with prescribed Standard is default position unless derogation from Standard is granted.

Derogation

- ▶ Within 3 months of prescription of a Language Standard, public bodies may apply to the Minister for a derogation from the Standard or part of the Standard.

Guidelines

- ▶ Guidelines shall be published by the Minister on Departmental website.

National Advisory Committee

Establishment and functions

- ▶ June 2022: Chair & 5-11 members
- ▶ National Plan for the provision of public services through Irish
- ▶ By 2030, competence in Irish required for **20%** of all new public service recruits
- ▶ Specified dates by which Irish shall be the working language in offices of public bodies in Gaeltacht Language Planning Areas
- ▶ Annual Progress Report to the Minister and to An Coimisinéir Teanga



OCT- Advice, Monitoring, Investigation

Oifig an Choimisinéara Teanga

Functions under 2003 & 2021 Acts:

- ▶ Advice to Public Bodies re obligations
- ▶ Advice to Members of the Public in respect of Language Rights
- ▶ Complaint Investigation & Implementation Monitoring of Act
- ▶ Statutory Investigations, where appropriate
- ▶ Other enactments: status and use of official languages - investigation. Addition of implementation monitoring under 2021 Act.

Complaint Process

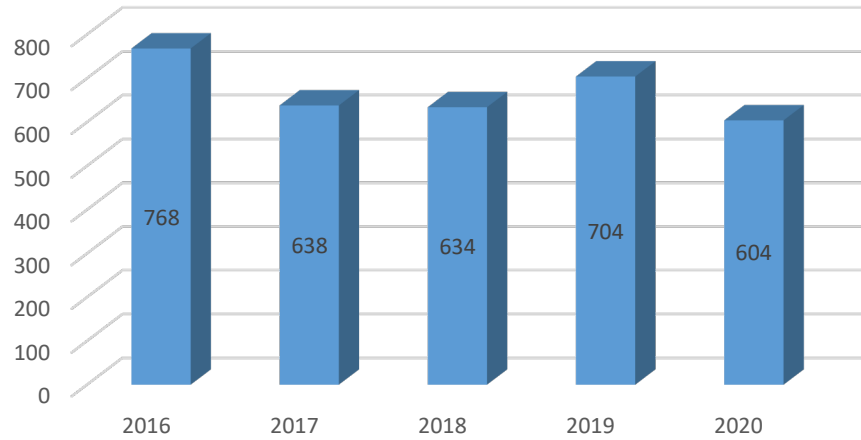
- ▶ c.700 complaints are made annually.
- ▶ Complaints can be raised directly with OCT with no requirement to deal with the public body initially.
- ▶ Informal contact - 3 week response period - extension, if necessary.
- ▶ Written response in Irish, 4 elements in case of breach:
 - Admittance of breach of legislation
 - Apology
 - Remedy/remedies
 - Arrangements to prevent future occurrence

Investigative Process

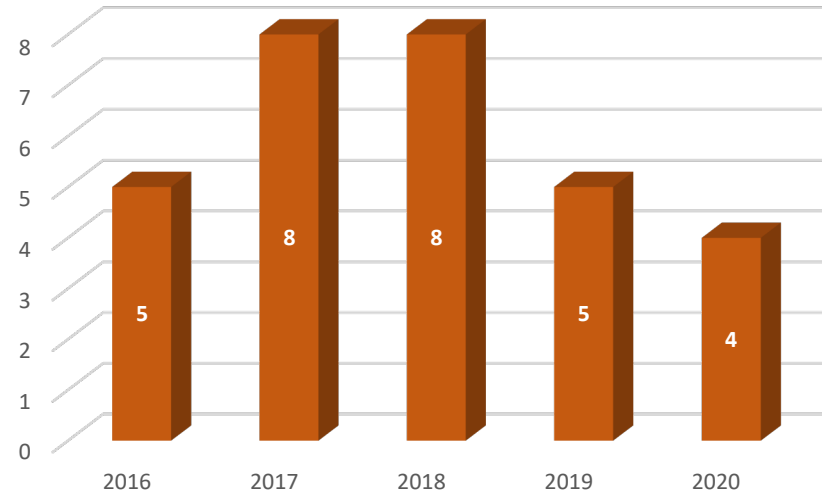
- ▶ Where a complaint cannot be resolved on an informal basis, a statutory investigation is initiated.
- ▶ This is a formal process which is set out by An Coimisinéir Teanga.
- ▶ The public body is required to provide all relevant records. Sole exception relates to decisions and proceedings of the Government or any committee of the Government.
- ▶ Report issued which contains findings and recommendations, if appropriate.
- ▶ Appeal can be made to High Court on point of law only.
- ▶ If recommendations are not implemented within a reasonable time, An Coimisinéir Teanga may make a report on the matter to the Houses of the Oireachtas.

Statistics

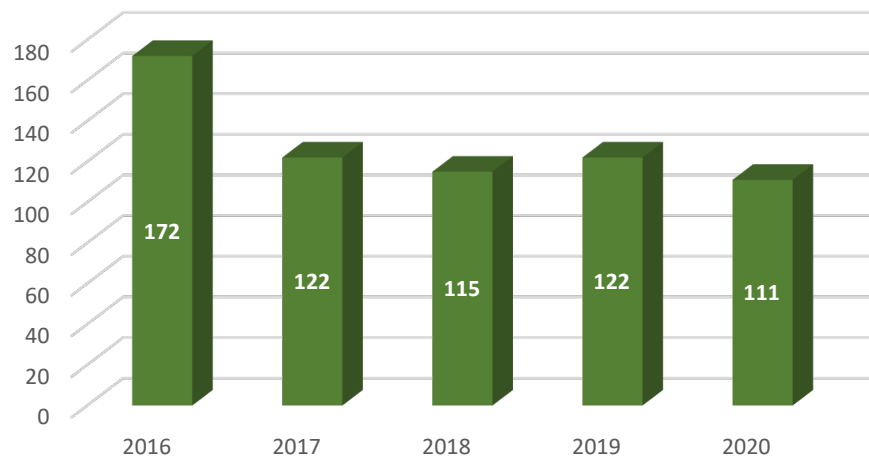
Complaints and Advice to the Public



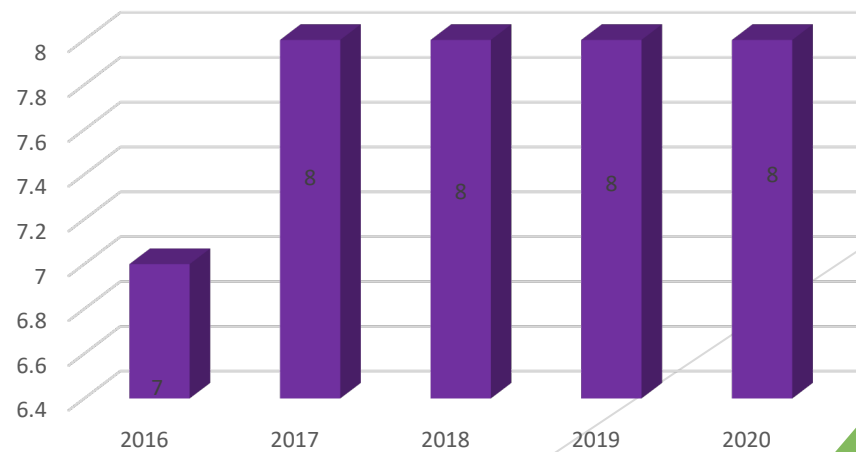
Investigations



Advice to Public Bodies



Staff



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