



IONSTRAIMÍ REACHTÚLA.

I.R. Uimh. 391 de 2008

NA RIALACHÁIN UM ACHT NA dTEANGACHA OIFIGIÚLA 2003
(ALT 9) 2008

(Prn. A8/1551)

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NA RIALACHÁIN UM ACHT NA dTEANGACHA OIFIGIÚLA 2003
(ALT 9) 2008

I bhfeidhmiú na gcumhachtaí a thugtar dom le hailt 4(2) agus 9(1) d’Acht na dTeangacha Oifigiúla 2003 (Uimh. 32 de 2003), déanaimse, Éamon Ó Cuív, Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta, leis seo, na rialacháin seo a leanas:

1. Na Rialacháin um Acht na dTeangacha Oifigiúla 2003 (Alt 9) 2008 is teideal do na Rialacháin seo.

Léiriú

2. (1) Sna Rialacháin seo—

ciallaíonn “Acht” Acht na dTeangacha Oifigiúla 2003 (Uimh. 32 de 2003);

tá le “comhlacht forfheidhmithe” an bhrí chéanna atá leis san Acht um Chomhaontú na Breataine-na hÉireann 1999 (Uimh. 1 de 1999);

ciallaíonn “teanga nach teanga oifigiúil” teanga seachas ceann de na teangacha oifigiúla;

(2) Sna Rialacháin seo—

(a) aon tagairt do Rialachán, is tagairt í do Rialachán de chuid na Rialachán seo mura rud é go léirítear gur tagairt do rialachán éigin eile atá beartaithe, agus

(b) aon tagairt do mhír nó d’fhómhír, is tagairt í don mhír nó don fhómhír den fhoráil ina bhfuil an tagairt mura rud é go léirítear gur tagairt d’fhoráil éigin eile atá beartaithe.

Feidhm

3. (1) Faoi réir mhíreanna (2) agus (3)(a), baineann na Rialacháin seo le gach comhlacht poiblí.

(2) Ní bhaineann na Rialacháin seo leis an gcomhlacht forfheidhmithe ar a dtugtar an Foras Teanga ach amháin a mhéid a chomhlíonann sé feidhmeanna i ndáil leis an nGaeilge.

(3) Ní bhaineann na Rialacháin seo leis an méid seo a leanas:

(a) comhlachtaí poiblí a mhéid a sheolann siad gníomhaíochtaí tráchtála lasmuigh den Stát,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd October, 2008.*

(b) comharthaí tráchta—

(i) lena mbaineann Rialacháin faoi alt 95(2) d’Acht 1961, nó

(ii) lena mbaineann ordachán faoi alt 95(16) den Acht sin, agus

(c) comharthaí lena mbaineann na Rialacháin um Shábháilteacht, Sláinte agus Leas ag an Obair (Feidhm Ghinearálta) 2007 (I.R. Uimh. 299 de 2007).

(4) Sa Rialachán seo—

ciallaíonn “Acht 1961” an tAcht um Thrácht ar Bhóithre 1961 (Uimh. 24 de 1961);

tá le “comhartha tráchta” an bhrí chéanna atá leis in alt 95 (arna leasú le halt 37(a)(ii) den Acht um Thrácht ar Bhóithre 1994 (Uimh. 7 de 1994)) d’Acht 1961.

Fógairtí taifeadta béil

4. (1) Maidir le fógairtí taifeadta béil a bhaineann le chuid ceann amháin nó níos mó de na haicmí seo a leanas, ar fógairtí iad a dhéanann comhlacht poiblí nó a dhéantar thar ceann comhlachta phoiblí, is i nGaeilge nó i nGaeilge agus i mBéarla a bheidh siad:

(a) fógairtí a tharchuirtear le teileafón agus atá beartaithe lena gcloisteáil nuair atá oifigí an chomhlachta dúnta;

(b) fógairtí a tharchuirtear trí mheán córais callaireachta poiblí;

(c) fógairtí a chruthaítear agus a tharchuirtear trí mheán seirbhís ríomhairithe teachtaireachta nó seirbhís ríomhairithe freagartha teileafóin.

(2) Maidir leis an Rialachán seo—

(a) ní bhaineann sé leis an meid seo a leanas:

(i) fógairtí taifeadta béil nach bhfuil beartaithe lena gcloisteáil ach amháin ag daoine lasmuigh den Stát,

(ii) fógairtí taifeadta béil pearsanta arna dtaifeadadh ag bail foirne de chuid an chomhlachta phoiblí lena mbaineann, nó

(b) ní thoirmistear leo teanga nach teanga oifigiúil í a úsáid i bhfógairtí taifeadta béil atá beartaithe lena gcloisteáil ag daoine a measann an comhlacht poiblí lena mbaineann le réasún ina leith ar fad nó i leith cuid díobh nach dtuigeann siad Gaeilge nó Béarla.

(3) Tiocfaidh an Rialachán seo i ngníomh ar an 1 Iúil 2013.

Stáiseanóireacht

5. (1) Maidir le ceannteidil ar stáiseanóireacht a bhaineann le ceann amháin nó níos mó de na haicmí stáiseanóireachta seo a leanas a úsáideann comhlacht poiblí, is i nGaeilge nó i nGaeilge agus i mBéarla a bheidh siad:

- (a) nóta-pháipéar;
- (b) duillíní dea-mhéine;
- (c) leatháin chlúdaigh facs;
- (d) clúdaigh chomhad agus fillteán eile;
- (e) lipéid;
- (f) clúdaigh litreacha.

(2) Ní bheidh feidhm ag an Rialachán seo—

- (a) le linn na tréimhse dar tosach an dáta a shonraítear i mír (3)(b) agus dar críoch an 1 Márta 2011, maidir le stáiseanóireacht a bhí, díreach roimh an dáta céadluaite, ina sheilbh ag an gcomhlacht poiblí lena mbaineann, nó
- (b) maidir le stáiseanóireacht a úsáideann comhlacht forfheidhmithe le haghaidh comhfhreagrais le daoine lasmuigh den Stát.

(3) Tiocfaidh an Rialachán seo i ngníomh—

- (a) an 1 Márta 2013, i ndáil le stáiseanóireacht nach mór ríomhchlár a mhodhnú ina leith d'fhonn an Rialachán seo a chomhlíonadh, agus
- (b) an 1 Márta 2009, i ndáil le stáiseanóireacht de gach aicme eile.

Comharthaí

6. (1) Faoi réir fhorálacha an Rialacháin seo, maidir le haon chomhartha a chuireann comhlacht poiblí in airde, nó a chuirtear in airde thar ceann aon chomhlachta phoiblí, in aon suíomh—

- (a) sa Stát, nó
- (b) ach amháin i gcás comhlachta forfheidhmithe, lasmuigh den Stát

is i nGaeilge nó i nGaeilge agus i mBéarla a bheidh sé.

(2) I gcás ina mbeartaíonn comhlacht poiblí comhartha a shuíomh i nGaeilge agus i mBéarla in aon suíomh agus go bhfuil sé den tuairim, de thoradh téacs sa dá theanga sin a bheith ann—

- (a) go mbeadh sé rómhór,
- (b) go mbeadh sé deacair é a léamh,

- (c) gur dhócha go mbeadh sé ina chúis le bacainn, nó
- (d) gur dhócha go mbeadh daoine, le linn é a léamh, ina mbaol dóibh féin nó do dhaoine eile (i gcás ina mbeartófaí comhartha a chur in airde ar thaobh bóthair nó gar do bhóthar),

féadfaidh an comhlacht, ina ionad sin, 2 chomhartha a shuíomh ag an suíomh sin, agus an fhaisnéis lena mbaineann a bheith i nGaeilge ar cheann amháin díobh agus an fhaisnéis lena mbaineann a bheith i mBéarla ar an gceann eile.

(3) Faoi réir na Rialachán seo, i gcás ina mbeartaíonn comhlacht poiblí líon nach lú ná 20 comhartha combhionann a chur in airde—

- (a) beidh an téacs ar gach comhartha i nGaeilge,
- (b) soláthrófar an fhaisnéis chéanna ar gach comhartha, i nGaeilge agus i mBéarla araon, nó
- (c) déanfar 2 chomhartha a chur in airde agus soláthrófar an fhaisnéis chéanna orthu agus beidh an téacs i nGaeilge amháin ar an gcéad comhartha díobh sin a fheicfear agus beidh an téacs i mBéarla amháin ar an gceann eile.

(4) D’ainneoin ghinearáltacht an Rialacháin seo, féadfaidh comhlacht poiblí comharthaí a chur in airde ar comharthaí iad atá de réir Chóras Idirnáisiúnta na nAonad arna ghlacadh ag an Bureau Internationale des poids et mesures, arna bhunú leis an *Metre Convention* a síníodh i bPáras sa bhliain 1875.

(5) Tiocfaidh an Rialachán seo i ngníomh—

- (a) an 1 Márta 2009, i ndáil le comharthaí a shuítear (cibé acu in ionad comharthaí níos sine nó nach ea) in aon suíomh ar an 1 Márta 2009 nó dá éis,
- (b) an 1 Márta 2012, i ndáil le comharthaí a shuítear in aon suíomh roimh an 1 Márta 2009 ar comharthaí iad ar ina leith a bheadh an Rialachán seo á chomhlíonadh murach earráid sa téacs Gaeilge,
- (c) an 1 Márta 2013, i ndáil le comharthaí, i mBéarla amháin, a shuítear in aon suíomh roimh an 1 Márta 2009,
- (d) an 1 Eanáir 2026, i ndáil le comharthaí a shuítear in aon suíomh ar comharthaí iad ar ina leith nach bhfuil mír (b) nó (c) de Rialacháin 7(2) á comhlíonadh roimh an dáta sin,
- (e) an 1 Márta 2013, i ndáil le comharthaí de gach aicme eile.

Stáiseanóireacht agus comharthaí

7. (1) Beidh feidhm ag na forálacha seo a leanas maidir le stáiseanóireacht a úsáideann comhlacht poiblí ar stáiseanóireacht í ar a bhfuil ceannteideal i nGaeilge agus i mBéarla araon:

- (a) beidh an téacs i nGaeilge ann ar dtús,
 - (b) beidh an téacs i nGaeilge chomh feiceálach, chomh sofheicthe agus chomh hinléite céanna leis an téacs i mBéarla agus ar an taobh céanna den leathanach lena mbaineann,
 - (c) ní bheidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla,
 - (d) maidir leis an téacs i nGaeilge, cuirfidh sé in iúl an fhaisnéis chéanna leis an bhfaisnéis a chuireann an téacs i mBéarla in iúl, agus
 - (e) ní dhéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla, ar aistriúchán air é, giorraithe freisin.
- (2) Beidh feidhm ag na forálacha seo a leanas maidir le comhartha i nGaeilge agus i mBéarla a chuireann comhlacht poiblí in aon suíomh:

- (a) beidh an téacs i nGaeilge ann ar dtús,
- (b) beidh an téacs i nGaeilge chomh feiceálach, chomh sofheicthe agus chomh hinléite céanna leis an téacs i mBéarla,
- (c) ní bheidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla,
- (d) maidir leis an téacs i nGaeilge, cuirfidh sé in iúl an fhaisnéis chéanna leis an bhfaisnéis a chuireann an téacs i mBéarla in iúl, agus
- (e) ní dhéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla, ar aistriúchán air é, giorraithe freisin.

Orduithe logainmneacha

8. I gcás ordú logainmneacha faoi alt 32 den Acht a bheith i bhfeidhm de thuras na huair, déanfaidh comhlacht poiblí an leagan Gaeilge den fhocal nó de na focail a shonraítear san ordú a úsáid—

- (a) in aon fhógairt thaifeadta béil arna déanamh aige nó thar a cheann,
- (b) in aon cheannteidil stáiseanóireachta ar stáiseanóireacht a úsáideann an comhlacht poiblí lena mbaineann, agus
- (c) i gcomharthaí a chuireann sé in aon suíomh.

Díolúintí

9. (1) Ní fhorléireofar aon ní sna Rialacháin seo mar ní lena gceanglaítear ar chomhlacht poiblí—

- (a) úsáid a bhaint as an leagan Béarla d'ainm Gaeilge comhlachta phoiblí, nó den teideal oifigiúil i nGaeilge, atá in úsáid go coitianta, nó

(b) aistriúchán a dhéanamh ó theanga oifigiúil amháin go dtí an 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).

(2) Ní fhorléireofar aon ní sna Rialacháin seo mar ní lena gceanglaítear ar chomhlacht poiblí athrú a dhéanamh—

(a) ar chomhartha—

(i) ar díol spéise é ó thaobh na healaíne, na hailtireachta nó na staire de, nó

(ii) atá faoi réir ordaithe buanchoimeádta faoi alt 8 (arna leasú le hAcht na Séadchomharthaí Náisiúnta (Leasú) 1954 (Uimh. 37 de 1954)) d'Acht na Séadchomharthaí Náisiúnta 1930 (Uimh. 2 de 1930),

(b) ar phlaic chuimhneacháin a suíodh nó a cuireadh in airde in aon suíomh ar an 1 Márta 2009 nó roimhe, nó

(c) Ar chomhartha a gcomhlíontar na Rialacháin seo ina leith seachas i leith an téacs i mBéarla a bheith ann roimh an téacs i nGaeilge.

(3) Ní fhorléireofar aon ní sna Rialacháin seo mar ní lena gceanglaítear ar chomhlacht poiblí aistriúchán a dhéanamh, ó theanga nach teanga oifigiúil go teanga oifigiúil, ar ainm duine nó ar logainm i gcás áite lasmuigh den Stát, nó ar aon doiciméad nó foilseachán.



ARNA THABHAIRT faoi mo Shéala Oifigiúil,
1 Deireadh Fómhair 2008

ÉAMON Ó CUÍV

Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta.

NÓTA MÍNIÚCHÁIN

(Ní cuid den ionstraim é an nóta seo agus ní airbheartaíonn sé gur léirmhíniú dlíthiúil é).

Baineann na rialacháin seo, atá á dhéanamh faoi ailt 4(2) agus 9(1) d'Acht na dTeangacha Oifigiúla 2003 le husáid na Gaeilge amháin nó na Gaeilge agus an Bhéarla le chéile i bhfógairtí taifeadta béil, ar stáiseanóireacht agus ar chomharthaí ag comhlachtaí poiblí. Tá diolúintí áirithe sonraithe sna rialacháin. Sonraítear sna Rialacháin chomh maith roinnt dátaí éagsúla ó 1 Márta 2009 go 1 Eanáir 2026 ar a dtiocfaidh na forálacha éagsúla a leagtar amach sna Rialacháin i bhfeidhm.



STATUTORY INSTRUMENTS

S.I. No. 391 of 2008

OFFICIAL LANGUAGES ACT 2003 (SECTION 9) REGULATIONS 2008

(Prn. A8/1551)

S.I. No. 391 of 2008

OFFICIAL LANGUAGES ACT 2003 (SECTION 9) REGULATIONS 2008

I, ÉAMON Ó CUÍV, Minister for Community, Rural and Gaeltacht Affairs, in exercise of the powers conferred on me by sections 4(2) and 9(1) of the Official Languages Act 2003 (No. 32 of 2003), hereby make the following regulations:

1. These Regulations may be cited as the Official Languages Act 2003 (Section 9) Regulations 2008.

Interpretation

2. (1) In these Regulations—

“Act” means Official Languages Act 2003 (No. 32 of 2003);

“implementation body” has the same meaning as it has in the British-Irish Agreement Act 1999 (No. 1 of 1999);

“non-official language” means a language other than one of the official languages;

(2) In these Regulations—

(a) a reference to a Regulation is a reference to a Regulation of these Regulations unless it is indicated that reference to some other regulation is intended, and

(b) a reference to a paragraph or a subparagraph is a reference to the paragraph or subparagraph of the provision in which the reference occurs unless it is indicated that reference to some other provision is intended.

Application

3. (1) Subject to paragraphs (2) and (3)(a), these Regulations apply to all public bodies.

(2) These Regulations apply to the implementation body known as the North/South Language Body insofar only as it performs functions in relation to the Irish language.

(3) These Regulations do not apply to

(a) public bodies in so far as they carry on commercial activities outside the State,

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 3rd October, 2008.

- (b) traffic signs—
 - (i) to which Regulations under section 95(2) of the Act of 1961 apply, or
 - (ii) to which a direction under section 95(16) of that Act applies, and
 - (c) signs to which the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) apply.
- (4) In this Regulation—

“Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961);

“traffic sign” has the same meaning as it has in section 95 (amended by section 37(a)(ii) of the Road Traffic Act 1994 (No. 7 of 1994)) of the Act of 1961.

Recorded Oral Announcements

4. (1) Recorded oral announcements belonging to one or more of the following classes made by or on behalf of a public body shall be in the Irish language or the Irish and English languages:

- (a) announcements transmitted by telephone that are intended to be heard when the offices of the body are closed;
- (b) announcements transmitted by means of a public address system;
- (c) announcements created and transmitted by means of a computerised messaging service or computerised telephone answering service.

(2) This Regulation does not—

- (a) apply to
 - (i) recorded oral announcements intended to be heard by persons outside the State only, or
 - (ii) personal oral announcements recorded by members of staff of the public body concerned, or
- (b) prohibit the use of a non-official language in recorded oral announcements intended to be heard by persons all or some of whom are reasonably considered by the public body concerned not to understand Irish or English.

(3) This Regulation comes into operation on 1 July 2013.

Stationery

5. (1) Headings of stationery belonging to one or more of the following classes of stationery used by a public body shall be in the Irish language or in the Irish and English languages:

- (a) notepaper;
- (b) compliment slips;
- (c) facsimile cover sheets;
- (d) file covers and other folders;
- (e) labels;
- (f) envelopes.

(2) This Regulation shall not—

- (a) during the period beginning on the date specified in paragraph (3)(b) and ending on 1 March 2011, apply to stationery that, immediately before the first-mentioned date, was in the possession of the public body concerned, or
- (b) apply to stationery used by an implementation body for corresponding with persons outside the State.

(3) This Regulation comes into operation—

- (a) on 1 March 2013, in relation to stationery that requires the modification of a computer programme in order to secure compliance with this Regulation, and
- (b) on 1 March 2009, in relation to stationery of all other classes.

Signage

6. (1) Subject to the provisions of this Regulation, any sign placed by or on behalf of a public body at any location—

- (a) in the State, or
- (b) except in the case of an implementation body, outside the State

shall be in the Irish language or in the Irish and English languages.

(2) Where a public body proposes to place a sign in the Irish and English languages at any location and it is of the opinion that, by reason of its containing text in both such languages—

- (a) it would be unduly big,
- (b) it would be difficult to read,

- (c) it would be likely to cause an obstruction, or
- (d) persons would, while reading it, be likely to constitute a danger to themselves or others (in the case of a proposal to place a sign at the side of or near a road),

the body may, instead, place 2 signs at that location, one bearing the information concerned in the Irish language and the other bearing the information concerned in the English language.

(3) Subject to these Regulations, where a public body proposes to erect not less than 20 identical signs—

- (a) the text on each sign shall be in the Irish language,
- (b) each sign shall provide the same information in both the Irish language and the English language, or
- (c) 2 signs providing the same information shall be erected, of which the one first appearing shall bear text in the Irish language only and the other shall bear text in the English language only.

(4) Notwithstanding the generality of this Regulation, a public body may erect signs that are in compliance with the International System of Units as adopted by the Bureau Internationale des poids et mesures, established by the Metre Convention signed at Paris in 1875.

(5) This Regulation comes into operation—

- (a) on 1 March 2009 in relation to signs placed (whether in place of older signs or not) at any location on or after 1 March 2009,
- (b) on 1 March 2012, in relation to signs placed at any location before 1 March 2009 in respect of which there would be compliance with this Regulation but for an error in the text of the Irish language,
- (c) on 1 March 2013, in relation to signs, in the English Language only, placed at any location before 1 March 2009,
- (d) on 1 January 2026, in relation to signs placed at any location in respect of which before that date there is no compliance with paragraph (b) or (c) of Regulation 7(2),
- (e) on 1 March 2013, in relation to signs of all other classes.

Stationery and Signage

7. (1) The following provisions shall apply to stationery used by a public body bearing a stationery heading in both the Irish and the English languages:

- (a) the text in the Irish language shall appear first,
 - (b) the text in the Irish language shall not be less prominent, visible, or legible than the text in the English language and shall appear on the same side of the page concerned,
 - (c) 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,
 - (d) the text in the Irish language shall communicate the same information as is communicated by the text in the English language, and
 - (e) a word in the text in the Irish language shall not be abbreviated unless the word in the text in the English language, of which it is the translation, is also abbreviated.
- (2) The following provisions shall apply to a sign in the Irish and English languages placed at any location by a public body:

- (a) the text in the Irish language shall appear first,
- (b) the text in the Irish language shall not be less prominent, visible, or legible than the text in the English language,
- (c) 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,
- (d) the text in the Irish language shall communicate the same information as is communicated by the text in the English language, and
- (e) a word in the text in the Irish language shall not be abbreviated unless the word in the text in the English language, of which it is the translation, is also abbreviated.

Placenames orders

8. Where a placenames order under section 32 of the Act is, for the time being, in force, a public body shall use the Irish language version of the word or words specified in the order in—

- (a) any recorded oral announcement made by it or on its behalf,
- (b) stationery headings on stationery used by the public body concerned, and
- (c) signs placed by it at any location.

Exemptions

9. (1) Nothing in these Regulations shall be construed as requiring a public body to—

- (a) use the English language version of an Irish language name of a public body, or official title in the Irish language, that is in common use, or

(b) translate from one official language to the other official language—

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

(2) Nothing in these Regulations shall be construed as requiring a public body to alter—

(a) a sign that is—

- (i) of artistic, architectural or historical interest, or
- (ii) subject to a preservation order under section 8 (amended by section 3 of the National Monuments (Amendment) Act 1954 (No. 37 of 1954)) of the National Monuments Act 1930 (No. 2 of 1930),

(b) a commemorative plaque placed or erected at any location on or before 1 March 2009, or

(c) a sign in respect of which there is compliance with these Regulations except that the text in the English language appears before the text in the Irish language.

(3) Nothing in these Regulations shall be construed as requiring a public body to translate from a non-official language to an official language, a person's name or a placename of a place situated outside the State, or any document or publication.



GIVEN under my Official Seal,
1 October 2008

ÉAMON Ó CUÍV
Minister for Community, Rural and Gaeltacht Affairs.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These regulations, which are being made under sections 4(2) and 9(1) of the Official Languages Act 2003, provide for the use of the Irish language only, or the Irish and English languages together on recorded oral announcements, stationery, and signage of public bodies. A number of exemptions are detailed in the regulations. The Regulations also provide for a number of different dates from 1 March 2009 to 1 January 2026 on which the various provisions provided for in the Regulations come into effect.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
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