



# Achtanna na dTeangacha Oifigiúla

## Official Languages Acts

# Presentation

- ▶ Legal background & legislative framework: 3-5
- ▶ Existing & enhanced statutory obligations: 6-18
- ▶ Advice, Monitoring, Investigation: 19-24

# 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 (Amendment) Act 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
- Communication with the public in general
- Performance & Accountability

- Public Facing Services
- Official Forms
- Online services
- Gaeltacht LPAs

Enhanced Provisions

New Provisions

Schemes > Standards

Other Enactments

- Names, addresses, titles
- Síneadh fada & ICT
- Logos
- Recruitment & language competence
- Advertising

- 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

# Other Public Communications

## 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



# Advertising

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

Public bodies must ensure that:

- ▶ At least **20** per cent of all yearly advertising shall be in the Irish language.
- ▶ At least **5** per cent 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.

# 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

# 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 - before and after names, acknowledging formal differences in each language
- Abbreviations

# 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

# Public Facing Services

## Public facing services

- ▶ Services provided to the general public/class of the general public.
- ▶ Introduction of language standards.

## Language Standards

- ▶ Schemes remain in force until replaced 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 months public consultation.

## 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.



# 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.

# 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 re rights
- ▶ Complaint Investigation & Implementation Monitoring
- ▶ Statutory Investigations, where appropriate
- ▶ Other enactments: status and use of official languages - implementation

# Complaint Process

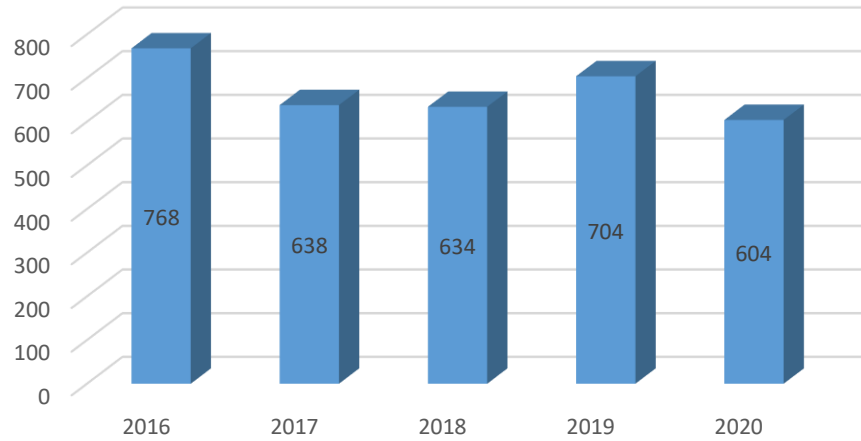
- ▶ c.700 complaints are made annually.
- ▶ Complaints can be raised directly with OCT with no requirement to deal with the public body initially.
- ▶ Informal contact - 3 week response period - extension, if necessary.
- ▶ Written response in Irish, 4 elements in case of breach:
  - Admittance of breach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

# Investigative Process

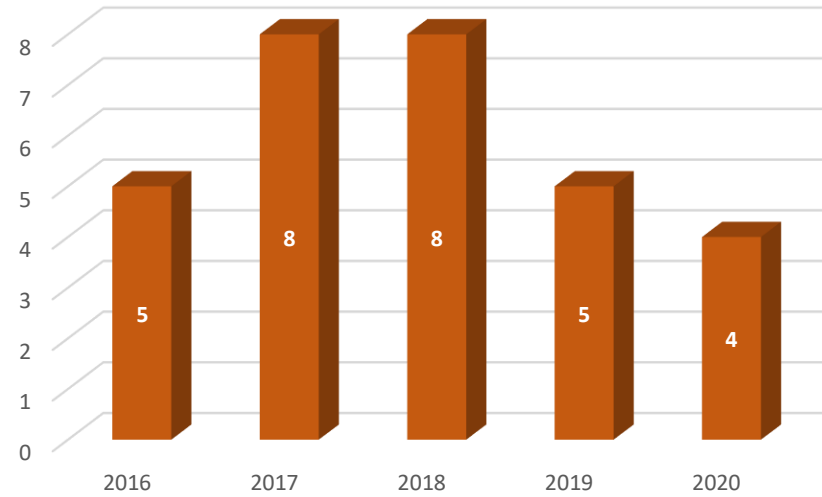
- ▶ Where a complaint cannot be resolved on an informal basis, a statutory investigation is initiated.
- ▶ This is a formal process which is set out by An Coimisinéir Teanga.
- ▶ The public body is required to provide all relevant records.
- ▶ Sole exception relates to decisions and proceedings of the Government or of any committee of the Government.

# Statistics

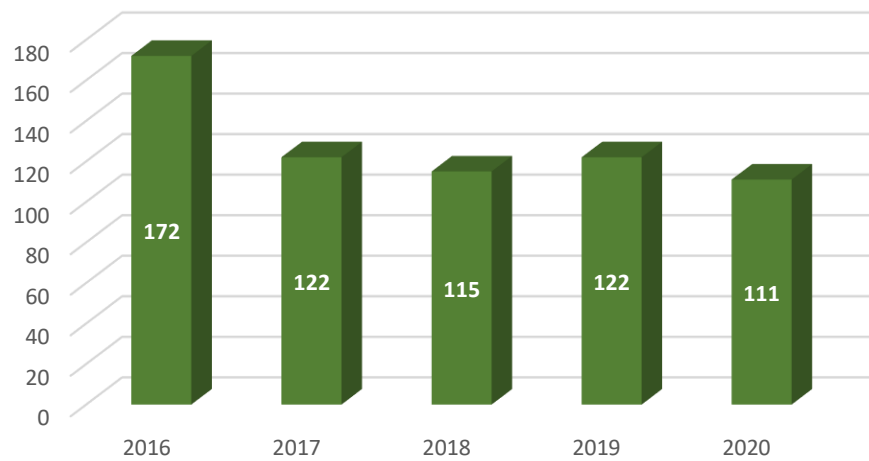
## Complaints and Advice to the Public



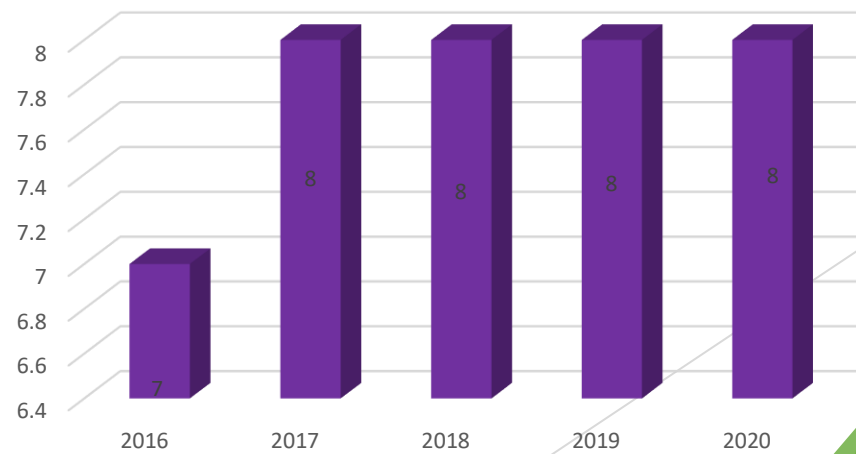
## Investigations



## Advice to Public Bodies



## Staff



# Contact Details

An Coimisinéir Teanga

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