



Tuarascáil  
Bhliantúil

---

Annual Report

---

2016





An Coimisinéir Teanga

# TUARASCÁIL BHLIANTÚIL ANNUAL REPORT 2016

## **DON AIRE EALAÍON, OIÐHREACHTA, GNÓTHAÍ RÉIGIÚNACHA, TUAITHE AGUS GAELTACHTA:**

De réir alt 30 d'Acht na dTeangacha Oifigiúla, 2003, tá an Tuarascáil seo don bhliain 2016 á cur i láthair ag an gCoimisinéir Teanga.

*Rónán Ó Domhnaill*  
*An Coimisinéir Teanga*

Bealtaine 2017

## **TO THE MINISTER FOR ARTS, HERITAGE, REGIONAL, RURAL AND GAELTACHT AFFAIRS:**

In accordance with section 30 of the Official Languages Act 2003, this Report for the year 2016 is being presented by An Coimisinéir Teanga.

*Rónán Ó Domhnaill*  
*An Coimisinéir Teanga*

May 2017

## RÁITEAS MISIN

### “Ag cosaint cearta teanga”

Seirbhís neamhspleách ar ardchaighdeán a chur ar fáil i gcomhlíonadh ár ndualgas reachtúil le cinntiú go ndéanann an státchóras beart de réir a bhriathair maidir le cearta teanga.

Cothrom na Féinne a chinntiú do chách trí ghearáin maidir le deacrachtaí teacht ar sheirbhísí poiblí trí Ghaeilge a láimhseáil ar bhealach atá éifeachtach, gairmiúil agus neamhchlaon.

#### **Eolas soiléir, cruinn a chur ar fáil:**

- don phobal maidir le cearta teanga, agus
- do chomhlachtaí poiblí maidir le dualgais teanga.

## MISSION STATEMENT

### “Protecting Language Rights”

To provide an independent quality service whilst fulfilling our statutory obligations to ensure state compliance in relation to language rights.

To ensure fairness for all by dealing in an efficient, professional and impartial manner with complaints regarding difficulties in accessing public services through the medium of Irish.

#### **To provide clear and accurate information:**

- to the public in relation to language rights, and
- to public bodies in relation to language obligations.



# CLÁR

# CONTENTS

Réamhrá	4
Cúlra	12
Seirbhísí Eolais & Cumarsáide	15
Cumann Idirnáisiúnta na gCoimisinéirí Teanga	17
Faireachán	20
Scéimeanna Teanga	23
Gearáin	26
Imscrúduithe	32
Achoimrí ar Imscrúduithe 2016	34
<i>Fáilte Éireann</i>	34
<i>An Roinn Oideachais agus Scileanna</i>	39
<i>Ollscoil na hÉireann, Má Nuad</i>	43
<i>Comhairle Contae Dhún Laoghaire-Ráth an Dúin</i>	49
<i>Comhairle Contae na Gaillimhe</i>	52
<i>Comhairle Contae Uíbh Fhailí</i>	59
Cúrsaí Airgeadais	63
Úsáid Fuinnimh	65
Nochtadh Cosanta	66
Foireann agus Sonraí Teagmhála	67
Aguisín	68

Foreword	4
Background	12
Information & Communications Services	15
International Association of Language Commissioners	17
Monitoring	20
Language Schemes	23
Complaints	26
Investigations	32
Summaries of 2016 Investigations	34
<i>Fáilte Ireland</i>	34
<i>Department of Education and Skills</i>	39
<i>National University of Ireland, Maynooth</i>	43
<i>Dún Laoghaire-Rathdown County Council</i>	49
<i>Galway County Council</i>	52
<i>Offaly County Council</i>	59
Financial Matters	63
Energy Usage	65
Protected Disclosure	66
Staff and Contact Details	67
Appendix	68

# RÉAMHRÁ

# FOREWORD

Ba le linn na bliana seo a fuair Oifig an Choimisinéara Teanga an líon ab airde gearán riamh ó bunaíodh í sa bhliain 2004. Ar an iomlán fuair an Oifig 768 gearán. Ní raibh aon mhórábhar ar leith a spreag an líon ard gearán seo. Creidim gur léiriú é ar na deacrachtaí atá ag an bpobal i gcoitinne go fóill, go háirithe lucht labhartha na Gaeilge, teacht ar sheirbhísí sásúla i nGaeilge ón Státchóras.

Fáiltím roimh an muinín a chuireann an pobal in obair m'Oifige agus na hiarrachtaí a dhéanann muid na deacrachtaí a bhíonn acu a réiteach. Is cinnte go bhfuil níos mó den phobal ar an eolas faoina gcearta teanga anois, go bhfuil siad níos muiníní ag lorg na seirbhísí a theastaíonn uathu agus go dtuigeann siad gur ann d'Oifig lena gcás a chur ar aghaidh mura bhfaigheann siad seirbhís dá sástacht.

Léiríonn líon na ngearán chomh maith, áfach, agus na hábhair lena mbaineann siad, go bhfuil go leor de na fadhbanna ceannanna céanna maidir le seirbhísí sásúla stáit a fháil trí Ghaeilge fós linn. Is ábhar díomá é sin, dar ndóigh. Mar shampla, bhain gearán amháin as gach ceithre cinn a rinneadh leis an Oifig le heaspa Gaeilge ar chomharthaíocht agus stáiseanáireacht. Sin in ainneoin na rialacháin ina leith seo bheith i bhfeidhm le os cionn seacht mbliana.

## COMÓRADH 1916

Bliain stairiúil a bhí ann don tír seo agus comóradh Stáit déanta ar Éirí Amach na Cásca, 1916. Ba dheis a bhí ann freisin machnamh a dhéanamh ar an méid atá bainte amach againn mar thír le 100 bliain. Níl aon amhras ach gur mór an dul chun cinn agus an fhorbairt atá tagtha ar an tír sa tréimhse sin. Bhí 'an Teanga Bheo' mar shnáithe aonair sa Chlár Comórtha Céad Bliain agus chuidigh sé sin le haitheantas a thabhairt don Ghaeilge agus a háit i sochaí na tíre. Tréaslaim leo siúd a d'eagraigh agus a

This year marked the highest number of complaints ever made to the Office of An Coimisinéir Teanga since its establishment in 2004. In total, 768 complaints were received by the Office. This high number of complaints was not brought about by any one particular matter. I believe that this demonstrates the enduring difficulties encountered by the population in general, and by the Irish-speaking community in particular, in accessing satisfactory state services through Irish.

I welcome the confidence shown by the people in the work carried out by my Office and in our efforts in resolving their difficulties. It is certainly the case that more people are aware of their language rights now, that they are more confident in seeking the services they need and that they understand that an Office exists to advocate on their behalf if they fail to receive a satisfactory service.

The high number of complaints, and the matters to which they refer, also demonstrates that the same problems persist regarding access to satisfactory state services in Irish. That, of course, is a matter of some disappointment. For example, one in four of the complaints made to the Office related to the lack of Irish on signage and stationery. This in spite of the fact that the regulations concerning this matter have been in force now for over seven years.

## 1916 COMMEMORATION

This was an historic year for the country with the State commemoration of the 1916 Easter Rising. It was also an opportunity to reflect on what we have achieved as a country over the last 100 years. The country has certainly made great progress and developed enormously in that time. 'An Teanga Bheo' ('The Living Language') was an individual thread in the Centenary Commemoration and it assisted in giving recognition to the Irish language and its place in our society. I congratulate those who organised

rinne comhordú ar na himeachtaí uile a reáchtáladh mar chuid den Chlár Comórtha agus go háirithe iad siúd ar fad a bhí bainteach leis na himeachtaí faoi mhír na Gaeilge den chomóradh.

## COMHDHÁIL IDIRNÁISIÚNTA NA GCOIMISINÉIRÍ TEANGA

Ag tús mhí an Mhárta reáchtáladh Comhdháil Idirnáisiúnta na gCoimisinéirí Teanga i nGaillimh. Thug an chomhdháil Coimisinéirí Teanga ó thíortha éagsúla na cruinne le chéile chun plé a dhéanamh ar chúrsaí cearta teanga. Don bhliain a bhí inti leagadh béim ar an gceangal idir cúrsaí teanga agus féiniúlacht náisiúin le linn na comhdhála.

Ag oscailt na comhdhála féin thagair Uachtarán na hÉireann, Micheál D. Ó hUiginn, don tráthúlacht go raibh an chomhdháil á heagrú mar chuid de chlár comórtha 1916-2016 ag rá: *“nascadh náisiúnachas Éireannach le gluaiseacht réabhlóideach, gluaiseacht chultúrtha agus gluaiseacht teanga sa chaoi gur cruthaíodh gluaiseacht dhochloíte féinchinntiúcháin. Mar thoradh ar fhis agus ar idéil na glúine sin aithníodh, le bunú an stáit nua, a thábhachtaí agus a bhí sé go gcaomhnófaí an Ghaeilge mar shiombail eisiach dár bhféiniúlacht Ghaelach.”*

Dúirt Uachtarán na hÉireann chomh maith, áfach, in ainneoin roinnt mhaith dul chun cinn i ngnéithe áirithe de chur chun cinn na Gaeilge, go raibh fadhbanna fós le sárú. *“Chun go n-éireodh le polasai teanga mar atá sé leagtha síos againn in Éirinn tá sé riachtanach go mbeadh meon dearfach agus tacaíocht shofheicthe ó oifigigh shinsearacha sa státchóras, agus, is oth liom a rá, ní bhíonn sé sin le feiceáil i gcónaí.”* Ba mhíne don Uachtarán fillleadh ar an téama céanna sin le linn na bliana agus tá súil agam go dtabharfar aird ar an méid a bhí le rá aige agus cur agus cúiteamh á dhéanamh faoi sholáthar seirbhísí stáit trí Ghaeilge san am amach romhainn.

and coordinated the various events held as part of the Commemorative Programme and especially all those who participated in the Irish language section of the commemoration.

## INTERNATIONAL CONFERENCE OF LANGUAGE COMMISSIONERS

The International Conference of Language Commissioners was held in Galway at the beginning of March. The conference brought together Language Commissioners from various countries around the globe to discuss issues relating to language rights. Given the year, the emphasis during the conference was on the link between language and national identity.

At the conference opening, the President of Ireland, Michael D. Higgins, referred to the timeliness of the conference as part of the 1916-2016 commemorative programme, stating: *“An Irish nationalism was enjoined to a revolutionary movement, to a cultural movement and to a language movement thus ensuring the creation of an unstoppable momentum towards self-determination. Resulting from the vision and idealism of that generation, with the foundation of the new state there was a recognition of the importance of the preservation of the Irish language as a unique symbol of our Irish identity.”*

The President of Ireland also stated, however, that in spite of substantial progress in some areas of the promotion of Irish, that difficulties remained to be overcome. *“To ensure the success of language policy as has been set forth in Ireland, it is vital that senior officials in the public service have a positive mentality and show demonstrable support, and, I regret to say, this is not always forthcoming.”* The President often revisited this theme throughout the year and I hope that his words are heeded in future deliberation on the provision of state services through Irish.

Ba mhaith liom aitheantas a thabhairt don mhaoiniú a chuir an Roinn Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta ar fáil do m'Oifig, faoin gclár 'an Teanga Bheo', chun cuidiú linn an chomhdháil thábhachtach seo a reáchtáil. Ba i gcomhpháirt le hAcadamh na hOllscolaíochta Gaeilge agus Roinn na Gaeilge, Ollscoil na hÉireann, Gaillimh a eagraíodh an chomhdháil seo agus is mór agam a gcomhoibriú leanúnach.

## EARCAÍOCHT

Caint agus iarracht in aisce a bheadh in aon iarracht feabhas ceart a chur ar sholáthar seirbhísí trí Ghaeilge ón Stát gan díriú ar cheist achtrannach na hearcaíochta.

Rinneadh go leor plé i mbliana faoin Straitéis Fiche Bliain don Ghaeilge agus inti deirtear go *"sonróidh scéimeanna teanga amach anseo na poist laistigh d'eagraíocht a mbeidh cumas sa Ghaeilge riachtanach dóibh."* Faraor géar léiríodh i rith na bliana go bhfuil ocht roinn rialtais ann nach bhfuil aon phost Gaeilge aitheanta acu. I measc fhormhór na ranna eile is figiúirí aonair a bhí i gceist.

Dúirt mé ag Coiste Oireachtais i rith na bliana gur *"sop in áit na scuaise atá i gceist chomh fada agus a bhaineann sé le daoine le Gaeilge a earcú sa tSeirbhís Phoiblí."*

Is léir nach bhfuil seo ceart ná cóir, agus fad is a leanfaidh an próiseas earcaíochta atá ann faoi láthair leanfaidh an creimeadh leanúnach atá á dhéanamh ar úsáid na Gaeilge sa státchóras agus an creimeadh dá réir ar chearta an tsaoránaigh Gaeilge a úsáid leis an Stát.

## ACHT LEASAITHE

Níor foilsíodh Bille Leasaithe na dTeangacha Oifigiúla i mbliana. Mar is eol don saol mór go maith teastaíonn uaimse go leasófaí an tAcht reatha ar bhealach cuimsitheach agus córasach agus ar bhealach a théann i ngleic mar ba chóir leis an easpa soláthair atá ann faoi láthair dóibh siúd ar mian leo a gcuid gnó a dhéanamh leis an Stát sa chéad teanga oifigiúil.

Ghlac an Coiste Rialtais ar na hEalaíona, an Ghaeilge, an Ghaeltacht agus na hOileáin cinneadh ar an 13 Deireadh Fómhair 2016 tús a chur le hathbhreithniú nua ar an mBille atá beartaithe.

Cuirim fáilte roimhe sin. Is léir gur beag glacadh a bhí roimh cheanntaidil an Bhille a foilsíodh in 2014 mar nach ndeachaigh siad i ngleic mar ba chóir leis na riachtanais atá ag lucht labhartha na Gaeilge sa tír seo.

I'd like to acknowledge the funding provided to my Office by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs under the 'An Teanga Bheo' programme to assist us in holding this important conference. The conference was organised in association with Acadamh na hOllscolaíochta Gaeilge and the Department of Irish in the National University of Ireland, Galway and I greatly appreciate their continued cooperation.

## RECRUITMENT

Without focusing on the troubling issue of recruitment, any talk or effort to improve the provision of state services in Irish will be in vain.

There was much discussion this year of the 20 Year Strategy for the Irish Language, which states that *"future language schemes will specify the posts within an organisation that require an Irish language competency requirement."* Regrettably, it was highlighted this year that there are eight government departments which have no specified posts requiring Irish language competency. In most of the other departments, the specified posts concerned were in single figures.

I stated at an Oireachtas Committee during the year that *"this is a very unsatisfactory situation as far as recruitment of Irish speakers in the Public Service is concerned."*

This situation is patently not right, and as long as the current recruitment process persists the ongoing erosion of the use of Irish in the public service will continue resulting in the erosion of the rights of citizens to use Irish in their dealings with the State.

## AMENDED ACT

The Bill to amend the Official Languages Act was not published this year. As is widely known, I want the current Act to be amended in a comprehensive and systematic manner and in such a way as to properly address the current lack of provision for those wishing to conduct their business with the State in the first official language.

The Government Committee on the Arts, the Irish Language, the Gaeltacht and the Islands decided on 13 October 2016 to commence a fresh review of the proposed Bill.

I welcome this development. It is clear that there was little acceptance of the heads of Bill published in 2014 as they did not sufficiently address the needs of Irish speakers in this country.

Ní heol dúinn ag an tráth seo cén treo a rachfar le haon athbhreithniú nua. Creidim, áfach, go dteastaíonn pleanáil cheart a dhéanamh chun teacht ar na bealaí is éifeachtaí le seirbhísí stáit a sholáthar trí Ghaeilge. Tá rian na heaspa pleanála le brath ar an gcóras earcaíochta agus ar sholáthar seirbhísí stáit trí Ghaeilge go ginearálta. Is gá go mbeadh fíis ann don todhchaí a thabharfadh muinín dúinn go rachfar i ngleic ar bhealach dáiríre le hearcú cainteoirí Gaeilge don tSeirbhís Phoiblí dá réir i soláthar seirbhísí sásúla i gcéadteanga oifigiúil na tíre.

## GEARÁIN

Léiríodh arís eile na deacrachtaí atá cruthaithe do shaoránaigh na tíre ar mian leo plé leis an státchóras trí Ghaeilge ach nach féidir leo é sin a dhéanamh mar nach bhfuil uasdátú á dhéanamh ar sceideal na gcomhlachtaí poiblí. Fearacht na bliana seo caite, rinneadh líon suntasach gearán le m'Oifig le linn na bliana 2016 a bhain le comhlachtaí poiblí nach dtagann faoi scáth na reachtaíochta – 110 ar an iomlán, i gcomparáid le 116 an bhliain roimhe sin. Arís, bhain a bhformhór mór le comhlachtaí poiblí a cuireadh ar bun ón uair a rinneadh an nuashonrú is déanaí ar sceideal na gcomhlachtaí poiblí in Acht na dTeangacha Oifigiúla siar i mBealtaine na bliana 2006. Ar an líon is suntasaí gearán a rinneadh bhí 16 ghearán i dtaobh an Údaráis um Shábháilteacht ar Bhóithre agus naoi ngearán i dtaobh Uisce Éireann.

Toisc nach raibh ar chumas m'Oifige na gearáin seo a fhiosrú, de bharr nár tháinig na comhlachtaí poiblí seo faoi scáth na reachtaíochta, ní féidir liom a rá an raibh sárú reachtuil i gceist in aon chás fiú dá mbeidís faoi scáth an Achta. Mar a luaigh mé anuraidh agus arís anuraidh, tá sé molta ag m'Oifig i gcomhthéacs an athbhreithnithe ar Acht na dTeangacha Oifigiúla go dtiocfadh gach comhlacht poiblí nuachruthaithe go huathoibríoch faoi scáth na reachtaíochta, mar a tharlaíonn i gcás reachtaíocht eile. Ní miste liom a lua go bhfuil cuid de na gearáin seo curtha ar a súile agam do na comhlachtaí poiblí cuí, lena gcead, agus go bhfuil an-chomhoibriú faighte agam ina leith, in ainneoin nach dtagann siad faoi scáth na reachtaíochta – an tÚdarás um Shábháilteacht ar Bhóithre go háirithe. Ba mhaith liom buíochas a ghabháil leo as an gcomhoibriú sin.

Thug m'Oifig sé imscrúdú chun críche le linn na bliana reatha agus tá achoimre le fáil orthu sin sa tuarascáil seo. Is é an gnáthnós a bhíonn ag m'Oifig ná iarracht a dhéanamh ábhair ghearán a réiteach

We do not know at this point what direction any new review will take. I believe, however, that proper planning is needed to obtain the optimum methods to provide state services through Irish. The results of the lack of planning can be felt in the recruitment system and in the delivery of state services through Irish generally. There needs to be a vision for the future providing us with confidence that the issue of recruitment of Irish speakers to the Public Service, and therefore the delivery of satisfactory state service in the country's first official language, is tackled in earnest.

## COMPLAINTS

Once more the difficulties created for citizens who wished to deal with the Public Service through Irish, but who were unable to do so, were evident; this arose due to the fact that the schedule of public bodies is not updated. As was the case the previous year, a substantial number of complaints were made to my Office in 2016 concerning public bodies that do not come under the legislation – 110 in total, compared to 116 last year. Again, most of these related to public bodies established since the last update of the schedule of public bodies in the Official Languages Act was carried out back in May 2006. The highest number of complaints included 16 complaints in relation to the Road Safety Authority and nine complaints concerning Irish Water.

As my Office was not in a position to investigate these complaints, because the public bodies concerned did not come under the legislation, I cannot say whether a legislative breach took place in any of the cases even if they were subject to the Act. As mentioned by me last year and the previous year, my Office has recommended in the context of the review of the Official Languages Act that each newly-created public body would be subject to the legislation automatically, as occurs with other legislation. It may be noted that I have made the public bodies concerned aware of some of the complaints, with their permission, and that I have received a great degree of support from them, in spite of the fact that they are not subject to the legislation – from the Road Safety Authority especially. I'd like to thank them for this cooperation.

My Office completed six investigations during the current year and summaries of these are contained in this report. The normal approach of my Office is to try to resolve the matters giving rise complaints

gan dul i muinín imscrúdú. Ní bhíonn de rogha agam, áfach, ach imscrúdú foirmiúil a sheoladh má tharlaíonn nach mbíonn aon toradh sásúil ar an gcóras neamhfhoirmiúil.

## FAIREACHÁN

Tá cúram díreach orm mar Choimisinéir Teanga faireachán a dhéanamh ar chomhlíonadh fhorálacha Acht na dTeangacha Oifigiúla, 2003. Tugann m'Oifig faoi chomhlíonadh an chúraim seo ar bhealaí éagsúla ach is iad léirmheas agus iniúchadh ar fheidhmiú na scéimeanna teanga agus ar chur i bhfeidhm moltaí a dhéantar in imscrúduithe reachtúla faoin Acht na príomhghníomhaíochtaí faireacháin a dhéanann m'Oifig. Leanadh den obair sin in 2016, bunaithe ar na córais iniúchta atá i bhfeidhm le roinnt blianta anois.

Mura mbíonn cuid de scéim teanga á cur i ngníomh, tráth an iniúchta, éiríonn le m'Oifig teacht ar shocrú leis na comhlachtaí poiblí i bhformhór na gcásanna. Bíonn ar m'Oifig, áfach, tabhairt faoi imscrúdú mura féidir teacht ar shocrú sásúil.

Le linn iniúchadh a dhéanamh ar scéimeanna teanga in 2016, tháinig roinnt ceisteanna aníos faoi chomhlíonadh gealltanais a tugadh faoi láithreach na Gaeilge ar shuíomhanna gréasáin. Tá an chuma ar an scéal go bhfuil roinnt comhlachtaí poiblí ag breith ar an bhfaill suíomhanna gréasáin nua-aimseartha a fhorbairt; rud é seo, b'fhéidir, nárbh acmhainn dóibh tabhairt faoi le linn an chuid ba mheasa den ghéarchéim eacnamaíoch. Is maith sin, gan aon amhras, ach dála aon bheart eile, ba den riachtanas é do chomhlacht poiblí aird mar is cuí a thabhairt ar aon oibleagáid reachtúil teanga ábhartha atá daingnithe i scéim teanga, nuair a bhíonn athnuachan nó athchruthú suimh gréasáin á phleanáil nó á bheartú. Níor chóir breathnú ar scéim teanga mar ghnó as féin ach mar bheartas a imríonn tionchar ar ghníomhaíochtaí uile an chomhlachta poiblí.

Ní féidir le haon phróiseas faireacháin ach meastóireacht a dhéanamh ar chomhlíonadh na ndualgas atá leagtha ar chomhlachtaí poiblí. Tá an próiseas faireacháin a dhéanann m'Oifig ar scéimeanna teanga ag léiriú dom go bhfuil laigí go leor ag baint leis an gcóras sin. Bíonn sé le brath ar roinnt scéimeanna teanga go mbíonn gealltanais iontu atá coinníollach agus/nó teorannaithe, rud a fhágann gur deacair a gcur i bhfeidhm a thomhas le haon mhuinín.

without recourse to a formal investigation. I have no option, however, other than to launch an investigation if no satisfactory result arises from the informal process.

## MONITORING

I have a direct responsibility as Coimisinéir Teanga to monitor compliance with the provisions of the Official Languages Act 2003. My Office undertakes the execution of this responsibility in various ways but the primary monitoring activities undertaken are the review and audit of language schemes, and the implementation of recommendations in statutory investigations under the Act. This work was continued in 2016, based on the audit systems in place for a number of years.

If part of a language scheme is not being implemented, at the time of investigation, my Office manages to come to an arrangement with the public bodies in most cases. My Office, however, has no option other than to undertake an investigation if a satisfactory resolution is not forthcoming.

In carrying out audits of language schemes in 2016, a number of issues arose concerning the fulfilment of undertakings made on the use of Irish on websites. It appears that some public bodies are taking the opportunity to develop modern websites, something, perhaps, they were not in a position to do during the worst of the economic crisis. This is to be welcomed, but like any other measure it is essential that public bodies take into account any relevant statutory language obligation in its language scheme when renewal or recreation of its website is planned or devised. A language scheme should not be viewed as a measure in itself but as an overall policy which permeates all aspects of the organisation's activities.

Any monitoring system is limited to evaluation of the fulfilment of their obligations by public bodies. The monitoring system my Office operates has demonstrated to me that many weaknesses pertain to this system. Some language schemes contain commitments which are conditional and/or limited, meaning that their implementation is difficult to measure with any confidence.



## CUMARSÁID

Bunaíodh Buan-Choiste Oireachtais nua i mbliana – Buan-Chomhchoiste na Gaeilge, na Gaeltachta agus na nOileán. D'iarr an Comhchoiste sin orm teacht ina láthair i mí Dheireadh Fómhair chun Tuarascáil Bhliantúil 2015 a chíoradh. Ina theannta sin rinneadh neart plé liom ag an gcoiste maidir le mo dhearcadh go dteastaíonn Acht Teanga níos láidre uainn – Acht atá oiriúnach dá fheidhm – agus na bealaí a chreidim ar féidir sin a bhaint amach. Táim buíoch den Bhuan-Chomhchoiste as an éisteacht dhearfach a tugadh dom.

Bhí éileamh mór arís i mbliana ó chomhlachtaí poiblí ar sheisiúin eolais a chur ar fáil don lucht bainistíochta agus don fhoireann i gcoitinne. Is cúis bhróid dom nár eitigh m'Oifig aon iarratas a cuireadh faoinár mbráid in ainneoin ganntanas foirne i rith na bliana. D'eagraigh muid seisiún eolais freisin do chomhlachtaí poiblí le linn Oireachtas na Gaeilge. Bhí an-éileamh ar an seisiún sin agus ba mhór an chabhair a bhí ann gur labhair ionadaithe ó Fhoras na Gaeilge, Gaelchultúr agus an Roinn Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta ag an seimineár freisin.

Ceann de na nithe is mó a thugann sásamh dom mar Choimisinéir Teanga chuile bhliain ná an deis casadh leo siúd a bhíonn ag obair ar son na teanga. Thug mé cuairt ar chuid mhaith ceantar i mbliana, ina measc Gaoth Dobhair chun labhairt le slua daoine roimh thaispeántas de *Mise Éire* arna eagrú ag Gael Linn. Thug mé an príomhaitheasc ag Seimineár Gaeilge de chuid Óglaigh na hÉireann ar an gCurach i gCo. Chill Dara. Ghlac mé le cuireadh freisin cur i láthair a dhéanamh i bParlaimint na hEorpa sa Bhruiséil maidir le hAcht na dTeangacha Oifigiúla agus reachtaíocht teanga.

Thug sé ardú meanman dom gur lorg roinnt mhaith grúpaí agus eagraíochtaí atá bainteach leis an bpróiseas pleanála teanga m'ionchur agus ionchur na hOifige i gcomhthéacs ról an Stáit maidir le soláthar seirbhísí. Tá súil agam leanúint leis an obair thábhachtach seo an bhliain seo chugainn ach iarratais chuige sin a fháil ó na heagraíochtaí atá ag ullmhú na bpleananna.

Rinne mé na scórtha agallamh le linn na bliana – ar an teilifís, ar an raidió, ar líne agus sna nuachtáin. Ba mhaith liom mo bhuíochas a chur in iúl as gairmiúlacht na n-iriseoirí i gcónaí agus mé ag plé leo.

## COMMUNICATIONS

A new Oireachtas Standing Committee was established this year – the Standing Joint Committee on the Irish Language, the Gaeltacht and the Islands. This Joint Committee asked me to appear before it in October in order to examine the 2015 Annual Report. In addition, there was much discussion with me at the committee regarding my view that we need a more robust Language Act – an Act that is fit for purpose – and of the ways this could be brought about. I thank the Standing Joint Committee for the positive hearing afforded to me.

The past year saw a large demand once again from public bodies for information sessions for management and staff in their organisations. It is a matter of some pride to me that my Office did not refuse any such request received during the year despite a shortage of staff. We also held information sessions for public bodies during Oireachtas na Gaeilge. There was a high level of demand for these sessions, and the talks given by representatives of Foras na Gaeilge, Gaelchultúr and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs at the seminar were also of great assistance.

One of the greatest causes of satisfaction to me in my role as Coimisinéir Teanga each year is meeting those working in the promotion of the language. I visited many areas this year, including Gaoth Dobhair to speak to a gathering of people before a showing of *Mise Éire* held by Gael Linn. I gave the keynote speech at the Irish Language Seminar of the Defence Forces in Curragh, Co. Kildare. I also accepted an invitation to give a presentation before the European Parliament in relation to the Official Languages Act and language legislation.

It was heartening that a substantial number of groups and organisations involved in the language planning process sought my own and the Office's input in the context of the State's role in service provision. I hope to continue this important work next year if requests for such assistance are received from the organisations preparing the plans.

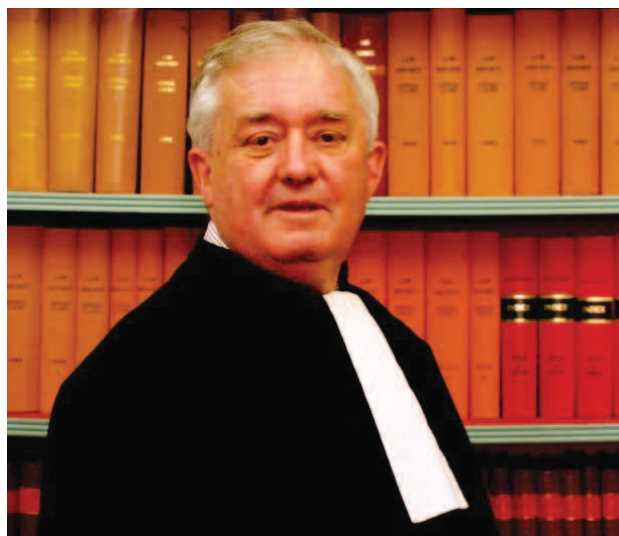
I gave dozens of interviews throughout the year – on television, radio, online and in the newspapers. I'd like to thank the journalists concerned for their continued professionalism in their dealings with me.

Chomh maith leis sin rinneadh athdhearadh ar shuíomh gréasáin Oifig an Choimisinéara Teanga i dtreo dheireadh na bliana. Tá súil agam go mbainfidh lucht labhartha na Gaeilge chomh maith leo siúd sa Státchóras úsáid as an suíomh chun eolas a lorg faoi chearta teanga, faoin dualgas atá ar chomhlachtaí poiblí agus faoin deis atá ann don phobal a gcearta a éileamh.

## ÁBHAIR BRÓIN

Thagair mé níos luaithe do Chomhdháil Chumann Idirnáisiúnta na gCoimisinéirí Teanga.

Faraor, an oíche sular raibh sé le príomhathasc na Comhdhála a thabhairt, fuair an Breitheamh Onórach Adrian Hardiman, Breitheamh den Chúirt Uachtarach, bás gan choinne. Ba léir dom ó na comhraite a bhí agam leis sna seachtainí beaga roimh an gComhdháil go raibh tuairimí láidre ag an mBreitheamh Hardiman faoi theip an Stáit a dhualgas bunreachtúil, dar leis, i leith na Gaeilge a chomhlíonadh. Cailliúint ollmhór do shaol na Gaeilge a bhí i mbás Adrian Hardiman ach cailliúint níos mó fós dar ndóigh dá bhean chéile, an Breitheamh Yvonne Murphy agus a gclann mhac. Déanaim comhbhrón ó chroí leo.



*An Breitheamh Onórach Adrian Hardiman,  
Breitheamh den Chúirt Uachtarach  
The Honorable Adrian Hardiman,  
Supreme Court Judge*

The latter part of 2016 saw a redesign of the website of the Office of An Coimisinéir Teanga. I hope that the Irish-speaking community as well as those in the Public Service use the site to obtain information relating to language rights, the obligations on public bodies and the facility available to the public to vindicate their rights.

## MATTERS OF SADNESS

I referred earlier to the International Conference of Language Commissioners.

The night before he was scheduled to give the keynote address at the Conference, Supreme Court Judge, Mr Justice Adrian Hardiman, sadly passed away unexpectedly. It was evident from the discussions I had with him in the weeks leading up to the Conference that Mr Justice Hardiman held strong opinions on the State's failure to carry out its constitutional obligations in relation to Irish. The death of Adrian Hardiman was an immense loss to the Irish language world and of course an even greater loss to his wife, Judge Yvonne Murphy, and their sons. My sympathies are extended to them.



*An Dr Peadar Ó Flatharta, Léachtóir Sinsearach,  
Ollscoil Chathair Bhaile Átha Cliath  
An Dr Peadar Ó Flatharta,  
Senior Lecturer, Dublin City University*

*Ar dheis Dé go raibh a n-anamacha*



Bhí an léachtóir ollscoile, an Dr Peadar Ó Flatharta, lárnach in eagrú na Comhdhála chomh maith. Chuir sé comhairle stuama orm maidir le heagrú na Comhdhála féin agus ba é, agus an aithne a bhí aige orthu siúd atá ag plé le cur chun cinn teangacha ar fud an domhain, ba chúis le cainteoirí idirnáisiúnta mór le rá a mhealladh go Gaillimh don Chomhdháil. Ba mhór an t-údar bróin dúinn in Oifig an Choimisinéara Teanga, agus i saol na Gaeilge i gcoitinne, nuair a bhásaigh Peadar díreach roimh an Nollaig. Ba dhuine é a raibh cáil air go náisiúnta agus go hidirnáisiúnta ó thaobh cúrsaí cearta teanga, cúrsaí oideachais agus gach ar bhain le mionteangacha agus teangacha neamhfhorleathana. B'fhear léinn é a raibh meas agus ómós ar a thuairimí agus a bhí dúthrachtach do stádas na Gaeilge agus do lucht a labhartha. Déanaim comhbhrón ó chroí lena bhean, Áine Ní Chonghaile, agus lena mhuintir ar fad.

## EILE

D'fhreastail mé féin agus foireann an hOifige ar sheisiúin éagsúla eolais de chuid Chumann Idirnáisiúnta na gCoimisinéirí Teanga, a eagraíodh tríd an idirlíon, i rith na bliana. Is áis thar a bheith luachmhar domsa agus don fhoireann araon atá sa Chumann agus cuidíonn sé linn foghlaim agus forbairt ó thaithí daoine a bhíonn ag plé leis an gcineál céanna oibre i ndlínsí éagsúla.

Tá an t-iriseoir Áine Ní Chiaráin agus an saineolaí airgeadais Páidí Ó Dálaigh ag treabhadh leo mar bhaill de Choiste Iniúcháireachta Inmheánaí agus Riosca na hOifige. Is ar bhonn deonach a dhéantar an obair seo. Táim thar a bheith buíoch díobh as an mbealach gairmiúil agus dáiríre a dtugann siad faoi chomhlíonadh na gcúraimí seo le tacaíocht an iniúcháora inmheánaigh, go mór mór agus breis cúraimí leagtha orthu anois ag cód cleachtais nua maidir le cúrsaí rialachais atá i bhfeidhm ó mhí Mheán Fómhair.

Tá mé i mo bhall de Chumann na nOmbudsmán freisin agus d'fhreastail mé ar chruinnithe an Chumainn sin i mBaile Átha Cliath. Ar nós na gcoimisinéirí idirnáisiúnta, is deas a bheith in ann cúrsaí a bhaineann le mo phost a phlé leis na hOmbudsmáin eile atá ag feidhmiú sa réimse seo. D'fhreastail mé freisin ar chruinniú cinn bhliana an Chumainn i mBaile Átha Cliath agus ba dhíol spéise cluas a thabhairt do na dúshláin a bhíonn roimh Ombudsmáin sa Bhreatain chomh maith.

Mar fhocail scoir ba mhaith liom buíochas ó chroí a ghlacadh le foireann na hOifige. Oibríonn siad go dian díograiseach agus táim an-bhuíoch díobh as an tacaíocht a fhaighim uathu i gcónaí.

The university lecturer, Dr Peadar Ó Flatharta, was also central to the preparations for the Conference. He provided me with sound advice regarding the organising of the Conference itself, and due to his acquaintance with those involved in language promotion worldwide, he was the person responsible for attracting leading international speakers to Galway for the Conference. Peadar's passing shortly before Christmas was a matter of great sadness to us in the Office of An Coimisinéir Teanga and to the Irish language world in general. He was held in very high regard both nationally and internationally in the areas of language rights, education and all things concerning minority and lesser-used languages. He was an academic man whose views were highly regarded and respected and he was a committed supporter of the status of the Irish language and its community. I wish to extend my sympathy to his wife, Áine Ní Chonghaile, and to his extended family.

## OTHER MATTERS

The staff of the Office and I attended various information sessions of the International Association of Language Commissioners, held over the internet, during the year. The Association is a highly valuable asset to both myself and the staff of the Office and it assists us in learning and developing from the experience of others dealing with the same type of work in various jurisdictions.

Journalist Áine Ní Chiaráin and financial expert Páidí Ó Dálaigh continued their work as members of the Office's Internal Audit and Risk Committee. This work is undertaken on a voluntary basis. I'm indebted to them for the professional and earnest way they carry out these responsibilities, with the support of the internal auditor, especially now that they have taken on an additional workload due to a new code of practice coming into force since September.

I am also a member of the Ombudsman Association and I attended the Association's meetings in Dublin. As is the case with the international commissioners, it is pleasing to have the opportunity to discuss matters relating to my post with the other Ombudsmen operating in this area. I also attended the annual general meeting of the Association in Dublin and it was interesting to hear about the challenges faced by Ombudsmen in Great Britain as well.

In conclusion, I'd like to sincerely thank the staff of the Office. They work extremely diligently and I'm most appreciative of all the support they give me.

# CÚLRA

# BACKGROUND

Cheap Uachtarán na hÉireann i mo Choimisinéir Teanga mé go foirmiúil ar an 12 Márta 2014 ar chomhairle an Rialtais tar éis do Thithe an Oireachtais rún a rith ag moladh an cheapacháin. Fuair an ceapachán sin, do théarma 6 bliana, tacaíocht ó na páirtithe uile sa Dáil agus sa Seanad. Ba é Seán Ó Cuirreáin an chéad Choimisinéir Teanga ó thráth bunaithe na hOifige nó gur éirigh sé as an gcúram sin ar an 23 Feabhra 2014.

Oifig neamhspleách reachtúil í Oifig an Choimisinéara Teanga a bhfuil de chúram uirthi monatóireacht a dhéanamh ar an gcaoi a bhfuil forálacha Acht na dTeangacha Oifigiúla, 2003 á gcomhlíonadh ag comhlachtaí poiblí an Stáit. Déanann an Oifig gach beart riachtanach chun a chinntiú go gcomhlíonann comhlachtaí poiblí a ndualgais faoin Acht féin, faoi na Rialacháin faoin Acht agus faoi scéimeanna teanga, sa chás gur ann dóibh.

Fiosraíonn an Oifig gearáin ón bpobal i gcásanna ina gcreidtear go bhfuil teipthe ar chomhlachtaí poiblí a ndualgais a chomhlíonadh faoi Acht na dTeangacha Oifigiúla. Fiosraíonn an Oifig freisin aon ghearán bailí ina líomhnaítear nach bhfuil foráil d'aon achtachán eile a bhaineann le stádas nó le húsáid na Gaeilge á comhlíonadh.

Tugann an Oifig comhairle nó cúnamh, de réir mar is cuí, don phobal maidir lena gcearta teanga agus do chomhlachtaí poiblí maidir lena ndualgais teanga faoin Acht. Tá sé mar phríomhchuspóir ag an Acht a chinntiú go soláthraíonn an Státseirbhís agus an tSeirbhís Phoiblí seirbhísí Gaeilge ar bhonn níos líonmhaire agus ar chaighdeán níos airde in imeacht tréimhse ama.

Is féidir tuilleadh eolais a fháil ar obair Oifig an Choimisinéara Teanga sna tuarascálacha bliantúla atá foilsithe ar shuíomh gréasáin na hOifige: [www.coimisineir.ie](http://www.coimisineir.ie). Tá fáil ar ráitis airgeadais na hOifige ar an suíomh chomh maith.

I was formally appointed by the President as Coimisinéir Teanga on 12 March 2014 on the advice of the Government following a resolution passed by both Houses of the Oireachtas recommending the appointment. The appointment for a 6 year period received the support of all the parties in the Dáil and Seanad. Seán Ó Cuirreáin was the first Coimisinéir Teanga from the establishment of the Office until his resignation on 23 February 2014.

The Office of An Coimisinéir Teanga is an independent statutory office whose responsibility is to monitor the manner in which the State's public bodies comply with the provisions of the Official Languages Act 2003. The Office takes all necessary measures to ensure that public bodies fulfil their obligations under the Act itself, under the Regulations made under the Act and under language schemes, where these apply.

The Office investigates complaints from the public in cases where it is believed that public bodies may have failed to fulfil their obligations under the Official Languages Act. The Office also enquires into any valid complaints regarding allegations that a provision of any other enactment relating to the status or use of Irish has been contravened.

My Office provides advice or assistance, as appropriate, to the public about their language rights and to public bodies about their language obligations under the Act. The primary objective of the Act is to ensure that the services provided through Irish by the Civil and Public Service increase in both quantity and quality over a period of time.

A detailed account of the work of the Office is provided in the annual reports available on the Office's website: [www.coimisineir.ie](http://www.coimisineir.ie). Our Office's financial statements are also available on the website.

Is ar an 14 Iúil 2003 a shínigh an tUachtarán Acht na dTeangacha Oifigiúla ina dhlí agus trí bliana ina dhiaidh sin, ar an 14 Iúil 2006, tháinig gach foráil den Acht nach raibh tagtha i bhfeidhm le hOrdú Aire roimhe sin i bhfeidhm go hoifigiúil. Chiallaigh sé sin go raibh bonn reachtúil ón dáta sin ar aghaidh faoi gach foráil de chuid an Achta.

Is ar an 1 Deireadh Fómhair 2008 a shínigh an tAire Ealaíon, Oidhreachta, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta na Rialacháin um Acht na dTeangacha Oifigiúla, 2003 (Alt 9) (I.R. Uimh. 391 de 2008). Faoi na Rialacháin sin, tá dualgas ar chomhlachtaí poiblí a chinntiú go bhfuil a gcuid stáiseanóireachta, a gcuid comharthaíochta agus a gcuid fógairtí taifeadta béil á soláthar i nGaeilge amháin, nó i nGaeilge agus i mBéarla, de réir critéir ar leith atá daingnithe sna Rialacháin. Ní raibh aon Rialachán déanta faoi dheireadh na bliana 2016 maidir le fógraí nár maidir le fógairtí beo béil.

Rinneadh leasú ar Acht na dTeangacha Oifigiúla in alt 62 den Acht um an Dlí Sibhialta (Forálacha Ilghnéitheacha), 2011. Ciallaíonn an leasú gur féidir aon Acht den Oireachtas a fhoilsiú ar an idirlíon in aon teanga oifigiúil amháin sula ndéanfar é a chló agus a fhoilsiú go comhuaineach sa dá theanga oifigiúla.

Rinneadh leasú eile in alt 48 den Acht Comhshaoil (Forálacha Ilghnéitheacha), 2011 ar fhoráil d'lonstraim Reachtúil (Uimh. 872 de 2004) – an tOrdú Logainmneacha (Ceantair Ghaeltachta), 2004 – fad is a bhaineann sé leis an logainm, 'An Daingean'. Daingnítear sa leasú sin gurb iad 'Daingean Uí Chúis' i nGaeilge agus 'Dingle' i mBéarla na hainmneacha oifigiúla anois san áit a raibh 'An Daingean' roimhe sin.

Fógraíodh athbhreithniú foirmiúil ar Acht na dTeangacha Oifigiúla mar ghné amháin de chlár oibre an Rialtais nua a tháinig i gcumhacht in 2011. I mí Iúil

On 14 July 2003 the President signed the Official Languages Act into law and three years later, on 14 July 2006, all provisions of the Act not already commenced by Ministerial Order came into effect. That meant that from this date onwards, every provision of the Act had a statutory basis.

On 1 October 2008, the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs signed the Official Languages Act 2003 (Section 9) Regulations 2008 (S.I. No. 391 of 2008). Under the Regulations, public bodies are obliged to ensure that their stationery, their signage and their recorded oral announcements are provided in Irish only, or in Irish and English, in accordance with certain provisions set out in the Regulations. No Regulations had been made by the end of 2016 regarding advertisements or live oral announcements.

An amendment was made to the Official Languages Act in section 62 of the Civil Law (Miscellaneous Provisions) Act 2011. The amendment means that any Act of the Oireachtas may be published online in one official language before it is printed and published simultaneously in both official languages.

An amendment was also made in section 48 of the Environment (Miscellaneous Provisions) Act 2011 to a provision of Statutory Instrument (No. 872 of 2004) – Placenames Order (Gaeltacht Districts) 2004 – in so far as it relates to the placename, 'An Daingean'. This amendment confirms that 'Daingean Uí Chúis' in Irish and 'Dingle' in English are now the official placenames where 'An Daingean' was used previously.

A formal review of the Official Languages Act formed part of the programme for government of the new administration that came to power in 2011. In July

2011, d'fhoilsigh m'Oifig tráchttaireacht, mar thuairisc speisialta faoi alt 29 d'Acht na dTeangacha Oifigiúla, ar fheidhm phraiticiúil agus ar oibriú fhorálacha an Achta. Ar an 31 Eanáir 2012, tháinig deireadh le tréimhse comhairliúcháin phoiblí a d'eagraigh an Roinn Ealaíon, Oidhreachta, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta maidir leis an athbhreithniú.

D'fhoilsigh an Roinn Ealaíon, Oidhreachta, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta an tAthbhreithniú ar Acht na dTeangacha Oifigiúla, 2003 agus príomhfhórlacha Bhille na dTeangacha Oifigiúla (Leasuithe) i mí Aibreáin 2014. Fógraíodh, tar éis an cónascadh a bhí beartaithe idir Oifig an Choimisinéara Teanga agus Oifig an Ombudsman a bhreithniú tuilleadh, agus ag tabhairt san áireamh thorthaí an phróisis comhairliúcháin phoiblí a léirigh tacaíocht láidir d'Oifig an Choimisinéara Teanga a choinneáil mar eintiteas iomlán neamhspleách, go raibh cinneadh déanta ag an Rialtas gan dul ar aghaidh leis an gcónascadh a bhí beartaithe.

I mí Feabhra 2015, d'fhoilsigh an Comhchoiste Oireachtais um Chomhshaol, Cultúr agus Gaeltacht tuarascáil ina raibh 34 moladh déanta i dtaca le Scéim Ghinearálta Bhille na dTeangacha Oifigiúla (Leasú), 2014.

Ar an 13 Deireadh Fómhair 2016, chinn an Coiste Rialtais ar na hEalaíona, an Ghaeilge, an Ghaeltacht agus na hOileáin tús a chur le hathbhreithniú nua ar an mBille beartaithe.

2011, my Office published a commentary as a special report, under section 29 of the Official Languages Act, on the practical application and operation of the Act. A public consultation period organised by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in relation to a review of the Official Languages Act ended on 31 January 2012.

In April 2014 the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs published the Review of Official Languages Act 2003, part of which included the main provisions of the Official Languages (Amendment) Bill. It was announced, following further consideration of the proposed amalgamation of the Office of An Coimisinéir Teanga with the Office of the Ombudsman, and having regard to the results of the public consultation process which indicated strong support for maintaining the Office of An Coimisinéir Teanga as a fully independent entity, that the Government had decided not to proceed with the proposed amalgamation.

In February 2015, the Joint Oireachtas Committee on Environment, Culture and the Gaeltacht published a report containing 34 recommendations in relation to the General Scheme of the Official Languages (Amendment) Bill, 2014.

On 13 October 2016, the Committee on the Arts, the Irish Language, the Gaeltacht and the Islands decided to commence a new review of the proposed Bill.

# SEIRBHÍSÍ EOLAIS & CUMARSÁIDE

# INFORMATION & COMMUNICATIONS SERVICES

## ÓCÁIDÍ POIBLÍ

Le linn na bliana d'fhreastail mé ar chuid mhaith imeachtaí ina ndearnadh comóradh ar Éirí Amach na Cásca, 1916. Ócáidí oifigiúla stáit, den chuid is mó, a bhí sna himeachtaí ar fhreastail mé orthu ach bhí riméad orm freastal ar roinnt imeachtaí áitiúla ar nós Scoil Samhraidh an Phiarsaigh a d'eagraigh Comhairle Contae na Gaillimhe i Ros Muc. Thug na himeachtaí éagsúla deis dúinn machnamh a dhéanamh ar na hiobairtí cróga a rinneadh cothrom an ama seo, céad bliain ó shin, ar mhaithe le saoirse a bhaint amach dár dtír.

Mar a tharlaíonn gach bliain, ghlac mé le cuireadh ó eagraíochtaí pobail agus ó fhorais eile freastal ar ócáidí poiblí. Is deis a bhí sna hócáidí sin léargas a thabhairt ar obair na hOifige agus plé poiblí a dhéanamh ar fheidhmiú an Achta, cearta teanga an tsaoirne agus ábhair ghaolmhara eile. Cuirim fáilte mhór roimh an deis labhairt leis an bpobal agus le grúpaí ar speis leo cúrsaí cearta teanga agus a dtuairimí a fháil ar an ábhar. I measc na n-imeachtaí ag ar thug mé cur i láthair bhí:

- Cruinniú de chuid Bhuan-Chomhchoiste na Gaeilge, na Gaeltachta agus na nOileán
- Comhdháil Bhliantúil an Fhorais Pátrúnachta
- Bronnadh Ghradaim Ghaelchultúr, Comhairle Contae Mhaigh Eo, Caisleán an Bharraigh, Co. Mhaigh Eo
- Oireachtas na Samhna i gCill Airne, Co. Chiarraí
- Óráid ag Éisteacht Pharlaimint na hEorpa ar Éagsúlacht agus Leithcheal Teanga, an Bhruiséil
- Aoichainteoir ag Seimineár Gaeilge eagraithe ag Óglaigh na hÉireann ar an gCurrach, Co. Chill Dara
- Aoi speisialta ag craoladh de chuid *Mise Éire* eagraithe ag Gael Linn, Doirí Beaga, Co. Dhún na nGall
- Óráid faoi chearta teanga i gComhairle Cathrach Chorcaí eagraithe ag Gael-Taca, Corcaigh

## PUBLIC EVENTS

During the year, I attended numerous commemorative events on the 1916 Easter Rising. Most of the events that I attended were official state events, however I was delighted to attend some local events such as Scoil Samhraidh an Phiarsaigh organised by Galway County Council which was held in Ros Muc. The various events gave us an opportunity to reflect on the brave sacrifices made a hundred years ago so that freedom could be achieved for our country.

As in previous years, I accepted invitations from community organisations and other bodies to attend public events. These events were an opportunity to provide an insight into the work undertaken by the Office, the language rights of citizens and other related matters. I welcome the opportunity to speak with the public and with groups that have an interest in language rights and to get their opinions on the matter. I made presentations at the following events, amongst others:

- Meeting of the Standing Joint Committee on the Irish Language, the Gaeltacht and the Islands
- An Foras Pátrúnachta Annual Conference
- Presentation of Gaelchultúr awards, Mayo County Council, Castlebar, Co. Mayo
- Oireachtas na Samhna, Killarney, Co. Kerry
- Speech at European Parliament Hearing on Linguistic Diversity and Language Discrimination, Brussels
- Guest speaker at an Irish Seminar organised by the Irish Defence Forces, Curragh, Co. Kildare
- Special guest at *Mise Éire* broadcast organised by Gael Linn, Doirí Beaga, Co. Donegal
- Speech on Linguistic Rights in Cork City Council organised by Gael-Taca, Cork

## SUIOMH GRÉASÁIN

Rinne m'Oifig athdhearadh ar ár suíomh gréasáin, [www.coimisineir.ie](http://www.coimisineir.ie), le linn na bliana reatha. Sa bhliain amach romhainn tá sé i gceist againn breis oibre a dhéanamh ar an suíomh chun barr feabhais a chur air. Feidhmíonn an suíomh gréasáin mar fhoinsé eolais faoi gach a mbaineann le hOifig an Choimisinéara Teanga agus le hAcht na dTeangacha Oifigiúla. Tá Treoirleabhar d'Acht na dTeangacha Oifigiúla le fáil ar an suíomh gréasáin chun cúnamh a thabhairt don phobal maidir lena gcearta teanga agus go háirithe chun comhairle a chur ar chomhlachtaí poiblí maidir lena ndualgais faoin Acht, agus tá cóip ar an suíomh gréasáin de gach scéim teanga a aontaíodh go dtí seo.

Tá leagan leictreonach den acmhainn oideachais, Cearta Teanga / Language Rights, le fáil ar líne ag [www.coimisineir.ie/scoileanna](http://www.coimisineir.ie/scoileanna). Más mian le duine comhairle a lorg nó gearán a dhéanamh, is féidir foirm ghearáin ar líne a chomhlánú agus a sheoladh go leictreonach chuig an Oifig.

## ACMHAINN OIDEACHAIS

Le linn na bliana 2016 freisin, rinne m'Oifig athphriontáil ar an acmhainn dhátheangach oideachais ar chearta teanga. Bhí an acmhainn, a cuireadh ar fáil do scoileanna na tíre sa bhliain 2011, as cló agus tá áthas orm go mbeidh ar ár gcumas í a chur ar fáil arís. Tugtar léargas ar chearta teanga go ginearálta agus ar chás na Gaeilge go háirithe, i gcomhthéacs cearta daonna. Tá an pacáiste foghlama gníomhaí seo ullmhaithe go dátheangach agus áirítear ann leabhar don mhúinteoir, póstaer, CD-ROM, DVD de ghearrthóga físe agus acmhainní ar líne.

## NA MEÁIN CHUMARSÁIDE

Fearacht blianta eile bhí cuid mhaith teagmhála agam leis na meáin chumarsáide le linn na bliana 2016. Déanaim gach iarracht freastal ar iarratais ó na meáin Ghaeilge agus ó na meáin Bhéarla agus creidim go bhfuil sé tábhachtach léargas a thabhairt ar obair na hOifige, ar fheidhmiú an Achta agus ar cheisteanna gaolmhara.

Glacaim buíochas leis na hiriseoirí ar fad a chuir an oiread sin suime in obair na hOifige le linn na bliana agus a chabhraigh le cur chun cinn na hoibre sin trína gcuid tuairisceoireachta i mBéarla agus i nGaeilge.

## WEBSITE

My Office redesigned our website during the current year. In the year ahead we intend to carry out further work on the site to optimise it. The website serves as a comprehensive source of information on all aspects of the Office of An Coimisinéir Teanga and the Official Languages Act 2003. A Guidebook to the Official Languages Act is available on the website to assist the public with regard to their language rights, and in particular, to advise public bodies in relation to their obligations under the Act. In addition, the website provides a copy of every language scheme agreed to date.

An electronic version of an educational resource, Cearta Teanga / Language Rights, is available online at [www.coimisineir.ie/schools](http://www.coimisineir.ie/schools). If a member of the public wishes to seek advice or make a complaint, there is an online form that can be completed and sent electronically to my Office.

## EDUCATIONAL RESOURCE

Also during 2016, my Office reprinted the bilingual educational resource on language rights. The resource, which was distributed to all second level schools in the country in 2011, was out of print, but I am pleased that we are now in a position to provide it again. It gives an overview of language rights generally and Irish language rights in particular, in the context of human rights. The active learning package is bilingual and includes a teacher's booklet, posters, CD-ROM, a DVD of video clips and online resources.

## MEDIA

As in previous years, I had a lot of contact with the media during 2016. I make every effort to accommodate requests from the Irish language media and the English language media as I believe that it is very important to provide an insight into the work of the Office, the implementation of the Act, and related matters.

I would like to thank all the journalists who showed such an interest in the work of the Office during the year and who helped to progress that work through their reports both in English and Irish.



## CUMANN IDIRNÁISIÚNTA NA GCOIMISINÉIRÍ TEANGA

## INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS

Is ball gníomhach í m'Oifig de Chumann Idirnáisiúnta na gCoimisinéirí Teanga, cumann a bunaíodh anseo in Éirinn le linn comhdháil a d'eagraigh m'Oifig i mBaile Átha Cliath, sa bhliain 2013. Tá an Cumann ag dul ó neart go neart agus 11 Choimisinéir Teanga ina mbaill faoin tráth seo.

Cruthaíonn an Cumann Idirnáisiúnta gréasán luachmhar inar féidir le Coimisinéirí Teanga léargas a fháil ar na bealaí a ndéileáiltear le cúrsaí cearta teanga agus soláthar seirbhísí i dteangacha oifigiúla i ndlínsí éagsúla ar fud an domhain. Chomh maith leis sin feidhmíonn an Cumann mar ghréasán foghlama, ní hamháin do na Coimisinéirí féin, ach freisin do na hoifigigh a bhíonn bainteach leis an réimse seo sna tíortha éagsúla. Rinneadh breis forbartha ar an gcuid seo den obair le linn na bliana 2016 agus baineadh úsáid as an teicneolaíocht chun seisiúin oiliúna ar líne, ar ábhair éagsúla, a sholáthar. Is í bhfoirm físchomhdháil ar líne a thionóltar na cruinnithe rialta de chuid Chumann Idirnáisiúnta na gCoimisinéirí Teanga.

Eagraítear comhdháil bhliantúil de chuid an Chumainn i gceann de thíortha éagsúla na mballeagraíochtaí agus ba í nGaillimh a eagraíodh comhdháil 2016. Bhí sé tráthúil go n-eagrófaí an chomhdháil sa tír seo agus muid ag comóradh Éirí Amach na Cásca, 1916. Ba mhór an cúnamh dúinn gur aithníodh an chomhdháil mar chuid d'imeachtaí an chlár oifigiúil stáit don chomóradh 100 bliain faoin 'Teanga Bheo'.

Tugann an chomhdháil lucht cleachtais agus lucht acadúil le chéile chun plé a dhéanamh ar théamaí a bhaineann le cúrsaí cearta teanga agus ábhair ghaolmhara. Is í gcomhpháirt le hAcadamh na hOllscolaíochta Gaeilge agus Roinn na Gaeilge, Ollscoil na hÉireann, Gaillimh a eagraíodh an chomhdháil. Ba é Uachtarán na hÉireann, Micheál D. Ó hUiginn, a d'oscail an chomhdháil go hoifigiúil in ócáid a tionóladh san Aula Maxima san Ollscoil. Roimh a óráid thug an tUachtarán aitheantas agus ómós don aoichainteoir a bhí beartaithe don chomhdháil, an Breitheamh Onórach Adrian Hardiman, Breitheamh den Chúirt Uachtarach, a bhásaigh an oíche roimhe sin.

My Office is an active member of the International Association of Language Commissioners, an association formed in Ireland during an international conference organised by my Office in 2013. The Association is going from strength to strength with 11 Language Commissioners currently as members.

The Association creates a valuable network where Language Commissioners can get an insight as to how language rights and the provision of services in official languages are dealt with in other jurisdictions around the world. The Association also operates as a learning network, not only for the Commissioners, but also for the staff working in this area in the various countries. This area of work was further developed during 2016, making use of technology to provide on-line training sessions on various topics. The regular meetings of the International Association of Language Commissioners are held by way of on-line video conferencing.

An annual conference of the Association is held in one of the member's countries and the 2016 conference was held in Galway. It was opportune that the conference was held in this country as we commemorated the 1916 Easter Rising. It was of great assistance to us that the conference was recognised as part of the official commemorative state events under the 'Teanga Bheo' programme.

The conference brings together both practitioners and academics to discuss language rights and related matters. The conference was organised in association with Acadamh na hOllscolaíochta Gaeilge and the Department of Irish of the National University of Ireland, Galway. The President, Michael D. Higgins, officially opened the conference in the Aula Maxima in the University. Before his address the President recognised and paid tribute to our expected keynote speaker, the Honourable Adrian Hardiman, Supreme Court Judge, who passed away the previous night.

Tionóladh príomhimeachtaí na comhdhála in Óstán Chuan na Gaillimhe i mBóthar na Trá agus d'fhreastail os cionn 100 duine ar na himeachtaí a bhí ar siúl Dé Máirt agus Dé Céadaoin. Rinneadh cur i láthair ar théamaí éagsúla a bhain le cearta teanga, dlí teanga, cúrsaí oideachais agus an nasc idir teanga agus féiniúlacht, i measc ábhair eile. Le linn na comhdhála fuair na rannpháirtithe deis cluas a thabhairt do na Coimisinéirí Teanga éagsúla maidir leis an eagar a bhí faoi chúrsaí reachtaíochta teanga ina dtíortha féin agus na dúshláin a bhí le sárú acu. D'fhreastail na Coimisinéirí Teanga seo a leanas ar an gcomhdháil:

- Graham Fraser, Coimisinéir na dTeangacha Oifigiúla, Ceanada
- Meri Huws, Coimisinéir Teanga, an Bhreatain Bheag
- Bart Weekers, Ombudsman na bPléimeannach
- Katherine d'Entremont, Coimisinéir na dTeangacha Oifigiúla, New Brunswick
- Rafael Ribó, Ombudsman na Catalóine
- Sandra Inuitiq, Coimisinéir Teanga, Nunavut
- Slaviša Mladenović, Coimisinéir Teanga, an Chosaiv
- François Boileau, Coimisinéir do Sheirbhísí Teanga na Fraincise, Ontario
- Manuel Lezertua, Ararteko – Ombudsman Thír na mBascach

Is roimh thús oifigiúil na comhdhála a reáchtáladh cruinniú cinn bhliana an Chumainn. Ceapadh Meri Huws, an Coimisinéir Teanga ón mBreatain Bheag, mar Chathaoirleach ar an gCumann don bhliain seo chugainn agus guím gach rath uirthi sa ról sin.

Ba mhaith liom freisin aitheantas a thabhairt do Graham Fraser, a bhfuil 10 mbliana caite aige mar Choimisinéir na dTeangacha Oifigiúla i gCeanada, agus a d'éirigh as a chuid cúraimí ag deireadh na bliana. Bhí Graham ar dhuine de bhunaitheoirí an Chumainn Idirnáisiúnta agus d'fheidhmigh sé mar Rúnaí agus mar Chathaoirleach ar an gCumann. Is le linn na bliana 2016 a d'fhógair Sandra Inuitiq, Coimisinéir Teanga Nunavut, go mbeadh sí ag éirí as a cuid cúraimí chomh maith. Bhí Sandra ar dhuine de bhunaitheoirí an Chumainn freisin. Guím gach rath orthu beirt.

Tionólfar comhdháil na bliana 2017 sa Bhreatain Bheag.

The conference's main events were held in the Galway Bay Hotel, Salthill with over 100 people attending the events on Tuesday and Wednesday. There were presentations on various themes relating to language rights, language law, education and the link between language and identity amongst other matters. During the conference the attendees got an opportunity to hear from the various Language Commissioners as to how language legislation was dealt with in their own countries and the challenges that had to be overcome. The following Language Commissioners attended the conference:

- Graham Fraser, Commissioner of Official Languages, Canada
- Meri Huws, Language Commissioner, Wales
- Bart Weekers, Flemish Ombudsman
- Katherine d'Entremont, Commissioner of Official Languages, New Brunswick
- Rafael Ribó, Catalan Ombudsman
- Sandra Inuitiq, Languages Commissioner, Nunavut
- Slaviša Mladenović, Language Commissioner, Kosovo
- François Boileau, French Language Services Commissioner, Ontario
- Manuel Lezertua, Ararteko – Ombudsman, Basque Country

The Association's annual meeting was held before the official commencement of the conference. Meri Huws, the Language Commissioner of Wales, was appointed as the Association's Chairperson for the forthcoming year. I wish her well in that role.

I would like to also pay tribute to Graham Fraser, the Commissioner of Official Languages in Canada for the past 10 years, who stepped down from that position at the end of the year. Graham was one of the founding members of the International Association and served as Secretary and Chairperson of the Association. During 2016 Sandra Inuitiq, Languages Commissioner of Nunavut, also announced that she was stepping down from her role. Sandra was also a founding member of the Association. I wish them both well.

The 2017 conference will be held in Wales.





*Uachtarán na hÉireann agus a bhean chéile i dteannta na gCoimisinéirí Teanga agus aionna eile ag Fáiltiú Oifigiúil, Uachtarán Ollscoil na hÉireann, Gaillimh*

*President of Ireland and his wife along with the Language Commissioners and other guests at the Official Reception, President National University of Ireland, Galway*



*Uachtarán na hÉireann, Micheál D. Ó hUiginn, Seoladh Oifigiúil na Comhdhála*

*President of Ireland, Michael D. Higgins, Official Opening of the Conference*



*Coimisinéirí Teanga ag cruinniú bliantúil Chumann Idirnáisiúnta na gCoimisinéirí Teanga i nGaillimh*

*Language Commissioners at the annual meeting of the International Association of Language Commissioners in Galway*

# FAIREACHÁN

# MONITORING

Is ceann d'fheidhmeanna Oifig an Choimisinéara Teanga é faireachán a dhéanamh ar an mbealach a gcomhlíonann comhlachtaí poiblí a ndualgais reachtúla teanga faoi Acht na dTeangacha Oifigiúla. Is é an príomhchuspóir atá leis an obair faireacháin seo ná a chinntiú, a oiread agus is féidir, go gcloíonn comhlachtaí poiblí leis na dualgais atá leagtha orthu maidir le húsáid na dteangacha oifigiúla.

## FAIREACHÁN AR SCÉIMEANNA TEANGA

Tá córas na scéimeanna teanga ina chuid lárnach den Acht ó tharla gurb é seo an phríomh-mheicníocht atá ar fáil chun dualgas reachtúil a leagan ar chomhlachtaí poiblí breis seirbhísí a sholáthar trí Ghaeilge. Is í an tAire Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta a aontaíonn scéimeanna teanga le comhlachtaí poiblí agus níl aon bhaint ag Oifig an Choimisinéara Teanga leis an bpróiseas sin. Is cúram don Oifig, áfach, faireachán a dhéanamh ar an mbealach a gcuireann comhlachtaí poiblí na scéimeanna teanga i bhfeidhm.

Is gnách leis an Oifig seo scrúdú a dhéanamh ar an dul chun cinn atá á dhéanamh ag comhlachtaí poiblí i gcur i bhfeidhm na scéime teanga tar éis chéadbhliain feidhme na scéime. Tá sé mar chuspóir leis an méid seo a chinntiú go bhfuil córais, struchtúir agus socruithe cuí á gcur i bhfeidhm a chinnteoidh go n-éireoidh leis an gcomhlacht poiblí na gealltanais reachtúla a chur i ngníomh laistigh de thréimhse feidhme na scéime. Dirítear san iniúchadh tríú bliain ar fhianaise a bheith ar fáil a léiríonn gur éirigh leis an gcomhlacht poiblí forálacha na scéime teanga a chur i bhfeidhm go cuí.

Le linn na bliana 2016, chríochnaigh an Oifig monatóireacht ar chur i bhfeidhm 12 scéim teanga. Is mar seo a leanas a comhlíonadh na hiniúchtaí sin:

One of the functions of the Office of An Coimisinéir Teanga is to monitor the way in which public bodies fulfil their obligations under the Official Languages Act. The primary objective of the monitoring role is to ensure, insofar as possible, that public bodies comply with requirements in relation to the use of the official languages.

## MONITORING OF LANGUAGE SCHEMES

Language schemes are an integral part of the Act as they are the primary mechanism available to statutorily require public bodies to provide additional services through Irish. The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs is responsible for the confirmation of language schemes and the Office of An Coimisinéir Teanga does not play any part in that process. This Office is responsible for monitoring the way in which public bodies implement their language schemes.

It is customary for this Office to examine the progress made by public bodies in implementing the language scheme once the first year of its operation has passed. The objective of this review is to ensure that public bodies have the appropriate systems, structures and arrangements in place to allow for the successful implementation of their statutory commitments within the operational timeframe of the scheme. The third year audit concentrates on obtaining evidence that demonstrates whether or not the provisions of the language scheme were implemented successfully by the public body.

During 2016, the Office monitored the implementation of 12 language schemes. The table below sets out the nature of the audits completed:

CINEÁL SCÉIME	TRÉIMHSE SCÉIM I BHFEIDHM	LÍON INIÚCHTAÍ
An chéad scéim teanga	Bliain amháin	1
	Trí bliana	1
An dara scéim teanga	Bliain amháin	3
	Trí bliana	3
An tríú scéim teanga	Bliain amháin	4

Dála blianta eile, léirigh an faireachán a rinneadh in 2016 ar scéimeanna teanga go mbíonn deacrachtaí leanúnacha ag cuid mhaith comhlachtaí poiblí gach a mbíonn geallta ina scéim teanga a chur i bhfeidhm go críochnúil laistigh den amchlár a bhíonn sonraithe sa scéim. Faoi réir fhorálacha na reachtaíochta, níl sé de chumhacht ná d'údarás ag an Oifig seo aon leasú a dhéanamh ar an méid a bhíonn daingnithe ag an Aire i scéim teanga le comhlacht poiblí. Is gnách, áfach, go n-éiríonn leis an Oifig seo teacht ar shocrú leis na comhlachtaí poiblí a chinntíonn go mbaintear amach, in am trátha, an méid a bhíonn geallta go reachtúil sa scéim. Sa chás nach féidir leis an Oifig seo teacht ar réiteach sásúil le comhlacht poiblí, ní bhíonn de rogha aici ach a mholadh don Choimisinéir Teanga imscrúdú oifigiúil a thionscnamh ar an ábhar. Tharla sé seo i gcás comhlacht poiblí amháin i 2016.

Ina theannta sin, áfach, bhí gealltanais áirithe ann de chuid scéimeanna teanga a ndearnadh faireachán orthu le linn na bliana nach raibh á gcomhlíonadh i gceart agus nach raibh réiteach sásúil maidir lena gcur i bhfeidhm bainte amach go fóill leis na comhlachtaí poiblí a bhí i gceist faoi dheireadh na bliana.

I gcás cúig scéim teanga a ndearnadh faireachán orthu in 2016, tháinig sé chun solais go raibh athdhearadh déanta ar shuíomh gréasáin an chomhlachta phoiblí ó aontíodh an scéim agus gur chruthaigh sé sin deacrachtaí ó thaobh comhlíonadh gealltanais a bhí tugtha sa scéim teanga. Tá an chosúlacht ar na

TYPE OF SCHEME	PERIOD SCHEME IN OPERATION	TOTAL AUDITS
First language scheme	One year	1
	Three years	1
Second language scheme	One year	3
	Three years	3
Third language scheme	One year	4

As in previous years, the monitoring process carried out in 2016 demonstrated that many public bodies fail to satisfactorily implement all the commitments given in the language scheme within the agreed timeframes. This Office does not have the power nor the authority to amend commitments given by a public body that have been confirmed in a language scheme by the Minister under the provisions of the legislation. In the majority of cases, however, this Office manages to reach a satisfactory agreement with the public body to ensure that statutory commitments are implemented in due course. This Office is left with little alternative other than to initiate an official investigation in instances where it cannot come to a satisfactory agreement with a public body in relation to outstanding commitments. This happened in the case of one public body in 2016.

However, there were certain commitments in language schemes monitored in 2016 that were not being properly implemented and satisfactory arrangements concerning their implementation had not yet been agreed with the public bodies by the end of the year.

In the case of five language schemes monitored in 2016, it came to light that the public bodies had redesigned their websites and that this had created difficulties in implementing commitments given in the language scheme. In these cases, it appears that insufficient

cásanna seo, nuair a bhí an suíomh nua gréasáin á phleanáil nó á athdhearadh, nár tugadh aird mar is cuí ar na dualgais reachtúla teanga a daingníodh i gcás an chomhlachta phoiblí ina scéim teanga.

Tá an chuma ar an scéal go bhfuil roinnt comhlachtaí poiblí ag tapú an deis infheistíocht a dhéanamh i suíomhanna gréasáin níos fearr agus níos nua-aimseartha, rud nárbh acmhainn dóibh a dhéanamh, b'fhéidir, le linn an chuid is measa den ghéarchéim eacnamaíoch. Ach is sampla iad narásanna a tháinig ar ár n-aire de na deacrachtaí a chruthaítear mura dtugann lucht bainistíochta an chomhlachta phoiblí dóthain tosaíochta don scéim ionas go gcuirtear i bhfeidhm go córasach i agus nach ndéantar neamhshuim de dhualgais reachtúla teanga ina chuid gníomhaíochtaí.

Chomh maith le faireachán a dhéanamh ar chur i bhfeidhm ghealltanais na scéimeanna teanga, déantar faireachán freisin le linn an phróisis ar an tslí a bhfuil an comhlacht poiblí ag comhlíonadh na ndualgas reachtúil teanga a leagtar síos i bhforálacha Acht na dTeangacha Oifigiúla féin agus sna Rialacháin atá déanta faoin Acht sin. Minic go maith, léirítear nach bhfuil ag éirí le comhlachtaí poiblí gach ceann de na dualgais dhíreacha sin a chomhlíonadh, go mór mór i gcás na comharthaíochta.

attention was paid, in the planning and redesign of the website, to statutory language obligations that had been confirmed in their language scheme.

It seems that several public bodies are taking the opportunity to invest in improving and updating their website – a project for which resources were possibly not available during the worst of the economic crisis. These cases that came to our attention, however, are an example of the difficulties that will arise if the management of public bodies fail to afford the scheme sufficient priority, implement it in a systematic way or ignore statutory language obligations in their activities.

In addition to monitoring commitments made in the language scheme, the process is used to monitor the extent to which the public body is fulfilling its statutory responsibilities under the provisions of the Official Languages Act and in the Regulations made under that Act. It is frequently demonstrated that public bodies do not successfully fulfil all these responsibilities, especially in the case of signage.



# SCÉIMEANNA TEANGA

# LANGUAGE SCHEMES

## SCÉIMEANNA DAINGNITHE

Dhaingnigh an tAire Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta ocht gcéadscéim teanga, sé dhara scéim teanga agus cúig thríú scéim teanga le linn na bliana 2016. San iomlán, dhaingnigh an tAire 19 scéim teanga le comhlachtaí poiblí in 2016.

Bhí 116 scéim teanga, a chuimsigh móriomlán 130 comhlacht poiblí, daingnithe faoi dheireadh 2016.

## SCÉIMEANNA IN ÉAG

Bhí 55 de na 116 scéim teanga thuasluaite imithe in éag faoi dheireadh na bliana 2016. In éagmais an dara scéim teanga nó an tríú scéim teanga a bheith aontaithe ag na comhlachtaí poiblí seo, ní raibh aon dualgas orthu na seirbhísí a chuirtear ar fáil don phobal trí Ghaeilge a threisiú. Ba í an mheántréimhse a raibh scéimeanna in éag ná 49 mí.

## DRÉACHTSCÉIMEANNA

Ag deireadh na bliana 2016, bhí 56 céad-dréachtscéim fós le daingniú ag an Aire Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta. Ina theannta seo, bhí iarrtha ag an Aire ar 40 comhlacht poiblí an dara dréachtscéim a ullmhú, ar 20 comhlacht poiblí an tríú dréachtscéim a ullmhú agus ar 6 chomhlacht poiblí an ceathrú scéim teanga a ullmhú. Fágann sé seo go raibh iarrtha ar 122 comhlacht poiblí scéim teanga a ullmhú faoi dheireadh na bliana. Tá os cionn cúig bliana ann ó iarradh ar 35 de na comhlachtaí poiblí sin scéim a ullmhú agus os cionn naoi mbliana i gcás seacht gcinn díobh.

## SCHEMES CONFIRMED

The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs confirmed eight new language schemes, six second language schemes and five third language schemes during 2016. In total, the Minister confirmed 19 language schemes with public bodies during 2016.

There were 116 language schemes, covering a total of 130 public bodies, confirmed by the end of 2016.

## SCHEMES EXPIRED

Of the 116 language schemes, 55 had expired by year end 2016. This meant that, in the absence of a second or third language scheme, no additional commitments in relation to improved services in Irish were required of those public bodies. The average period that schemes had expired was 49 months.

## DRAFT SCHEMES

By the end of 2016, 56 first draft schemes remained to be confirmed by the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. In addition, the Minister had requested 40 public bodies to prepare a second draft scheme, 20 public bodies to prepare a third draft scheme and 6 public bodies to prepare a fourth scheme. As a result, 122 public bodies had been requested to prepare a language scheme by the end of the year. More than five years have elapsed since 35 of these public bodies were asked to prepare a scheme and more than nine years in the case of seven of these public bodies.

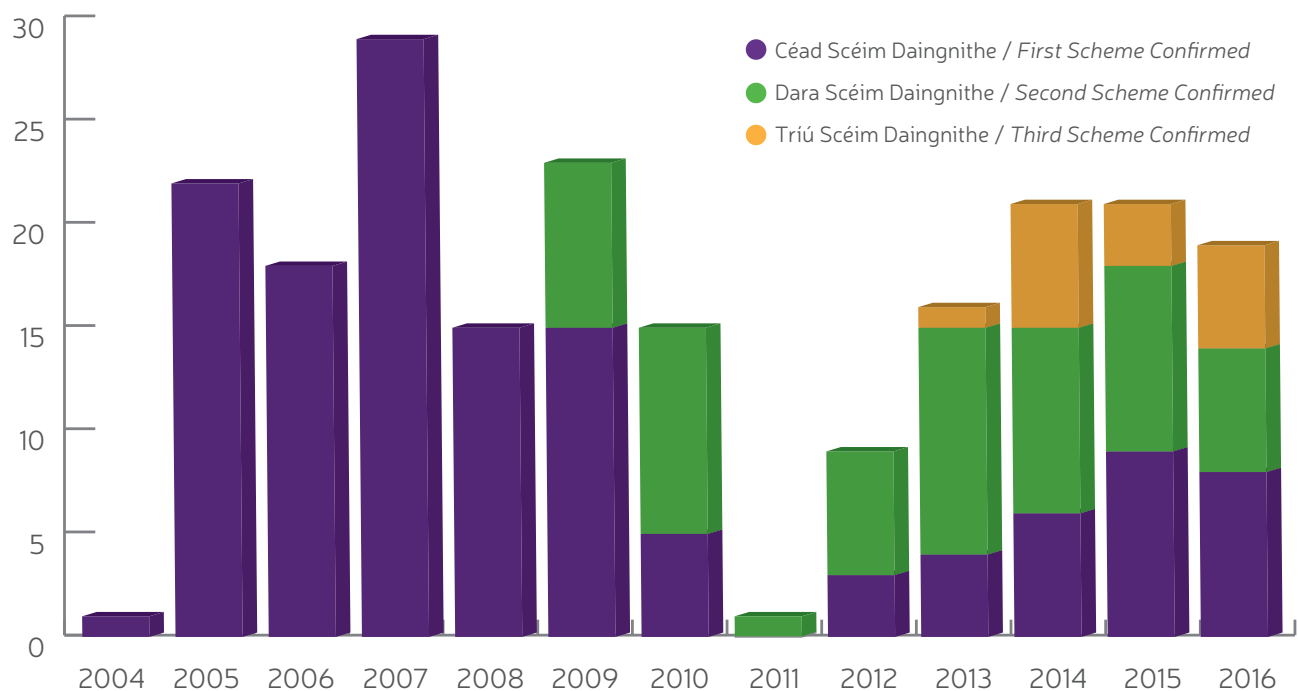
**Bliain inar daingníodh an chéad Scéim Teanga**  
**Year in which first Language Scheme was confirmed**

Bliain / Year	Scéimeanna / Schemes
2004	1
2005	22
2006	18
2007	29
2008	15
2009	15
2010	5
2011	0
2012	3
2013	4
2014	6
2015	9
2016	8
	135
Scéimeanna dimholta / Schemes superseded	2
Scéimeanna as feidhm / Lapsed schemes	17
<b>iomlán / Total</b>	<b>116</b>

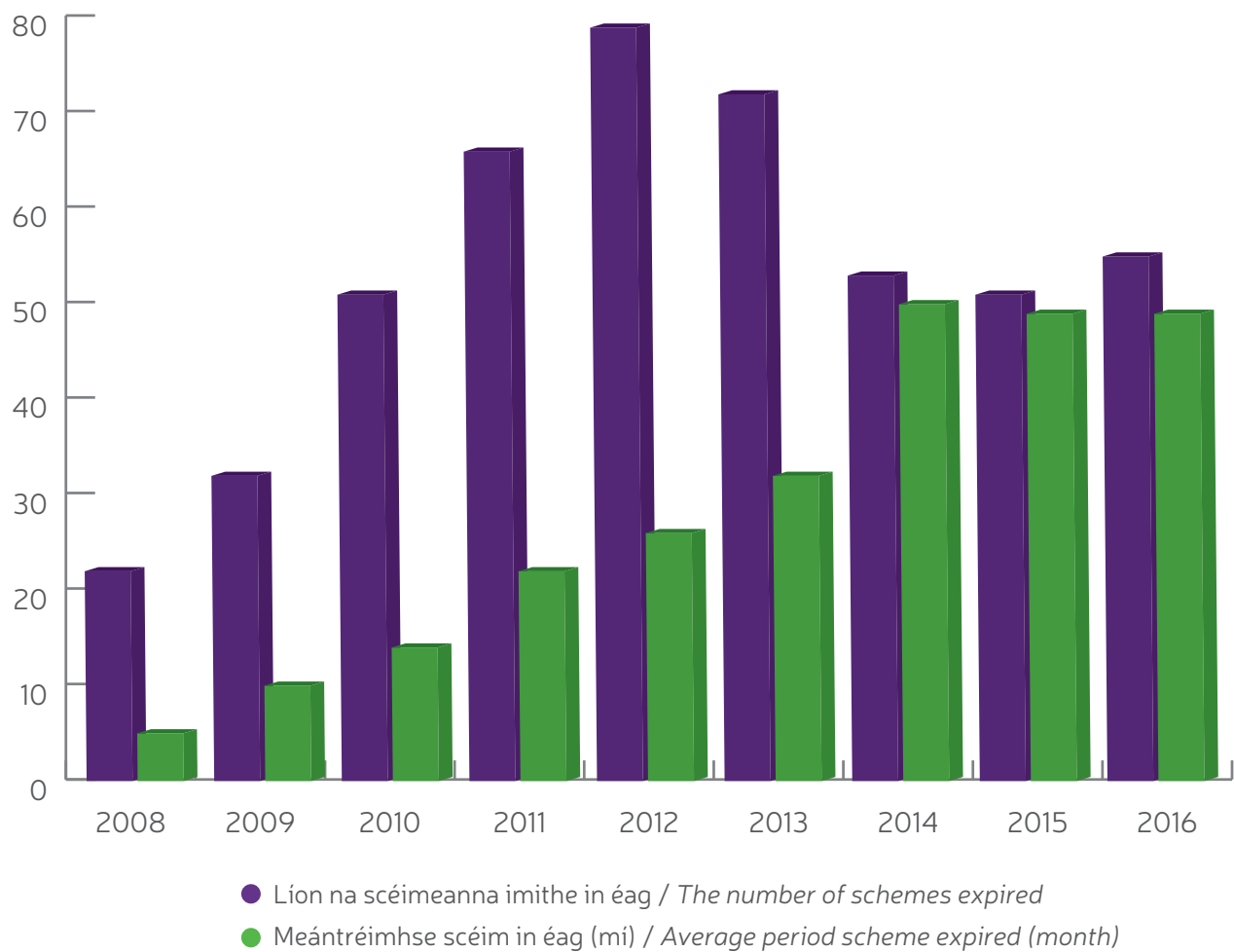
**Léirmheasanna/Iniúchtaí Críochnaithe**  
**Reviews/Audits Completed**

Bliain / Year	Scéimeanna / Schemes
2006	9
2007	25
2008	42
2009	39
2010	33
2011	29
2012	21
2013	15
2014	22
2015	17
2016	12
<b>iomlán / Total</b>	<b>264</b>

**Scéimeanna Daingnithe ag an Aire / Schemes Confirmed by the Minister**



## Scéimeanna imithe in éag / *Schemes expired*



## Líon na scéimeanna in éag de réir a dtréimhse in éag *The number of schemes expired by the period since they expired*



Tá eolas breise maidir leis na scéimeanna teanga daingnithe agus le hiarratais ar dhréachtscéimeanna a ullmhú le fáil san Aguisín a ghabhann leis an Tuarascáil seo.

Additional information regarding confirmed language schemes and requests to prepare language schemes is available in the Appendix to this Report.

# GEARÁIN

# COMPLAINTS

Tháinig méadú arís ar líon na gcásanna nua – ó 755 sa bhliain 2015 go dtí 768 sa bhliain 2016 (+1.7%) – a cuireadh faoi mo bhráid inar chreid daoine den phobal go raibh cúis ghearáin acu de bharr deacracht nó fadhb i dtaca le seirbhís a fháil trí Ghaeilge ón státchóras.

Mar a rinneadh sna blianta roimhe seo, fuarthas comhréiteach ar chuid mhór de na gearáin sin tríd an gcóras neamhfhoirmiúil réitithe gearán a fheidhmíonn m'Oifig nó trí chomhairle a chur ar fáil do ghearánaigh. Is mór agam an comhoibriú a fuair m'Oifig le déileáil le cásanna ar an mbealach sin. Tá réimse na ngearán fairsing agus ilghnéitheach, agus braitheann an cur chuige atá de dhíth go mór ar dhearcadh an chomhlachta poiblí lena mbaineann sé. Bíonn comhoibriú maith le fáil go hiondúil ó fhormhór na gcomhlachtaí poiblí. Tá achoimre ar na cásanna nár réitíodh tríd an gcóras neamhfhoirmiúil réitithe gearán agus inar críochnaíodh imscrúduithe foirmiúla ina leith sa chaibidil den Tuarascáil dar teideal 'Imscrúduithe'.

Is ceart a rá nár bhain na gearáin ar fad chun na hOifige le linn na bliana le sárú ar dhualgaís reachtúla faoi Acht na dTeangacha Oifigiúla, 2003 agus mar a bhí amhlaidh blianta eile, bhain cuid díobh le deacrachtaí agus fadhbanna níos ginearálta a bhain le gnó a dhéanamh trí Ghaeilge le heagraíochtaí stáit.

Ó thaobh na tíreolaíochta de, is ó Chontae Bhaile Átha Cliath is mó a tháinig na gearáin i mbliana arís, 45% de na gearáin, ardú 5% ón mbliain roimhe sin. Ón nGaeltacht a tháinig 19% de na gearáin, íslíú 7% ó anuraidh, agus tháinig an 81% eile ó cheantair lasmuigh den Ghaeltacht. Tháinig líon suntasach gearán arís ó Chontae na Gaillimhe (12%), Contae Chill Chainnigh (9%), Contae Dhún na nGall (4.2%), Contae na Mí (3%), Contae Chiarraí (2.9%), Contae Chorcaí (2.6%), Contae Chill Dara (2%), Contae Chill Mhantáin (1.6%) agus Contae Liatrona (1.3%).

There was an increase once more in the number of new cases – from 755 in 2015 to 768 in 2016 (+1.7%) – which were brought to my attention and in which members of the public considered they had reason to complain because of difficulties or problems associated with obtaining services through Irish from public bodies.

As happened in previous years, most of the complaints were resolved through the informal complaints resolution mechanism operated by my Office or through providing advice to the complainants. I am grateful for the cooperation my Office received in dealing with cases in that way. The range of complaints is wide and varied and the amount of time and effort required often depends on the attitude of the public body concerned. Public bodies are, for the most part, cooperative. Summaries of cases that were not resolved in this manner and in respect of which formal investigations were launched are provided in the chapter of this Report entitled 'Investigations'.

It should be noted that not all complaints received during the year referred to breaches of statutory obligations under the Official Languages Act 2003, and as was the case in previous years, some related to more general difficulties and problems experienced by those attempting to conduct their business through Irish with state organisations.

From a geographical perspective, the majority of the complaints once more came from County Dublin, 45% of complaints, an increase of 5% on last year. 19% of complaints came from within the Gaeltacht with the remaining 81% from areas outside the Gaeltacht, a decrease on last year. A substantial number came from County Galway once more (12%), from County Kilkenny (9%), County Donegal (4.2%) County Meath (3%), County Kerry (2.9%), County Cork (2.6%), County Kildare (2%), County Wicklow (1.6%) and County Leitrim (1.3%).

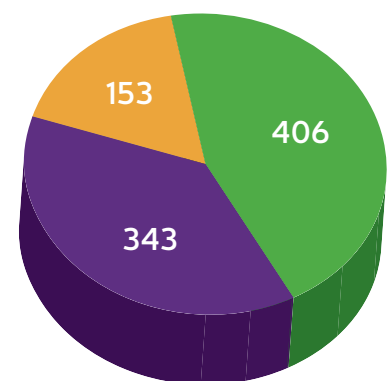


## Gearáin: Deacrachtaí agus Fadhbanna – Staitisticí Complaints: Difficulties and Problems – Statistics

### Gearáin le linn 2016 / Complaints during 2016

Gearáin nua, 2016 <i>New complaints, 2016</i>	768
Gearáin tugtha ar aghaidh ó 2015 <i>Complaints brought forward from 2015</i>	134
Móriomlán na ngearán – deacrachtaí agus fadhbanna <i>Total complaints – difficulties and problems</i>	902

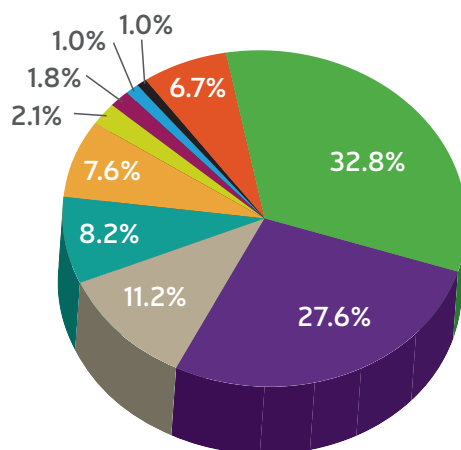
	2015	2016
● Comhairle tugtha maidir le gearáin <i>Advice given in respect of complaints</i>	409	406
● Gearáin fiosraithe agus críochnaithe <i>Complaints investigated and finalised</i>	300	343
● Gearáin oscailte ag deireadh na bliana <i>Complaints open at year end</i>	134	153



## Tá anailís ar na cásanna éagsúla sna staitisticí agus sna léaráidí seo a leanas:

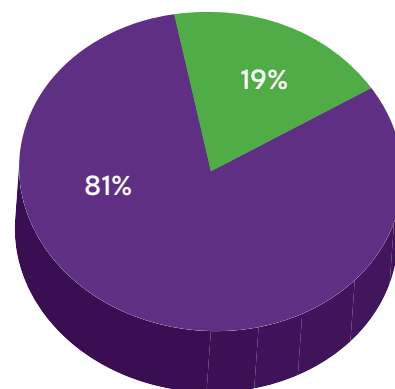
An analysis of the various cases is provided in the statistics and illustrations which follow:

Céatadán na ngearán de réir cineáil <i>Percentage of complaints by type</i>	2015	2016
Foráil de scéim teanga (san áireamh: cártaí aitheantais, suíomhanna gréasáin agus foirmeacha) <i>Provision of a language scheme (including identity cards, websites and forms)</i>	34.6%	32.8%
Easpa Gaeilge ar chomharthaíocht & stáiseanóireacht <i>Lack of Irish on signage and stationery</i>	21.6%	27.6%
Easpa Gaeilge ar chomharthaí bóthair <i>Lack of Irish on road signs</i>	8.3%	11.2%
Fadhb le hainm agus/nó seoladh i nGaeilge <i>Problem with use of name and/or address in Irish</i>	14.4%	8.2%
Freagraí i mBéarla ar chumarsáid i nGaeilge <i>Replies in English to correspondence in Irish</i>	9.0%	7.6%
Achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge <i>Other enactments relating to the use or status of Irish</i>	1.5%	2.1%
Foilsíú doiciméad áirithe <i>Publication of certain documents</i>	0.9%	1.8%
Ailt 32/33 – Logainmneacha Gaeltachta <i>Sections 32/33 – Gaeltacht Placenames</i>	0.4%	1.0%
Fadhb le haitheantas don Ghaeilge i gcomórtais earcaíochta <i>Difficulty with recognition for Irish in recruitment competitions</i>	0.0%	1.0%
Eile (cúiseanna aonair) <i>Other (individual issues)</i>	9.3%	6.7%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>	<b>100%</b>



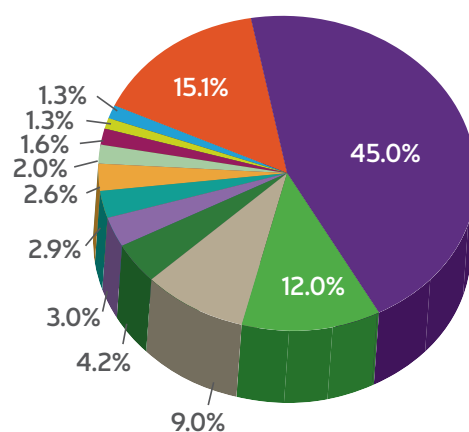
## Gearáin: An Ghaeltacht agus lasmuigh den Ghaeltacht Complaints: Gaeltacht and non-Gaeltacht

	2015	2016
An Ghaeltacht <i>Gaeltacht</i>	26%	19%
Lasmuigh den Ghaeltacht <i>Non-Gaeltacht</i>	74%	81%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>	<b>100%</b>



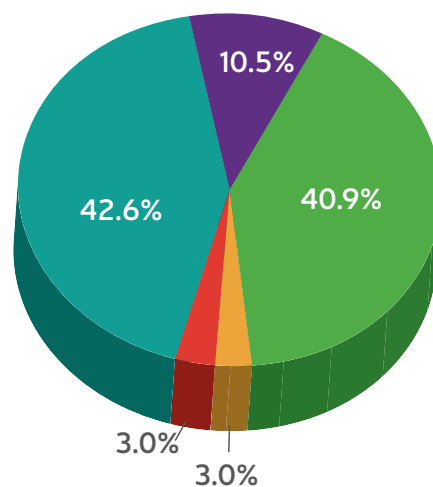
## Gearáin de réir contae Complaints by county

	2015	2016
Baile Átha Cliath <i>Dublin</i>	40.0%	45.0%
Gaillimh <i>Galway</i>	15.0%	12.0%
Cill Chainnigh <i>Kilkenny</i>	3.4%	9.0%
Dún na nGall <i>Donegal</i>	2.6%	4.2%
An Mhí <i>Meath</i>	6.0%	3.0%
Ciarraí <i>Kerry</i>	4.6%	2.9%
Corcaigh <i>Cork</i>	3.3%	2.6%
Cill Dara <i>Kildare</i>	2.3%	2.0%
Cill Mhantáin <i>Wicklow</i>	2.0%	1.6%
Liatroim <i>Leitrim</i>	1.6%	1.3%
Lasmuigh den dlinse <i>Outside the jurisdiction</i>	3.3%	1.3%
Eile <i>Other</i>	15.9%	15.1%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>	<b>100%</b>



## Gearáin de réir cineál comhlachta phoiblí *Complaints by type of public body*

	2015	2016
Ranna & oifigí rialtais <i>Government departments &amp; offices</i>	30.1%	10.5%
Údaráis áitiúla <i>Local authorities</i>	34.7%	40.9%
Údaráis sláinte <i>Health authorities</i>	3.5%	3.0%
Údaráis oideachais <i>Education authorities</i>	2.1%	3.0%
Eagraíochtaí eile stáit <i>Other state organisations</i>	29.6%	42.6%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>	<b>100%</b>



## STAITISTICÍ

Mar a léiríonn na staitisticí thuas, i measc na nithe a ndearnadh gearán fúthu, bhain an chuid ba líonmhaire díobh (32.8%) arís le cur i bhfeidhm gealltanais a thug comhlachtaí poiblí faoi scéimeanna reachtúla teanga a aontaíodh faoi alt 11 den Acht. Bhí ardú ó 21.6% go 27.6% ar chéatadán na ngearán a bhain le húsáid na Gaeilge ar chomharthaíocht agus ar stáiseanóireacht comhlachtaí poiblí, i gcomhréir leis na Rialacháin faoi fho-alt 9(1) den Acht. Bhí ardú ar chéatadán na ngearán a bhain le sárú forálacha d'achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge, ó 1.5% go 2.1%. Ar ndóigh, baineann na gearáin maidir le húsáid na Gaeilge ar chomharthaí tráchtála leis an réimse seo chomh maith, ach léirítear an figiúr sin go hiondúil mar fhiigiúr neamhspleách: 11.2% de na gearáin a bhain le húsáid na Gaeilge ar chomharthaí tráchtála – ardú ar líon na bliana seo caite (8.3%). Sa *Lámhleabhar do Chomharthaí Tráchtála* a leagtar síos na dualgais atá ar na húdaráis bóithre i leith úsáid na Gaeilge ar chomharthaí tráchtála.

## STATISTICS

As the above statistics show, the largest number of complaints (32.8%) once more related to the implementation of commitments made by public bodies in statutory language schemes agreed under section 11 of the Act. There was an increase from 21.6% to 27.6% in the percentage of the complaints relating to the use of Irish on public bodies' signage and stationery, in accordance with the Regulations under subsection 9(1) of the Act. There was an increase in the percentage of complaints relating to a breach of the provisions of other enactments concerning the status or use of Irish, from 1.5% to 2.1%. Of course, complaints relating to the use of Irish on road signs belong by right to this category, but this is generally provided as an independent figure: 11.2% of complaints related to the use of Irish on traffic signs, an increase on last year's figure (8.3%). The obligations on roads authorities in respect of road traffic signage are set out in the *Traffic Signs Manual*.

Bhí ísliú, go 8.2%, in 2016 ar chéatadán na ngearán maidir le deacrachtaí a bhain le hainm, sloinne agus seoladh i nGaeilge. Bhain siad sin le hainmneacha agus seoltaí a bheith litrithe go míchruinn i nGaeilge, aistrithe go Béarla nó litrithe i mBéarla, le córas ríomhaireachta gan bheith in oiriúint don *síneadh fada* nó le seoltaí a bheith á gclárú i mBéarla go huathoibríoch ar chlár ríomhaireachta, gan rogha Ghaeilge. Tá sé molta ag an Oifig seo, mar chuid den athbhreithniú ar Acht na dTeangacha Oifigiúla, go gcuirfí alt leis an reachtaíocht i dtaca leis an ábhar seo.

Tháinig ísliú ar chéatadán na ngearán i dtaca le freagraí i mBéarla ar chomhfhreagras i nGaeilge, ó 9% in 2015 go 7.6% in 2016, fós sách ard i bhfianaise an fhoráil seo a bheith i bhfeidhm ó 2004 agus a bheith ar cheann de na forálacha is bunúsaí.

Tháinig ísliú ó 30.1% go dtí 10.5% ar líon na ngearán a bhain le Ranna agus Oifigí Rialtais le linn na bliana reatha. Tharla sé seo cuid mhaith de bharr líon suntasach gearán a bheith déanta le linn na bliana 2015 i dtaca leis an gcóras nua postchód, Eircode. Is faoi fhreagracht na Roinne Cumarsáide, Fuinnimh agus Acmhainní Nádurtha, mar a bhí ag am, a tháinig na gearáin sin. Ba dhíol suntais freisin gur thit céatadán na ngearán a tháinig ón nGaeltacht go dtí beagán faoi bhun 20% den iomlán. Is iondúil go dtagann an ceathrú cuid de na gearáin ón nGaeltacht. Ní féidir a rá ag an tráth seo an athrú eisceachtúil é seo a bhain leis an mbliain reatha nó an bhféadfadh gur athrú níos buaine atá i gceist.

There was a decrease in 2016, to 8.2%, in the percentage of complaints regarding problems with the use of names and addresses in Irish. These concerned names and addresses that were spelt incorrectly in Irish, or translated to or spelt in English, where computer systems could not handle the *síneadh fada* or with the registration of addresses in English automatically on computer systems, without an Irish language option. It has been recommended by this Office, as part of the review of the Official Languages Act, that a section be added to the legislation in respect of this issue.

There was a decrease in complaints regarding replies in English to correspondence in Irish, from 9% in 2015 to 7.6% in 2016, still reasonably high in light of the fact that this provision has been in place since 2004 and is one of the most basic provisions of the Act.

There was a decrease from 30.1% to 10.5% in the complaints in respect of Government Departments and Offices during the current year. This was as a result, for the most part, of the large number of complaints made in 2015 in respect of the new postcode system, Eircode. These came under the responsibility of the Department of Communications, Energy and Natural Resources, as it was at the time. It was also of note that the percentage of complaints from Gaeltacht areas fell to just under 20% of the total. About 25% of complaints normally come from the Gaeltacht. It is not possible to say at this time whether this was an exceptional change in this year or whether it is a more permanent change.

# IMSCRÚDUITHE

# INVESTIGATIONS

Is é atá i gceist le himscrúdú ná fiosrúchán oifigiúil a sheoltar ar bhonn foirmiúil reachtúil de réir na bhforálacha atá in Acht na dTeangacha Oifigiúla. Tá an t-údarás agus na cumhachtaí cuí chuige seo tugtha dom mar Choimisinéir Teanga faoin Acht; baineann sé seo le cásanna inar dóigh liom gur theip ar chomhlachtaí poiblí a ndualgais reachtúla a chomhlíonadh faoin Acht, agus baineann sé chomh maith le haon fhoráil d'aon achtachán eile a bhaineann le stádas nó le húsáid na Gaeilge.

Is féidir imscrúdú a dhéanamh a bheadh bunaithe ar ghearrán ó aon duine, ar iarratas ón Aire Ealaíon, Oidhreachta, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta, nó ar mo thionscnamh féin.

Is próiseas foirmiúil é an córas imscrúdaithe a thógann cuid mhaith ama agus acmhainní ar an gcomhlacht poiblí a bhíonn i gceist agus ar m'Oifige. Dá bhrí sin, is iondúil go ndéantar iarracht an gearán a réiteach ar dtús trí chóras neamhfhoirmiúil imscrúduithe na hOifige.

Tá dualgas reachtúil ar chomhlachtaí poiblí agus ar dhaoine ar leith arb oifigigh de chuid comhlachtaí poiblí iad comhoibriú leis an imscrúdú agus faisnéis nó taifid dá gcuid a bhaineann le hábhar an imscrúdaithe a thabhairt dom. Is iondúil go n-iarrtar tuairisc i scríbhinn maidir leis an ábhar ar an gcomhlacht poiblí chomh maith. Má iarraim ar aon duine ar leith teacht i mo láthair le faisnéis ó bhéal a thabhairt, tá an duine sin i dteideal na ndiolúintí agus na bpribhléidí céanna is a bheadh ag finné os comhair na hArd-Chúirte.

Déantar foráil san Acht d'fhineáil nach mó ná €2,000 agus/nó príosúnacht ar feadh téarma nach faide ná 6 mhí a ghearradh ar dhuine a chiontófaí i gcúirt as diúltú comhoibriú le himscrúdú, as loiceadh ina d(h)ualgas comhoibriú le himscrúdú nó as bac a chur le hobair imscrúdaithe.

Is féidir imscrúdú a sheoladh i gcásanna ina líomhnaítear gur theip ar chomhlacht poiblí a dhualgais reachtúla a chomhlíonadh i dtaca le:

An investigation is an official enquiry carried out on a formal statutory basis in accordance with the provisions of the Official Languages Act. As Coimisinéir Teanga, I have been given the relevant authority and powers under the Act to carry out investigations, not only in cases where I suspect that public bodies have failed to comply with their statutory obligations under the Act, but also under any provisions of any other enactments which relate to the status or use of Irish.

An investigation may be conducted based on a complaint from an individual, at the request of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, or on my own initiative.

The investigation process is a formal procedure, the completion of which may require a substantial amount of time and resources from both the public body concerned and my Office. As a result, efforts are usually made to resolve the complaint in the first instance through the informal investigation procedure operated by the Office.

Public bodies and individuals who are officials of public bodies have a statutory obligation to cooperate with the investigation and to provide me with information or records they may have which relate to the subject of the investigation. A written report on the matter is usually requested from the public body also. If I require any person to attend before me to provide information orally, such person is entitled to the same immunities and privileges as a witness before the High Court.

The Act provides for a fine not exceeding €2,000 and/or imprisonment for a term not exceeding 6 months for a person convicted of failing or refusing to cooperate with an investigation or who hinders or obstructs such an investigation.

An investigation may be conducted in cases where it is alleged that a public body failed to comply with its statutory obligations in respect of:

- Forálacha díreacha an Achta;
- Rialacháin atá déanta faoin Acht;
- Scéim teanga atá daingnithe faoin Acht;
- Aon fhoráil d'aon achtachán eile a bhaineann le stádas nó le húsáid na Gaeilge.

Ciallaíonn 'achtachán' reacht nó ionstraim arna déanamh faoi chumhacht a thugtar le reacht.

Tá dualgas reachtúil orm faoin Acht tuarascáil a eisiúint chuig na páirtithe cuí i gcás ina seolaim imscrúdú. Bíonn mo chinneadh i leith an ghearáin agus na moltaí cuí sa tuarascáil sin. Is féidir achomharc a dhéanamh chuig an Ard-Chúirt ar phonc dlí i gcoinne an chinnidh laistigh de cheithre seachtaine.

Seoladh cúig imscrúdú nua le linn 2016. Bhí dhá imscrúdú neamhchríochnaithe ann a tugadh ar aghaidh ó 2015. Mar sin, bhí seacht n-imscrúdú idir lámha le linn na bliana 2016 agus críochnaíodh sé cinn acu sin faoi dheireadh na bliana. Dá bhrí sin, tá achoimre ar shé imscrúdú sa Tuarascáil seo.

Líon na himscrúduithe	2015	2016
Tugtha ar aghaidh ón mbliain roimhe	5	2
Imscrúduithe seolta	6	5
<b>Iomlán idir lámha</b>	<b>11</b>	<b>7</b>
Tugtha ar aghaidh go dtí an chéad bhliain eile	2	1
<b>Iomlán críochnaithe / scortha</b>	<b>9</b>	<b>6</b>

Is ceart a thuiscint go soiléir nach bhfuil sna hachomrí seo ar na himscrúduithe ach cuntais ghairide ar chásanna a bhí, in amanna, casta agus teicniúil agus a bhí bunaithe go minic ar argóintí dlíthiúla agus praiticiúla. Achoimrí atá iontu ar na tuarascálacha oifigiúla a eisíodh i nGaeilge de réir alt 26 den Acht chuig na páirtithe cuí de thoradh na n-imscrúduithe.

Is sna tuarascálacha oifigiúla sin, agus iontu sin amháin, atá na tuairiscí údarásacha ar na himscrúduithe.

- Direct provisions of the Act;
- Regulations made under the Act;
- A language scheme confirmed under the Act;
- Any provision of any other enactment relating to the status or use of Irish.

An 'enactment' is defined as a statute or an instrument made under a power conferred by a statute.

I am statutorily obliged under the Act to issue a report to the relevant parties in cases where I have conducted an investigation. My decision on the complaint and the relevant recommendations are included in that report. An appeal may be made to the High Court on a point of law against the decision within a period of four weeks.

A total of five new investigations were commenced in 2016. Two uncompleted investigations were carried forward from 2015. Consequently, there were seven investigations in hand during 2016 and six of those investigations had been completed by the end of the year. Therefore, summaries are provided in this Report of six investigations.

Number of Investigations	2015	2016
Brought forward from previous year	5	2
Investigations launched	6	5
<b>Total in hand</b>	<b>11</b>	<b>7</b>
Brought forward to next year	2	1
<b>Total completed / discontinued</b>	<b>9</b>	<b>6</b>

It should be clearly understood that these summaries of investigations are merely condensed accounts of the actual investigations – cases which were at times of a complex and technical nature and which were often based on legal and practical arguments. They are summaries of the official reports issued in accordance with section 26 of the Act to the relevant parties in Irish as a result of the investigations.

It is in those official reports, and in those reports alone, that the authoritative accounts of investigations may be found.

# ACHOIMRÍ AR IMSCRÚDUI THE 2016

# SUMMARIES OF 2016 INVESTIGATIONS

## FÁILTE ÉIREANN

Léirigh imscrúdú gur chomharthaí de réir bhrí na reachtaíochta a bhí i bpointí grianghrafadóireachta a bhí curtha in airde ag Fáilte Éireann ag láithreacha éagsúla ar Shlí an Atlantaigh Fhiáin agus gur ghá iad a bheith i gcomhréir leis na Rialacháin atá déanta faoi Acht na dTeangacha Oifigiúla. Chomh maith leis sin dhéileáil an t-imscrúdú le freagraí i mBéarla a tugadh ar chumarsáid i nGaeilge agus cinneadh go raibh sárú déanta ar an gcuid sin den Acht. Cinneadh chomh maith nár sháraigh an eagraíocht dualgais reachtúla i gcás réimse comharthaí eile a scrúdaíodh mar chuid den imscrúdú.

Rinneadh gearán le m'Oifig maidir le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomharthaí de chuid Fháilte Éireann i mí an Mheithimh 2015, agus rinneadh gearán i dtaca le cumarsáid i nGaeilge a bheith freagartha i mBéarla i mí Iúil na bliana sin. Rinneadh gearán chomh maith faoi úsáid logainmneacha neamhoifigiúla Béarla i gceantair Ghaeltachta ar léarscáileanna agus bileoga de chuid Fháilte Éireann. Anuas air sin, thug m'Oifig faoi deara de bharr roinnt bolscaireachta a bhí déanta ag Fáilte Éireann go raibh comharthaí á gcur in airde ag pointí grianghrafadóireachta fud fad Shlí an Atlantaigh Fhiáin agus logainmneacha i mBéarla amháin orthu, agus go raibh comharthaí eile ag na pointí seo nach raibh i gcomhréir leis an reachtaíocht.

Tharraing m'Oifig na hábhair seo anuas le Fáilte Éireann tríd an gcóras neamhfhoirmiúil imscrúdaithe a fheidhmíonn sí, in iarracht teacht ar réiteach sásúil, agus scríobh mé litir chuig an bPríomhfheidhmeannach nuair nár éirigh leis an bpróiseas sin an scéal a réiteach. Is i mBéarla a freagraíodh an litir. Chinn mé gur ghá dul i muinín imscrúdú foirmiúil le teacht ar fhionnachtana agus ar mholtaí (dá mba chuí).

## FÁILTE IRELAND

An investigation found that photo points which Fáilte Ireland had erected at various points along the Wild Atlantic Way were signs for the purpose of the legislation and that it was necessary for them to be in accordance with the Regulations which have been made under the Official Languages Act. The investigation also dealt with responses which were given in English to communications in Irish and a decision was made that that element of the Act had been breached. It was also decided that statutory obligations had not been breached by the organisation in respect of another range of signs which were examined as part of the investigation.

A complaint was made to my Office in June 2015 in respect of the use of the official languages, Irish and English, on Fáilte Ireland signs, and a complaint was made in respect of a communication in Irish being responded to in English in July of that year. A complaint was also made about the use of non-official English placenames in Gaeltacht areas on Fáilte Ireland maps and leaflets. My Office also noticed, as a result of some publicity carried out by Fáilte Ireland, that signs were being erected at photo points along the length of the Wild Atlantic Way on which placenames were in English only, and that there were other signs at these locations which were not in accordance with the legislation.

My Office raised the various issues with Fáilte Ireland through the informal investigation mechanism it operates, in an attempt to reach a satisfactory resolution, and I wrote to the Chief Executive when that process did not succeed in achieving a resolution. That letter was responded to in English. I decided that a formal investigation was necessitated to reach findings and make recommendations (if appropriate).



Tá dualgas soiléir ar chomhlachtaí poiblí a thagann faoi scáth Acht na dTeangacha Oifigiúla, 2003, faoi na Rialacháin atá eisithe faoi fho-alt 9(1) den Acht sin, a chinntiú gur i nGaeilge nó i nGaeilge agus i mBéarla a bheidh comharthaí le héifeacht ón 1 Márta 2013 – ní cheadaítear comharthaí i mBéarla amháin. Ní mór go mbeadh logainmneacha ar chomharthaí dátheangach ach amháin i gcás logainmneacha Gaeltachta, a bhfuil dualgas reachtúil iad a bheith i nGaeilge amháin.

Anuas air sin, tá dualgas reachtúil ar chomhlachtaí poiblí faoi fho-alt 9(2) d'Acht na dTeangacha Oifigiúla, 2003 cumarsáid i scríbhinn a fhreagairt sa teanga oifigiúil chéanna.

Sa chéad fhreagra ó Fáilte Éireann, d'admhaigh an eagraíocht gur chóir go mbeadh freagra i nGaeilge eisithe aici ar an gcumarsáid i nGaeilge ón Oifig seo agus dhearbhaigh sí go raibh nós imeachta caighdeánach á fhorbairt aici agus go gcuirfí oiliúint ar fáil don fhoireann.

I gcás an ghearáin ar an ábhar céanna ó dhuine den phobal, thug Fáilte Éireann le fios gur cuideachta tríú páirtí atá fostaithe ar conradh a fhreagraíonn fiosruithe i scríbhinn, agus gur cuid den chomhaontú conartha sin freagraí i nGaeilge a chur ar fáil. Dhearbhaigh Fáilte Éireann gur freagraíodh an chéad fhiosrúchán ón ngearánach i mBéarla, ach gur eisíodh freagra i nGaeilge a luaithe agus a cuireadh sin ar a súile don eagraíocht. Thug Fáilte Éireann le fios gur chuir an gearánach a imní in iúl faoi chaighdeán na Gaeilge sa fhreagra a seoladh chuige agus mar thoradh air sin gur eisíodh freagra eile chuige. Dearbhaíodh gur Gaeilgeoir líofa a scríobh an freagra sin. D'admhaigh Fáilte Éireann gur cheart go mbeadh an chéad fhreagra eisithe i nGaeilge agus thug sí le fios gur athdhearbhaíodh sin lena seirbhís bainistíochta glaonna. Dearbhaíodh chomh maith gur i nGaeilge a freagraíodh gach cumarsáid i scríbhinn i nGaeilge a fuarthas ó shin.

Ghlac Fáilte Éireann leis go ndearnadh earráid sa dá chás seo. Thug sí le fios go raibh nós

There is a clear responsibility on public bodies which come within the scope of the Official Languages Act 2003, under the Regulations which are issued under subsection 9(1) of that Act, to ensure that any signs are in Irish or in Irish and English, with effect from 1 March 2013 – signs in English only are not permitted. Placenames on signs must be bilingual, with the exception of Gaeltacht placenames, which there is a statutory obligation to have in Irish only.

There is also a statutory obligation on public bodies under subsection 9(2) of the Official Languages Act 2003 to respond to written communications in the same official language.

In Fáilte Ireland's first response, the organisation admitted that a reply in Irish should have been issued in response to the communication in Irish from this Office, and it confirmed that a standard procedure was being developed and that training would be provided to staff.

As regards the complaint on the same matter made by a member of the public, Fáilte Ireland advised that a third party company is employed on contract which replies to enquiries in writing, and that it is a part of that contract agreement that replies in Irish would be provided. Fáilte Ireland confirmed that the initial enquiry from the complainant was responded to in English, but that a response in Irish issued as soon as that was brought to the organisation's attention. Fáilte Ireland advised that the complainant had informed it of his concern in respect of the standard of Irish in the response he was sent, and that as a result of that a further reply issued. It was confirmed that a fluent Irish speaker wrote that response. Fáilte Ireland admitted that the first response should have issued in Irish and it advised that this had been reaffirmed with its call management centre. It was also confirmed that all written correspondence in Irish received since had been responded to in Irish.

Fáilte Ireland accepted that an error had been made in both these cases. It confirmed that a standard

imeachta oibre caighdeánach á fhorbairt agus oiliúint á cur ar an bhfoireann chun a chinntiú go gcloifí le téarmaí fho-alt 9(2) den Acht i gcás an fhreagra chuig m'Oifig, agus go raibh a dhualgas faoin gcomhaontú conartha meabhraithe don tríú páirtí i gcás an ghearánaigh eile. D'fháiltigh mé roimhe sin.

Maidir leis an ngearán a chuir m'Oifig faoi bhráid Fháilte Éireann i dtaca le logainmneacha Gaeltachta a bheith á dtaispeáint ar mhapaí agus ar bhileoga a d'eisigh Fáilte Éireann agus ar a láithreán gréasáin, shoiléirigh mé nach bhfuil dualgas reachtúil ar Fháilte Éireann cloí le logainmneacha oifigiúla Gaeltachta chun na gcríoch seo. Tá dualgas ar Shuirbhéireacht Ordanáis Éireann (SOÉ) logainmneacha a léiriú sa dá theanga oifigiúla ar mhapaí ar thomhas ar leith. Dhearbhaigh Fáilte Éireann go gcoinnítear a cuid mapaí de réir na léarscáileanna oifigiúla a eiseonn SOÉ. Gan aon dualgas reachtúil a bheith i gceist ní fhéadfainn aon fhionnachtain ná aon mholadh a dhéanamh ar an ábhar.

Rinne Fáilte Éireann cur síos ar an gcúlra a bhí le gearán eile a bhí leagtha faoina bráid ag m'Oifig i dtaca le Slí Cheann Sléibhe agus dúirt gur iarr Fáilte Éireann, fad a bhí comharthaí bóthair á n-uasghrádú do Shlí an Atlantaigh Fhiáin i gCorca Dhuibhne, leasú ar an gcomhartha chun lógó Shlí an Atlantaigh Fhiáin a chur air. Dúirt Fáilte Éireann gur chuir Comhairle Contae Chiarraí comhartha nua in airde a raibh an téacs air díreach mar a bhí ar an gcomhartha bunaidh chomh maith le lógó Shlí an Atlantaigh Fhiáin. Thug Fáilte Éireann le fios don imscrúdú go ngabhadh sí i dteagmháil leis an gComhairle Contae leis an scéal a réiteach. D'fháiltigh mé roimh an scéala seo. Ghlac mé, áfach, le háiteamh Fáilte Éireann nach iad a bhí freagrach as an gcomhartha seo a chur in airde, ach gur chuir siad maoiniú ar fáil don údarás áitiúil ina leith.

Dhírigh Fáilte Éireann den chuid is mó ina freagra ar an ngearán ó m'Oifig i dtaca le pointí grianghrafadóireachta/ comharthaí láithreáin agus scéim léirmhíniúcháin, agus ar an áiteamh gur comharthaí de réir bhrí na Rialachán faoi fho-alt 9(1) a bhí sna míreanna seo.

Rinne Fáilte Éireann cur síos ar na pointí Fionnachtana agus Bordála, a bhfuil 188 acu á n-aithint ar feadh an bhealaigh agus atá, dar léi, ina ngné lárnach den tionscadal agus atá marcáilte le pointí grianghrafadóireachta agus le painéil léirmhíniúcháin.

working procedure was being developed and that training would be provided for staff to ensure that the terms of subsection 9(2) of the Act would be adhered to in the case of the response to my Office, and that the third party had been reminded of its obligations under the contractual agreement in the case of the other complainant. I welcomed that.

As regards the complaint raised by my Office with Fáilte Ireland in respect of Gaeltacht placenames being displayed on maps and leaflets issued by Fáilte Ireland and on its website, I clarified that there is no statutory obligation on Fáilte Ireland to adhere to official Gaeltacht placenames for this purpose. There is an obligation on Ordnance Survey Ireland (OSI) to display placenames in both official languages on maps of a certain size. Fáilte Ireland confirmed that its maps are kept in accordance with the official maps issued by OSI. In the absence of a statutory obligation, I could not make any findings or recommendations on the subject.

Fáilte Ireland gave an account of the background to another complaint which had been brought to the attention of my Office in respect of Slí Cheann Sléibhe and advised that Fáilte Ireland had requested an amendment to the sign to include the Wild Atlantic Way logo, whilst road signs were being upgraded in Corca Dhuibhne. Fáilte Ireland stated that Kerry County Council had put a new sign in place with the Wild Atlantic Way logo on it, as well as the exact same text as was on the original sign. Fáilte Ireland advised the investigation that it would contact the County Council to correct the matter. I welcomed this news. I accepted, however, Fáilte Ireland's contention that it was not responsible for erecting this sign, but that it had provided funding to the local authority in its respect.

Fáilte Ireland's response to this Office in relation to the complaint focused mainly on the photo points / location signs and the interpretive scheme and on the argument that these items came under subsection 9(1) of the Regulations.

Fáilte Ireland gave an account of the Discovery and Boarding points, with 188 of them identified along the route, which they felt were a key element of the project and were marked with photo points and interpretive panels.

Dúradh gur chuid de thionscadal ilmhilliúin arna mhaoiniú ag an Rialtas mar chuid de Bhuiséad 2014 iad na pointí grianghrafadóireachta agus na painéil léirmhíniúcháin sin, agus go raibh sé mar chuspóir acu cuairteoirí a spreagadh chun leas a bhaint as an tírdhreach agus grianghraif is féidir a roinnt ar na meáin shóisialta a thógáil chun Slí an Atlantaigh Fhiáin a chur chun cinn.

Maidir le háiteamh an imscrúdaithe go bhféadfadh sé gur comharthaí iad na pointí grianghrafadóireachta chun críocha na Rialachán atá eisiithe faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003, dúirt Fáilte Éireann gur chas sí le hoifigigh de chuid na hOifige seo i Meán Fómhair 2014, agus go ndearnadh plé maidir leis na pointí grianghrafadóireachta / na comharthaí láithreáin / an scéim léirmhíniúcháin a bhí beartaithe a shuiteáil. Dúradh nach raibh na hoifigigh in ann freagra cinnte a thabhairt i ndáil le cibé acu ar ghá don phointe grianghrafadóireachta a bheith dátheangach, dar le Fáilte Éireann, cé gur tugadh le fios ag an gcruinniú go raibh seans ann gur chomharthaí iad. Cuireadh faoi bhráid Fháilte Éireann ag an gcruinniú freisin nach dtugtar sainmhíniú ar chomhartha in Acht 2003 ná sna Rialacháin sin. Dúirt Fáilte Éireann: *"Indiaidh an chruinnithe le do chuid oifigeach, a bhí an-chabhrach agus eolasach maidir leis an réimse ábhar a pléadh, chinn Fáilte Éireann nach comharthaí a bhí sna pointí grianghrafadóireachta agus mar sin, nach raibh gá leis an logainm a aistriú go Gaeilge. Tógadh an cinneadh sin ar an tuiscint dhílis nach mbeadh Fáilte Éireann ag sárú Acht na dTeangacha Oifigiúla dá bharr."*

Ní miste a shoiléiriú nár cuireadh aon sampla de na pointí grianghrafadóireachta faoi bhráid na hOifige agus comhairle á lorg. Bunaithe ar an méid eolais a bhí ar fáil ag an am, comhairliodh d'Fháilte Éireann go bhféadfadh go n-áireofaí a leithéid de mharcóirí / comharthaí mar chomharthaí chun críocha na reachtaíochta. Gan samplaí sonracha a bheith ar fáil, áfach, ní fhéadfaí comhairle chríochnúil a thabhairt ar an ábhar. Thairg m'hoifigigh ag an gcruinniú sin go gcuirfí comhairle ar Fháilte Éireann i dtaobh aon chomhartha a bhí á bheartú aici dá gcuirfí profaí faoi bhráid na hOifige le breithniú. Rinneadh an tairiscint sin arís i ríomhphost dar dáta an 9 Deireadh Fómhair 2014. D'áitigh Fáilte Éireann gur bhain míthuiscint le bunús na tairisceana sin.

Sa bhreis ar an méid sin bhí údarás áitiúil, a bhí i mbun na gcomharthaí seo a chur in airde ar son Fháilte Éireann, tar éis teagmháil a dhéanamh le m'Oifig i mí Aibreáin 2015 ag lorg comhairle faoi ghéilliúlacht na gcomharthaí úd.

It stated that the photo points and interpretive panels were part of a multi-million euro project funded by the Government as part of the 2014 Budget, and that it was designed to encourage visitors to take advantage of the scenery and to take a photograph that could be shared on social media to promote the Wild Atlantic Way.

Regarding the argument made as part of the investigation that the photo points may come under section 9(1) of the Official Languages Act 2003, Fáilte Ireland said that it met with officials from this Office in September 2014, and that the photo points / location signs / and the interpretive scheme it had intended to install were all discussed. According to Fáilte Ireland, the officials from this Office were unable to give a definite answer as to whether the photo points needed to be bilingual, although it was indicated at the meeting that they might be signage. Fáilte Ireland was also told at the meeting that no definition of signage was given in the 2003 Act or in the Regulations. Fáilte Ireland said: *"After the meeting with your officials, who were very helpful and knowledgeable about the range of topics discussed, Fáilte Ireland decided that the photo points were not signs and that there was no need, therefore, to translate the placename to Irish. The decision was taken on the genuine understanding that Fáilte Ireland would not be in breach of the Official Languages Act as a result."* (Trans.)

It should be clarified that examples of the photo points were not provided to this Office when seeking advice. Based on the information available at the time it was suggested to Fáilte Ireland that markers / signage of this kind could be seen as signage that comes under the remit of the legislation. Concrete advice could not be offered on the matter, however, without specific examples. My officers offered at that meeting to provide advice to Fáilte Ireland regarding any proposed signage if proofs were sent to this Office for consideration. This offer was made again in an email dated 9 October 2014. Fáilte Ireland submitted that there was a misunderstanding in respect of that offer.

In addition to this, a local authority which was in charge of erecting the signs on behalf of Fáilte Ireland contacted my Office in April 2015 looking for advice on the compliance of the signage in question.

Dhearbhaíomar don údarás áitiúil sin ag an am nár shíleamar go raibh na comharthaí a bhí á mbeartú i gcomhréir leis an reachtaíocht. Lorg Fáilte Éireann na sonraí a bhain leis an gcumarsáid sin, ionas go mbeidís in ann a gcuid taifead a sheiceáil.

Shoiléirigh mé gurb í Comhairle Contae Chiarraí a d'iarr comhairle ar m'Oifig ar an ábhar. Sheol an Chomhairle Contae an chomhairle a cuireadh ar fáil di ar aghaidh chuig Fáilte Éireann i ríomhphost dar dáta an 23 Aibreán 2015 agus cóipeáladh m'Oifig sa ríomhphost sin. Má bhí aon amhras ar Fháilte Éireann i dtaobh chomhairle na hOifige seo ag an am, bhí deis acu an tráth sin soiléiriú a lorg ar m'Oifig, ach níor tapaíodh an deis sin. Dheimhnigh Fáilte Éireann i litir dar dáta an 8 Meitheamh go raibh sí tar éis teacht ar an gcomhfhreagras tar éis di a cartlanna a chuardach.

Ghlac mé le háiteamh Fháilte Éireann gur chreid sí i ndáiríre nach raibh sí ag sárú an dlí agus na comharthaí seo á gcur in airde le logainmneacha i gceantair lasmuigh den Ghaeltacht i mBéarla amháin. Ba léir, áfach, go bhféadfadh an neamhghéilliúlacht seo a bheith seachanta dá mbeifí tar éis filleadh ar an Oifig seo le samplaí den ábhar a bhí beartaithe a chur in airde nó go deimhin dá mbeifí tar éis gníomhú de réir na comhairle a cuireadh ar fáil don chomhlacht poiblí a bhí i mbun na hoibre chun na comharthaí a chur in airde.

D'fhill mé ar Fháilte Éireann, ag glacadh buíochais as an bhfreagra cuimsitheach a cuireadh ar fáil don imscrúdú agus ag ceadú síneadh ama mar a lorgaíodh chun féachaint ar na roghanna maidir leis an scéal a réiteach. D'iarr mé go gcuirfi freagra ar fáil, idir an dá linn, i dtaobh comharthaí a raibh tagairt dóibh sna cáipéisí imscrúdaithe agus nach raibh freagra faighte ina leith – comharthaí treo agus comharthaí eolais a bhí in airde ag Cionn Mhálanna.

I bhfreagra láithreach ó Fáilte Éireann tugadh le fios dom go raibh athbhreithniú déanta ar an mír seo agus go raibh na comharthaí áirithe sin deartha, tógtha agus faoi úinéireacht Chomhairle Contae Dhún na nGall.

D'fhill Fáilte Éireann ar an imscrúdú ag tabhairt sonraí maidir leis na roghanna a bhí beartaithe chun dul i ngleic leis na comharthaí neamhghéilliúla. D'fháiltigh mé roimh chinneadh Fháilte Éireann go raibh i gceist aici tabhairt faoi oibreacha leasúcháin chun an scéal a réiteach, mar gur léir di conas a d'fhéadfaí féachaint ar na pointí grianghrafadóireachta mar chomharthaí a chaithfeadh a bheith dátheangach.

We confirmed to that local authority at the time that we felt that the proposed signage was not in accordance with the legislation. Fáilte Ireland sought the details regarding that correspondence, so that it could check its records.

I clarified that it was Kerry County Council which had sought advice from my Office on the matter. It sent a copy of that advice to Fáilte Ireland in an email dated 23 April 2015 and my Office was copied in that email. If Fáilte Ireland was in any doubt about the advice from this Office at the time, it had the opportunity to seek clarification from my Office, but this opportunity was not grasped. Fáilte Ireland confirmed in a letter dated 8 June that it had found the correspondence after searching its archives.

I accepted Fáilte Ireland's argument that it genuinely believed that it was not in breach of the law when these signs were erected with placenames in English only in areas outside the Gaeltacht. It was clear, however, that the non-compliance could have been avoided if it had reverted to this Office with samples of the signage it intended to erect or indeed if it had acted on the advice provided to the public body which was working to erect the signs.

I reverted to Fáilte Ireland, thanking them for providing such a comprehensive response to the investigation and granting an extension of time, as requested, in order for them to examine the options available to resolve the matter. I requested that a response in relation to signage mentioned in the investigation, for which we had not received a reply – directional and information signs erected at Malin Head – be provided in the interim.

In Fáilte Ireland's immediate response, I was advised that this matter had been reviewed and that those specific signs were designed, erected and owned by Donegal County Council.

Fáilte Ireland reverted to the investigation, giving details of the proposed options to deal with the non-compliant signs. I welcomed the decision by Fáilte Ireland that they intended to undertake remedial works to resolve the matter, as it was apparent to them that the photo points could be seen as signage with a bilingual requirement. Fáilte Ireland provided three suggested solutions to the

Cuir Fáilte Éireann trí rogha réitithe faoi bhráid an imscrúdaithe agus mhol gurbh é an rogha ba stuama acu sin dealbh bhreise a chur in aice leis an bpointe grianghrafadóireachta a bhí ann cheana féin.

Cuir Fáilte Éireann in iúl go mbeadh sí sásta an scéal a phlé le m'Oifig dá measfainn go mbeadh sin cuí nó cabhrach. Miníodh d'Fháilte Éireann nach mbeadh sé cuí tabhairt faoi chruinniú ar an ábhar fad a bhí an próiseas foirmiúil imscrúdaithe faoi lán seoil, ach go mbeadh an Oifig lánsásta plé a dhéanamh ar chur i bhfeidhm aon mholtai nuair a bheadh an próiseas foirmiúil tugtha chun críche. Tharla an cruinniú sin i mí Dheireadh Fómhair 2016.

**Imscrúdú seolta:** 11 Eanáir 2016

**Tuarascáil eisithe:** 13 Meitheamh 2016

## AN ROINN OIDEACHAIS AGUS SCILEANNA

Léirigh imscrúdú gur sáraíodh na dualgais reachtúla teanga a bhain le fo-alt 7(2)(d) den Acht Oideachais, 1998 nuair a foilsíodh an nuachtlitir ar líne *NCGE News* agus an *Lámhleabhar Scoile um Threoir* i mBéarla amháin. Chinn an t-imscrúdú nár bhain aon dualgas reachtúil teanga le foilsiú na ndoiciméad seo faoi Acht na dTeangacha Oifigiúla.

Rinneadh gearán foirmiúil liom nach raibh an nuachtlitir *NCGE News* ná an *Lámhleabhar Scoile um Threoir* á soláthar i nGaeilge do scoileanna aitheanta a chuireann teagasc trí Ghaeilge ar fáil agus d'aon scoil aitheanta eile a iarrann soláthar den sórt sin. B'fhoilseacháin de chuid an Lárionaid Náisiúnta um Threoir san Oideachas (LNTO), áisíneacht a fheidhmíonn faoi scáth na Roinne Oideachais agus Scileanna, a bhí i gceist.

Mar chéad chéim ba ghá dom a mheas an raibh dualgas reachtúil ann na doiciméid seo a bheith foilsithe sa dá theanga oifigiúla. Scrúdaigh mé an dualgas a d'fhéadfadh a bheith i gceist faoi fho-alt 7(2)(d) den Acht Oideachais, 1998 agus freisin faoi fho-alt 9(3) d'Acht na dTeangacha Oifigiúla, 2003.

Éilítear i bhfo-alt 7(2)(d) den Acht Oideachais, 1998 gur gá:

*“seirbhísí taca trí Ghaeilge a sholáthar do scoileanna aitheanta a chuireann teagasc trí Ghaeilge ar fáil agus d'aon scoil aitheanta eile a iarrann soláthar den sórt sin”*

investigation and suggested that the best solution would be to erect an additional sculpture beside the existing photo points.

Fáilte Ireland advised that they would be happy to discuss the matter with my Office if I felt that would be appropriate or helpful. It was explained to Fáilte Ireland that it would not be appropriate to arrange a meeting on the matter as long as the formal process of the investigation was underway, but that the Office would be more than happy to discuss the implementation of any recommendations when the formal process was completed. That meeting took place in October 2016.

**Investigation launched:** 11 January 2016

**Report issued:** 13 June 2016

## DEPARTMENT OF EDUCATION AND SKILLS

An investigation found that the statutory language obligations encompassed in subsection 7(2)(d) of the Education Act 1998 had been breached by the publication of the online newsletter *NCGE News* and the *School Guidance Handbook* in English only. The investigation found that there was no statutory language obligation concerning the publication of these documents under the Official Languages Act.

A formal complaint was made to me that neither the newsletter *NCGE News* nor the *School Guidance Handbook* were being supplied in Irish to recognised schools which provide teaching through Irish or to any other school which requested such provision. These were publications of the National Centre for Guidance in Education (NCGE), an agency which operates under the auspices of the Department of Education and Skills.

It was necessary for me, as a first step, to assess whether there was a legal obligation to provide these documents in both official languages. I examined the obligation that could be relevant in subsection 7(2)(d) of the Education Act 1998 and also under subsection 9(3) of the Official Languages Act 2003.

Subsection 7(2)(d) of the Education Act 1998 states that it is required:

*“to provide support services through Irish to recognised schools which provide teaching through Irish and to any other recognised school which requests such provision”*

*“ciallaíonn ‘seirbhísí taca’ na seirbhísí a chuireann an tAire ar fáil do mhic léinn nó dá dtuismitheoirí, do scoileanna nó do lárionaid oideachais de réir alt 7 agus folóidh sé aon cheann nó gach ceann de na nithe seo a leanas:*

*(c) seirbhísí treorach agus comhairliúcháin;*

*(n) cibé seirbhísí eile a shonraítear leis an Acht seo nó is cuí leis an Aire;”*

Leagtar síos dualgas freisin faoi fho-alt 9(3) d’Acht na dTeangacha Oifigiúla nuair a thionscnaíonn comhlacht poiblí cumarsáid leis an bpobal i gcoitinne nó le haicme den phobal sin chun faisnéis a thabhairt. Mheas mé go bhféadfadh an dualgas sin a bheith ábhartha i gcás na nuachtlitreach go háirithe.

Rinne m’Oifig fiosruithe ar an ábhar leis an Roinn tríd an bpróiseas neamhfhoirmiúil imscrúdaithe a fheidhmíonn m’Oifig ach níor éirigh leis an bpróiseas sin réiteach a aimsiú, in ainneoin chomhoibriú na Roinne leis na hiarrachtaí sin.

Ó tharla gearáin a bheith déanta ag baill den phobal liom i dtaobh na ceiste seo agus ó tharla nár éirigh leis an bpróiseas neamhfhoirmiúil teacht ar réiteach sásúil sa chás, bheartaigh mé go raibh gá le himscrúdú le haon amhras a sheachaint.

Seoladh freagra chugam ar an imscrúdú ar an 28 Samhain 2014. Thug an Roinn le fios gur mheas sí nach raibh aon bhunús le himscrúdú de bharr nach foilseachán dá cuid a bhí i gceist.

Tar éis dom roinnt taighde eile a dhéanamh ar an ábhar, d’fhill mé ar an Roinn ar an 5 Lúnasa 2015 ag iarraidh uirthi tuilleadh eolais a sholáthar chun a chur ar mo chumas teacht ar fhionnachtain sa chás. Ina dara freagra ar an imscrúdú dar dáta an 18 Meán Fómhair 2015, sheas an Roinn leis na pointí a bhí déanta aici roimhe sin. Bhí an méid seo le rá sa bhreis ar a raibh ráite cheana:

*“Ní tháirgtear an Lámhleabhar mar ‘sheirbhís tacaíochta’ do scoileanna. Is é cuspóir an Lámhleabhair ná cuidiú le cleachtas na treorach agus níl sé mar chuid de sholáthar ‘seirbhísí treorach agus comhairleoireachta’ i scoileanna.”*

Ina ainneoin sin, thug an Roinn le fios go raibh roinnt soláthair déanta ag LNTO d’aistriúcháin go Gaeilge ar ábhar sa Lámhleabhar. Dúradh go raibh leathanach baile an tsuimh gréasáin ar fáil as Gaeilge agus go

*“‘support services’ means the services which the Minister provides to students or their parents, schools or centres for education in accordance with section 7 and shall include any or all of the following:*

*(c) guidance and counselling services;*

*(n) such other services as are specified by this Act or considered appropriate by the Minister;”*

An obligation is also entailed under subsection 9(3) of the Official Languages Act where a public body initiates communication with the general public or with a section of the general public to provide information; I thought that this section could be relevant in respect of the newsletter in particular.

My Office made enquiries on the subject through the informal investigative process which the Office operates, but that process did not succeed in resolving the issue, despite the Department’s cooperation with those efforts.

As a member of the public had made a complaint to me on this matter and as the informal process had not achieved a satisfactory resolution of the issue, I decided an investigation was necessitated for the avoidance of doubt.

I was sent a reply to the investigation on 28 November 2014. The Department advised that it felt there was no basis to an investigation as they were not Department publications.

Following some further research on the matter, I reverted to the Department on 5 August 2015, requesting further information to enable me to make findings on the matter. In its second response to the investigation, dated 18 September 2015, the Department adhered to the points it had previously made. The following additional response was provided:

*“The Handbook is not produced as a ‘support service’ for schools. The purpose of the Handbook is to inform the practice of guidance and it is not part of the provision of ‘guidance and counselling services’ in schools.” (Trans.)*

Despite that, the Department advised that provision had been made by the NCGE for translation to Irish of some of the content of the Handbook. It was said that the homepage of the website was available in



raibh ábhar a bhí cuimsithe faoi *Threoirlinite um Polasaí agus Cleachtas* aistrithe go Gaeilge chomh maith. Cuireadh in iúl chomh maith go raibh obair bhreise coimisiúnaithe ar an suíomh gréasáin.

I ndiaidh do Bhainisteoir Imscrúduithe na hOifige an riachtanas a bhain le freagra iomlán críochnúil a sholáthar don imscrúdú a chur ar a súile don Roinn, cuireadh an méid sin ar fáil ar an 9 Bealtaine 2016.

Cuireadh mionsonraí ar fáil maidir le struchtúr feidhme agus bainistíochta LNTÓ mar aon le maoiniú na heagraíochta ag an Roinn Oideachais agus Scileanna, bunaithe ar chlár oibre bliantúil aontaithe. Dearbhaíodh freisin go bhfeidhmíonn LNTÓ faoi scáth Léargas agus go bhfuil coiste bainistíochta ag feidhmiú ar a bhfuil ionadaithe ag an Roinn Oideachais agus Scileanna. Dearbhaíodh gur ón Aire amháin a thagann ainmniúcháin chuig Léargas le haghaidh ceapacháin ar an gCoiste um Bainistiú Treorach (MGC). Cuireadh cóip de théarmaí tagartha an Choiste sin ar fáil don imscrúdú.

Mhínigh an Roinn go raibh LNTÓ fós den tuairim nach sainacmhainn scoile a bhí san iris ar líne *NCGE News*, ach “*nuachtlitir do na cleachtóirí siúd in earnáil na treoirghairme lena gcur ar an eolas maidir le cleachtas treorach go náisiúnta agus ar fud an AE.*”

Ba é an cás a bhí le meá ag an imscrúdú ná an raibh nó nach raibh na dualgais reachtúla teanga atá daingnithe i bhfo-alt 9(3) d’Acht na dTeangacha Oifigiúla, 2003 agus i bhfo-alt 7(2)(d) den Acht Oideachais, 1998 á gcomhlíonadh go cuí i dtaca leis na foilseacháin seo.

Níor ghlac an Roinn Oideachais agus Scileanna leis go raibh aon sárú reachtúil déanta mar nach comhlacht poiblí a bhí sa Lárionad Náisiúnta um Threoir san Oideachas a bhí ainmnithe ar sceideal na gcomhlachtaí in Acht na dTeangacha Oifigiúla, agus dá bhrí sin bhí an Roinn den tuairim nár bhain forálacha an Achta sin ná an tAcht Oideachais leis an eagraíocht.

Ba léir go raibh LNTÓ ainmnithe ina cháil féin ar sceideal an Achta, mar eagraíocht ar leith. D’fhéadfadh sé, dá bhrí sin, go raibh dualgas reachtúil ar LNTÓ an iris ar líne a sholáthar i nGaeilge faoi fho-alt 9(3) den Acht faoi mar a bhí á mheá ag an imscrúdú.

Irish and that content which was located under *Policy and Practice Guidelines* had also been translated to Irish. It was advised that additional work had been commissioned on the website.

Subsequent to the Office’s Investigation Manager advising of the necessity of providing a full and final answer to the investigation, such a response was received on 9 May 2016.

Details were provided as to the management and operational structure of the NCGE as well as of the funding of the organisation by the Department of Education based on an agreed annual work programme. It was also confirmed that the NCGE operates under the auspices of Léargas, with a management committee on which there are representatives of the Department of Education and Skills. It was confirmed that the nominations to Léargas for appointment to the Management of Guidance Committee (MGC) are made only by the Minister. The terms of reference of that committee were made available to the investigation.

The Department explained that the NCGE was still of the opinion that the online magazine *NCGE News* was not a specific resource for schools, “*but a newsletter for those practitioners in the guidance profession to inform them of guidance practice nationally and across the EU.*” (Trans.)

The case which the investigation had to weigh was whether the statutory language obligations enshrined in subsection 9(3) of the Official Languages Act 2003 and in subsection 7(2) (d) of the Education Act 1998 were being correctly fulfilled in respect of these two publications.

The Department of Education and Skills did not accept that any statutory breach had occurred as the National Centre for Guidance in Education was not a body which was nominated in the schedule of public bodies in the Official Languages Act, and therefore the Department was of the opinion that neither the provisions of that Act nor of the Education Act applied to the organisation.

It was clear that the NCGE was nominated in its own right on the schedule. It was therefore possible that there was a legal obligation on the NCGE to provide the online magazine in Irish under subsection 9(3) of the Official Languages Act, as was being assessed by the investigation.



Shásaigh foilsiú na hirise ar líne cuid mhaith de na critéir atá in alt 9(3) den Acht, is é sin go raibh an chumarsáid, a bhí i bhformáid leictreonach, á heisiúint ag comhlacht poiblí a thagann faoi scáth an Achta, agus go raibh sé mar chuspóir ag an gcumarsáid sin faisnéis a thabhairt. Ba í an t-aon cheist a bhí le cíoradh ná an ndearnadh an chumarsáid leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne.

Ós rud é gur ar na cleachtóirí in earnáil na treoirghairme a bhí an nuachtlitir dírithe, agus go gcaithfí gníomh a ghlacadh (clárú) chun go n-eiseofaí an nuachtlitir chugat, bhí an chosúlacht ar an scéal nach chuig aicme den phobal i gcoitinne a bhí an chumarsáid á heisiúint, agus dá bhrí sin nach cumarsáid a bhí ann chun críocha alt 9(3) d'Acht na dTeangacha Oifigiúla, 2003. Toisc nach cumarsáid i scríbhinn ná leis an bpost leictreonach a bhí sa *Lámhleabhar Scoile um Threoir*, ba léir nár tháinig an mhír sin faoi fho-alt 9(3) den Acht ach an oiread.

Mheas mé freisin aon dualgas teanga a d'eascair i dtaca leis na foilseacháin seo faoi mhír 7(2)(d) den Acht Oideachais, 1998 agus an bhféadfai iad a áireamh mar sheirbhís taca do scoileanna aitheanta a bhíonn ag teagasc trí Ghaeilge.

Ba é tuairim na Roinne Oideachais agus LNTÓ nár sheirbhís taca a bhí i gceist le *NCGE News*, mar gur nuachtlitir a bhí ann do chleachtóirí in earnáil na treoirghairme. Ach ba léir gur sna scoileanna a bhí formhór na gcleachtóirí sin ag obair, agus gur chun críocha a gcuid dualgas sna scoileanna a bhí an t-eolas seo á chur ar fáil, ionas go mbeidís ar an eolas i dtaobh cleachtas treorach go náisiúnta agus ar fud an Aontais Eorpaigh. Ghlac an t-imscrúdú leis go bhféadfadh sé go raibh aidhm níos leithne ag an nuachtlitir, ach níor ghá go mbeadh aidhm nó cuspóir na nuachtlitreach teoranta do thacaíocht scoile chun go dtiocfadh sí faoi scáth na míre sin.

Luaitear i measc ghníomhaíochtaí LNTÓ ina phlean straitéise: “provide quality information, resources and materials to support guidance provision and practice”, agus tá ráite i dtéarmaí tagartha an Choiste um Bainistiú Treorach go bhfuil dualgas uirthi éifeachtúlacht agus críochnúlacht LNTÓ a chinntiú i soláthar “quality advice, professional development, materials and resources in guidance

The publication of the magazine satisfied a number of the criteria under subsection 9(3) of the Act – that is that the communication, which was in electronic format, was being issued by a public body which comes under the Act, and that the purpose of the communication was to provide information. The only question, therefore, to be explored was whether the communication was being made to the general public or a section of the general public.

Due to the fact that the newsletter was aimed at practitioners in the career guidance sector, and that an action had to be taken (registration) in order to have the newsletter issued, it appeared that the newsletter was not issuing to a section of the general public, and was therefore not a communication for the purposes of subsection 9(3) of the Official Languages Act 2003. As the *School Guidance Handbook* was not a communication in writing or by electronic mail, it was apparent that that item did not come under subsection 9(3) of the Act either.

I also assessed any language obligations which arose in respect of these publications under subsection 7(2)(d) of the Education Act 1998 and whether they could be regarded as a support service to recognised schools which teach through Irish.

It was the opinion of the Department of Education and Skills and of the NCGE that *NCGE News* was not a support service, as it was a newsletter for practitioners in the career guidance sector. But it was apparent that the vast majority of those practitioners were working in the schools, and that it was for the purpose of their duties in those schools that the information was being provided, so that they would be aware of guidance practices nationally and throughout the EU. The investigation accepted that it was possible that the newsletter had a wider purpose, but it was not necessary that the aim or purpose of the newsletter be restricted to school support for it to come under the auspices of that section.

The activities of the NCGE in its strategic plan include: “provide quality information, resources and materials to support guidance provision and practice”, and the terms of reference for NCGE Management of Guidance Committee states that it has a responsibility to ensure the effectiveness and efficiency of the centre in providing “quality advice, professional development, materials and resources

counselling to guidance practitioners in schools, centres for education and adult education settings.” Chonacthas dom gur faoi na téarmaí seo a bhí an nuachtlitir á cur ar fáil.

Maidir leis an *Lámhleabhar*, ba é seasamh na Roinne gurb é cuspóir an *Lámhleabhair* cuidiú le cleachtas na treorach. Ach mar is ionann le ceist na nuachtlitreach thuas, ar ndóigh is sna scoileanna agus sna hionaid oideachais atá na cleachtóirí seo ag feidhmiú, agus cé go bhféadfadh sé go mbeadh úsáid níos leithne á baint as, ba léir go raibh sé ina thacaíocht do na scoileanna agus do na hionaid oideachais sin.

Mheas mé go raibh an nuachtlitir agus an *Lámhleabhar* á gcur ar fáil faoi údarás agus le maoiniú na Roinne, agus go raibh siad, dá bhrí sin, á gcur ar fáil mar sheirbhísí taca thar ceann an Aire. Cé go dtagann LNTO faoi Acht na dTeangacha Oifigiúla ina cháil féin, is faoin Roinn a bheadh sé a chinntiú go gcloifeadh aon eagraíocht a bhí ag soláthar seirbhísí thar a ceann nó thar ceann an Aire le forálacha an Achta Oideachais.

I measc na moltaí a rinne mé san imscrúdú bhí:

- (1) Go n-eiseofaí an nuachtlitir *NCGE News* sa dá theanga oifigiúla ó thús na bliana 2017.
- (2) Go ndíreofaí láithreach ar leagan Gaeilge den *Lámhleabhar Scoile um Threoir* a sholáthar, agus gan dochar don dualgas láithreach, go mbeadh an leagan Gaeilge ar fáil ina iomláine laistigh de naoi mí ó dháta na tuarascála.

**Imscrúdú seolta:** 14 Deireadh Fómhair 2014

**Tuarascáil eiseithe:** 9 Meán Fómhair 2016

## OLLSCOIL NA hÉIREANN, MÁ NUAD

Léirigh imscrúdú gur sháraigh Ollscoil na hÉireann, Má Nuad dualgais reachtúla teanga trí ainm an chomhlachta phoiblí a bheith léirithe i mBéarla amháin, i dteannta shuaitheantas na hOllscoile, ar a gceannteidil stáiseanóireachta.

Tháinig an cheist chun cinn, den chéad uair, le linn an ghnáthphróisis faireacháin a dhéanann m’Oifig ar chomhlachtaí poiblí. Níor éirigh leis an bpróiseas neamhfhoirmiúil a fheidhmíonn m’Oifig comhréiteach a aimsiú sa chás seo agus ní raibh de rogha agam ach imscrúdú reachtúil a sheoladh le teacht ar chinneadh críochnúil i dtaca leis an gceist.

in guidance counselling to guidance practitioners in schools, centres for education and adult education settings.” It was apparent to me that it was under these terms that the newsletter was being provided.

As regards the *Handbook*, it was the Department’s stance that the purpose of the *Handbook* was to assist with the practice of guidance. But as was the case with the above newsletter, of course these practitioners are functioning in the schools and education centres, and although it is possible that it may be of wider use, it was apparent that they were of support to those schools and centres of education.

I was of the opinion that the newsletter and the *Handbook* were provided under the authority of and with funding from the Department, and that they were, therefore, being provided as support services on behalf of the Minister. Although the NCGE comes under the auspices of the Official Languages Act in its own right, it is a matter for the Department to ensure that any organisation providing services on its behalf or on behalf of the Minister adheres to the provisions of the Education Act.

The following were amongst the recommendations I made in the investigation:

- (1) That the newsletter *NCGE News* be issued in both official languages from the start of 2017.
- (2) That the provision of an Irish version of the *School Guidance Handbook* be undertaken immediately, and without prejudice to the immediate obligation, that the Irish version be fully available within nine months of the date of the report.

**Investigation launched:** 14 October 2014

**Report issued:** 9 September 2016

## NATIONAL UNIVERSITY OF IRELAND, MAYNOOTH

An investigation found that the National University of Ireland, Maynooth had breached statutory language obligations by displaying the name of the public body in English only, along with the University’s crest, on its headed stationery.

The question arose initially during the normal monitoring process undertaken by my Office in respect of public bodies. The informal system my Office operates did not succeed in achieving a resolution in this case and I had no option but to launch a formal investigation to reach a final decision on the matter.

Go hachomair, leagann na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla dualgas ar chomhlachtaí poiblí i dtaca le húsáid na dteangacha oifigiúla (Gaeilge agus Béarla) ar cheannteideal stáiseanóireachta nua nach raibh i seilbh an chomhlachta ar an 1 Márta 2009.

Faoi réir na Rialachán, is ceadmhach do chomhlacht poiblí rogha a dhéanamh an Ghaeilge amháin a úsáid ar cheannteidil stáiseanóireachta agus ar chomharthaíocht, nó más fearr leo é, dhá theanga oifigiúla an Stáit (Gaeilge agus Béarla) a úsáid chuige seo. Ach má roghnaíonn siad an cur chuige dátheangach tá critéir an-soiléir leagtha amach faoin mbealach a rachfaí i mbun an rogha sin a fheidhmiú. Go hachomair leagtar amach:

- Go mbeidh an téacs i nGaeilge ann ar dtús.
- Go mbeidh an téacs i nGaeilge chomh feiceálach, chomh sofheicthe agus chomh hinléite céanna leis an téacs i mBéarla.
- Nach mbeidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla.
- Maidir leis an téacs i nGaeilge, go gcuirfidh sé in iúl an fhaisnéis chéanna leis an bhfaisnéis a chuireann an téacs i mBéarla in iúl.
- Nach ndéanfar focal sa téacs i nGaeilge a ghiorrú mura bhfuil an focal sa téacs i mBéarla, ar aistriúchán air é, giorraithe freisin.

Ceadaítear díolúine áirithe sna Rialacháin agus bhí cuid acu sin ábhartha don imscrúdú seo. Ní cheanglaítear ar chomhlacht poiblí aistriúchán a dhéanamh ó theanga oifigiúil amháin go teanga oifigiúil eile i gcás na nithe seo a leanas:

- (i) ainm duine
- (ii) lógó
- (iii) ainm branda, nó
- (iv) ainm comhlachta (seachas comhlacht poiblí).

Ba léir i gceannteidil stáiseanóireachta Ollscoil na hÉireann, Má Nuad, fad is a bhain sé le hainm an chomhlachta phoiblí féin, gur i mBéarla amháin a bhí sé.

Bhain croí an scéil sa chás a chuir Ollscoil na hÉireann, Má Nuad i láthair an imscrúdaithe le sainmhíniú ar a raibh i gceist le lógó agus

In brief, the Regulations under subsection 9(1) of the Official Languages Act place an obligation on public bodies in respect of the use of the official languages (Irish and English) on headings of new stationery which was not in the possession of the public body on 1 March 2009.

Under the Regulations, a public body is permitted to use Irish only on headings of stationery and signage or, if it prefers, to use both of the State's official languages, Irish and English, for this purpose. But if it chooses the bilingual approach there are very clear criteria set out in relation to the manner in which that is operated. In summary, it is set out that:

- The text in the Irish language shall appear first.
- The text in the Irish language shall not be less prominent, visible or legible than the text in the English language.
- The lettering of the text in the Irish language shall not be smaller in size than the lettering of the text in the English language.
- The text in the Irish language shall communicate the same information as is communicated by the text in the English language.
- A word in the text in the Irish language shall not be abbreviated unless the word in the English language, of which it is the translation, is also abbreviated.

Certain exemptions are permitted in the Regulations and some of them were pertinent to this investigation. A public body is not required to translate from one official language to another official language in respect of the following matters:

- (i) a person's name
- (ii) a logo
- (iii) a brand name, or
- (iv) the name of a body (other than a public body).

It was apparent in the headings of stationery of the National University of Ireland, Maynooth, that it was in English only, insofar as concerned the name of the public body.

The heart of the matter in the case which the National University of Ireland, Maynooth put to the investigation concerned the definition of a logo and

le díolúine ó dhualgais reachtúla teanga a bhí daingnithe de 'lógó' i bhfo-alt 9(1)(b) de na Rialacháin chúí.

*"Ní ghlacann an Ollscoil leis go sáraíonn a cuid stáiseanóireachta na dualgais reachtúla maidir le húsáid teangacha oifigiúla. Is cúis imní don Ollscoil an chaoi a bhfuil an cheist curtha, sa mhéid is go dtéann sé chun dochair do sheasamh na hOllscoile. Is é seasamh na hOllscoile nach 'ceannteideal' iad na focail atá ag barr stáiseanóireacht na hOllscoile agus atá faoi imscrúdú, ach gur bunchuid de lógó na hOllscoile iad."*

D'áitigh an Ollscoil go raibh díolúine ann ón riachtanas go gcaithfidh na focail a bheith sa dá theanga oifigiúla de bharr gur bunchuid den lógó iad. Thug an Ollscoil le fios gur thuig sí nár aontaigh Oifig an Choimisinéara Teanga lena seasamh gur bhunchuid de lógó na hOllscoile iad na focail *Maynooth University National University of Ireland Maynooth*, agus gurb é forléiriú na hOifige nach bhfuil aon díolúine i gceist i gcás ainm comhlachta phoiblí faoi Rialacháin 9(1)(b)(iv) agus nach raibh an ceannteideal stáiseanóireachta i gcomhréir le forálacha na Rialachán dá dheasca sin.

D'áitigh an Ollscoil gur seasamh earráideach, nach raibh aon bhonn dlí leis, an seasamh a bhí tógtha ag Oifig an Choimisinéara Teanga ina tuarascáil faireacháin agus san imscrúdú a rinneadh ar Ollscoil Luimnigh sa bhliain 2012.

Dhearbhaigh an Ollscoil go raibh sí go láidir den tuairim nár théacs neamhspleách a bhí sna focail *Maynooth University National University of Ireland Maynooth*, gur bhunchuid de 'lógó' na hOllscoile iad agus nach raibh forálacha Rialacháin 9(1)(b)(iv) ábhartha maidir leis an imscrúdú.

Thug an Ollscoil le fios go ndéanann sí ceiliúradh ar an teanga agus ar an luach a bhaineann léi, agus go gcuireann sí an teanga chun cinn.

Dúirt an Ollscoil go ndearna sí:

*"cinneadh straitéiseach nuair a bhí lógó nua á fhorbairt, lógó a dhéanann sainaithint ar an Ollscoil go Náisiúnta agus go hidirnáisiúnta, na focail 'Maynooth University' a chur san áireamh chun an Ollscoil a shainaithint agus a idirdhealú, chomh maith leis na focail 'National University of Ireland Maynooth' chun an nasc stairiúil atá*

the exemptions from statutory language obligations afforded to 'logos' in subsection 9(1) (b) of the relevant legislation.

*"The University does not accept that its stationery breaches the statutory obligations in respect of the use of the official languages. The manner in which the question is phrased is a matter of concern to the University, as it prejudices the University's stance. It is the University's contention that the words at the top of the University's stationery and which are being investigated are not 'headings', but that they are an integral part of the University's logo."* (Trans.)

The University argued that there was an exemption from the necessity to have the words in both official languages due to the fact that they were an integral part of the logo. The University advised that it understood that the Office of An Coimisinéir Teanga did not agree with its contention that the words *Maynooth University National University of Ireland Maynooth* were an integral part of its logo, and that it was the Office's interpretation that there is no exemption in respect of the public body's name under Regulation 9(1)(b)(iv) and that the headings of stationery were not in accordance with the provisions of the Regulations for that reason.

The University contended that the stance taken by the Office of An Coimisinéir Teanga in its monitoring report and in the investigation carried out on the University of Limerick in 2012 was an erroneous stance, with no legal basis.

The University confirmed that it was strongly of the opinion that the words *Maynooth University National University of Ireland Maynooth* were not independent text, that they were an integral part of the University's logo and that the provisions in Regulation 9(1)(b)(iv) were not pertinent to the investigation.

The University advised that it celebrates the language and the value that attaches to it, and that it promotes the language.

The University stated that it had made:

*"a strategic decision when a new logo was being developed, a logo which identifies the University both nationally and internationally, to include the words 'Maynooth University' to identify and differentiate the University, as well as the words 'National University of Ireland Maynooth' to maintain the historical link with the National*

*againn le hOllscoil na hÉireann a chaomhnú, agus le teachtaireacht a chur amach go hidirnáisiúnta gur chuid den chóras náisiúnta ollscoile muid. Toisc gur bunchuid dár lógó iad na focail seo, chreideamar nach raibh sé oiriúnach, indéanta nó riachtanach na focail a chur i láthair go comhuaineach sa dá theanga oifigiúil.”*

Thug sí le fios, áfach, toisc go bhfuil sí tiomanta do chur chun cinn na Gaeilge agus dá dualgais reachtúla, go raibh gach iarracht déanta aici an tsuntasacht chuí a thabhairt don Ghaeilge i ngach stáiseanóireacht agus i bhfeidhmeanna comhchosúla. Dúirt an Ollscoil gur cheart “a thabhairt faoi deara go bhfuil an téacs ar fad ar ár bpáipéar ceannteidil leagtha amach sa chaoi is go gcloíonn sé go hiomlán leis an Acht agus leis na Rialacháin, ainm agus seoladh na Roinne san áireamh mar aon le hainm na hOllscoile.

*Chomh maith leis sin,” a dúirt an Ollscoil, “i gcásanna ina bhféadfadh an lógó a bheith in úsáid leis féin, ar chlúdaigh fillteáin agus ar chlúdaigh litreacha mar shampla, choimisiúnaigh an Ollscoil cur chuige clóghrafach i leith na bhfocal ‘Ollscoil na hÉireann, Má Nuad Maynooth University’ lena chinntiú go mbeadh ainm na hOllscoile le feiceáil sa dá theanga oifigiúil ar an ábhar sin”.*

Chuir an Ollscoil samplaí, mar aon le cóip den cháipéis *Treoirilínte Féiniúlachta (Identity Guidelines)* ar fáil don imscrúdú mar chuid den ábhar tacaíochta a soláthraíodh. Thug an Ollscoil le fios gur lorg sí tuairim dhlíthiúil sheachtrach ar an ábhar. Níor cuireadh cóip den chomhairle dlí nó dearthóra a bhí ag an Ollscoil ar fáil mar thacaíocht leis an seasamh seo. Dhearbhaigh an Ollscoil d'Oifig an Choimisinéara Teanga go raibh an chomhairle dlí a cuireadh ar fáil don Ollscoil faoi phribhléid agus nach mbeadh sé oiriúnach í a roinnt le tríú páirtí.

Chreid an Ollscoil go raibh diolúine ag a lógó faoi na Rialacháin, agus thug sí le fios nach raibh sé i gceist aici a dearadh a athrú. Dúirt sí gur thuig sí gurbh é dearcadh Oifig an Choimisinéara Teanga gurb é an gnáth-shainmhíniú atá ar ‘lógó’ ná siombail, samhail, comhartha, dearadh nó léaráid phictiúrtha a úsáidtear chun aitheantas ar leith a éascú. Níor ghlac an Ollscoil leis gurb é sin an gnáth-shainmhíniú ar lógó – sainmhíniú, dar léi, a bhí i bhfad níos caoile ná an gnáth-shainmhíniú atá ann, sainmhíniú a dhéanadh leithcheal ar go leor lógónna, lógónna ina bhfuil focail

*University of Ireland, and to send out the message internationally that we are part of the national university system. As these words are an integral part of our logo, we believed that it was neither appropriate, feasible nor necessary to display the words simultaneously in both official languages.” (Trans.)*

It advised, however, that as it was committed to the promotion of Irish and to its legal obligations, that it had made every effort to give the appropriate prominence to Irish in all stationery and in similar functions. The University stated that it should “be noted that all the text on our headed paper is laid out in such a way as to comply fully with the Act and with the Regulations, the name and address of the Department as well as the name of the University.

*As well as that,” the University said, “in instances where the logo could be in use on its own, on file covers and on envelopes, for example, the University commissioned a typographical approach in respect of the words ‘Ollscoil na hÉireann, Má Nuad Maynooth University’ to ensure that the name of the University would be visible in both official languages on such material.” (Trans.)*

The University supplied samples, along with a copy of the document *Identity Guidelines*, as part of the supporting documentation made available to the investigation. The University advised that it had sought outside legal advice on the matter. Neither a copy of the legal advice nor the designer’s advice which the University had received were supplied in support of this stance. The University confirmed to the Office of An Choimisinéara Teanga that the legal advice which the University received was under privilege and that it would not be appropriate to share it with a third party.

The University believed that its logo had an exemption under the Regulations, and it advised that it did not intend to change the design. It stated that it understood that the view of the Office of An Coimisinéir Teanga was that the usual definition of a logo was a symbol, image, sign, design or pictorial graphic which is used to facilitate specific identification. The University did not accept that this was the usual definition of a logo – a definition, in its opinion, which was far narrower than the usual definition, a definition which would discriminate

amháin nó meascán d'fhocail agus de shiombailí. Dúirt an Ollscoil nach raibh aon bhonn dlí leis an sainmhíniú níos caoile agus gur tháinig sé salach ar an sainmhíniú dlíthiúil ar thrádmharcanna agus ar lógónna.

Is ceart a nótaíl nach luaitear 'trádmharc' go sainiúil mar ní a bhfuil díolúine geallta ina leith faoi na Rialacháin in Ionstraim Reachtuil 391 de 2008. Dá mba é toil an Aire díolúine a thabhairt do thrádmharc bheadh an méid sin curtha i gcrích sna Rialacháin.

Is fíor nach bhfuil sainmhíniú ar leith tugtha ar an bhfocal 'lógó' chun críche Acht na dTeangacha Oifigiúla ná sna Rialacháin atá déanta faoin Acht sin. Dá bhrí sin, is é an riail forléirithe go bhféachtar ar ghnáthbhí na bhfocal. Mar a luadh thuas, is é an gnáth-shainmhíniú atá ar lógó ná siombail, samhail, comhartha, dearadh nó léaráid phictiúrtha a úsáidtear chun aitheantas ar leith a éascú. Cé gur thug an Ollscoil le fios nár ghlac sí leis an sainmhíniú seo, ní raibh á tairiscint aici mar mhalairt ach an sainmhíniú dlíthiúil ar thrádmharc, rud nach ionann agus lógó.

In Acht na dTrádmharcanna, 1996 (Uimhir 6) is ionann 'trádmharc' agus *"any sign capable of being represented graphically which is capable of distinguishing goods or services from one undertaking from those of other undertakings."* I bhfo-alt (2) d'alt 6 den Acht sin, deirtear: *"a trade mark may, in particular, consist of words (including personal names), designs, letters, numbers or the shape of goods or their packaging."*

Ní luaitear 'lógó' in Acht an dTrádmharcanna ná an focal 'trádmharc' in Acht na dTeangacha Oifigiúla ná sna Rialacháin atá déanta faoin Acht sin. Ba é an dualgas a bhí ormsa ná feidhm a thabhairt do mhír 7(2) de I.R. 391 de 2008, arna tabhairt ag an Aire de bhua na gcumhachtaí a tugadh dó le hailt 4(2) agus 9(1) d'Acht na dTeangacha Oifigiúla, 2003.

Fiú dá ngéillfí go raibh tréithe áirithe comónta ag 'lógó' agus ag 'trádmharc', níorbh ionann cuspóir an dá Acht a bhí i gceist – Acht na dTrádmharcanna, 1996 agus Acht na dTeangacha Oifigiúla, 2003.

Is ceart maoine é trádmharc cláraithe faoi alt 7 d'Acht na dTrádmharcanna agus is féidir pé buntáiste a bhaineann leis a chosaint le caingean dlí, más gá. Baineann Acht na dTeangacha Oifigiúla le dualgais ar leith a leagtar ar chomhlachtaí poiblí maidir le húsáid na dteangacha oifigiúla. Ó tharla gur comhlacht poiblí í Ollscoil na hÉireann, Má Nuad dúisíodh

against a lot of logos, logos containing one word or logos which were a mix of words and symbols. The University stated that there was no legal basis for the definition and that it fell foul of the legal definition of trademarks and logos.

It should be noted that 'trademark' is not specifically mentioned as an item to which an exemption is afforded under the Regulations in Statutory Instrument 391 of 2008. If it was the Minister's wish to grant an exemption to trademarks, that would have been dealt with in the Regulations.

It is true that there is no particular definition of the word 'logo' for the purposes of the Official Languages Act or in the Regulations made under that Act. The interpretative rule is, therefore, that one looks to the usual meaning of the words. As was mentioned above, the usual definition of 'logo' is a symbol, image, sign, design or pictorial graphic which is used to facilitate specific identification. Although the University stated that it did not accept this definition, the only alternative it offered was the legal definition of a trademark, which is not the same as a logo.

In the Trade Marks Act 1996 (Number 6), 'trade mark' is defined as *"any sign capable of being represented graphically which is capable of distinguishing goods or services from one undertaking from those of other undertakings"*. Subsection (2) of section 6 of the Act states: *"a trade mark may, in particular, consist of words (including personal names), designs, letters, numbers or the shape of goods or their packaging."*

The word 'logo' is not mentioned in the Trade Marks Act nor are the words 'trade mark' mentioned in the Official Languages Act or in the Regulations made under that Act. I was obliged to give effect to section 7(2) of S.I. 391 of 2008, given by the Minister under the powers vested in him in subsections 4(2) and 9(1) of the Official Languages Act 2003.

Even if it were conceded that there are certain common elements between 'logo' and 'trade mark', the aims of the two relevant Acts – the Trade Marks Act 1996 and the Official Languages Act 2003 – are not the same.

A registered trade mark is a property right under section 7 of the Trade Marks Act and any advantage that attaches to it can be defended with an action at law, if necessary. The Official Languages Act relates to specific obligations which are placed on public bodies in respect of the use of the official languages. As the National University of Ireland, Maynooth is a public body, the question arose as to whether



an cheist ar éirigh coimhlint áirithe idir úsáid ainm na hOllscoile mar mharc aitheantais agus a úsáid i gcomhréir leis na forálacha a leagtar síos i mír 7 de na Rialacháin faoi Acht na dTeangacha Oifigiúla. Ba cheist forléirithe reachtúil í sin.

An phríomhriail forléirithe a úsáidtear ná an riail liteartha, is é sin cad is ciall leis an reacht ó thaobh ghnáthbhrí na bhfocal de? Tá riail thánaisteach ann, a láidriodh le halt 5 den Acht Léiriúcháin, 2005, lena bhfiafraítear cad is ciall leis an reacht i gcomhthéacs a chuspóra de? Mhaígh Ollscoil na hÉireann, Má Nuad gur díolúine ghinearálta atá i Rialachán 9(1)(b)(ii) maidir le lógó. Bheadh de thoradh ar an tuiscint sin go bhféadfadh comhlacht poiblí ar bith éalú ón bhfeidhm is cuspóir don fhoráil i bhfo-alt 7(2) de na Rialacháin ach ainm an chomhlachta phoiblí a fhógairt mar lógó i mBéarla amháin, cuirim i gcás, nó an t-ainm i mBéarla a bheith ar dtús ann agus an téacs i nGaeilge sa dara háit nó i litreacha níos lú, etc. Faoi léirmhíniú sin bheadh d'éifeacht ag an bhforáil i bhfo-alt 9(1)(b)(ii) an éifeacht atá le bheith le fo-alt 7(2) de na Rialacháin chéanna a chealú agus d'fhéadfadh gnéithe lárnacha de cheanntaidil stáiseanáireachta agus de chomharthaíocht chomhlachtaí poiblí na tíre a bheith i mBéarla amháin fad is go rabhthas ag maíomh gur 'lógónna' a bhí iontu.

I bhfocail eile, seachas "úsáid na Gaeilge a chur chun cinn chun críoch oifigiúil sa stát" agus chun "socrú a dhéanamh maidir le dhá theanga oifigiúla an stáit a úsáid ... le linn obair comhlachtaí poiblí a dhéanamh" bheadh treisiú á dhéanamh sna Rialacháin seo ar cheart comhlachtaí poiblí an Béarla amháin a roghnú chun na gcríoch seo nó, ar a laghad, an Ghaeilge a fhágáil in áit na leathphingine sna cúrsaí seo. B'ionann sin agus a rá gur cuireadh an díolúine isteach ar mhaithe leis an bhforáil i bhfo-alt 7(2) de na Rialacháin a chealú ó thaobh feidhme agus éifeachta de. Mar a dúradh le linn an imscrúdaithe i gcás Ollscoil Luimnigh, toradh áiféiseach a bheadh ina leithéid agus ní féidir géilleadh gurbh é sin an cuspóir a bhí ag an Aire a thug na Rialacháin faoina láimh.

Anuas air sin, is díol spéise na díolúintí a áirítear faoi fho-alt 9(1)(b) de na Rialacháin; tugtar faoi deara:

*"(iv) ainm comhlachta (seachas comhlacht poiblí)".*

Má tugadh díolúine i gcás ainm comhlachta, rinneadh eisceacht i gcás ainm comhlachta phoiblí.

a certain conflict arose as to the use of the name as a mark of recognition and its use in accordance with the provisions set down under section 7 of the Regulations under the Official Languages Act. That was a question of legal interpretation.

The main interpretative rule used is the literal rule, namely what is the meaning of the statute based on the usual meaning of the words? There is a secondary rule, which was strengthened by section 5 of the Interpretation Act 2005, where it is asked what the meaning of the statute is in the context of its purpose. The National University of Ireland, Maynooth, contended that the exemption in Regulation 9(1)(b)(ii) in relation to logos was a general one. The result of that understanding would be that any public body could escape the function which is the purpose of the provision in subsection 7(2) by simply claiming that the name of the public body was a logo in English only, for example, or by having the name in English first and the text in Irish in second place, or in smaller lettering, etc. The consequence of that interpretation of the provision in subsection 9(1)(b)(ii) would be in effect to nullify subsection 7(2) of the same Regulations, and central elements of the headings of stationery and signage of the country's public bodies could be in English only as long as it was claimed that they were logos.

In other words, instead of promoting "*the use of the Irish language for official purposes in the state*" and to "*provide for the use of both official languages ... in carrying out the work of public bodies*" as is the objective of the Act, the Regulations would be strengthening the right of public bodies to use English only for this purpose, or, at the very least, to leave Irish in a subsidiary position in these matters. That would be equivalent to saying that the exemption had been inserted in order to nullify subsection 7(2) of the Regulations in both aim and effect. That, as was stated during the investigation in the case of the University of Limerick, would produce an absurd result and it could not be conceded that that was the objective of the Minister under whose hand the Regulations were given.

In addition, the exemptions granted under subsection 9(1)(b) of the Regulations are of interest; it is noted:

*"(iv) the name of a body (other than a public body)".*

If an exemption was granted in the case of the name of a body, an exception was made in the case of a public body's name.



Ba léir, agus na Rialacháin seo á ndréachtú, go raibh dealú soiléir á dhéanamh idir ainm comhlachta phoiblí agus lógó. Mar thoradh ar an bhforáil shonrach sin ní féidir an riachtanas teanga a bhaineann le léiriú ainm comhlachta phoiblí a chur go leataobh trína mhaíomh go bhfuil sé cuimsithe ag an díolúine a ghabhann le lógó.

Bhí ábhar an imscrúdaithe seo agus na léirmhínte dlíthiúla a bhaineann leis cosúil go maith le himscrúduithe a rinneadh roimhe seo ar Ollscoil Luimnigh agus ar Oifig na nOibreacha Poiblí. I gcroílár na hargóna bhí an díolúine atá tugtha sna Rialacháin d'úsáid lógó agus ag an am céanna an ceangal a bhaineann le hainm comhlachta phoiblí a bheith léirithe ar cheannteideal stáiseanóireachta i nGaeilge nó sa dá theanga oifigiúla. Ní fhoráiltear sna Rialacháin d'aon ní a cheadaíonn úsáid ainm comhlachta phoiblí ábhartha i mBéarla amháin.

Mhol an t-imscrúdú go leasódh Ollscoil na hÉireann, Má Nuad ceanteidil stáiseanóireachta na heagraíochta le cloí leis na forálacha reachtúla, agus gan dochar don dualgas láithreach a chonacthas don imscrúdú a bheith i gceist anseo, go dtabharfaí faoin leasú seo a thabhairt i bhfeidhm nuair a bheadh an chéad stoc eile stáiseanóireachta á ordú ag an gcomhlacht poiblí le cinntiú go n-ídeofaí go cuí an stoc reatha stáiseanóireachta agus gur ar chostas ar bhonn nialasach a thabharfaí an t-athrú i bhfeidhm.

Moladh chomh maith dá mbeadh ainm an chomhlachta phoiblí le húsáid ar chomharthaí a chuirfeadh an comhlacht in airde, go gcinnteofaí go mbeidís i gcomhréir leis an reachtaíocht.

**Imscrúdú seolta:** 6 Bealtaine 2016  
**Tuarascáil eisithe:** 18 Samhain 2016

## COMHAIRLE CONTAE DHÚN LAOGHAIRE–RÁTH AN DÚIN

Léirigh imscrúdú gur sháraigh Comhairle Contae Dhún Laoghaire–Ráth an Dúin an dualgas reachtúil teanga atá daingnithe i bhfo-alt 18(1) d'Acht na dTeangacha Oifigiúla, 2003 maidir le cur i bhfeidhm a scéime teanga chomh fada is a bhain sé le mír shonraithe den scéim sin i dtaca le comharthaí agus ainmplátaí sráide.

I mí an Mheithimh 2015 rinne duine den phobal gearán le m'Oifig go raibh teagmháil déanta aige leis an gComhairle i dtaca le comharthaíocht agus le hainmplátaí sráide a raibh logainmneacha míchruinne orthu i gceantar

It was apparent that, while these Regulations were being drafted, a clear differentiation was made between the name of a public body and a logo. As a result of that specific provision, the language requirements pertaining to the display of the name of the public body cannot be set aside by claiming that it is encompassed by the exemption for logos.

The subject of this investigation and the legal interpretations pertaining to it were very similar to investigations which were previously carried out on the University of Limerick and the Office of Public Works. The exemption given to the use of a logo in the Regulations at the same time as the binding obligation which relates to the name of a public body being displayed on headings of stationery in Irish only or bilingually was at the heart of the matter. There is no provision made in the Regulations to allow for the use of the name of the relevant public body in English only.

The investigation recommended that the National University of Ireland, Maynooth amend the organisation's stationery headings to comply with the statutory provisions, and without prejudice to the immediate obligation that was apparent to the investigation existed in this case, that this amendment be executed when stationery was next being ordered by the public body, to ensure the current stock is exhausted and that the change will be made at zero cost.

It was also recommended that if the name of the public body is to be utilised on signs which are to be erected by the body, that it is ensured that they are in compliance with the legislation.

**Investigation launched:** 6 May 2016  
**Report issued:** 18 November 2016

## DÚN LAOGHAIRE–RATHDOWN COUNTY COUNCIL

An investigation found that Dún Laoghaire–Rathdown County Council was in breach of the statutory language provision enshrined in subsection 18(1) of the Official Languages Act 2003, in respect of the implementation of its language scheme, insofar as it concerned a specified section of that scheme, in respect of signs and nameplates of streets.

A member of the public made a complaint to my Office in June 2015 that he had contacted the Council in respect of signs and street nameplates in the Council's functional area which contained incorrect

feidhme na Comhairle i mí na Nollag 2013 agus arís i mí na Bealtaine agus i mí an Mheithimh 2015 agus nach raibh aon fhreagra faighte aige ón gComhairle ina leith.

Tá gealltanais de chuid chéadscéim teanga na Comhairle lena ndearbhaítear go ndéanfaí athbhreithniú ar na hainmneacha bóthair agus ar na hainmneacha sráide go léir faoi dheireadh na scéime trí bliana, a tháinig i bhfeidhm ar an 1 Iúil 2007, agus go leagfaí amach clár chun an leagan cruinn Gaeilge a chur ar an gcomharthaíocht fad a bhí an scéim ar siúl. Is mar seo a leanas atá an mhír sin den scéim:

*“3.4 Gníomhartha Molta i ndáil le Logainmneacha Beidh athbhreithniú déanta ar na hainmneacha bóithre go léir agus ar chomharthaíocht sráide faoi dheireadh na Scéime seo.*

*Aithníonn an Chomhairle a thábhachtaí is atá sé a chinntiú go mbeadh an leagan cruinn Gaeilge de na hainmneacha Sráide agus de na Logainmneacha go léir ar an gcomharthaíocht bhóithre.*

*Chuige sin ullmhófar Eolaire cuimsitheach ina mbeidh an leagan cruinn Gaeilge d'ainmneacha na Sráideanna /Logainmneacha go léir sa Chontae.*

*Leagfar amach clár chun an leagan cruinn Gaeilge de na Sráidainmneacha/Logainmneacha a chur ar an gcomharthaíocht bhóithre fad is a bheidh an scéim ar siúl.”*

De réir fho-alt 18(1) d'Acht na dTeangacha Oifigiúla, 2003, tá dualgas ar chomhlachtaí poiblí a chinntiú go rachfar ar aghaidh le scéim teanga atá daingnithe faoin Acht seo a chur i gcrích.

I bhfreagra a d'eisigh an Chomhairle chuig an ngearánach ar an 20 Samhain 2015, ar cuireadh cóip de ar fáil don Oifig seo, tugadh le fios nach ndearnadh cigireacht go dtí seo ar na saincheistanna a ardaíodh faoi ainmchláir a bhí sna láithreacha éagsúla sa chomhfhreagras ón ngearánach. Dúradh chomh maith go gcaithfí tuilleadh machnaimh a dhéanamh ar an bpríomhcheist a tharraing an gearánach anuas, is é sin an bhféadfaí athbhreithniú a dhéanamh ar na hainmchláir go léir sa chontae d'fhonn aon saincheistanna a d'éireodh as a cheartú, mar go raibh impleachtaí beartaís agus acmhainní i gceist léi.

Rinne m'Oifig gach iarracht an cheist seo a réiteach leis an gComhairle tríd an bpróiseas neamhfhoirmiúil imscrúdaithe ach níor éirigh leis na hiarrachtaí sin. Ní raibh de rogha agam, mar sin, ach imscrúdú foirmiúil

placenames in December 2013 and again in May and June 2015, but that he had not received any response from the Council.

An undertaking of the Council's first language scheme commits to a review of all the road and street names taking place by the end of the three year scheme, which came into effect on 1 July 2007, and to putting a programme in place to put the correct Irish version of the name on all signage whilst the scheme was in effect. The relevant section of the scheme is as follows:

*“3.4 Proposed Actions in Relation to Placenames By the end of this Scheme, all road names and street signage will be reviewed.*

*The Council recognises the importance of ensuring that the correct Irish version of all Street and Place names appears on road signage.*

*With this in mind a comprehensive Directory of all Street/Place names in the County will be prepared with the correct Irish version.*

*A programme will be drawn up to replace road signage with the correct Irish version of Street/Place names during the period of the scheme.”*

Subsection 18(1) of the Official Languages Act places an obligation on public bodies to proceed with the implementation of a language scheme confirmed under this Act.

In a response issued by the Council to the complainant on 20 November 2015, a copy of which was provided to this Office, he was advised that no inspection had yet taken place in respect of the issues which were raised about the nameplates at the various locations in the correspondence from the complainant. It was also stated that further reflection was required on the main issue raised by the complainant, that is to say whether all nameplates in the county could be reviewed in order to facilitate the correction of any issues that would arise, as this would have policy and resource implications.

My Office made every effort to resolve this matter with the Council through the informal investigative process it operates, but those efforts proved unsuccessful. I had no option, therefore, but to launch a formal investigation in accordance with the

a sheoladh faoi réir na ndualgas atá orm agus na gcumhachtaí atá tugtha dom go reachtúil.

Ina freagra ar an imscrúdú, thug an Chomhairle le fios nach raibh Oifigeach Gaeilge aici mar go raibh lánchosc ar earcaíocht ó chuaigh an tOifigeach Gaeilge a bhí ann ar scor, agus gur tháinig laghdú ar na hacmhainní a cheadódh an tiomantas an scéim a chur i bhfeidhm.

Dhearbhaigh an Chomhairle go raibh *“tiomantas sa Scéim Teanga 2007-2010 d’athbhreithniú a dhéanamh ar na comharthaí bóthair agus sráide go léir agus níl an tiomantas seo atá sa Scéim á chomhlíonadh ag an gComhairle.”*

Gabh an Chomhairle leithscéal as an moill ag tabhairt faoin ábhar seo, agus dúirt:

*“...tháinig laghdú ar na hacmhainní a cheadódh an tiomantas seo sa Scéim a chur i ngníomh ó bhí an cor chun donais i gcúrsaí airgeadais ann. D’fhág sé seo, mar aon leis an lánchosc earcaíochta a bhí ann tar éis don Oifigeach Gaeilge a bhí againn dul ar scor, nach raibh ar chumas na Comhairle an tiomantas seo a chur i gcrích.”*

Thug an Chomhairle le fios go raibh sí tar éis teacht ar aontú le Rannóg Iompair na Comhairle go dtabharfaí faoi athbhreithniú iomlán ar an gcomharthaíocht bhóthair agus go mbeadh sí ag tabhairt faoi phróiseas tairisceana chun an t-athbhreithniú sin a chur amach ar conradh.

Níor cuireadh aon cháipéisí tacaíochta ar fáil ná ní dhearnadh aon tagairt don chuid eile den mhír sin den scéim teanga, ina ndeirtear go leagfar amach clár chun an leagan cruinn Gaeilge de na sráidainmneacha / logainmneacha a chur ar an gcomharthaíocht bhóthair fad a bheidh an scéim ar siúl.

D’admhaigh an Chomhairle don imscrúdú gur theip uirthi na gealltanais áirithe seo a bhí déanta ina scéim teanga a chur i bhfeidhm. Faoin tráth a raibh an tuarascáil imscrúdaithe á hullmhú bhí moltaí déanta ag an gComhairle chun athbhreithniú a dhéanamh ar an gcomharthaíocht ina ceantar feidhme ach ní raibh aon socrú cinnte déanta go fóill chun aghaidh a thabhairt ar cheartú na gcomharthaí míchruinne.

Ba léir don imscrúdú go raibh cur i bhfeidhm na scéime ag brath den chuid is mó ar Oifigeach Gaeilge a bheith ar fáil don Chomhairle. Gan ról leanúnach comhordaithe, tacaíochta agus monatóireachta an Oifigigh Gaeilge ba léir nach raibh comhlíonadh na ndualgas reachtúil faoi Acht na dTeangacha Oifigiúla ag fáil na hairde a bhí de dhíth.

duties imposed upon me and the statutory powers granted to me.

In its response to the investigation, the Council advised that it had no Irish Language Officer as there was an embargo on recruitment since the previous Officer retired, and that there was a reduction therefore in the resources which would enable the scheme to be executed.

The Council confirmed that there was an *“undertaking in the 2007-2010 Language Scheme to review all the road and street signs and that this undertaking was not being fulfilled by the Council.”* (Trans.)

The Council apologised for the delay in dealing with this matter, and continued:

*“...there was a reduction in the resources which would allow this undertaking in the scheme to be executed since the economic downturn. This, together with the embargo on recruitment which was in place after the Irish Language Officer retired, left that the Council was not in a position to fulfil this undertaking.”* (Trans.)

The Council advised that it had come to an arrangement with the transport division of the Council that a complete review of road signage would be undertaken and that it would be undertaking a tendering process to put this review out to contract.

No supporting documents were supplied nor was any mention made of the other part of that section of the language scheme, which states that a programme will be set out to put the correct Irish version of the streetnames/placenames on road signage while the scheme is in effect.

The Council admitted to the investigation that it had failed to implement these particular commitments which were made in the scheme. By the time the report on the investigation was being prepared proposals had been made to review the signage in the Council’s functional area but no definite arrangements had been made as yet to deal with the issue of correcting the inaccurate signage.

It was apparent to the investigation that the implementation of the scheme was dependent for the most part on an Irish Language Officer being available to the Council. Without the constant coordinating, supporting and monitoring role of the Irish Language Officer it was apparent that the fulfilment of the statutory obligations under the Official Languages Act were not getting due attention.

Tugadh léargas ar leith ar an gceist seo sa fhreagra ar an dréacht-tuarascáil a chuir an Chomhairle faoi bhráid an imscrúdaithe, nuair a dearbhaíodh go raibh an t-athbhreithniú a bhí geallta sa scéim teanga déanta, agus go raibh toradh na hoibre sin foilsithe in *Eolaire Sráidainmneacha agus Logainmneacha Dhún Laoghaire/Ráth an Dúin*, atá ar fáil ar shuíomh gréasáin na Comhairle. Rinneadh an obair sin agus foilsíodh an leabhrán le linn thréimhse an Oifigigh Gaeilge a bhí fostaithe ag an gComhairle. Ba léir, áfach, gur tháinig lúb ar lár nuair a d'éirigh an tOifigeach Gaeilge as, agus nár cuireadh i bhfeidhm an chuid eile den mhír scéime sin, ab ábhar don imscrúdú: *“Leagfar amach clár chun an leagan cruinn Gaeilge de na Sráidainmneacha / Logainmneacha a chur ar an gcomharthaíocht bhóithre fad is a bheidh an scéim ar siúl.”*

Ba é cinneadh an imscrúdaithe gur sháraigh an Chomhairle Contae na gealltanais ábhartha a rinneadh sa scéim teanga. Mhol an t-imscrúdú go gcuirfí na gealltanais sin i bhfeidhm anois gan a thuilleadh moille agus go leagfaí plean forfheidhmithe faoi bhráid na hOifige seo laistigh de thrí mhí ó dháta na tuarascála. Moladh freisin go gcuirfí córas cuí ar bun chun déileáil go tráthúil le gearáin ón Oifig seo nó ó dhaoine den phobal i dtaca le húsáid na dteangacha oifigiúla.

**Imscrúdú seolta:** 13 Aibreán 2016

**Tuarascáil eisithe:** 23 Samhain 2016

## COMHAIRLE CONTAIE NA GAILLIMHE

Léirigh imscrúdú nár sháraigh Comhairle Contae na Gaillimhe na dualgaí reachtúla teanga atá leagtha amach sa *Lámhleabhar do Chomharthaí Tráchtá* nuair a chuir eagraíocht phríobháideach comhartha, a bhí ag tabhairt treoir do thrácht, in airde i gceantar Gaeltachta, i mBéarla amháin (seachas an logainm Gaeltachta). Cinneadh nach raibh aon sárú déanta ag an gComhairle Contae ar reachtaíocht teanga ó tharla nach raibh aon chead tugtha aici don ghnólacht príobháideach na comharthaí seo, a raibh a macasamhail curtha in airde i gceantair eile ar fud an chontae, a chur in airde.

Mar an t-údarás bóithre cuí bhí de chumhacht ag Comhairle Contae na Gaillimhe gníomh a ghlacadh i leith aon chomharthaí neamhúdairithe a bhí curtha in airde. Ghlac an Chomhairle gníomh i leith na gcomharthaí ab ábhar don imscrúdú ach tharla sin ag tráth nach raibh feidhm leo a thuilleadh.

A particular insight into this matter was given in the response to the draft report which the Council placed before the investigation, where it was confirmed that the review promised in the scheme had been done and that the result of that work was published in the *Directory of Streetnames and Placenames of Dún Laoghaire/Rathdown* which is available on the Council's website. That work was done and the booklet was published during the tenure of the Irish Language Officer who had been employed by the Council. It was apparent, however, that a loophole arose when the Irish Language Officer retired, and that the rest of that section of the scheme, which was the subject of the investigation, was never implemented: *“A programme will be drawn up to replace road signage with the correct Irish version of Street/Place names during the period of the scheme.”*

It was the decision of the investigation that the County Council breached the relevant commitments which were made in the language scheme. The investigation recommended that those commitments be implemented now without further delay and that an implementation plan be submitted to this Office within three months of the date of the investigation report. It was also recommended that a system be put in place to deal in a timely fashion with complaints from this Office or from members of the public in respect of the use of the official languages.

**Investigation launched:** 13 April 2016

**Report issued:** 23 November 2016

## GALWAY COUNTY COUNCIL

An investigation found that Galway County Council did not breach the statutory language obligations set out in the *Traffic Signs Manual* when a private organisation erected a sign in English only (except for the Gaeltacht placename), which was giving directions to traffic, in a Gaeltacht area. It was decided that the Council had not breached language legislation as it had not given permission to the private body to erect this sign, of which similar versions were erected in other areas throughout the county.

As the appropriate roads authority Galway County Council had the power to take action in respect of any unauthorised signs which were erected. The Council took action in respect of the signs which were the subject of the investigation but at a time when they no longer had any effect.

Rinneadh gearán le m'Oifig maidir le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomhartha a bhí curtha in airde ag gnólacht príobháideach ar bhóthar poiblí i nGaeltacht na Gaillimhe i dtaca le rás bóthair.

Ba chás leis an ngearánach go raibh comhartha i mBéarla amháin (seachas an logainm Gaeltachta) curtha in airde i gceantar feidhme na Comhairle agus gur chosúil gur comhartha tráchta a bhí i gceist. Cinnte, bhí an dearadh ar chuid áirithe den chomhartha i gcomhréir leis an dearadh cuí sa *Lámhleabhar do Chomharthaí Tráchta*, agus is ag tabhairt treoir do thiománaithe a bhí an chuid sin den chomhartha. Ba léir freisin go raibh an chuid sin den chomhartha frámaithe ag eolas bolscaireachta agus poiblíochta a bhain leis an rás. Chiallaigh sé seo go raibh dhá chomhartha in úsáid laistigh de struchtúr fisiciúil comhartha amháin, ceann a bhí i bhformáid comhartha tráchta agus ceann eile mar chomhartha eolais ag poiblíú an imeachta.

Tharraing m'Oifig an cheist anuas leis an gComhairle Contae ar bhonn neamhfhoirmiúil ach níor éirigh leis an bpróiseas sin an cheist a réiteach.

Tá dualgais reachtúla i bhfeidhm faoi úsáid na Gaeilge ar chomharthaí tráchta bóthair atá déanta faoi rialacháin agus ordacháin faoi fho-alt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961. Tá na dualgais sin daingnithe sa *Lámhleabhar do Chomharthaí Tráchta* agus is achtacháin iad na rialacháin agus na hordacháin thuasluaite chun críche fho-alt 21 (f) d'Acht na dTeangacha Oifigiúla. Caithfidh údaráis bóithre na tíre cloí leis na dualgais sin agus a chinntiú go gcloíonn aon chomhartha tráchta a chuirtear in airde ina gceantar feidhme leo. Is faoi réimse údaráis agus cumhachta an údaráis bóithre atá sé aon chomharthaí neamhghéilliúla a bhaint anuas. Tá dualgais reachtúla eile i bhfeidhm i gcás na Comhairle faoi úsáid na Gaeilge agus an Bhéarla ar chomharthaí nach comharthaí tráchta iad de bharr gealltanais atá áirithe ina scéim teanga reachtúil, atá daingnithe ag an Aire Ealaíon, Oidhreachta, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta. Is mar seo a leanas atá an mhír sin den scéim:

*"Is i nGaeilge amháin a bheidh aon chomharthaíocht a éilíonn cead ón gComhairle lena chur suas sa Ghaeltacht."*

De réir fho-alt 18(1) d'Acht na dTeangacha Oifigiúla, 2003, tá dualgas ar chomhlachtaí poiblí a chinntiú go rachfar ar aghaidh le scéim teanga atá daingnithe faoin Acht seo a chur i gcrích.

A complaint was made to my Office in respect of the use of the official languages, Irish and English, on a sign relating to a road race which had been erected by a private company on a public road in the Galway Gaeltacht.

It was of concern to the complainant that a sign in English only (with the exception of the Gaeltacht placename) had been erected in the Council's functional area and that it appeared to be a traffic sign. The design of a particular part of the sign was certainly in accordance with the appropriate design in the Traffic Signs Manual, and that part of the sign was giving directions to traffic. It was also apparent that this part of the sign was framed by publicity information pertaining to the race. This meant that two signs were in use within the physical structure of one sign, one of which was in the format of a traffic sign and the other an information sign publicising the event.

My Office raised the matter with the County Council on an informal basis but that process did not succeed in resolving the issue.

There are statutory obligations in effect concerning the use of Irish on road traffic signs which are made under regulations and orders under subsections 95(2) and 95(16) of the Road Traffic Act 1961. Those obligations are confirmed in the *Traffic Signs Manual* and the above-mentioned regulations and orders are enactments for the purposes of subsection 21(f) of the Official Languages Act. The country's roads authority's must adhere to those obligations and ensure that all road signs erected within their jurisdiction adhere to them. It is within the remit of the road authorities' power and authority to remove any non compliant signs. There are other statutory obligations in effect in the Council's case concerning the use of Irish and English on signs which are not traffic signs as a result of a commitment in its statutory language scheme, which has been confirmed by the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. The relevant section of the scheme is as follows:

*"Any signage which requires permission from the Council to be erected in the Gaeltacht will be in Irish only."*

Under subsection 18(1) of the Official Languages Act 2003, public bodies are obliged to ensure that they proceed with the implementation of a language scheme that is confirmed under this Act.

Sa chéad fhreagra a thug an Chomhairle ar an imscrúdú, thug sí le fios go bhfuair sí fógra ó lucht eagraithe an rása ar an 2 Márta 2015 ag iarraidh go dtabharfaí an cúrsa rása san áireamh agus iad ag pleanáil oibreacha bóithre. Dúirt an Chomhairle nár cuireadh aon iarratas chuici ag iarraidh cead comharthaí a chur in airde, cé go raibh sé ráite san fhógra go mbeadh feachtas eolais ann go háitiúil.

Mhínigh an Chomhairle go gcuirtear in iúl d'iarratasóirí a lorgaíonn cead comharthaíocht a thógáil i dtaca le himeacht go gcaithfidh gach comharthaíocht sa Ghaeltacht a bheith i nGaeilge amháin nó i bhformáid phictiúrtha.

Bhí an méid seo le rá ag an gComhairle i gcás an chomhartha áirithe a ndearnadh gearán ina leith:

*"Nuair a fuair Comhairle Chontae na Gaillimhe amach faoi an gcomhartha, bhí socruithe á dhéanamh, ag leibhéal áitiúil an comhartha a thógáil síos, lastaigh acmhainní a bhí aige, ach bhí an comhartha tógtha roimh a d'éirigh leis an gComhairle é seo a dhéanamh."*

Thug an Chomhairle le fios go raibh sí i dteagmháil le lucht eagraithe an rása ag comhairliú dóibh gur den riachtanas é teagmháil a dhéanamh leis an gComhairle ag lorg cead comharthaíocht a thógáil agus go bhfuil riachtanais ar leith ann go mbeadh comharthaí sa Ghaeltacht i nGaeilge amháin nó i bhformáid phictiúrtha. Cuireadh cóip den litir sin ar fáil don imscrúdú.

Chuir an Chomhairle in iúl don imscrúdú go raibh sí ag cur le chéile Foirm Iarratais Ceadú Bainistíocht Imeachtaí, agus go mbeadh sé ina riachtanas ag gach lucht eagraithe an fhoirm a líonadh agus a sheoladh chuig an gComhairle le faomhadh roimh an imeacht.

Scríobh mé arís chuig an gComhairle, agus bhí an méid seo a leanas le rá ag an gComhairle ina freagra:

*"Níor déanadh aon iarratas oifigiúil ar an rása a reáchtáil agus ní gá a dhéanamh ó tharla nach raibh an bóthar dhá dhúnadh ag an gComhairle faoi Acht na mBóithre."*

Dhearbhaigh an Chomhairle nach raibh aon chóras caighdeánach i bhfeidhm aici ach go gcuirtear iarratasóirí i dteagmháil leis an innealtóir ceantair agus go bhféadfadh i gcásanna áirithe go mbeadh cead pleanála de dhíth. Thug an Chomhairle le fios go raibh cumarsáid teileafóin i gceist le heagraí áitiúil an rása ar an 22 Aibreán agus arís ar an 27 nó 28 Aibreán, agus gur cuireadh in iúl don eagraí go gcaithfí "láithreacha agus leagan amach na

In the Council's first response to the investigation, it advised that it received notice from the race organisers on 2 March 2015 asking it to take the race course into account when planning road works. The Council said no application was made to it requesting permission to erect signs, although it was mentioned in the notice that a local information campaign would take place.

The Council explained that applicants who request permission to erect signs for an event are informed that all signage erected in Gaeltacht areas must be in Irish or in picture format.

The Council had this much to say in relation to the particular sign about which a complaint was made:

*"When the Council found out about the sign, arrangements were made at local level to remove the sign, within the resources available to it, but the sign was removed before the Council managed to do so." (Trans.)*

The Council advised that it had been in contact with the race organisers advising them that it was essential that contact be made with the Council to seek permission to erect signs and that there is a particular requirement that signs in the Gaeltacht are in Irish only or in picture format. A copy of that letter was provided to the investigation.

The Council informed the investigation that it was putting together an Application Form to Permit Event Management and that it would be a requirement for every organiser to complete the form and submit it to the Council for approval prior to the event.

I wrote again to the Council, which responded as follows:

*"No official application was made to organise the race and there was no need to do so as the road was not being closed by the Council under the Roads Act." (Trans.)*

The Council confirmed that it had no standard system in effect but that applicants are put in touch with the area engineer and that in certain instances planning permission may be required. The Council advised that there was telephone contact with the local race organiser on 22 April and again on 27 or 28 April, and that the organiser was informed that "locations and layouts of the signs must be submitted to the Area Office before permission may be granted."



*gcomharthaí a chuir ar fáil don Oifig Ceantair sul má d'fhéadfaí aon chead a thabhairt.” Dhearbhaigh an Chomhairle nár tugadh cead na comharthaí a bhí faoi chaibidil san imscrúdú a chur in airde.*

Mheas an Chomhairle ón eolas is fearr a bhí aici gur le linn na seachtaine dar tús an 4 Bealtaine 2015 a cuireadh ar an eolas í faoin gcomhartha a bhí faoi chaibidil sa ghearán, agus gur baineadh anuas é ar an 20 nó an 21 Bealtaine. Thug sí le fios go raibh cás an chomhartha curtha le liosta oibre na buíne áitiúla oibre nuair a bheidís sa cheantar arís agus nuair a bheadh oibreacha eile le déanamh acu.

Níor ghlac an Chomhairle leis go raibh eilimint de chomharthaí bóthair (a thagann faoin *Lámhleabhar do Chomharthaí Trácht*) i gceist le roinnt de na comharthaí a cuireadh in airde.

Dhearbhaigh an Chomhairle nach raibh aon chinneadh déanta fós i dtaca le leagan amach na foirme larratais Ceadú Bainistíocht Imeachtaí, a bhí luaite ina céad fhreagra ar an imscrúdú, ná i dtaca leis an ábhar a bheadh léi. Dhearbhaigh sí, áfach, go raibh córas i bhfeidhm maidir le hiarratas ar dhúnadh sealadach bóithre agus go raibh an t-eolas sin curtha faoi bhráid m'Oifige i gcás gearán eile a bhí pléite leis an gComhairle.

Thug an Chomhairle le fios nár ghlac sí leis nár chomhlíon sí fo-ailt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961 agus/nó fo-alt 18(1) d'Acht na dTeangacha Oifigiúla, 2003 i gcás an chomhartha a bhí faoi chaibidil san imscrúdú.

Ba é seasamh na Comhairle nár tugadh cead na comharthaí seo a chur in airde agus gurbh ionann sin agus comharthaí neamhúdaráithe a bheith curtha in airde ag gnólacht príobháideach. Ba é dearcadh na Comhairle gur tháinig alt 71(a) d'Acht na mBóithre, 1993 i gceist; baineann an t-alt sin le comharthaí gan cead an údarais bóithre a bheith curtha in airde ag duine. Níor ghlac an Chomhairle leis go raibh aon sárú déanta aici féin ar an mír ábhartha den scéim teanga ná ar an *Lámhleabhar do Chomharthaí Trácht*.

Ina freagra ar an dréacht-tuarascáil imscrúdaithe, a bhí mar fhreagra 'coinníollach' agus í ag fanacht ar shoiléirithe ón Roinn Iompair, sheas an Chomhairle lena dearcadh nach raibh aon sárú déanta aici ar na míreanna ábhartha den Acht um Thrácht ar Bhóithre, 1961 ná ar an ngealltanas ábhartha sa scéim teanga.

I gcás an ghealltanais atá tugtha sa scéim teanga, thug an Chomhairle le fios gur bhain an gealltanas sin le

(Trans.) The Council confirmed that permission was not granted to erect the signs which were the subject of the investigation.

The Council thought, from the best information available to it, that it was first made aware of the sign which was the subject of the complaint during the week commencing 4 May 2015, and that it was removed on 20 or 21 May. It advised that the case of the sign had been added to the local work group's works list for when it was to be in the area again and had other works to do.

The Council did not accept that there was an element of a road sign (which come under the *Traffic Signs Manual*) involved in some of the signs erected.

The Council confirmed that no decision had yet been made in respect of the layout of the Application Form to Permit Event Management which had been mentioned in the first response to the investigation, or in respect of the matter to accompany it. It confirmed, however, that a system was in place in respect of temporary road closures and that this information had been submitted to my Office in respect of another complaint which was discussed with the Council.

The Council informed the investigation that it did not accept that it did not fulfill subsections 95(2) and 95(16) of the Road Traffic Act 1961 and/or subsection 18(1) of the Official Languages Act 2003 in respect of the sign which was the subject of the investigation.

The position of the Council was that permission was not granted to erect these signs and that this equated to unauthorised signs being erected by a private company. It was the Council's view that section 71(a) of the Road Traffic Act 1993, which refers to signs being erected without the permission of the roads authority, was at issue here. The Council did not accept that it had breached the relevant section of the language scheme or of the *Traffic Signs Manual*.

In its response to the draft report on the investigation, which was a 'conditional' response as it was awaiting a response from the Department of Transport, the Council stood by its view that it had not breached the relevant sections of the Road Traffic Act 1961 nor the relevant commitments in the language scheme.

As regards the commitment in the language scheme, the Council advised that it was in



coinníollacha a d'fhéadfaí a chur i bhfeidhm ar iarratais a dhéanfaí chun comharthaí a chur in airde. Thug an Chomhairle le fios nach raibh *“aon chumhachtaí ag an gComhairle faoin Acht céanna chun gníomh a thógáil in aghaidh comharthaí a chuireann daoine nó eagraíochtaí príobháideacha in airde nach gcloíonn le Acht na dTeangacha Oifigiúla 2003.”*

Ba é dearcadh na Comhairle nach raibh aon ról forfheidhmithe aici faoi Acht na dTeangacha Oifigiúla maidir le comharthaí a bhí curtha in airde ag daoine nó eagraíochtaí príobháideacha. Thug an Chomhairle le fios go mbeadh *“impleachtaí shuntasacha dlíthiúil, costais agus acmhainní ag baint leis” dá mbeadh mar fhionnachtain ar an imscrúdú go raibh cúram den chineál sin i gceist.*

Sa bhreis ar an méid sin thug an Chomhairle le fios gur tháinig *“comharthaí mídhleathacha atá curtha suas ag daoine nó eagraíochtaí príobháideacha taobh amuigh den reachtaíocht teanga agus gur dualgais reachtúil an Údaráis Áitiúil, an Údaráis Pleanála, baill tofa na Comhairle agus an tAire Comhshaoil iad.”*

Is í an Roinn Iompair, Turasóireachta agus Spóirt atá freagrach as an *Lámhleabhar do Chomharthaí Trácht*a lena rialaítear na cineálacha éagsúla comharthaí trácht ar bhóithre poiblí. Ó tharla nach raibh leagan amach an chomhartha seo ag teacht go hiomlán leis an tsonraíocht chaighdeánach atá sa *Lámhleabhar* theastaigh ón Oifig seo comhairle na Roinne a ghlacadh ar an ábhar chun aon amhras a sheachaint. Tar éis cóip den chomhartha a scrúdú dhearbhaigh an Roinn sin gur comharthaí trácht a bhí i gceist, de bharr nádúr agus theachtaireacht na gcomharthaí sin. Thug an Roinn le fios nach bhféadfadh an *Lámhleabhar* cur síos a dhéanamh ar gach cineál comhartha trácht a d'fhéadfaí a shamhlú. Shoiléirigh an Roinn gurb ionann agus comhartha trácht de réir bhrí an *Lámhleabhair* aon chomhartha atá dirithe ar eolas trácht a thabhairt.

Éilíonn na rialacháin agus na hordacháin faoi fho-ailt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961 go mbeadh an leagan amach atá ar chomharthaí bóthair sonraithe ag teacht le téarmaí an *Lámhleabhair* agus dá réir i bhformáid dhátheangach. Leagtar an fhreagracht dhlíthiúil i leith bóithre poiblí ar údaráis áitiúla ina bhfeidhm mar údaráis bóithre.

Cé gur mhaigh an Chomhairle nach raibh dualgas reachtúil teanga á sháru sa chás seo, ghlac sí leis

connection with conditions which could be imposed on an application which could be made to erect signs. The Council advised that it had *“no powers under the same Act to take action against signs which people or private organisations erect that do not adhere to the Official Languages Act 2003.”* (Trans.)

It was the Council's view that it had no implementation role under the Official Languages Act in respect of signs which were erected by people or private organisations. The Council advised that if it was a finding of the investigation that such a responsibility existed, that it *“would have substantial legal, cost and resource implications.”* (Trans.)

In addition to this, the Council advised that *“illegal signs which are erected by individuals or private organisations fall outside the language legislation and were a statutory obligation on the Local Authority, the Planning Authority, the elected members of the Council and the Minister for the Environment.”* (Trans.)

The Department of Transport, Tourism and Sport has responsibility for the *Traffic Signs Manual* which regulates the different types of traffic signs on public roads. As the layout of this sign was not in complete accordance with the standard specification in the *Manual* the Office sought the Department's advice on the matter for the avoidance of doubt. After examining a copy of the sign the Department confirmed that they were traffic signs, due to the nature and message of the signs. The Department advised that the *Manual* could not describe every single traffic sign which could be envisaged. The Department clarified that any sign which is focused on giving traffic information is a sign for the purposes of the *Manual*.

The regulations and orders under subsections 95(2) and 95(16) of the Road Traffic Act 1961 require that the layout of specified road signs is in accordance with the terms of the *Manual* and as such in bilingual format. The legal responsibility for public roads is placed on local authorities in their function as roads authorities.

Although the Council claimed that no statutory language obligation was being breached in this

go raibh sárú ar alt 71(1)(a) d'Acht na mBóithre i gceist, agus ghníomhaigh sí dá réir. Ach faoin am ar glacadh céimeanna leis an scéal a réiteach bhí an rás rite agus na comharthaí bainte anuas, mar a tugadh le fios dúinn ar dtús, ag an ngnólacht príobháideach. Deimhníodh dúinn ag tráth níos deireanaí gurbh é Maor Pobail na Comhairle Contae a bhain anuas an comhartha.

Ghlac an t-imscrúdú leis nár údaraigh an Chomhairle Contae na comharthaí a cuireadh in airde. Ina dhiaidh sin féin, níor léir go ndearnadh aon iarracht mhór dul i ngleic leis an bhfadhb a bhí cruthaithe ag comharthaí neamhúdaraith a bheith in úsáid. Níor léir gur tugadh aon treoir don lucht eagraithe na comharthaí a cheartú ná gur ghníomhaigh an Chomhairle féin le luas chun an scéal a réiteach.

Bhí ceist amháin eile á scrúdú ag an imscrúdú, is é sin an mhír i scéim teanga na Comhairle i dtaca le comharthaí a éilíonn cead na Comhairle lena gcur in airde a bheith i nGaeilge i gceantair Ghaeltachta. Ghlac mé leis, mar a dúirt an Chomhairle, nár lorgaíodh cead leis na comharthaí seo a chur in airde. Thug an ngnólacht a bhí i mbun an imeachta le fios ina chéad teagmháil leis an gComhairle go mbeadh feachtas réamhphoiblíochta á dhéanamh ar an mbóthar. De réir aon ghnáthbhrí thabharfadh an méid sin le tuiscint gur dóigh go mbeadh comharthaí in úsáid agus dá réir sin go bhféadfadh gealltanais na scéime teanga teacht chun cinn, chomh maith le dualgais i leith comharthaí tráchta.

Tar éis dom gealltanais na scéime a mheá go cúramach chonacthas dom go raibh cuspóir soiléir i gceist leis an méid a bhí geallta, is é sin gur i nGaeilge a bheadh comharthaí sa Ghaeltacht a éilíonn cead na Comhairle Contae.

Nuair nár lorgaíodh an cead sin bhí sé de rogha ag an gComhairle Contae gníomh a ghlacadh ina leith. Tá sé mar chosaint ag an gComhairle Contae nár lorgaíodh a cead chun na comharthaí seo a chur in airde, ach bíonnann an comhartha seo a fhágáil ag crochadh go dtí go raibh an rás bóthair féin thart, agus feidhm an chomhartha neamhúdaraith a chomhlíonta dá bharr, agus glacadh le neamhaird a bheith déanta ar mhír de scéim teanga na Comhairle.

Ní fhacthas dom go raibh mórán de bhunús leis an argóint a rinne an Chomhairle Contae nach bhfuil aon chumhachtaí follasacha bronnata uirthi faoi Acht na dTeangacha Oifigiúla chun gníomh a ghlacadh i leith comharthaí príobháideacha nach gcloíonn leis an Acht sin.

instance, it accepted that there was a breach of section 71(1)(a) of the Roads Act, and it acted accordingly. But by the time it had taken steps to resolve the issue, the race had been run and the signs removed, as we were first informed, by the private company. It was later confirmed to us that it was in fact the Council's Community Warden who removed the sign.

The investigation accepted that the County Council did not authorise the signs that were erected. At the same time it was not apparent that any major effort was made to address the problem which had been created by the use of non-authorised signs. It was not clear that any direction had been given to the organisers to correct the sign or that the Council itself had acted with any speed to address the issue.

One other question was examined by the investigation – the segment in the Council's language scheme which refers to signs which require the permission of the Council to be erected being in Irish in Gaeltacht areas. I accepted, as the Council stated, that permission was not sought to erect these signs. The company organising the event advised the Council in its first contact that it would be undertaking a pre-publicity campaign on the road. As a rule, that would give one to believe that signs would be utilised and that the commitment in the language scheme would come into operation, as well as the obligations in respect of traffic signs.

After weighing the scheme's commitment carefully it was clear to me that the commitment given had a very definite purpose – that signs in the Gaeltacht which required the Council's permission would be in Irish.

When this permission was not sought, the County Council had a choice to act in that respect. The Council's defence is that its permission was not sought to erect the signs. However, the fact that the unauthorised signs were left in place until after the race, and had consequently fulfilled their purpose, equated to disregarding the relevant commitment in the language scheme.

I did not think there was much basis to the County Council's argument that it has no evident powers under the Official Languages Act to take action in respect of private signs that do not comply with that Act.

I gcás ábhar an imscrúdaithe seo ba léir go raibh an chumhacht agus an t-údarás ag an gComhairle Contae, faoi reachtaíocht ábhartha eile, gníomh a ghlacadh i leith comharthaí a sháraigh an gealltanais atá tugtha ag an gComhairle ina scéim teanga. Is gnó don Chomhairle féin na socruithe is mian léi a dhéanamh i gcás comharthaí neamhúdraithe nó mídhleathacha, bíodh sin de bharr cúinsí teanga nó de bharr aon chúinsí eile.

Ghlac an t-imscrúdú leis nach féidir leis an gComhairle Contae teacht roimh chomharthaí neamhúdraithe nó mídhleathacha a chuireann daoine nó grúpaí príobháideacha in airde. Mar sin féin, i bhfeidhmiú a cuid cumhachtaí mar údarás áitiúil, lena n-áirítear an fheidhm mar údarás bóithre, is faoin gComhairle Contae atá sé cead a thabhairt comharthaí áirithe a chur in airde. Is ag an gComhairle freisin atá an chumhacht agus an cúram dul i ngleic le comharthaí mídhleathacha.

D'fháiltigh mé roimh an eolas go ndearna an Chomhairle Contae teagmháil leis an ngnólacht príobháideach a bhí faoi chaibidil san imscrúdú seo agus gur chuir sí ar an eolas é gur gá go mbeadh aon chomhartha eolais a chuireann sé in airde sa Ghaeltacht i nGaeilge amháin nó i bhformáid phictiúir. Ba dhiol spéise é nár ghlac an Chomhairle an gníomh seo nó go raibh an t-imscrúdú reachtúil seolta.

Ach ní miste a chur in iúl don ghnólacht chomh maith gur gá go mbeadh aon chomharthaí a thugann treoir do thrácht i gcomhréir leis an *Lámhleabhar do Chomharthaí Trácht*a agus dátheangach dá réir, laistigh nó lasmuigh den Ghaeltacht.

D'fháiltigh mé chomh maith roimh na céimeanna a bhí á nglacadh ag an gComhairle le cinntiú go raibh gnólachtaí príobháideacha ar an eolas faoina ndualgais i dtaca le comharthaíocht a chuirtear in airde i gceantar feidhme na Comhairle. Níor mhiste liom a lua, áfach, nach mór a bheith an-soiléir i dtaca le hidirdhealú a dhéanamh idir comharthaí eolais agus comharthaí trácht. Creidim go dtacódh córas caighdeánach den chineál seo le gnólachtaí príobháideacha tuisceant níos fearr a fháil ar na dualgais reachtúla atá le comhlíonadh agus iad ag lorg chead na Comhairle chun comharthaí a chur in airde.

**Imscrúdú seolta:** 8 Meitheamh 2015  
**Tuarascáil eisithe:** 5 Bealtaine 2016

As regards the subject of this investigation, it was apparent that the County Council had the power and the authority under separate legislation to take action in respect of signs which breached the commitment given in its language scheme. It is a matter for the Council itself to make whatever arrangements it sees fit in the case of unauthorised or illegal signs, whether due to language circumstances or any other circumstances.

The investigation accepted that the County Council cannot prevent people or private companies erecting unauthorised or illegal signs. That said, it is the responsibility of the County Council, in the execution of its duties as local authority, which includes its function as roads authority, to grant permission to erect certain signs. The Council is also the body with the power and the responsibility to deal with illegal signs.

I welcomed the information that the County Council had contacted the private company which was involved in this investigation and that it was informed that any information sign which it erects in the Gaeltacht should be in Irish or in picture format. It was a matter of interest that the Council did not take this action until the investigation was launched.

But the company should also be advised of the requirement that any sign giving direction to traffic should be in accordance with the *Traffic Signs Manual*, and therefore bilingual, whether within or outside the Gaeltacht.

I also welcomed the steps taken by the Council to ensure that private companies were aware of the obligations in relation to signage erected in the Council's functional area. It must be mentioned, however, that it is essential that clear differentiation be made between information signs and traffic signs. I believe that a standard system of this nature will assist private companies in achieving a better understanding of the statutory obligations which must be satisfied when seeking the Council's permission to erect signs.

**Investigation launched:** 8 June 2015  
**Report issued:** 5 May 2016

## COMHAIRLE CONTAE UÍBH FHAILÍ

Léirigh imscrúdú go raibh Comhairle Contae Uíbh Fhailí ag sárú na ndualgas reachtúil teanga atá daingnithe sna Rialacháin agus sna hOrdacháin atá déanta faoi fho-ailt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961 agus sna Rialacháin i dtaca le comharthaíocht faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 i gcás comharthaí a bhí in airde i gceantar feidhme na Comhairle.

Rinneadh gearáin éagsúla le m'Oifig maidir le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomharthaí éagsúla:

- (1) comharthaí páirceála thart ar bhaile Thulach Mhór, comharthaíocht ar na meaisíní páirceála san áireamh;
- (2) comhartha ag fógart oscailt oifigiúil Bhealach na Canálach Móire.

Tá dualgais reachtúla i bhfeidhm faoi úsáid na Gaeilge ar chomharthaí tráchtá bóthair. Tá na dualgais sin daingnithe sa *Lámhleabhar do Chomharthaí Tráchtá* agus is achtacháin iad na Rialacháin agus na hOrdacháin sin chun críche fho-alt 21(f) d'Acht na dTeangacha Oifigiúla. Caithfidh údarais bóithre na tíre cloí leis na dualgais sin.

Sa bhreis air sin tá Rialacháin déanta faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 (I.R. 391 de 2008) a fhágann go gcaithfidh comharthaí eile a bhíonn curtha in airde ag comhlacht poiblí, nó thar a gceann, a bheith i nGaeilge nó i nGaeilge agus i mBéarla.

Bhí gach aon cheann de na dualgais seo ábhartha do na comharthaí ab ábhar don imscrúdú seo.

Ardaíodh ceist mar chuid den bhunghearán chomh maith maidir le heaspa freagra ar ríomhphoist a bhí seolta ag an ngearánach chuig an gComhairle.

Toisc nár éirigh le hiarrachtaí neamhfhoirmiúla na ceisteanna seo a réiteach chonacthas dom gur ghá an t-imscrúdú seo a sheoladh le teacht ar fhionnachtana agus ar mholtaí sa chás.

Ina freagra ar an imscrúdú, níor léirigh an Chomhairle Contae aon tuairim i dtaca le sárú a bheith déanta nó á déanamh ar dhualgais reachtúla teanga.

Bhí an méid seo le rá ag an gComhairle i dtaca leis na comharthaí páirceála timpeall bhaile Thulach Mhór: “...mar a mholadh inár ríomhphost an 25 Eanáir 2015, tá tús curtha ag Comhairle Contae Uíbh Fhailí clár a chur i bhfeidhm in ionad na comharthaí Páirceála mí-oiriúnacha.”

## OFFALY COUNTY COUNCIL

An investigation found that Offaly County Council was in breach of the statutory language obligation which is confirmed in subsections 95(2) and 95(16) of the Road Traffic Act 1961 and the statutory language obligations confirmed in the Regulations issued under subsection 9(1) of the Official Languages Act 2003 in respect of signs which were erected in the Council's functional area.

Complaints were made to my Office in respect of the use of the official languages, Irish and English, on various signs:

- (1) Parking signs around Tullamore town, including signage on parking machines;
- (2) A sign announcing the official opening of the Grand Canal Way.

There are statutory obligations in effect in respect of the use of Irish on road traffic signs. Those obligations are confirmed in the *Traffic Signs Manual* and the regulations and orders are enactments for the purposes of subsection 21(f) of the Official Languages Act. The country's roads authorities must comply with those obligations.

Furthermore, there are Regulations made under subsection 9(1) of the Official Languages Act (S.I. 391 of 2008) which state that a public body has a duty to ensure that signs erected by it, or on its behalf, are in Irish or bilingual.

Each of these obligations were relevant to the signage which was the subject of this investigation.

A question regarding the lack of response in relation to an email sent by the complainant to the Council was also raised as part of the original complaint.

As informal efforts did not succeed in resolving the issue, it was apparent to me that I had no other option but to launch an investigation to make findings and recommendations in the case.

The Council did not offer an opinion in relation to the breach of the statutory language obligations in its response to the investigation.

In connection with the parking signs around Tullamore town, the Council stated:

“...as proposed in our email of 25 January 2015, Offaly County Council has begun a programme to replace unsuitable parking signs.” (Trans.)

Thug an Chomhairle le fios don imscrúdú go raibh i gceist aici dul i ngleic le ceist an chomhartha a bhain le hoscailt oifigiúil na Canálach trí chomhartha a chur ina áit a bheadh i gcomhréir leis na Rialacháin.

Cuireadh in iúl don imscrúdú gur cuireadh na comharthaí sealadacha a bhí le feiceáil sna grianghraif in airde *“ar iarratas an Chomhlachais Tráchtála áitiúil, ag fógairt an comhaontú go bhfuil an chéad 15 nóiméad Páirceála saor in aisce. Cuireadh na comharthaí suas mar chuid d’fheachtais an Chomhlachais Tráchtála um Nollaig chun muintir na háite a spreagadh le siopadóireacht i Lár Bhaile an Tulaigh Mhóir.”*

Thuirisc an Chomhairle nach raibh aon taifead aici ar litir ón ngearánach. Mar mhíniú air sin thug sí le fios go bhfuil srianta i bhfeidhm i gcóras ríomhphoist na Comhairle a chuireann bac ar r-phost ina mbionn grianghraif leabaithe agus a thagann ó sheoladh r-phoist neamhaitheanta. Mheas an Chomhairle nár seachadadh an r-phost chuig ball foirne ar bith de chuid na heagraíochta.

Mar fhreagra ar an dréacht-tuarascáil imscrúdaithe a leagadh faoi bhráid na Comhairle, ghlac sí leithscéal as an moill a bhí le ríomhphost a fhreagairt, agus dúirt gur thug sí aird ar an méid a bhí ráite sa dréacht i dtaca le heaspa córas cuí a bheith in áit ag an gComhairle chun plé le gearáin ón Oifig seo agus ó dhaoine den phobal. Dúirt an Chomhairle go raibh córas curtha i bhfeidhm chun aghaidh a thabhairt ar an tsaincheist sin. Maidir le ceist na comharthaíochta, thug an Chomhairle le fios go ndearnadh *“soláthar sa Bhuiséad don bhliain 2017 le go mbeimis in ann leanúint den chlár le haghaidh na Comharthaí Páirceála neamhchomhlíontacha a athsholáthar.”*

Cé nach ndúirt an Chomhairle Contae go soiléir ina freagra go raibh dualgais reachtúla teanga á sárú aici i gcás na gcomharthaí seo, bhí sé le tuiscint ó na socruithe a bhí á mbeartú leis na comharthaí a cheartú gur glacadh leis nach raibh siad i gcomhréir leis an reachtaíocht chuí.

Tháinig ceist shuntasach chun tosaigh mar chuid den imscrúdú seo nár mhór aghaidh a thabhairt uirthi. Ba léir ón bhfreagra a cuireadh ar fáil don imscrúdú nach raibh córas cuí in áit ag an gComhairle chun plé le gearáin a chuireann an Oifig seo (nó go deimhin, daoine den phobal) ina láthair, agus nach raibh an Chomhairle ag dul i ngleic le dualgais reachtúla dá réir.

The Council informed the investigation that it planned to tackle the issue regarding the sign at the official opening of the Canal by replacing it with a sign that was in accordance with the Regulations.

The investigation was informed that the temporary signs, that were visible in the photographs, were erected *“at the request of the local Chamber of Commerce, to convey the agreement that parking was free for the first 15 minutes. These signs were erected as part of a Christmas campaign by the Chamber of Commerce to encourage the local community to shop in Tullamore Town Centre.”* (Trans.)

The Council reported that it had no record of a letter from the complainant. It explained that its email system restricts emails containing embedded photographs coming from an unrecognised email address. The Council believed that the email was not delivered to any member of staff in the organisation.

In response to the draft report which was submitted to the Council, it apologised for the delay in replying to the email, and stated that it had noted the point made in the report regarding the lack of an appropriate system in place by the Council to deal with complaints from this Office and from members of the public. The Council stated that a system had been put in place to address this issue. In relation to the signage, the Council indicated that *“a provision has been made in the budget for 2017 which will allow us to continue with the programme to replace non-compliant parking signs.”* (Trans.)

Although the County Council did not admit in its response that it was in breach of the statutory language obligations in respect of these signs, it was evident, from the proposed arrangements to correct the signage, that it was accepted that it was not in accordance with the appropriate legislation.

A significant issue was identified as part of this investigation which needed to be addressed. It was apparent from the response that was provided to the investigation that the Council did not have an appropriate system in place to deal with complaints that this Office (or indeed members of the public) brought to its attention, and that the Council was failing to tackle statutory obligations accordingly.

Tá córas reachtúil curtha in áit ag an Oireachtas le treoir shoiléir a thabhairt d'údaráis bóithre na tíre maidir le comharthaíocht tráchtá, agus tá a mhacasamhail déanta i gcás comharthaíocht eile faoi Acht na dTeangacha Oifigiúla, 2003. Sa chás nach leantar an treoir sin, agus go gcuirtear eolas faoin easpa géilliúlachta faoi bhráid an chomhlachta phoiblí, ba chóir go mbeadh córas i bhfeidhm le cinntiú go ngabhfaí i ngleic leis an bhfailli. Thug an Chomhairle le fios ina freagra ar an dréacht-tuarascáil go bhfuil córas curtha i bhfeidhm aici chun aghaidh a thabhairt ar an tsaincheist sin. D'fháiltigh mé roimh an dearbhú sin.

D'ardaigh m'Oifig ceist na gcomharthaí páirceála leis an gComhairle den chéad uair i mí Dheireadh Fómhair na bliana 2014. Thug an Chomhairle le fios ag an am go mbeadh na comharthaí seo ceartaithe chomh luath agus ab fhéidir sa bhliain 2015. B'ábhar imní dom é go raibh orm dul i muinín imscrúdú chun freagra a fháil ón gComhairle i dtaca leis na comharthaí seo nuair a tháinig sé chun solais de bharr gearán eile in Aibreán 2016 nach raibh beart déanta ag an gComhairle de réir a briathair. Údar díomá freisin nach raibh an Chomhairle sásta spriocdháta a chur go fóill leis an obair seo, mar ba léir ón gcéad fhreagra ar an imscrúdú, a thug le fios gur *"mhaith le Comhairle Contae Uíbh Fhailí a chur in iúl go mbeidh an clár athsholáthair comharthaí Páirceála ag dul ar aghaidh de réir mar a cheadaíonn cistí, ar bhonn faille."* Ní fhéadfainn, mar Choimisinéir Teanga, glacadh le cur chuige coinníollach mar sin chun comharthaí neamhghéilliúla a chur ina gceart.

Maidir le ceist comharthaí áirithe a bheith curtha in airde go sealadach ar iarratas ón gComhlachas Tráchtála i dTulach Mhór, nior mhór dom a chur ar a súile don Chomhairle nach bhfuil aon díolúine i gceist i gcás comharthaí sealadacha agus go bhfuil dualgas críochnúil i gceist faoin reachtaíocht i gcás aon chomhartha a chuireann comhlacht poiblí in airde in aon suíomh, beag beann ar cé a rinne iarratas ar an gComhairle iad a chur in airde.

Ba chúis imní dom an grianghraf a cuireadh ar fáil leis an bhfreagra ar an imscrúdú, a léirigh botúin ó thaobh na Gaeilge de ar chomhartha nua amháin a raibh sé beartaithe é a chur in airde ar fud an bhaile. Cuireadh an méid sin in iúl don Chomhairle Contae.

Ba chúis mhíshástachta a bhí ann dom freisin go dtógfadh sé nach mór dhá bhliain ar an gComhairle a chur in iúl don Oifig seo nach bhfuair sí riamh an bunghearán a sheol an gearánach chuici ar an 29 Meán Fómhair 2014, agus nár ghníomhaigh sí de

The Oireachtas has a statutory system in place to provide clear guidance to the country's roads authorities in relation to traffic signs, and the same has been done in relation to other signage under the Official Languages Act 2003. In the event that the guidelines are not followed, and the public body is made aware of the non-compliance, a system should be put in place to address the issue. In response to the draft report the Council has said that a system has been put in place to deal with the matter. I welcomed this confirmation.

My Office raised the issue of parking signs with the Council for the first time in October 2014. The Council informed us at the time that the signage would be corrected as early as possible in 2015. It was a matter of some concern to me that I had to undertake an investigation to receive a response from the Council in respect of these signs when it came to light due to other complaints made in April 2016 that the Council had not delivered on its promise. I was also disappointed that the Council would not provide a deadline in relation to this work, as was clear from the first response to the investigation, which indicated that *"Offaly County Council would like to advise that the programme for replacing parking signs will go ahead, in accordance with opportunity, when funding allows."* (Trans.) As Coimisinéir Teanga, I could not accept this approach in relation to rectifying non-compliant signage.

On the matter of temporary signage being erected at the request of the Chamber of Commerce in Tullamore, I explained to the Council that there was no exemption in relation to temporary signage and that the same regulations apply to any signage erected by public bodies at any location, regardless of who requests the Council to erect the signs.

The photograph provided with the reply to the investigation was a matter of concern to me as it revealed errors in the Irish text in a proposed new sign which was to be erected throughout the town. The County Council was made aware of this.

It was also of concern to me that it had taken the Council almost two years to inform the Office that it never received the original complaint sent by the complainant on 29 September 2014, and that it had failed to act upon the reminder he sent it on 9



bhun an mheabhrúcháin a sheol sé chucu ar an 9 Samhain 2014, agus ar seoladh cóip de chuig m'Oifig.

Maidir le dearbhú míchruinn a bheith faighte ag m'Oifig roimhe seo go gceartófaí comharthaí chomh luath agus a d'fhéadfaí sa bhliain 2015, mheabhraigh mé don Chomhairle gur oifig reachtúil de chuid an Stáit í an Oifig seo agus nach bhfuil sé inghlactha go gcaithfí léi ar an mbealach sin.

Bheinn ag súil, de thoradh an imscrúdaithe, go gcuirfí córas i bhfeidhm a chinnteodh go ngabhfad i ngleic mar is cóir le gearáin ón Oifig seo nó ó dhuine den phobal i dtaca le comharthaíocht atá in airde i gceantar feidhme na Comhairle.

**Imscrúdú seolta:** 24 Lúnasa 2016

**Tuarascáil eisithe:** 9 Nollaig 2016

November 2014, a copy of which was also sent to this Office.

In relation to the inaccurate promise that was made to this Office earlier that the signage would be corrected as soon as possible in 2015, I reminded the Council that this Office is a statutory office of the State and that treating it in this manner was not acceptable.

I would expect, as a result of the investigation, that a system be put in place to ensure that complaints from this Office or from a member of the public in relation to signage erected in the functional area of the Council are dealt with appropriately.

**Investigation launched:** 24 August 2016

**Report issued:** 9 December 2016



# CÚRSAÍ AIRGEADAIS

# FINANCIAL MATTERS

Cuireadh buiséad €670,000 ar fáil don Oifig don bhliain 2016 agus tarraingíodh anuas €667,481 den airgead sin.

Tá ráitis airgeadais na hOifige don bhliain 2016 ullmhaithe don Ard-Reachtaire Cuntas agus Ciste lena n-íniúchadh de réir fho-alt 8(2) den Dara Sceideal d'Acht na dTeangacha Oifigiúla, 2003.

A luaithe agus is féidir tar éis an iniúchta, déanfaidh an Coimisinéir Teanga cóip de na cuntais sin, nó de cibé sleachta as na cuntais sin a shonróidh an tAire Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta, mar aon le tuarascáil an Ard-Reachtaire Cuntas agus Ciste maidir leis na cuntais, a chur i láthair an Aire. Beidh cóipeanna de na doiciméid sin á leagan faoi bhráid Thithe an Oireachtais ag an Aire. Foilseofar freisin iad ar shuíomh gréasáin na hOifige seo.

## ÍOCAÍOCHTAÍ PRASA

I gcomhréir le cinntí Rialtais a rinneadh ar an 2 agus an 8 Márta 2011, leagadh dualgas ar eagraíochtaí stáit córais chuí a fheidhmiú ionas go n-íocfaí sonraisc bhailí laistigh de 15 lá ón dáta a fhaightear iad. Tá dualgas ar eagraíochtaí stáit chomh maith tuairisc ráithiúil maidir leis an ábhar seo a fhoilsiú ar a suíomh gréasáin.

A budget of €670,000 was provided for my Office for 2016 and €667,481 of that money was drawn down.

The financial statements of the Office for 2016 have been prepared for audit by the Comptroller and Auditor General in accordance with subsection 8(2) of the Second Schedule of the Official Languages Act 2003.

As soon as possible after the audit, a copy of those accounts or of such extracts from those accounts as the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs may specify shall be presented to the Minister together with the report of the Comptroller and Auditor General on the accounts. Copies of those documents shall be laid before the Houses of the Oireachtas by the Minister. They will also be published on this Office's website.

## PROMPT PAYMENTS

In accordance with Government decisions made on the 2nd and 8th of March 2011, public bodies are required to have appropriate systems in place to ensure that valid invoices are paid within 15 days from the date they are received. Public bodies are also required to publish a quarterly report on this matter on their websites.

## Tuairisc ar Íocaíochtaí Prasa Prompt Payments Report

Tréimhse Clúdaithe: 1 Eanáir – 31 Nollaig 2016  
Period Covered: 1 January – 31 December 2016

Sonraí Details	Uimhir Number	Luach (€) Value (€)	Céatadán (%) de líon iomlán na n-íocaíochtaí a rinneadh Percentage (%) of total number of payments made
Líon na n-íocaíochtaí a rinneadh laistigh de 15 lá Number of payments made within 15 days	215	172,203	94%
Líon na n-íocaíochtaí a rinneadh laistigh de thréimhse idir 16 lá agus 30 lá Number of payments made within 16 days to 30 days	12	18,349	5%
Líon na n-íocaíochtaí a rinneadh sa bhreis ar 30 lá Number of payments made in excess of 30 days	2	393	1%
<b>Líon iomlán na n-íocaíochtaí sa tréimhse Total number of payments made in the period</b>	<b>229</b>	<b>190,945</b>	<b>100%</b>
*Sonraisc faoi dhiospóid *Disputed Invoices			Ní bhaineann N/A

\*Sonraisc a fuarthas i rith na tréimhse agus a bhí fós faoi dhiospóid ag deireadh na tréimhse tuairiscithe.

\*Invoices received during the period and still under dispute at the end of the reporting period

# FUINNEAMH

# ENERGY

Tá an t-eolas seo a leanas á thabhairt i gcomhréir le forálacha I.R. 542 de 2009.

## **FORBHREATHNÚ AR ÚSÁID FUINNIMH SA BHLIAIN 2016**

Baineann iomlán an fhuinnimh le leictreachas a úsáideann Oifig an Choimisinéara Teanga i bhfoirgneamh na hOifige sa Spidéal, Co. na Gaillimhe. Cuimsíonn sé sin an fuinneamh a úsáidtear i gcomhair théamh agus aerú an fhoirgnimh, téamh uisce, soilse agus trealamh oifige.

Sa bhliain 2016, d'úsáid Oifig an Choimisinéara Teanga 62.13 MWh leictreachais. Is ionann sin agus laghdú 6% ar úsáid na bliana 2016 (66.22 MWh).

## **GNÍOMHARTHA A RINNEADH IN 2016**

Leanadh de na beartais a bunaíodh cheana: féachtar chuige go múchtar fearais oifige nuair nach mbíonn gá leo agus deimhnítear ag deireadh an lae oibre go bhfuil gach fearas múchta don oíche agus nuair nach mbítear san oifig. Cuirtear úsáid fuinnimh san áireamh mar chritéar nuair a bhíonn trealamh leictreonach á roghnú don oifig nó tairiscintí ar threalamh á meas.

## **GNÍOMHARTHA ATÁ BEARTAITHE DO 2017**

Leanfar de na beartais sábhála fuinnimh atá tionscanta cheana féin agus déanfar monatóireacht rialta ar úsáid leictreachais i gcaitheamh na bliana 2017.

The following information is provided in accordance with the provisions of S.I. 542 of 2009.

## **OVERVIEW OF ENERGY USAGE IN 2016**

The use of electricity in the office building in An Spidéal, Co. Galway constitutes the total energy consumption of the Office of An Coimisinéir Teanga. This includes the heating and aeration of the building, water heating, lighting and the use of office equipment.

In 2016, the Office of An Coimisinéir Teanga consumed 62.13 MWh of electricity. This constituted a decrease of 6% in comparison to 2016 (66.22 MWh).

## **ACTIONS TAKEN IN 2016**

The established energy-saving practices were continued: ensuring that all equipment is turned off when not in use and examining the office at the end of every working day to ensure that lights and equipment are switched off overnight and when the building is not occupied. Energy consumption is used as a criterion in choosing electronic equipment and in evaluating tenders for equipment.

## **ACTIONS PLANNED FOR 2017**

The Office will continue the energy-saving policies already initiated and it is intended to monitor electricity consumption on a regular basis during 2017.

# NOCHTADH COSANTA

Tá an t-eolas seo a leanas á thabhairt i gcomhréir le halt 22(1) den Acht um Nochtadh Cosanta, 2014.

Ní dhearnadh aon nochtadh cosanta le hOifig an Choimisinéara Teanga le linn na bliana 2016.

# PROTECTED DISCLOSURE

The following information is provided in accordance with section 22(1) of the Protected Disclosures Act 2014

No protected disclosures were made to the Office of An Coimisinéir Teanga during 2016.

## FOIREANN AGUS SONRAÍ TEAGMHÁLA STAFF AND CONTACT DETAILS

### FOIREANN / STAFF

An Coimisinéir Teanga	Rónán Ó Domhnaill
Stiúrthóir <i>Director</i>	Colm Ó Coisdealbha
Bainisteoir Imscrúduithe <i>Investigations Manager</i>	Órla de Búrca
Bainisteoir Cumarsáide <i>Communications Manager</i>	Folúntas
Bainisteoir Géilliúlachta <i>Compliance Manager</i>	Éamonn Ó Bróithe
Ardoifigeach Feidhmiúcháin <i>Higher Executive Officer</i>	Eileen Seoighe
Oifigeach Feidhmiúcháin <i>Executive Officer</i>	Nóirín Sheoige
Oifigeach Cléireachais <i>Clerical Officer</i>	Deirdre Nic Dhonncha

### SONRAÍ TEAGMHÁLA / CONTACT DETAILS

Is féidir teagmháil a dhéanamh leis an Oifig tríd an bpost, le ríomhphost nó ar an teileafón, mar seo a leanas:  
*This Office may be contacted by post, email or telephone, as follows:*

Post <i>Post:</i>	An Coimisinéir Teanga, An Spidéal, Gaillimh, Éire H91 VK23.
Fón <i>Phone:</i>	091-504 006
Ríomhphost <i>Email:</i>	eolas@coimisineir.ie
Suíomh Gréasáin <i>Website:</i>	www.coimisineir.ie
Twitter	@ceartateanga

Is é an leagan Gaeilge buntéacs na Tuarascála seo.  
*The Irish language version is the original text of this Report.*

Scéimeanna daingnithe faoi dheireadh 2016 / *Schemes confirmed by the end of 2016*

Ainm an Chomhlachta Phoiblí	Name of Public Body	Tosach feidhme na scéime teanga is deireanaí <i>Commencement date of most recent language scheme</i>
SCÉIM 1	SCHEME 1	
An Chomhairle Ealaíon	Arts Council	01/07/2005
Feidhmeannacht na Seirbhíse Sláinte, Limistéar an Iarthair	Health Service Executive, Western Area	01/09/2005
Ollscoil Chathair Bhaile Átha Cliath	Dublin City University	03/04/2006
An Roinn Dlí agus Cirt agus Comhionannais	Department of Justice and Equality	30/06/2006
Comhairle Contae na Mí	Meath County Council	01/09/2006
An Roinn Gnóthai Eachtracha agus Trádála	Department of Foreign Affairs and Trade	01/12/2006
Coláiste na hOllscoile, Corcaigh	University College, Cork	01/12/2006
Comhairle Contae Liatroma	Leitrim County Council	01/01/2007
An tÚdarás Clárúcháin Maoine	Property Registration Authority	02/04/2007
Coimisiún Forbartha an Iarthair	Western Development Commission	10/04/2007
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	30/04/2007
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	01/07/2007
Comhairle Contae an Chláir	Clare County Council	20/08/2007
Comhairle Contae Chorcaí	Cork County Council	01/10/2007
Comhairle Contae Ros Comáin	Roscommon County Council	01/10/2007
Comhairle Cathrach Chorcaí	Cork City Council	31/10/2007
An Phríomh-Oifig Staidrimh	Central Statistics Office	05/11/2007
Comhairle Contae Lú	Louth County Council	20/11/2007
Teagasc	Teagasc	01/01/2008
Comhairle Contae Mhuineacháin	Monaghan County Council	01/06/2008
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/2008
Comhairle Contae an Longfoirt	Longford County Council	01/07/2008
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	04/07/2008



Oifig an Stiúirthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/2008
Comhairle Contae Chill Dara	Kildare County Council	08/09/2008
Comhairle Contae Cheatharlach	Carlow County Council	01/10/2008
Oifig an Ard-Reachtair Cuntas agus Ciste	Office of the Comptroller and Auditor General	19/01/2009
An Binse Comhionannais	Equality Tribunal	01/02/2009
Bord Scannán na hÉireann	Irish Film Board	27/04/2009
Comhairle Contae Chill Mhantáin	Wicklow County Council	25/05/2009
Comhairle Contae an Chabháin	Cavan County Council	04/08/2009
Comhairle Contae Laoise	Laois County Council	01/12/2009
Comhairle Contae Loch Garman	Wexford County Council	11/01/2010
Comhairle Contae Shligigh	Sligo County Council	28/07/2010
Institiúid Teicneolaíochta Bhaile Átha Cliath	Dublin Institute of Technology	22/05/2012
Seirbhís Thithe an Oireachtais	Houses of the Oireachtas Service	31/07/2012
Údarás Aerfort Bhaile Átha Cliath	Dublin Airport Authority	26/08/2013
An Roinn Leanaí agus Gnóthaí Óige	Department of Children and Youth Affairs	14/10/2013
Institiúid Teicneolaíochta Bhaile Átha Luain	Athlone Institute of Technology	21/10/2013
An Bord Bia	An Bord Bia	27/01/2014
Údarás Aerfort na Sionna	Shannon Airport Authority	28/04/2014
An Ghníomhaireacht Bainistíochta Rialtais Áitiúil	Local Government Management Agency	07/07/2014
Bonneagar Iompair Éireann	Transport Infrastructure Ireland	14/07/2014
Institiúid Teicneolaíochta Phort Láirge	Waterford Institute of Technology	06/10/2014
Suirbhéireacht Ordanáis Éireann	Ordnance Survey Ireland	08/12/2014
Bord Oideachais agus Oiliúna na Gaillimhe agus Ros Comáin	Galway and Roscommon Education and Training Board	09/02/2015
Institiúid Teicneolaíochta Shligigh	Institute of Technology Sligo	16/02/2015
Comhairle Cathrach agus Contae Luimnigh	Limerick City and County Council	18/05/2015
Comhairle Cathrach agus Contae Phort Láirge	Waterford City and County Council	02/06/2015
Raidió Teilifís Éireann	RTÉ	01/09/2015
An Post	An Post	21/09/2015
Institiúid Teicneolaíochta Thamhlachta	Institute of Technology Tallaght	28/09/2015

An Roinn Caiteachais Phoiblí agus Athchóirithe	Department of Public Expenditure and Reform	21/10/2015
Bord Oideachais agus Oiliúna Lú agus na Mí	Louth and Meath Education and Training Board	07/12/2015
Bord Oideachais agus Oiliúna Chorcaí	Cork Education and Training Board	08/02/2016
Bord Oideachais agus Oiliúna Chiarraí	Kerry Education and Training Board	14/03/2016
An tÚdarás Náisiúnta Iompair	National Transport Authority	02/08/2016
An Coimisiún um Rialáil Eitlíochta	Commission for Aviation Regulation	08/08/2016
Bord Oideachais agus Oiliúna Laoise agus Uíbh Fhailí	Laois and Offaly Education Training Board	15/08/2016
Bord Oideachais agus Oiliúna Thiobraid Árann	Tipperary Education and Training Board	01/09/2016
Coimisiún na Scrúduithe Stáit	State Examinations Commission	22/9/2016
An Ghníomhaireacht um Chaomhnú Comhshaoil	Environmental Protection Agency	01/12/2016
<b>SCÉIM 2</b>	<b>SCHEME 2</b>	
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	11/05/2009
Ollscoil Luimnigh	University of Limerick	29/12/2009
Coláiste Oideachais Eaglais na hÉireann	Church of Ireland College of Education	07/08/2012
An Crannchur Náisiúnta	National Lottery	13/08/2012
Ollscoil na hÉireann, Gaillimh	National University of Ireland, Galway	23/10/2012
Oifig an Uachtaráin	Office of the President	28/01/2013
Institiúid Teicneolaíochta na Gaillimhe – Maigh Eo	Galway – Mayo Institute of Technology	22/04/2013
Oifig na gCoimisinéirí Ioncaim	Office of the Revenue Commissioners	04/06/2013
An tSeirbhís um Cheapacháin Phoiblí	The Public Appointments Service	22/07/2013
Bord Soláthair an Leictreachais	Electricity Supply Board	26/08/2013
Gailearaí Náisiúnta na hÉireann	National Gallery of Ireland	16/09/2013
An Coimisiún Reifrinn	Referendum Commission	11/10/2013
Comhairle Contae Chill Chainnigh	Kilkenny County Council	08/11/2013
Coláiste na Tríonóide, Baile Átha Cliath	Trinity College, Dublin	18/11/2013
An tSeirbhís Chúirteanna	Courts Service	31/12/2013
An Roinn Cumarsáide, Gníomhaithe ar son na hAeráide agus Comhshaoil.	Department of Communication, Climate Action and Environment	05/03/2014
Oifig na nOibreacha Poiblí	Office of Public Works	05/03/2014
Comhairle Contae na Gaillimhe	Galway County Council	06/05/2014
Leabharlann Chester Beatty	Chester Beatty Library	16/06/2014
Ollscoil na hÉireann, Má Nuad	National University of Ireland, Maynooth	23/06/2014

Institiúid Teicneolaíochta Dhún Dealgan	Dundalk Institute of Technology	08/08/2014
An Bord um Chúnammh Dlíthiúil	Legal Aid Board	11/08/2014
Foras na Mara	Marine Institute	06/10/2014
An Roinn Airgeadais	Department of Finance	27/10/2014
An Roinn Sláinte	Department of Health	02/02/2015
Comhairle Contae Fhine Gall	Fingal County Council	09/02/2015
Institiúid Teicneolaíochta Thrá Lí	Institute of Technology Tralee	09/02/2015
An Roinn Coimirce Sóisialaí	Department of Social Protection	16/03/2015
An Foras Riaracháin (IPA)	Institute of Public Administration	18/05/2015
Comhairle Contae Mhaigh Eo	Mayo County Council	21/09/2015
An Oifig um Chlárú Cuideachtaí	Companies Registration Office	28/09/2015
An Roinn Post, Fiontar agus Nuálaíochta	Department of Jobs, Enterprise and Innovation	28/09/2015
Comhairle Cathrach Bhaile Átha Cliath	Dublin City Council	02/11/2015
Banc Ceannais na hÉireann	Central Bank of Ireland	18/01/2016
Comhairle Contae na hIarmhí	Westmeath County Council	29/02/2016
An Roinn Ealaíon, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta	Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs	12/05/2016
An Garda Síochána	An Garda Síochána	08/08/2016
An Roinn Talmhaíochta, Bia agus Mara	Department of Agriculture, Food and the Marine	24/10/2016
Údarás Craolacháin na hÉireann	Broadcasting Authority of Ireland	24/10/2016
<b>SCÉIM 3</b>	<b>SCHEME 3</b>	
An Roinn Tithíochta, Pleanála, Pobail agus Rialtais Áitiúil	Department of Housing, Planning, Community and Local Government	18/09/2013
Oifig an Stiúrthóra Ionchúiseamh Poiblí	Office of the Director of Public Prosecutions	20/01/2014
Comhairle Contae Dhún na nGall	Donegal County Council	24/02/2014
An Roinn Cosanta	Department of Defence	03/03/2014
Óglaigh na hÉireann	Defence Forces	21/04/2014
Comhairle Contae Chiarraí	Kerry County Council	09/06/2014
Oifig an Choimisinéara Cosanta Sonraí	Office of the Data Protection Commissioner	06/10/2014
Oifig an Ard-Aighne	Office of the Attorney General	15/06/2015
An Bord Pleanála	An Bord Pleanála	05/10/2015
Institiúid Teicneolaíochta Leitir Ceanainn	Letterkenny Institute of Technology	12/10/2015
Roinn an Taoisigh	Department of the Taoiseach	29/02/2016
Oifig an Ombudsman agus Oifig an Choimisinéara Faisnéise	Office of the Ombudsman and the Office of the Information Commissioner	29/02/2016
Comhairle Cathrach na Gaillimhe	Galway City Council	15/08/2016
Comhairle Contae Átha Cliath Theas	South Dublin County Council	17/10/2016
An Roinn Oideachais agus Scileanna	The Department of Education and Skills	24/10/2016

## Dréachtscéimeanna le daingniú / *Draft Schemes to be confirmed*

### An Chéad Scéim / *First Scheme*

Ainm an Chomhlachta Phoiblí	<i>Name of Public Body</i>	Dáta an Fhógra <i>Date Notice Issued</i>	Tréimhse (Blianta) ó Dháta an Fhógra <i>Period (Years) Elapsed from Date of Notice</i>
An Ceoláras Náisiúnta	National Concert Hall	21/09/2006	10.3
Amharclann na Mainistreach	Abbey Theatre	21/09/2006	10.3
Leabharlann Náisiúnta na hÉireann	National Library of Ireland	27/09/2006	10.3
Ard-Mhúsaem na hÉireann	National Museum of Ireland	27/09/2006	10.3
An Chomhairle Oidhreachta	Heritage Council	27/09/2006	10.3
Comhairle Contae Uíbh Fhailí	Offaly County Council	10/06/2007	9.6
Feidhmeannacht na Seirbhíse Sláinte	Health Service Executive	10/06/2007	9.6
An Coláiste Ollscoile, Baile Átha Cliath	University College Dublin	10/02/2009	7.9
Institiúid Teicneolaíochta Chorcaí	Cork Institute of Technology	10/02/2009	7.9
Córas Iompair Éireann	CIÉ	14/09/2012	4.3
Údarás Aerfort Chorcaí	Cork Airport Authority	14/09/2012	4.3
Bord na Móna	Bord na Móna	14/09/2012	4.3
Ervia	Ervia	14/09/2012	4.3
Bord Iascaigh Mhara	Bord Iascaigh Mhara	14/09/2012	4.3
Fiontraíocht Éireann	Enterprise Ireland	14/09/2012	4.3
G.F.T. Éireann (IDA)	I.D.A. Ireland	14/09/2012	4.3
Coillte	Coillte	14/09/2012	4.3
Fáilte Ireland – An tÚdarás Náisiúnta Forbartha Turasóireachta	Fáilte Ireland – National Tourism Development Authority	14/09/2012	4.3
Bord Oideachais agus Oiliúna an Chabháin agus Mhuineacháin	Cavan and Monaghan Education & Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna an Longfoirt agus na hIarmhí	Longford and Westmeath Education and Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Bhaile Átha Cliath agus Dhún Laoghaire	Dublin and Dún Laoghaire Education and Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Chathair Bhaile Átha Cliath	City of Dublin Education Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Chill Dara agus Chill Mhantáin	Kildare and Wicklow Education Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Cill Chainnigh agus Cheatharlach	Kilkenny and Carlow Education and Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Dhún na nGall	Donegal Education and Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Luimnigh agus an Chláir	Limerick and Clare Education and Training Board	22/08/2013	3.4

Bord Oideachais agus Oiliúna Mhaigh Eo, Shligigh agus Liatroma	Mayo, Sligo and Leitrim Education and Training Board	22/08/2013	3.4
Bord Oideachais agus Oiliúna Phort Láirge agus Loch Garman	Waterford and Wexford Education and Training Board	22/08/2013	3.4
Comhairle Contae Thiobraid Árann	Tipperary County Council	03/11/2014	2.2
Údarás Fuinnimh Inmharthana na hÉireann	Sustainable Energy Authority of Ireland	28/05/2015	1.6
An Chartlann Náisiúnta	National Archives	22/06/2015	1.5
Údarás Uchtála na hÉireann	Adoption Authority of Ireland	22/06/2015	1.5
An Coimisiún um Chaighdeán in Oifigi Poiblí	Standards in Public Office Commission	22/06/2015	1.5
An tÚdarás Rialála Carthanais	Charities Regulatory Authority	22/06/2015	1.5
An Binse Achomhairc Fostaíochta	Employment Appeals Tribunal	22/06/2015	1.5
An tÚdarás Árachais Sláinte	Health Insurance Authority	22/06/2015	1.5
Seirbhís Phríosúin na hÉireann	Irish Prison Service	22/06/2015	1.5
An Chomhairle Spóirt	Irish Sports Council	22/06/2015	1.5
Oifig an Phríomh-Dhochtúra Oifigiúil don Státseirbhís	Office of the Chief Medical Officer for the Civil Service	22/06/2015	1.5
An tSeirbhís Phromhaidh	Probation Service	22/06/2015	1.5
Institiúid Teicneolaíochta Cheatharlach	Institute of Technology Carlow	22/06/2015	1.5
Institiúid Teicneolaíochta Luimnigh	Limerick Institute of Technology	22/06/2015	1.5
Iascach Intíre Éireann	Inland Fisheries Ireland	22/06/2015	1.5
An tOmbudsman do Leanaí	Ombudsman for Children	22/06/2015	1.5
An Coimisiún um Iomaíocht agus Cosaint Tomhaltóirí	Competition and Consumer Protection Authority	22/06/2015	1.5
Seirbhísí Eolais an Rialtais	Government Information Services	22/06/2015	1.5
An tÚdarás Sláinte agus Sábháilteachta	Health and Safety Authority	22/06/2015	1.5
Oifig na gCoimisinéirí um Athchomhairc chun críocha na nAchtanna Cánach	Office of the Appeal Commissioners for the purposes of the Tax Acts	22/06/2015	1.5
Tusla – An Ghníomhaireacht um Leanaí agus Teaghlaigh	Tusla – Child and Family Support Agency	22/06/2015	1.5
An Ghníomhaireacht Tithíochta	Housing Agency	22/06/2015	1.5
An Coimisiún um Rialáil Cumarsáide	Commission for Communications Regulation	22/06/2015	1.5
An Coimisiún um Rialáil Fuinnimh	Commission for Energy Regulation	22/06/2015	1.5
Údarás Sábháilteachta Bia na hÉireann	Food Safety Authority of Ireland	22/06/2015	1.5
An tÚdarás Náisiúnta Míchumais	National Disability Authority	22/06/2015	1.5
Seirbhís Fuilaeistriúcháin na hÉireann	Irish Blood Transfusion Service	22/06/2015	1.5
An Ghníomhaireacht Náisiúnta Baine	National Milk Agency	22/06/2015	1.5

## Dréachtscéimeanna le daingniú / *Draft Schemes to be confirmed*

### An Dara Scéim / *Second Scheme*

Ainm an Chomhlachta Phoiblí	<i>Name of Public Body</i>	Dáta Scéim in Éag <i>Date Scheme Expired</i>	Tréimhse (Blianta) ón Dáta Éaga <i>Period (Years) Elapsed from Date Expired</i>
An Chomhairle Ealaíon	Arts Council	30/6/2008	8.5
Ollscoil Chathair Bhaile Átha Cliath	Dublin City University	02/04/2009	7.7
An Roinn Dlí agus Cirt agus Comhionannais	Department of Justice and Equality	29/06/2009	7.5
Comhairle Contae na Mí	Meath County Council	31/08/2009	7.3
An Roinn Gnóthai Eachtracha agus Trádála	Department of Foreign Affairs and Trade	30/11/2009	7.1
Coláiste na hOllscoile, Corcaigh	University College, Cork	30/11/2009	7.1
Comhairle Contae Liatroma	Leitrim County Council	31/12/2009	7
An tÚdarás Clárúcháin Maoine	Property Registration Authority	01/04/2010	6.7
Coimisiún Forbartha an Iarthair	Western Development Commission	09/04/2010	6.7
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	29/04/2010	6.7
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	30/06/2010	6.5
Comhairle Contae an Chláir	Clare County Council	19/08/2010	6.4
Comhairle Contae Chorcaí	Cork County Council	30/09/2010	6.3
Comhairle Contae Ros Comáin	Roscommon County Council	30/09/2010	6.3
Comhairle Cathrach Chorcaí	Cork City Council	30/10/2010	6.2
An Phríomh-Oifig Staidrimh	Central Statistics Office	04/11/2010	6.2
Comhairle Contae Lú	Louth County Council	19/11/2010	6.1
Teagasc	Teagasc	31/12/2010	6
Comhairle Contae Mhuineacháin	Monaghan County Council	01/06/2011	5.6
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/2011	5.6
Comhairle Contae an Longfoirt	Longford County Council	01/07/2011	5.5
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	04/07/2011	5.5
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/2011	5.5
Comhairle Contae Chill Dara	Kildare County Council	08/09/2011	5.3
Comhairle Contae Cheatharlach	Carlow County Council	01/10/2011	5.2



Oifig an Ard-Reachtair Cuntas agus Ciste	Office of the Comptroller and Auditor General	19/01/2012	4.9
An Binse Comhionannais	Equality Tribunal	01/02/2012	4.9
Bord Scannán na hÉireann	Irish Film Board	26/04/2012	4.7
Comhairle Contae Chill Mhantáin	Wicklow County Council	24/05/2012	4.6
Comhairle Contae an Chabháin	Cavan County Council	03/08/2012	4.4
Comhairle Contae Laoise	Laois County Council	30/11/2012	4.1
Comhairle Contae Loch Garman	Wexford County Council	10/01/2013	4
Comhairle Contae Shligigh	Sligo County Council	27/07/2013	3.4
Institiúid Teicneolaíochta Bhaile Átha Cliath	Dublin Institute of Technology	22/05/2015	1.6
Seirbhís Thithe an Oireachtais	Houses of the Oireachtas Service	31/07/2015	1.4
An Roinn Leanaí agus Gnóthaí Óige	Department of Children and Youth Affairs	13/10/2016	3 mhi/ months
Institiúid Teicneolaíochta Bhaile Átha Luain	Athlone Institute of Technology	20/10/2016	2 mhi/ months
An Bord Bia	An Bord Bia	26/01/2017	0
An Ghníomhaireacht Bainistíochta Rialtais Áitiúil	Local Government Management Agency	06/07/2017	0
Bonneagar Iompair Éireann	Transport Infrastructure Ireland	13/07/2017	0

## Dréachtscéimeanna le daingniú / Draft Schemes to be confirmed

### An Tríú Scéim / Third Scheme

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta Scéim in Éag* Date Scheme Expired*	Tréimhse (Blianta) ón Dáta Éaga Period (Years) from Date Expired
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	11/05/2012	4.6
Ollscoil Luimnigh	University of Limerick	29/12/2012	4.0
Oifig an Uachtaráin	Office of the President	28/01/2015	1.9
Coláiste Oideachais Eaglais na hÉireann	Church of Ireland College of Education	09/02/2015	1.9
An Crannchur Náisiúnta	National Lottery	13/08/2015	1.4
Ollscoil na hÉireann, Gaillimh	National University of Ireland, Galway	23/10/2015	1.2
Institiúid Teicneolaíochta na Gaillimhe – Maigh Eo	Galway – Mayo Institute of Technology	22/04/2016	8 mí/months
Oifig na gCoimisinéirí Ioncaim	Office of the Revenue Commissioners	03/06/2016	7 mí/months
An tSeirbhís um Cheapacháin Phoiblí	Public Appointments Service	22/07/2016	5 mhi/months
Bord Soláthair an Leictreachais	Electricity Supply Board	25/08/2016	4 mhi/months
Gailearaí Náisiúnta na hÉireann	National Gallery of Ireland	15/09/2016	4 mhi/months
An Coimisiún Reifrinn	Referendum Commission	10/10/2016	3 mhi/months
Comhairle Contae Chill Chainnigh	Kilkenny County Council	07/11/2016	2 mhi/months
Coláiste na Tríonóide, Baile Átha Cliath	Trinity College, Dublin	17/11/2016	1 mhi/months
An tSeirbhís Chúirteanna	Courts Service	30/12/2016	0
Oifig na nOibreacha Poiblí	Office of Public Works	04/03/2017	0
An Roinn Cumarsáide, Gníomhaithe ar son na hAeráide agus Comhshaoil	Department of Communications, Climate Action and Environment	04/03/2017	0
Comhairle Contae na Gaillimhe	Galway County Council	05/05/2017	0
Leabharlann Chester Beatty	Chester Beatty Library	15/06/2017	0
Ollscoil na hÉireann, Má Nuad	National University of Ireland, Maynooth	22/06/2017	0

## Dréachtscéimeanna le daingniú / Draft Schemes to be confirmed

### An Ceathrú Scéim / Fourth Scheme

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta Scéim in Éag* Date Scheme Expired*	Tréimhse (mionna) ón Dáta Éaga Period (months) from Date Expired
An Roinn Tithíochta, Pleanála, Pobail agus Rialtais Áitiúil	Department of Housing, Planning, Community and Local Government	17/09/2016	3 mhí/months
Oifig an Stiúrthóra Ionchúiseamh Poiblí	Office of the Director of Public Prosecutions	19/01/2017	0
Comhairle Contae Dhún na nGall	Donegal County Council	23/02/2017	0
An Roinn Cosanta	Department of Defence	02/03/2017	0
Óglaigh na hÉireann	Defence Forces	20/04/2017	0
Comhairle Contae Chiarraí	Kerry County Council	08/06/2017	0

\*Nuair a théann scéim “in éag” (fo-alt 15(1) d’Acht na dTeangacha Oifigiúla), fanann forálacha na scéime i bhfeidhm go dtí go ndaingnítear scéim nua (fo-alt 14(3) den Acht).

\*When a scheme “expires” (subsection 15(1) of the Official Languages Act), the scheme’s provisions remain in force until a new scheme has been confirmed (subsection 14(3) of the Act).

### Scéimeanna teanga dímholta / Superseded language schemes

Bunscéim / Original Scheme		Scéim dímholta ag: Scheme Superseded by:	
Ainm an Chomhlachta Phoiblí	Name of Public Body	Ainm an Chomhlachta Phoiblí	Name of Public Body
An Roinn Gnóthaí Pobail, Comhionannais agus Gaeltachta	Department of Community, Equality and Gaeltacht Affairs	An Roinn Ealaíon, Oidhreacht agus Gaeltachta	Department of Arts, Heritage & the Gaeltacht
An Roinn Ealaíon, Spóirt agus Turasóireacht	Department of Arts, Sport and Tourism		

### Scéimeanna as feidhm / Schemes lapsed

Ainm an Chomhlachta Phoiblí	Name of Public Body	Cúis / Reason
An Bord Seirbhísí Ríomhaire Rialtais Áitiúil	Local Government Computer Services Board	Na comhlachtaí poiblí scortha – an tAcht Rialtais Áitiúil (Forálacha Ilghnéitheacha), 2012 Public bodies dissolved – Local Government (Miscellaneous Provisions) Act 2012
An Bord Seirbhísí Bainistíochta Rialtais Áitiúil	Local Government Management Services Board	

Coiste Gairmoideachais Chontae Dhún na nGall	County Donegal Vocational Educational Committee	Na comhlachtaí poiblí scortha – an tAcht um Boird Oideachais agus Oiliúna, 2013 <i>Public bodies dissolved – Education and Training Boards Act 2013</i>
Coiste Gairmoideachais Chontae na Gaillimhe	County Galway Vocational Education Committee	
Seirbhís Oideachais Chontae Chiarraí	Kerry Education Service	
Coiste Gairmoideachais Chathair Chorcaí	Cork City Vocational Education Committee	
Coiste Gairmoideachais Chathair na Gaillimhe	Galway City Vocational Education Committee	
Coiste Gairmoideachais Chontae Chorcaí	County Cork Vocational Education Committee	
Coiste Gairmoideachais Chontae an Chláir	County Clare Vocational Education Committee	
Coiste Gairmoideachais Chontae Bhaile Átha Cliath	County Dublin Vocational Education Committee	
Coiste Gairmoideachais Chathair Bhaile Átha Cliath	City of Dublin Vocational Education Committee	An comhlacht poiblí scortha – an tAcht Breisoideachais agus Oiliúna, 2013. <i>Public body dissolved – Further Education and Training Act 2013</i>
An Foras Áiseanna Saothair (FÁS)	The Training and Employment Authority (FÁS)	
Comhairle Contae Luimnigh	Limerick County Council	An tAcht um Athchóiriú Rialtais Áitiúil, 2014 <i>Local Government Reform Act 2014</i>
Comhairle Cathrach Luimnigh	Limerick City Council	
Comhairle Contae Phort Láirge	Waterford County Council	
Comhairle Cathrach Phort Láirge	Waterford City Council	
Comhairle Contae Tiobraid Árann Thuaidh	North Tipperary County Council	





An Coimisinéir Teanga

An Coimisinéir Teanga  
An Spidéal, Gaillimh, Éire.  
H91 VK23  
091 504 006  
[eolas@coimisineir.ie](mailto:eolas@coimisineir.ie)  
[www.coimisineir.ie](http://www.coimisineir.ie)  
[@ceartateanga](https://twitter.com/ceartateanga)