



TUARASCÁIL BHLIANTÚIL **ANNUAL REPORT** 2015



An Coimisinéir Teanga

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DON AIRE EALAÍON, OIHDREACHTA AGUS GAELTACHTA:

De réir alt 30 d'Acht na dTeangacha Oifigiúla, 2003, tá an Tuarascáil seo don bhliain 2015 á cur i láthair ag an gCoimisinéir Teanga.

Rónán Ó Domhnaill
An Coimisinéir Teanga

Bealtaine 2016

TO THE MINISTER FOR ARTS, HERITAGE AND THE GAELTACHT:

In accordance with section 30 of the Official Languages Act 2003, this Report for the year 2015 is being presented by An Coimisinéir Teanga.

Rónán Ó Domhnaill
An Coimisinéir Teanga

May 2016

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.

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RÉAMHRÁ

FOREWORD

Ba í an bhliain a chuaigh thart an chéad bhliain iomlán dom a bheith ag feidhmiú mar Choimisinéir Teanga na tíre. Lean m'Oifig uirthi ag comhlíonadh a cuid feidhmeanna reachtúla go dúthrachtach le linn na bliana agus bhí ardú suntasach le brath i ngach réimse gníomhaíochta de chuid na hOifige. Tháinig ardú 6.5% ar leibhéal na ngearán agus ardú 79% ar líon na gcomhairlí a cuireadh ar chomhlachtaí poiblí le hais na bliana 2014. Rinne m'Oifig iarracht ar leith a bheith réamhghníomhach ag cur comhairle ar chomhlachtaí poiblí maidir lena gcuid dualgas faoin Acht agus cuireadh tús an athuair le seisiúin eolais ghinearálta do chomhlachtaí poiblí. Freastalaíodh freisin ar chuid mhaith iarratas ó ghrúpaí agus eagraíochtaí ar fud na tíre ar theastaigh uathu go labhrófaí leo faoina gcearta in úsáid na dteangacha oifigiúla. Tugadh faoin obair seo ar fad, agus tuilleadh lena chois, ar acmhainn an-íseal foirne agus gan ach seisear comhaltaí foirne ar fáil don Oifig. Bheinn ag súil go gcuirfí leis an líon foirne sin mar níl aon amhras orm ach go mbeadh ar chumas na hOifige níos mó fós a bhaint amach dá mbeadh soláthar níos fearr foirne ar fáil di.

Le linn dom a bheith ag seoladh Thuarascáil Bhliantúil 2014, i mí na Bealtaine, thug mé le fios go raibh mé ag leagan tuarascáil speisialta faoi bhráid Thithe an Oireachtais a bhain leis an Roinn Oideachais agus Scileanna. Tá sé de dhualgas orm a leithéid a dhéanamh má thagaim ar an tuairim nár chomhlíon comhlacht poiblí aon chuid de mholtaí a bhí déanta i dtuarascáil imscrúdaithe. Tháinig mé ar an tuairim sin i gcás na Roinne Oideachais agus Scileanna tar éis do m'Oifig iniúchadh a dhéanamh ar an mbealach ar tugadh faoi chomhlíonadh moltaí imscrúdaithe ar ábhar a bhain le ceapadh múinteoirí, ó phainéil, do scoileanna Gaeltachta. In ainneoin go raibh córas leasaithe curtha i bhfeidhm ag an Roinn Oideachais agus Scileanna mheas mé gur theastaigh socruithe dochta daingne a chinnteadh nach

Last year marked my first full year as the country's Coimisinéir Teanga. My Office continued implementing its statutory functions diligently throughout the year and every area of the Office's activity saw a substantial increase. There was a 6.5% increase in the number of complaints and an increase of 79% in the number of advices given to public bodies during 2014. My Office made a special effort in being proactive in advising public bodies of their obligations under the Act and general information sessions with public bodies were recommenced. Many groups and organisations throughout the country were also catered for in their requests for advice in relation to their rights in the use of the official languages. All this work, and more besides, was undertaken with a very low staff complement with only six staff members at the Office's disposal. I would hope that could be increased because I'm convinced that even more could be accomplished by the Office with a better staff complement.

In launching the 2014 Annual Report, in May, I announced that I was submitting a special report to the Houses of the Oireachtas pertaining to the Department of Education and Skills. I'm obliged to do this if I form the opinion that a public body has failed to comply with any recommendations made in an investigation report. I formed such an opinion in relation to the Department of Education and Skills following an audit by my Office into implementation by the Department of recommendations of an investigation relating to the appointment of teachers, from a panel, to Gaeltacht schools. Despite the fact that the Department of Education and Skills had put a revised system in place, I thought that cast-iron arrangements were needed to ensure that no Gaeltacht school could be forced to accept teachers without an acceptable standard of Irish. While the statutory obligation is different, it is logical that a similar approach would be taken in the case of Irish-medium schools.

bhféadfaí tabhairt ar aon scoil Ghaeltachta glacadh le múinteoirí nach raibh a gcaighdeán Gaeilge sách maith. Cé nach ionann an dualgas reachtúil, luíonn sé le réasún gurb amhlaidh a bheadh an cur chuige i gcás scoileanna a mhúineann trí Ghaeilge.

Ar ábhar gaolmhar, aithnímh gur gníomh dearfach agus suntasach a bhí i bhfoilsíú na cáipéise 'Moltaí Polasaí don Oideachas Gaeltachta' a d'fhoilsigh an Roinn Oideachais agus Scileanna le linn na bliana 2015. Cuireadh fáilte ghinearálta roimh na moltaí a bhí déanta i leith an tsoláthair oideachais sna ceantair Ghaeltachta agus go deimhin roimh an mbealach ar thug an Roinn faoi dhul i gcomhairle leis na pobail Ghaeltachta. Tá sé riachtanach anois go dtabharfaí brí do na moltaí sin agus go leagfaí síos creat don oideachas Gaeltachta a thugann aird go firinneach ar riachtanais an chainteora dúchais agus an timpeallacht teanga ina bhfeidhmíonn na scoileanna Gaeltachta.

Is bliain faoi leith í an bhliain seo amach romhainn ina ndéanfar comóradh ar Éirí Amach na Cásca, 1916. Déanfar cuid mhaith tráchta ar an bhfís a bhí ag ceannairí na linne sin do thír shaor agus do thír Ghaelach agus na híobairtí a rinne na glúnta a chuaigh romhainn ar mhaithe leis an bhfís seo. Is ceart go ndéanfaí an méid sin a chomóradh. Beidh deis ann le linn na bliana seo amach romhainn machnamh a dhéanamh an athuair ar na mianta a bhí ann ar bhunú an Stáit. Lárnach sa mhachnamh seo beidh staid ár dteanga náisiúnta agus a háit imeallach i sochaí an lae. Más mian linn go n-athrófaí an méid sin beidh gá le ceannaireacht agus crógacht ionas go mbeidh mar oidhreacht ag an gcéad ghlúin eile go dtabharfar ár dteanga chuig áit níos folláine ná an staid ina bhfuair muid í.

ACHT LEASAITHE

I ndiaidh ceithre bliana a bheith caite ó fógraíodh go raibh athbhreithniú le déanamh ar Acht na dTeangacha Oifigiúla táimid go fóill ag fanacht

On a related matter, I recognise that the publication of the 'Policy Proposals for Educational Provision in Gaeltacht Areas' document by the Department of Education and Skills during the year was a positive and significant development. There was a general welcome for the proposals made therein with regard to educational provision in Gaeltacht areas and indeed for the way the Department approached its consultation with Gaeltacht communities. It is vital now that these proposals are acted upon and that a framework is put in place for Gaeltacht education that genuinely addresses the needs of native speakers and the linguistic environment in which Gaeltacht schools operate.

The year ahead is a unique one in which the Easter Rising of 1916 will be commemorated. Much discussion will take place about the vision of the leaders of the period for a free and Gaelic country and the sacrifices made by previous generations to realise this vision. It is right that this be commemorated. The forthcoming year will provide an opportunity to reflect once more on the aspirations which existed at the foundation of the State. Central to this reflection will be the state of our national language and its peripheral position in today's society. Leadership and bravery will be needed to change this situation so that the next generation sees our language being brought to a healthier position than the position we found it in.

AMENDED ACT

With four years having passed since the announcement that the Official Languages Act was to be amended, we still await an amended Act. Wide gaps certainly existed between the proposals made by my Office and those arising from the public consultation on the one hand, and those contained in the Heads of the Bill published in April 2014 on the other. In February of this year the Joint Committee on the Environment, Culture and the Gaeltacht published its report on the Heads of the Bill. This

ar Acht leasaithe. Níl aon amhras ach go raibh bearnaí móra idir na moltaí a rinne m'Oifig i leith Acht neartaithe, na moltaí a tháinig chun cinn ón gcomhairliúchán poiblí agus le ceannteidil an Bhille a foilsíodh i mí Aibreáin 2014. I mí Feabhra na bliana seo d'fhoilsigh an Comhchoiste um Chomhshaol, Cultúr agus Gaeltacht a thuarascáil ar Cheannteidil an Bhille. Sa tuarascáil sin rinne an Comhchoiste traspháirtí 34 moladh i ndáil leis na 13 cheannteideal atá sa Bhill. Fáiltim roimh mholtaí an Chomhchoiste agus an bhéim a leag sé ar an riachtanas go neartófaí an tAcht reatha, gníomh a bhfuil géarghá leis.

Tá gach cosúlacht air anois nach bhfoileofar an tAcht leasaithe le linn thréimhse an Rialtais seo. Dá réir sin, beidh an deis ligthe uainn Acht neartaithe a thabhairt i gcrích faoi mar a d'éiligh an pobal ionas go gcuirfí lena gcearta reachtúla teanga. Tá an baol ann nuair a aithnítear laigí na reachtaíochta reatha go ligtear i ndearmad go bhfuil codanna áirithe den Acht a fheidhmíonn go maith. Tá trácht déanta agam go minic roimhe seo ar na leasuithe a mheasaim atá ag teastáil chun úsáid na Gaeilge a thabhairt chuig áit níos lárnaí i soláthar seirbhísí stáit na tíre. Ba chóir go mbreathnófaí ar úsáid na Gaeilge mar chur chuige nádúrtha i dtír a bhfuil dhá theanga oifigiúla aici, seachas mar ualach ar gá freastal air agus de réir cosúlachta gan an toil ná an acmhainn ann sin a dhéanamh.

Ba dhiol suntais é gur le linn na bliana seo a d'fhoilsigh Airí na Breataine Bige an chéad cheann de shraith caighdeán a thiofadh i gcomharbas ar chóras na scéimeanna teanga sa tír sin in imeacht ama. Is córas níos sonraí é córas na gcaighdeán a leagfaidh dualgais chomónta ar eagraíochtaí stáit agus a chuideoidh leis na saoránaigh a bheith eolach agus muiníneach as an gcaighdeán seirbhíse ba cheart a bheith ar fáil dóibh ina dteanga féin. Tá sé mar chuspóir leis an gcóras seo nach gcaithfí ar aon bhealach níos lú fabhair leis an mBreatnais thar mar a chaitear leis an mBéarla.

Luath nó mall beidh orainn córas na scéimeanna teanga a leasú más ann gur mian linn rialú níos éifeachtaí a dhéanamh ar sholáthar seirbhísí stáit trí Ghaeilge. Creidim gur fearr i bhfad go ndéanfaí na socruithe anois do chóras níos éifeachtaí a bhunú seachas a bheith ag cur muinín i gcóras mí-éifeachtúil na scéimeanna teanga.

report contained 34 recommendations made by the Joint Committee in relation to the 13 Heads of Bill. I welcome the recommendations of the Joint Committee and the emphasis placed on the need to strengthen the current Act, a measure which is urgently required.

It now seems unlikely that the amended Act will be published during the lifetime of the current Government. We will, therefore, have foregone the opportunity to put in place a strengthened Act as demanded by the public to strengthen their statutory language rights. In identifying the weaknesses in the legislation, there is a danger that the parts of the Act which operate well could be overlooked. I've discussed on numerous occasions previously the amendments I believe are required to bring the use of Irish to a more central place in the provision of state services in this country. The use of Irish should be looked at as a natural approach, in a country with two official languages, and not as a burden to be catered for with neither the will nor the resources there to achieve this.

It was significant that this year marked the publication by the Welsh Ministers of the first of a series of standards which will succeed the system of language schemes in that country over time. The standards system is a more precise one which lays down common obligations to state organisations and which assists citizens in being aware of and confident in the standard of service that should be available to them in their own language. This system aims at ensuring that Welsh is treated no less favourably than English.

Sooner or later we'll need to amend the language scheme system if we wish to more effectively manage the provision of state services in Irish. I believe that it is far better to make arrangements now for the establishment of a more effective system rather than depending on the ineffective language scheme system.

RECRUITMENT

Responses to parliamentary questions in the Dáil during the year showed that certain Government Departments are reluctant to designate jobs with an Irish language requirement. In the course of the years the biggest complaint from Government Departments and other state organisations was the shortage of staff for the provision of services through Irish. It was indicated that nothing could be done to rectify this

EARCAÍOCHT

Léirigh freagraí ar cheisteanna Dála a cuireadh le linn na bliana reatha gur beag fonn atá ar roinnt Ranna Rialtais poist a ainmniú a mbeidh riachtanas Gaeilge ag baint leo. I gcaitheamh na mblianta ba é an clamhsán is mó a bhí ag Ranna Rialtais agus eagraíochtaí eile stáit nach raibh dóthain foirne ar fáil dóibh le seirbhísí a sholáthar trí Ghaeilge. De bharr an lánchoisc a bhí ar earcaíocht le roinnt blianta bhíothas ag tabhairt le fios nach raibh ar a gcumas aon ní a dhéanamh faoi seo. Anois agus maolú ag teacht ar an gconstaic sin is deacair a chreidiúint go mbeadh roinnt Ranna Rialtais ag tabhairt le fios nach bhfuil aon riachtanas ann go n-aithneofaí poist a mbeadh inniúlacht sa Ghaeilge ag baint leo.

Ardaíonn an dearcadh seo ceisteanna tromchúiseacha maidir le toil an Stáit seirbhísí ar comhchaighdeán a sholáthar sa dá theanga oifigiúla. Bheifí ag súil le ceannaireacht ó Ranna Rialtais agus ó na hOifigí is mó tábhacht sa tír maidir le seirbhís eiseamláireach a sholáthar in dhá theanga oifigiúla an Stáit. Is eol dúinn ar fad nach féidir seirbhísí a sholáthar don phobal i nGaeilge ach amháin nuair a bhíonn dóthain daoine ar fáil chun na seirbhísí sin a sholáthar. Is beag is fiú a bheith ag bunú painéil earcaíochta do dhaoine leis an gcumas oibriú i nGaeilge agus i mBéarla mura bhfuil ról straitéiseacha aitheanta ar féidir leis na daoine sin oibriú iontu.

Feictear dom go bhfuil an cur chuige atá á ghlacadh ag roinnt Ranna Rialtais ag dul glan i gcoinne an chuspóra shonraigh a bhí luaite sa Straitéis 20 bliain don Ghaeilge go n-aithneofaí poist le riachtanas Gaeilge i scéimeanna teanga na gcomhlachtaí poiblí feasta. Níl sé le brath go fóill go bhfuil an méid seo ag tarlú ar aon bhealach struchtúrtha ná iomlán in ainneoin go bhfuil breis agus cúig bliana caite ó foilsíodh an Straitéis.

EIRCODE – AINM & SEOLADH I nGAEILGE

Ba le linn na bliana seo a fuair m'Oifig an líon is airde gearán riamh ar aon ábhar sonrach amháin. Bhain na gearáin sin le córas na bpostchód nua, Eircode, agus go háirithe an cur chuige a glacadh ó thaobh seachadadh na bpostchód céanna. Ar an iomlán, fuair m'Oifig os cionn 70 gearán a bhain leis an ábhar seo.

Níor chuir an t-olc a bhí ar dhaoine nuair a fuair siad an postchód nua ó Eircode aon iontas orm, faraor. Daoine ag fáil litreacha lena n-ainm agus sloinne i mBéarla nuair nár úsáid siad riamh é sin agus míchruinneas de réir cosúlachta ag baint le

situation due to the moratorium on recruitment in place for several years now. Now that this barrier is being diluted, it is difficult to believe that Government Departments could claim that there is no necessity to identify jobs requiring proficiency in Irish.

This attitude raises a serious question regarding the willingness of the State to provide services of similar standard in both official languages. One would expect leadership from Government Departments and from the most important Offices in the country regarding delivery of an exemplary service in the State's two official languages. We all know that services can only be provided to the public in Irish when enough people are available to provide these services. It is hardly worthwhile establishing recruitment panels for people able to work in Irish and in English if no strategic roles are identified for those people to work in.

It appears to me that certain Government Departments are taking an approach which is directly at odds with the specific objective identified in the 20 Year Strategy for the Irish Language, that is that jobs with an Irish language requirement would henceforth be identified in the language schemes of public bodies. It cannot be said that this is happening in any structured or overall fashion in spite of more than five years having elapsed since the Strategy's publication.

EIRCODE – NAME & ADDRESS IN IRISH

This year marked the largest number of complaints ever received by my Office on one specific matter. These complaints related to the new postcode system, Eircode, and especially the approach adopted in the dissemination of the postcodes. In total, my Office received over 70 complaints on this matter.

The anger of people when they received the new postcode from Eircode did not surprise me, unfortunately. People received letters with their name and surname in English when they only ever used their name in Irish and there were also apparent inaccuracies in addresses and in Irish language and Gaeltacht placenames. This suggests that the State finds it difficult to deal with communities and individuals in any language apart from the official default language – English.

Our name and surname is an integral part of our identity and no person or organisation should take it upon itself to anglicise this. I undertook an investigation on this matter and this report contains a summary on that investigation.

seoltaí agus logainmneacha Gaeilge agus Gaeltachta. Thabharfadh sé le fios duit gur deacair leis an Stát déileáil le pobail agus le daoine aonair in aon teanga ach amháin i dteanga oifigiúil agus réamhshocráithe an Bhéarla.

Is dlúthchuid dár gcéannacht é ár n-ainm agus sloinne agus níor chóir go dtógfadh aon duine nó eagraíocht orthu féin é a ghalldú. Thug mé faoi imscrúdú ar an gceist agus tá achoimre ar an imscrúdú sin sa tuarascáil seo.

Léiríonn an cheist seo uair amháin eile an gá atá le reachtaíocht láidir teanga le cosaint a thabhairt do bhunchearta an tsaoránaigh. Ba chóir go mbeadh stádas reachtúil ag ainmneacha agus seoltaí Gaeilge. Ba chóir freisin go mbeadh sé de dhualgas ar chomhlachtaí poiblí le leaganacha oifigiúla de logainmneacha Gaeltachta a úsáid do gach gnó oifigiúil.

Ar an iomlán, bhain 14.4% de na gearáin i dtaobh comhlachtaí poiblí le húsáid an leagain Gaeilge d'ainm agus sloinne agus seoladh. Bhí nós seanbhunaithe sa tír seo gur ceadmhach don saoránach ceachtar leagan – Gaeilge nó Béarla – dá (h)ainm agus sloinne agus seoladh a úsáid leis an státchóras. Go stairiúil, ba mhinic leagan Béarla d'ainm agus sloinne a bheith ar theastas breithe ach leagan Gaeilge a bheith in úsáid ar bhonn laethúil ar phas, ceadúnas tiomána, do chúrsaí cánach agus leasa shóisialaigh agus araile. De bharr cúrsaí slándála, tá athrú ag teacht ar an gcás seo anois, agus bítear ag súil le cruthúnas úsáide ar feadh tréimhse dhá bhliain den chuid is mó sula ceadmhach leagan eile seachas an leagan ar an teastas breithe a úsáid ar cháipéisí stáit. Ní mór a chinntiú go bhfuil córas cuí i bhfeidhm a chinntiann gur ceadmhach don saoránach an leagan is rogha leis nó léi a úsáid leis an Stát, ach a chinntiann nach bhfuil aon bhaol slándála ann.

GEARÁIN/IMSCRÚDITHE

Léiríodh uair amháin eile na deacrachtaí atá cruthaithe do shaoránaigh na tíre ar mian leo plé leis an státchóras trí Ghaeilge ach nach féidir leo mar nach bhfuil uasdátú rialta á dhéanamh ar sceideal na gcomhlachtaí poiblí le linn na bliana. Fearacht na bliana seo caite, rinneadh líon suntasach gearán le m'Oifig le linn na bliana 2015 a bhain le comhlachtaí poiblí nach dtagann faoi scáth na reachtaíochta – 116 ar an iomlán, i gcomparáid le 115 an bhliain roimhe

This issue once again highlights the need for robust language legislation to safeguard the basic rights of citizens. Names and addresses in Irish should have statutory status. Public bodies should also be obliged to use the official versions of Gaeltacht placenames for all official business.

In total, 14.4% of complaints about public bodies related to the usage of the Irish version of a name and surname and address. There has been a long-standing tradition in this country that citizens could use either version of their name and address – Irish or English – with the State. Historically, it was often the case that an English version of a name was on a birth certificate but an Irish version was used on a daily basis on a passport, driving licence, for tax and social welfare purposes etc. For security reasons, this is changing now, and it is expected, for the most part, that there be proof of usage for two years before a different version of one's name than that on a birth certificate may be used on state documents. It is important to ensure that an appropriate system is in operation which allows the citizen to use whichever version he/she prefers with the State, while also ensuring there are no security concerns.

COMPLAINTS/INVESTIGATIONS

The difficulties created for citizens who wish to deal with the State through Irish but cannot do so as the schedule of public bodies isn't being updated regularly was illustrated once more during the year. As was the case last year, a substantial number of complaints were made to my Office in 2015 relating to public bodies that don't come under the legislation – 116 in total, compared to 115 the previous year. Again, the vast majority of these related to public bodies that were established after the schedule relating to public bodies in the Official Languages Act was last updated in May 2006. The most significant number of complaints received were 23 complaints regarding the Road Safety Authority and 33 complaints regarding Irish Water. Four complaints were received about the National Car Testing Service and two complaints relating to the Teaching Council.

As my Office couldn't investigate these complaints, because the public bodies concerned didn't come under the legislation, I can't say if a breach of legislation occurred, even if they did come under the Act. As I stated last year, my Office

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 na líon is suntasaí gearán a rinneadh bhí 23 gearán i dtaobh an Údaráis um Shábháilteacht ar Bhóithre agus 33 gearán i dtaobh Uisce Éireann. Bhain ceithre ghearán leis an tSeirbhís Tástála Náisiúnta Gluaisteán agus dhá ghearán leis an gComhairle Mhúinteoireachta.

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 reachtúil i gceist in aon chás fiú dá mbeidís faoi scáth an Achta. Mar a luaigh mé anuraidh, tá sé molta ag m'Oifig i gcomhthéacs an athbhreithnithe ar Acht na dTeangacha Oifigiúla go dtiocfadh gach comhlacht poiblí nuachruthaithe go huathoibrioch faoi scáth na reachtaíochta, mar a tharlaíonn i gcás reachtaíocht eile agus tá sin curtha san áireamh i gceannteidil an Bhille leasaithe. 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 naoi n-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 ghearáin a réiteach gan dul i muinín imscrúdú. Ní bhíonn de rogha agam, áfach, ach imscrúdú a sheoladh má tharlaíonn nach mbíonn aon toradh sásúil ar an gcóras neamhfhoirmiúil.

FAIREACHÁN

Lean m'Oifig den obair faireacháin a bhíonn idir lámha aici go ciúin, cúramach agus seasmhach mar a dhéanann sí gach bliain. Dhírigh an obair faireacháin cuid mhaith ar na scéimeanna teanga agus leanadh den chóras iniúchta atá bunaithe anois le roinnt blianta. Éiríonn le m'Oifig teacht ar shocrú le formhór na gcomhlachtaí poiblí nach mbíonn gach cuid dá scéim teanga curtha i ngníomh acu tráth an iniúchta. I gcásanna áirithe, áfach, bíonn ar m'Oifig tabhairt faoi imscrúdú de thoradh an phróisis iniúchta faoi mar a tharla i gcás dhá údarás áitiúla a bhfuil cuntas tugtha orthu sa tuarascáil seo.

has recommended in the context of the review of the Official Languages Act that every newly-established public body would automatically come under the Act, as happens with other legislation, and this has been included in the Heads of the amending Bill. I should mention that some of the complaints received have been referred to the public bodies concerned, with their permission, and that I have received very good cooperation in this regard, despite the fact that the legislation does not apply to these bodies – the Road Safety Authority especially. I wish to thank the bodies concerned for this cooperation.

My Office completed nine investigations during the current year and these are summarised in this report. My Office usually takes the approach of seeking to resolve complaints without recourse to an investigation. However, I have no choice but to launch an investigation where the informal system fails to achieve satisfactory results.

MONITORING

My Office continued in the monitoring work it undertakes in a low key, careful and consistent manner as it does every year. The monitoring work focused substantially on language schemes and the auditing system now in place for several years continued in operation. My Office succeeds in coming to an arrangement with most public bodies that haven't fully implemented their language scheme at the time of the audit. In certain cases, however, my Office has to undertake an investigation as a result of the audit process, as was the case regarding two local authorities that are detailed in this report.

While not part of the monitoring work carried out by the Office, we took note of the high number of educational institutions that failed to respond to a letter in Irish from this Office seeking an update of their contact details. Overall, 57 e-mails were sent to public bodies in this sector. 20 of these responded in Irish, one responded in English and 36 others failed to reply at all. While it cannot be ascertained whether the failure to respond was due to the letter being in Irish or due to administrative inefficiency, it was interesting nevertheless. This is a subject that may need to be revisited on an official basis as part of the Office's monitoring work.

Cé nach bhfuil sé áirithe mar chuid d'obair faireacháin na hOifige, thugamar suntas don líon ard institiúidí oideachais nár fhreagair litir i nGaeilge ón Oifig seo ag lorg nuashonrú ar na foinsí teagmhála. Ar an iomlán, seoladh amach 57 ríomhphost chuig comhlachtaí poiblí san earnáil seo. Thug 20 freagra i nGaeilge, ceann amháin a d'fhreagair i mBéarla agus bhí 36 nár thug freagra ar bith. Cé nach féidir a dhéanamh amach an de thoradh an litir a bheith i nGaeilge nó de bharr mí-éifeacht riaracháin nár tugadh freagra, is díol spéise é mar sin féin. Is ábhar é seo arbh fhéidir gur ghá filleadh uirthi go hoifigiúil mar chuid d'obair faireacháin na hOifige.

CUMARSÁID

Bhí tosaíocht faoi leith ag baint le cúrsaí cumarsáide agus comhairle do chomhlachtaí poiblí le linn na bliana 2015. Lean mé den phróiseas ar chuir mé tús léi anuraidh do chruinnithe le hArd-Rúnaithe na Ranna Rialtais. Bhí éileamh mór freisin ó chomhlachtaí poiblí ar sheisiúin eolais a chur ar fáil do lucht bainistíochta agus don fhoireann i gcoitinne. Níor eitigh m'Oifig aon iarratas a cuireadh faoinár mbráid.

Tá sé tamall de bhlianta anois ó d'eagraigh m'Oifig aon seisiún eolais ginearálta do chomhlachtaí poiblí chun an tAcht a phlé. D'aithin muid go raibh géarghá lena leithéid i bhfianaise na n-athruithe móra pearsanra atá tar éis tarlú sa tseirbhís phoiblí agus dá thoradh sin eagraíodh seimineár eolais do chomhlachtaí poiblí le linn Oireachtas na Gaeilge. Thug sé ardú croí dom go raibh éileamh thar na bearta ar an seimineár seo. Ach na hacmhainní a bheith ar fáil, tá sé i gceist againn breis seimineár a eagrú le linn na bliana seo chugainn chun freastal ar an éileamh atá ann.

Ceann de na nithe is mó a thugann sásamh dom mar Choimisinéir Teanga ná an deis casadh le lucht labhartha na Gaeilge, grúpaí pobail agus gníomhaithe a bhíonn ag obair ar son na teanga. Thug mé cuairt ar chuid mhaith ceantar i mbliana, ina measc Daingean Uí Chúis, chun labhairt le Comhlacht Forbartha Chorca Dhuibhne, Cois Fharraige ag an bhFéile Náisiúnta Drámaíochta, an Rinn do Dhaonscoil na Mumhan, agus Ros Muc do Scoil Samhraidh an Phiarsaigh.

Bionn plé leanúnach agam freisin le Coistí agus Comhchoistí Oireachtais, an Comhchoiste um Fhormhaoirsiú ar an tSeirbhís Phoiblí agus Achainíocha go háirithe. D'iarr an Comhchoiste sin orm teacht ina láthair i mí Eanáir chun ról

COMMUNICATIONS

Communication and advice to public bodies were a priority during 2015. I continued the process commenced last year of meetings with the Secretaries General of Government Departments. There was also a high demand from public bodies for information sessions for management and staff in general. No such request made to the Office was refused.

A number of years have passed since my Office organised general information sessions for public bodies to discuss the Act. We recognised the necessity for these in light of the major personnel changes that have taken place in the public service and as a result an information seminar was held as part of Oireachtas na Gaeilge. I was hugely encouraged by the very large demand for places at this seminar. If we have sufficient resources available to us, we aim to hold further seminars next year to cater for demand.

One of the greatest causes of satisfaction from my role as Coimisinéir Teanga is the opportunity to meet Irish speakers, community groups and activists working in support of the language. I visited many areas this year, including Dingle/Daingean Uí Chúis, to speak with Comhlacht Forbartha Chorca Dhuibhne; Cois Fharraige at An Fhéile Náisiúnta Drámaíochta; An Rinn for Daonscoil na Mumhan, and Ros Muc for Scoil Samhraidh an Phiarsaigh.

Ongoing discussions took place with Oireachtas Committees and Joint Committees, especially the Joint Committee on Public Service Oversight and Petitions. I was asked by this Joint Committee to appear before it in January to discuss the role and powers of Ombudsman offices. Later in the year I again met this Joint Committee to discuss the 2014 Annual Report. These meetings afford an invaluable opportunity to make members of the Oireachtas aware of the work of the Office and the talks I gave are available on the Office website.

I gave scores of interviews during the year, on television, radio, on-line and in the newspapers. I wish to thank my former colleagues in the media for their professionalism always in my dealings with them.

In addition, and it's been a long time coming, we launched the Office Twitter account @ceartateanga. I answered a series of questions live on-line through this account and I'm grateful to all of the account's followers who submit questions in relation to language rights.

agus cumhachtaí oifigí Ombudsman a phlé. Níos deireanaí sa bhliain chas mé leis an gComhchoiste céanna chun Tuarascáil Bhliantúil 2014 a chioradh. Is deis luachmhar a bhíonn sna cruinnithe seo chun comhaltaí an Oireachtais a chur ar an eolas faoi obair na hOifige agus tá fáil ar na cainteanna a thug mé ar shuíomh gréasáin na hOifige.

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 do m'iar-chomhghleacaithe sna meáin chumarsáide as a ngairmiúlacht i gcónaí agus mé ag plé leo.

Ina theannta sin, más mall is mithid, chuir muid tús le cuntas Twitter na hOifige @ceartateanga. D'fhreagair mé sraith ceisteanna beo ar líne tríd an gcuntas sin agus táim buíoch de lucht leanúna an chuntais a chuireann ceisteanna faoi chearta teanga faoinár mbráid.

EILE

I mí na Bealtaine 2015 d'fhreastail mé ar chomhdháil bhliantúil Chumann Idirnáisiúnta na gCoimisinéirí Teanga a bhí ar siúl in Ottawa. B'ábhar mór bróid a bhí ann dom gur aontaíodh ag an gcruinniú sin comhdháil 2016 a réachtáil anseo in Éirinn, i gCathair na Gaillimhe.

Tá mé i mo bhall de Chumann na nOmbudsman 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 hOmbudsmain eile atá ag feidhmiú sa limistéar seo.

Tá an saineolaí airgeadais Páidí Ó Dálaigh agus an t-iriseoir Áine Ní Chiaráin ag treabhadh leo mar bhaill de Choiste Iniúcháireachta Inmheánaí 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 iniúcháir inmheánaigh.

Is le linn na bliana seo a tugadh m'Oifig faoi scáth an Achta um Shaoráil Faisnéise agus dhéileáil m'Oifig le dhá iarratas ar eolas faoin Acht sin. Ní miste liom a thabhairt le fios go bhfuil díolúintí áirithe ag m'Oifig faoin Acht um Shaoráil Faisnéise de thoradh iogaireacht na hoibre a bhíonn idir lámha againn. Mar a bheifí ag súil leis tá cosaint i gcónaí ar shonraí na ndaoine a chuireann gearán faoi bhráid na hOifige seo.

Ar deireadh, ba mhaith liom buíochas faoi leith a ghlacadh le foireann na hOifige. Oibríonn an fhoireann go dian dúthrachtach agus is mór agam a dtacaíocht agus a ngairmiúlacht.

OTHER

I attended the annual conference of the International Association of Language Commissioners which took place in Ottawa in May 2015. It was a matter of immense pride to me that the meeting decided to hold the 2016 conference here in Ireland, in Galway City.

I am also a member of the Ombudsman Association and I attended meetings of that Association in Dublin. As is the case with the international commissioners, it is beneficial to have the opportunity to discuss matters relating to my position with other Ombudsmen operating in this jurisdiction.

Financial expert Páidí Ó Dálaigh and journalist Áine Ní Chiaráin continued their work as members of the Internal Audit Committee of the Office. They carry out this work on a voluntary basis. I'm very grateful to them both for the professional and earnest way they carry out these duties with the support of the internal auditor.

This year saw my Office coming under the provisions of the Freedom of Information Act and the Office dealt with two requests for information under that Act. I must point out that the Office has certain derogations under the Freedom of Information Act because of the sensitivity involved in the organisation's work. As would be expected, the data relating to people who make complaints to this Office is always protected.

In conclusion, I wish to sincerely thank the staff of the Office. The staff work enthusiastically and diligently and I greatly value their support and professionalism.



*Ag labhairt ag Scoil Samhraidh an Phiarsaigh
Speaking at Scoil Samhraidh an Phiarsaigh*

CÚLRA

BACKGROUND

Rinne Uachtarán na hÉireann mé a cheapadh i mo Choimisinéir Teanga 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. Tháinig mé i gcomharbacht ar an gcéad Choimisinéir Teanga, Seán Ó Cuirreáin, a d'éirigh as oifig ar an 23 Feabhra 2014.

Tá cur síos mion ar obair Oifig an Choimisinéara Teanga ó 2004 go dtí seo sna tuarascálacha bliantúla atá ar fáil ar shuíomh gréasáin na hOifige: www.coimisineir.ie. Tá fáil ar an suíomh freisin ar na cuntais airgeadais chuí.

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.

Cuireann an Oifig comhairle ar fáil don phobal maidir lena gcearta teanga agus comhairle ar 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.

The President formally appointed me 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. I replaced the first Coimisinéir Teanga, Seán Ó Cuirreáin, who resigned on 23 February 2014.

A detailed account of the work of the Office since its establishment in 2004 is provided in the annual reports available on the Office's website: www.coimisineir.ie. The relevant financial accounts are also available on the website.

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 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.

Shinigh an tUachtarán Acht na dTeangacha Oifigiúla ina dhlí ar an 14 Iúil 2003 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 sin go raibh bunús reachtúil ón dáta sin ar aghaidh le gach foráil de chuid an Achta.

Shinigh an tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta na Rialacháin um Acht na dTeangacha Oifigiúla, 2003 (Alt 9) 2008 (I.R. Uimh. 391 de 2008) ar an 1 Deireadh Fómhair 2008. Faoi na Rialacháin, tá dualgas ar chomhlachtaí poiblí a chinntiú go bhfuil a gcuid stáiseanóireachta, a gcuid comharthaíochta agus a gcuid fógartí 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 2015 maidir le fógraí ná maidir le fógartí 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'Ionstraim 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.

The President signed the Official Languages Act into law on 14 July 2003 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 Community, 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 2015 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, my Office published a commentary, as a special report, under section 29 of the Official Languages Act on the practical application and

I mí Iúil 2011, d'fhoilsigh m'Oifig tráchtairacht 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, Oidhreacht agus Gaeltachta maidir leis an athbhreithniú.

I mí an Aibreáin 2014, d'fhoilsigh an Roinn Ealaíon, Oidhreacht agus Gaeltachta an tAthbhreithniú ar Acht na dTeangacha Oifigiúla, 2003, a raibh príomhfhorálacha Bhille na dTeangacha Oifigiúla (Leasú) mar chuid de. 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 torthaí 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. Ní raibh Bille na dTeangacha Oifigiúla (Leasú) foilsithe go fóill ag deireadh na bliana 2015.

operation of the Act. A public consultation period organised by the Department of Arts, Heritage and the Gaeltacht in relation to a review of the Official Languages Act ended on 31 January 2012.

In April 2014 the Department of Arts, Heritage and the Gaeltacht 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. The Official Languages (Amendment) Bill was not yet published at the end of 2015.



Seoladh Thuarascáil Bhliantúil 2014 / Launching the 2014 Annual Report

SEIRBHÍSÍ EOLAIS & CUMARSÁIDE

INFORMATION & COMMUNICATIONS SERVICES

Le linn na bliana 2015, lean Oifig an Choimisinéara Teanga le heolas a scaipeadh ar an bpobal agus ar chomhlachtaí poiblí faoi Acht na dTeangacha Oifigiúla agus faoi obair na hOifige féin.

COMHAIRLE DO CHOMHLACHTAÍ POIBLÍ

Ceann d'fheidhmeanna na hOifige seo is ea comhairle nó cúnamh a sholáthar do chomhlachtaí poiblí a thagann faoi scáth na reachtaíochta maidir lena ndualgais faoi Acht na dTeangacha Oifigiúla.

Le linn na bliana 2015, rinne oifigigh ó chomhlachtaí poiblí teagmháil le hOifig an Choimisinéara Teanga ar 188 ócáid éagsúil le ceistanna sonracha nó le comhairle a fháil maidir le dualgais teanga faoin Acht. Méadú 79% í seo ar líon na n-iarratas in 2014. Bhain thart ar 31% de na fiosrúcháin sin leis na dualgais atá ar chomhlachtaí poiblí maidir le húsáid na Gaeilge agus an Bhéarla ar chomharthaíocht, i stáiseanáireacht agus i bhfógairtí taifeadta béil, 24% le ceistanna maidir le scéimeanna teanga, 11% le ceistanna maidir le foilsiú doiciméad go dátheangach de réir alt 10 den Acht, agus 34% le ceistanna eile i dtaca le hAcht na dTeangacha Oifigiúla.

I rith na bliana freastalaíodh ar roinnt ócáidí a bhí eagraithe ag comhlachtaí poiblí agus roinneadh eolas leo maidir leis na dualgais atá orthu faoin Acht. Chomh maith leis sin freastalaíodh ar iarratais a rinne comhlachtaí poiblí ar chruinnithe aonara chun comhairle a ghlacadh i dtaca le dualgais shonracha faoin Acht.

Ar ndóigh, dá mhéad comhairle agus eolas soiléir, cruinn a chuirtear ar fáil do chomhlachtaí poiblí faoina ndualgais faoin Acht is ea is fearr is féidir a chinntiú go gcloítear le forálacha na reachtaíochta.

Mar chuid d'Oireachtas na Samhna i mBaile Átha Cliath, reáchtáil an Oifig Seimineár Eolais do chomhlachtaí poiblí. D'fhreastail 80 oifigeach ó chomhlachtaí poiblí a thagann faoin Acht ar an Seimineár. Tá sé i gceist ag an Oifig cur leis an méid imeachtaí eolais a reáchtálann sí amach anseo de bharr an méid spéise a léiríodh sa Seimineár áirithe seo.

During 2015, the Office of An Coimisinéir Teanga continued to provide information to the public and to public bodies about the Official Languages Act and about the Office itself.

ADVICE TO PUBLIC BODIES

The functions of the Office include the provision of advice or assistance to public bodies coming under the aegis of the legislation with regard to their obligations under the Official Languages Act.

During 2015, officials from public bodies contacted the Office of An Coimisinéir Teanga on 188 separate occasions either with specific questions or seeking advice about their obligations under the Act. This represents a 79% increase on the number of queries in 2014. Approximately 31% of these queries concerned advice on the duties of public bodies with regard to the use of the Irish and English languages on signage, stationery and recorded oral announcements, 24% concerned language schemes, 11% the publication of documents bilingually under section 10 of the Act and 34% concerned other matters to do with the Act.

During the year we attended a number of events organised by public bodies and information was provided regarding the obligations placed on them by the Act. We also accommodated requests made by individual public bodies to attend meetings in order to receive advice on specific obligations under the Act.

Without doubt, the more clear and accurate the advice and information that is provided to public bodies regarding their obligations under the Act, the easier it will be to ensure compliance with the provisions of the legislation.

As part of Oireachtas na Samhna in Dublin, the Office organised an Information Seminar for Public Bodies. 80 officials from public bodies that come under the Act attended this Seminar. As a result of the amount of interest expressed in this Seminar, the Office intends to increase the number of information events it organises in the future.

ÓCÁIDÍ POIBLÍ

Le linn na bliana reatha ghlac mé le cuireadh ó eagraíochtaí pobail agus forais 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 Aichta, cearta teanga an tsaoránaigh agus ábhair ghaolmhara eile. I measc na n-imeachtaí ag ar thug mé cur i láthair bhí:

- Oireachtas na Samhna i mBaile Átha Cliath
- Dhá chruinniú de chuid an Choiste um Fhormhaoirsiú ar an tSeirbhís Phoiblí agus Achainíocha, Tithe an Oireachtais, Baile Átha Cliath
- Seimineár ar Phleanáil Teanga a d'eagraigh Comharchumann Forbartha Chorca Dhuibhne, Corca Dhuibhne, Ciarraí
- Léacht d'Ábhair Oidi ar an gCeathrú Rua, Gaillimh
- Seoladh na hirise *Léann Teanga: an Reiviú*, Ollscoil na hÉireann, Gaillimh
- Scoil Samhraidh an Phiarsaigh, Ros Muc, Gaillimh
- Daonscoil na Mumhan, An Rinn, Port Láirge
- Comhdháil Ealaín na Gaeltachta, Na Forbacha, Gaillimh
- Bronnadh Ghradaim Ghaelchultúr, Comhairle Cathrach Bhaile Átha Cliath, Baile Átha Cliath

SUÍOMH GRÉASÁIN

Feidhmíonn an suíomh gréasáin www.coimisineir.ie 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 atá aontaithe go dtí seo.

Tá leagan leictreonach den acmhainn oideachais, Cearta Teanga / Language Rights, le fáil ar líne ag 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 m'Oifig.

PUBLIC EVENTS

During the year 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 made a presentation at the following events, amongst others:

- Oireachtas na Samhna in Dublin
- Two meetings of the Oireachtas Committee on Public Service Oversight and Petitions, Houses of the Oireachtas, Dublin
- Language Planning Seminar organised by Comharchumann Forbartha Chorca Dhuibhne, Corca Dhuibhne, Kerry
- Lecture for Trainee Teachers in An Cheathrú Rua, Galway
- Launch of *Léann Teanga: an Reiviú*, National University of Ireland, Galway
- Scoil Samhraidh an Phiarsaigh, Ros Muc, Galway
- Daonscoil na Mumhan, An Rinn, Waterford
- Ealaín na Gaeltachta Conference, Na Forbacha, Galway
- Presentation of Gaelchultúr awards, Dublin City Council, Dublin

WEBSITE

The website www.coimisineir.ie 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. 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.

NA MEÁIN CHUMARSÁIDE

Le linn na bliana 2015 lean mé d'agallaimh a dhéanamh leis na meáin chumarsáide le léargas a thabhairt ar obair na hOifige, ar fheidhmiú an Achta agus ar cheisteanna gaolmhara. Ar cheann de na himeachtaí is suntasaí bhí craoladh beo an chláir *Nuacht a hAon* ar RTÉ Raidió na Gaeltachta ó Oifig an Choimisinéara Teanga ar an 14 Bealtaine 2015 nuair a foilsíodh Tuarascáil Bhliantúil na hOifige, 2014.

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.

MEDIA

During 2015, I continued to undertake media interviews in order to provide an insight into the work of the Office, the implementation of the Act, and related matters. The most significant event was the live broadcast of *Nuacht a hAon* on RTÉ Raidió na Gaeltachta during the launch of the 2014 Annual report on 14 May 2015.

The efforts of 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 in Irish, are much appreciated.



Seoladh Tuarascála Taighde ar Nuachaintoír na Gaeilge leis an Dr John Walsh, OÉ Gaillimh
Launching the Research Report on New Irish Speakers with Dr John Walsh, NUI Galway

CUMANN IDIRNÁISIÚNTA NA gCOIMISINÉIRÍ TEANGA

INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS

Bunaíodh Cumann Idirnáisiúnta na gCoimisinéirí Teanga nuair a tháinig Coimisinéirí Teanga ó Ceanada, an Chatalóin, an Afraic Theas, an Bhreatain Bheag, New Brunswick, Éire, Ontario, an Chosaiv agus Nunavut le chéile ag Comhdháil Idirnáisiúnta ar Chearta Teanga i mBaile Átha Cliath i mí na Bealtaine, 2013.

Toghadh Graham Fraser, Coimisinéir na dTeangacha Oifigiúla i gCeanada, mar chéad Chathaoirleach ar an gCumann agus Seán Ó Cuirreáin mar chéad Rúnaí.

Is é **misean** CHUMANN IDIRNÁISIÚNTA NA gCOIMISINÉIRÍ TEANGA an comhionannas agus an éagsúlacht i gcúrsaí teanga ar fud an domhain a chur chun cinn agus tacaíocht a thabhairt do choimisinéirí teanga caighdeán phroifisiúnta den scoth a bhaint amach:

- trí thaithí a chomhroinnt agus eolas ar an gcleachtas is fearr a mhalartú;
- trí chomhairle agus cúnamh a thabhairt agus oifigí coimisinéirí teanga á mbunú;
- trí mhalartú acmhainní, taighde agus eolais ar oiliúint agus forbairt ghairmiúil a éascú;
- trí chomhoibriú le heagrais chomhchosúla ar mór acu cearta agus éagsúlacht teanga a chosaint agus a chur chun cinn.

Cuirfidh an Cumann prionsabal an neamhspleáchais maidir le coimisinéirí teanga chun cinn; tabharfaidh sé tacaíocht dá bhaill trí chomhairle agus cúnamh den scoth a thabhairt de réir mar is cuí. Anuas air sin, beidh an Cumann sásta tacaíocht a thabhairt do réigiúin ar mian leo coimisinéir teanga a bhunú nó a gcearta teanga a chur chun tosaigh.

Tá ról tábhachtach ag Cumann Idirnáisiúnta na gCoimisinéirí Teanga i gcothú comhthuiscintí idir Coimisinéirí Teanga ó dhlínsí éagsúla. Glacaim ról gníomhach sa Chumann agus freastalaim ar na

The International Association of Language Commissioners was founded by Language Commissioners from Canada, Catalonia, South Africa, Wales, New Brunswick, Ireland, Ontario, Kosovo and Nunavut when they met at the International Conference on Language Rights which took place in Dublin in May 2013.

Graham Fraser, Commissioner of Official Languages, Canada, was elected as the first Chairperson of the Association and Seán Ó Cuirreáin as the first Secretary.

The **mission** of the INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS is to support and advance language rights, equality and diversity throughout the world and to support language commissioners so they may work to the highest professional standards by:

- sharing experience and exchanging knowledge of best practice;
- advising or assisting in the establishment of language commissioners offices;
- facilitating an exchange of training and professional development resources, research and information;
- cooperating with like-minded organisations that value language rights, diversity, promotion and protection.

The Association will promote the principle of independence of language commissioners and will support its membership by providing the best advice and assistance as appropriate. In addition, the Association will support regions that wish to create a position of language commissioner or advance their language rights.

The International Association of Language Commissioners has an important role in fostering mutual understandings between Language Commissioners from different jurisdictions.

cruinnithe rialta a bhíonn ar siúl. Baintear úsáid as córas físchomhdhála ar líne nó as glaonna comhdhála chun na cruinnithe a reáchtáil.

Is in Ottawa, Ceanada a tionóladh cruinniú bliantúil an Chumainn i mí na Bealtaine 2015. Eagraíodh comhdháil idirnáisiúnta ar chearta teanga an tráth sin freisin. Labhair mé ag an gcomhdháil sin faoi chur i bhfeidhm an Achta Teanga anseo in Éirinn. Thug ionadaithe ó Oifigí na gCoimisinéirí Teanga i dtíortha eile cur i láthair ar chásanna a bhain lena ndlínsí féin agus na modhanna a d'úsáid siad chun réiteach sásúil a fháil.

B'ábhar bróid dom gur glacadh le mo mholadh ag an gcruinniú comhdháil idirnáisiúnta na bliana 2016 a thionól i nGaillimh mar chuid de Chlár Comórtha Céad Bliain Éirí Amach 1916.

I take an active part in the Association and attend the regular meetings. Meetings are held using online video conferencing or conference call facilities.

The annual meeting of the Association was held in Ottawa, Canada in May 2015. An international conference on language rights was also held at that time. I spoke at the conference about the implementation of the Language Act here in Ireland. Representatives from Language Commissioners' Offices in other countries gave presentations on cases relating to their own jurisdictions and the methods adopted to ensure a satisfactory outcome.

It was a matter of pride that my suggestion that the international conference for 2016 be held in Galway as part of the 1916 Centenary Programme was accepted.



Coimisinéirí Teanga ag cruinniú bliantúil Chumann Idirnáisiúnta na gCoimisinéirí Teanga i gCeanada
Language Commissioners at the annual meeting of the International Association of Language Commissioners

FAIREACHÁN

MONITORING

Ar cheann d'fheidhmeanna Oifig an Choimisinéara Teanga tá 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.

Ag cur san áireamh na n-acmhainní teoranta atá ar fáil do chúram an fhaireacháin, díriodh go príomha ar fhaireachán ar chur i bhfeidhm scéimeanna teanga agus ar chur i bhfeidhm moltaí imscrúdaithe.

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 agus Gaeltachta a dhaingníonn 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 feidhmiúcháin na scéime. Díritear san iniúchadh tríú bliain ar fhianaise a bheith ar fáil a léiríonn ar éirigh leis an gcomhlacht poiblí forálacha na scéime teanga a chur i bhfeidhm go cuí.

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.

Given the limited resources available for monitoring, the Office concentrated primarily on the monitoring of the implementation of language schemes and of the implementation of recommendations made in the reports on investigations.

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 and the Gaeltacht 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, however, 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.

Le linn na bliana 2015, rinne an Oifig monatóireacht ar chur i bhfeidhm 17 scéim teanga. Is mar seo a leanas a comhlíonadh na hiniúchtaí sin:

CINEÁL SCÉIME	TRÉIMHSE SCÉIM I BHFEIDHM	LÍON INIÚCHTAÍ
An chéad scéim teanga	Bliain amháin	4
	Tri bliana	1
An dara scéim teanga	Bliain amháin	9
	Tri bliana	1
An tríú scéim teanga	Bliain amháin	2

Cosúil le blianta eile, léirigh an faireachán a rinneadh in 2015 ar scéimeanna teanga arís eile 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.


Is é an easpa foirne le Gaeilge an deacracht is mó a bhíonn ag comhlachtaí poiblí chomh fada agus a bhaineann sé le feidhmiú na ngealltanais a bhíonn tugtha ina scéimeanna teanga. Chomh maith leis sin, bhí méid áirithe fianaise ann ó na faireacháin a rinneadh le linn na bliana 2015 go gcruthaítear deacrachtaí freisin mura dtugann lucht bainistíochta an chomhlachta phoiblí dóthain tosaíochta don scéim ionas go gcuirtear i bhfeidhm go córasach

During 2015, the Office monitored the implementation of 17 language schemes. The table below sets out the nature of the audits completed:

TYPE OF SCHEME	PERIOD SCHEME IN OPERATION	TOTAL AUDITS
First language scheme	One year	4
	Three years	1
Second language scheme	One year	9
	Three years	1
Third language scheme	One year	2

As in previous years, the monitoring process carried out in 2015 demonstrated many public bodies fail to satisfactorily implement all the commitments given in the language scheme within the agreed timeframes. In accordance with the provisions of the legislation, 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. In the majority of cases, however, this Office manages to reach a satisfactory agreement with most public bodies to ensure that statutory commitments are implemented in due course. This Office is left with little alternative other than to recommend to An Coimisinéir Teanga to initiate an official investigation in instances where it cannot come to a satisfactory agreement with a public body in relation to outstanding commitments.

The lack of staff with competency in Irish is the greatest obstacle faced by public bodies in implementing the commitments made by them in their language schemes. In addition to this, it could be discerned from the evidence of the monitoring carried out during 2015 that difficulties arise if the management of public bodies fail to afford the scheme sufficient priority and implement it in a systematic way.



i. Ba mhinic a chiallaigh sé seo gur bhain moill le comhlíonadh gealltanais áirithe a raibh mar chuspóir acu cur le raon agus caighdeán na seirbhísí a bhí le cur ar fáil trí Ghaeilge.

Anuas ar chur i bhfeidhm ghealltanais na scéimeanna teanga, déantar faireachán chomh maith 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.

This often led to a delay in fulfilling commitments aimed at increasing the range and quality of services in Irish.

As well as monitoring the implementation of the 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 agus Gaeltachta naoi gcéadscéim teanga, naoi ndara scéim teanga agus trí thriú scéim teanga le linn na bliana 2015. San iomlán, dhaingnigh an tAire 21 scéim teanga le comhlachtaí poiblí in 2015.

Bhí 108 scéim teanga, a chuimsigh móriomlán 123 comhlacht poiblí, daingnithe faoi dheireadh 2015.

SCÉIMEANNA IN ÉAG

Bhí 51 de na 108 scéim teanga thuasluaite imithe in éag faoi dheireadh na bliana 2015, sin laghdú beag i gcomparáid le deireadh na bliana anuraidh nuair a bhí 53 scéim teanga imithe in éag. In éagmais an dara scéim teanga nó an triú scéim teanga a bheith aontaithe ag na comhlachtaí poiblí seo, ní raibh aon dualgas orthu treisiú ar na seirbhísí a chuirtear ar fáil don phobal trí Ghaeilge. Tháinig ardú suntasach anuraidh ar an meántréimhse a raibh scéimeanna in éag, ó 32 mí in 2013 go dtí 50 mí in 2014. Faoi dheireadh na bliana 2015 bhí an meántréimhse ag 49 mí.

DRÉACHTSCÉIMEANNA

Ag deireadh na bliana 2015, bhí 64 céad-dréachtscéim fós le daingniú ag an Aire Ealaíon, Oidhreacht agus Gaeltachta. Ina theannta seo, bhí iarrtha ag an Aire ar 40 comhlacht poiblí an dara dréachtscéim a ullmhú agus ar 12 chomhlacht phoiblí an triú dréachtscéim a ullmhú. Fágann sé seo go raibh iarrtha ar 116 comhlacht poiblí scéim teanga a ullmhú faoi dheireadh na bliana.

SCHEMES CONFIRMED

The Minister for Arts, Heritage and the Gaeltacht confirmed nine new language schemes, nine second language schemes and three third language schemes during 2015. In total, the Minister confirmed 21 language schemes with public bodies during 2015.

There were 108 language schemes, covering a total of 123 public bodies confirmed by the end of 2015.

SCHEMES EXPIRED

Of the 108 language schemes, 51 had expired by year end 2015. This number had reduced slightly since the end of last year when 53 language schemes had expired. 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 also increased noticeably in 2014 from 32 months to 50 months. By the end of 2015 the average period stood at 49 months.

DRAFT SCHEMES

By the end of 2015, 64 first draft schemes remained to be confirmed by the Minister for Arts, Heritage and the Gaeltacht. In addition, the Minister had requested 40 public bodies to prepare a second draft scheme and 12 public bodies to prepare a third draft scheme. As a result, 116 public bodies had been requested to prepare a language scheme by the end of the year.

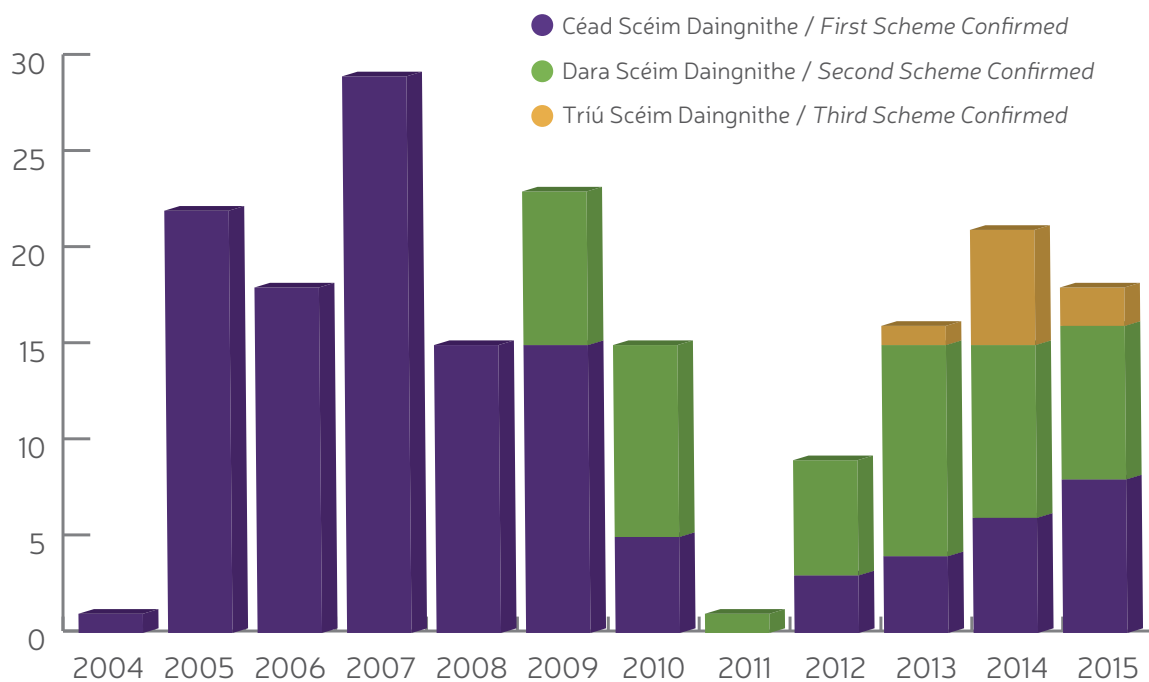
Bliain inar daingníodh an chéad Scéim Teanga
Year in which first Language Scheme was confirmed

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
	127
Scéimeanna dimholta / Schemes superseded	2
Scéimeanna as feidhm / Lapsed schemes	17
Iomlán / Total	108

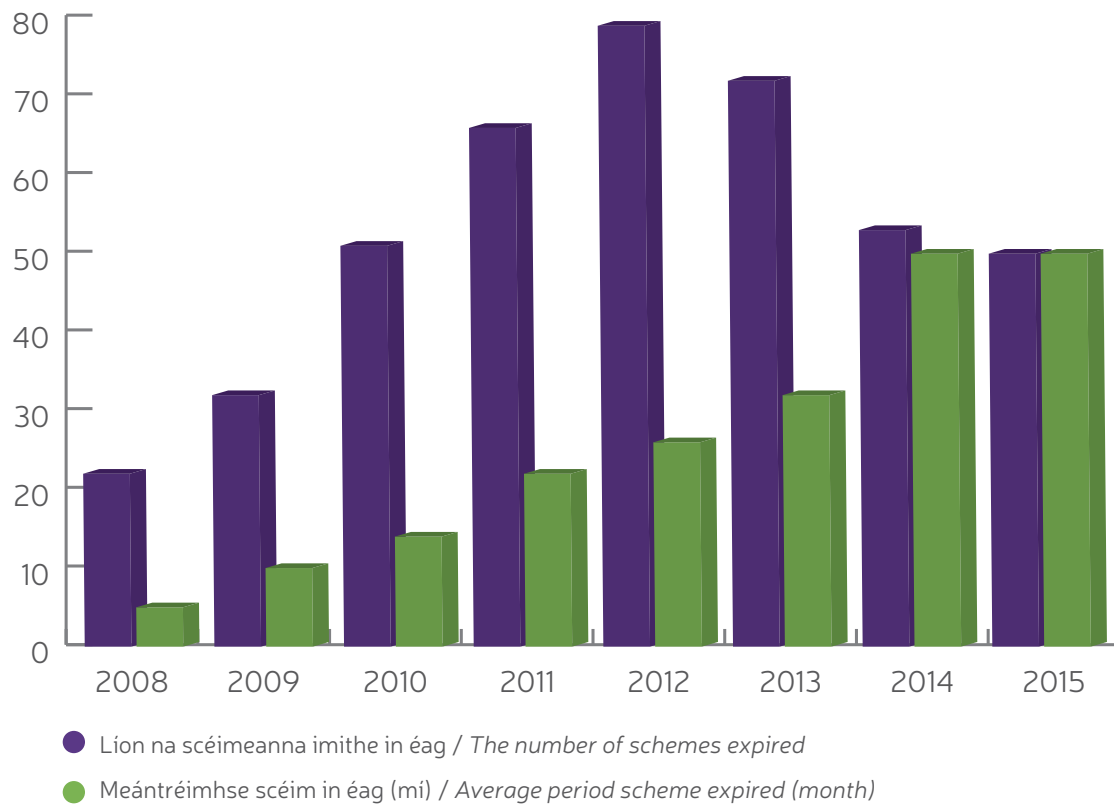
Léirmheasanna/Iniúchtaí Criochnaithe
Reviews/Audits Completed

Bliain / Year	Scéimeanna / Schemes
2006	9
2007	25
2008	42
2009	39
2010	33
2011	29
2012	21
2013	15
2014	22
2015	17
Iomlán / Total	252

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 709 sa bhliain 2014 go dtí 755 sa bhliain 2015 (+6.5%) – a cuireadh faoi mo bhráid inar chreid daoine den phobal go raibh cúis ghearáin acu de bharr deacrachta nó faidhbe 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 dhualgais 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, 40% de na gearáin, ardú ón mbliain roimh sin. Ón nGaeltacht a tháinig 26% de na gearáin agus tháinig an 74% eile ó cheantair lasmuigh den Ghaeltacht, ardú beag ó anuraidh.

Tháinig líon suntasach gearán arís ó Chontae na Gaillimhe (15%), Contae na Mí (6%), Contae Chiarraí (4.6%), Contae Chill Chainnigh (3.4%), Contae Chorcaí (3.3%), Contae an Chláir (2.6%), Contae Phort Láirge (2.6%), Contae Dhún na nGall (2.6%), Contae Chill Dara (2.3%) agus Contae Chill Mhantáin (2%).

There was an increase in the number of new cases – from 709 in 2014 to 755 in 2015 (+6.5%) – which were brought to my attention 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".

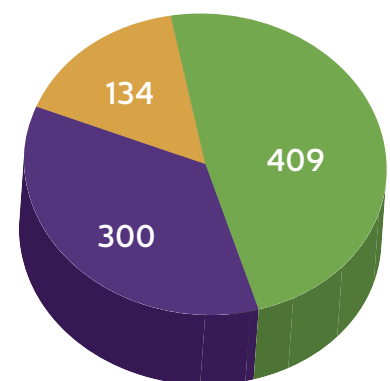
It should be noted that not all complaints received during the year referred to breaches of statutory obligations under the Official Languages Act 2003, and as was the case in previous years, some related to more general difficulties and problems experienced by those attempting to conduct their business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

From a geographical perspective, the majority of the complaints once more came from County Dublin, 40% of complaints, an increase on last year. 26% of complaints came from within the Gaeltacht with the remaining 74% from areas outside the Gaeltacht, a small increase on last year. A substantial number came from County Galway once more (15%), from County Meath (6%), County Kerry (4.6%), County Kilkenny (3.4%), County Cork (3.3%), County Clare (2.6%), County Waterford (2.6%), County Donegal (2.6%), County Kildare (2.3%) and County Wicklow (2%).

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

Gearáin le linn 2015 / Complaints during 2015

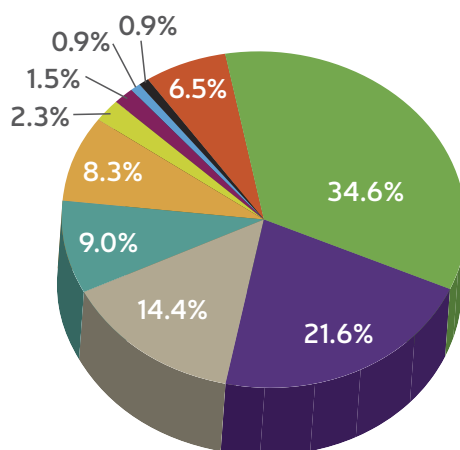
Gearáin nua, 2015 <i>New complaints, 2015</i>	755	
Gearáin tugtha ar aghaidh ó 2014 <i>Complaints brought forward from 2014</i>	88	
Móriomlán na ngearán – deacrachtaí agus fadhbanna <i>Total complaints – difficulties and problems</i>	843	
	2014	2015
● Comhairle tugtha maidir le gearáin <i>Advice given in respect of complaints</i>	414	409
● Gearáin fiosraithe agus críochnaithe <i>Complaints investigated and finalised</i>	279	300
● Gearáin oscailte ag deireadh na bliana <i>Complaints open at year end</i>	88	134



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

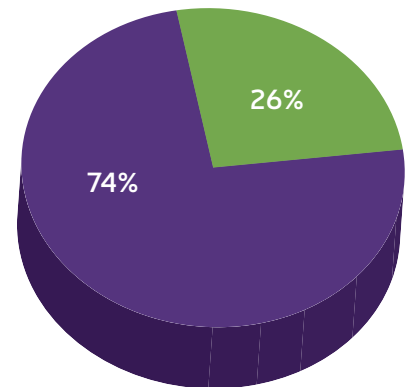
An analysis of the various cases is provided in the statistics and illustrations which follow:

Céatadán na ngearán de réir cineáil <i>Percentage of complaints by type</i>	2014	2015
Foráil de scéim teanga (san áireamh: cártaí aitheantais, suiomhanna gréasáin agus foirmeacha) <i>Provision of a language scheme (including identity cards, websites and forms)</i>	32.6%	34.6%
Easpa Gaeilge ar chomharthaíocht & stáiseanóireacht <i>Lack of Irish on signage and stationery</i>	25.7%	21.6%
Fadhb le hainm agus/nó seoladh i nGaeilge <i>Problem with use of name and/or address in Irish</i>	9.9%	14.4%
Freagraí i mBéarla ar chumarsáid i nGaeilge <i>Replies in English to correspondence in Irish</i>	8.7%	9.0%
Easpa Gaeilge ar chomharthaí bóthair <i>Lack of Irish on road signs</i>	7.2%	8.3%
Bileoga nó ciorcláin i mBéarla amháin <i>Leaflets or circulars in English only</i>	1.3%	2.3%
Achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge <i>Other enactments relating to the use or status of Irish</i>	3.8%	1.5%
Alt 8 – Úsáid na Gaeilge sna Cúirteanna <i>Section 8 – Use of Irish in the Courts</i>	0.7%	0.9%
Foilsíú doiciméad áirithe <i>Publication of certain documents</i>	1.7%	0.9%
Eile (cúiseanna aonair) <i>Other (individual issues)</i>	8.4%	6.5%
IOMLÁN / TOTAL	100%	100%



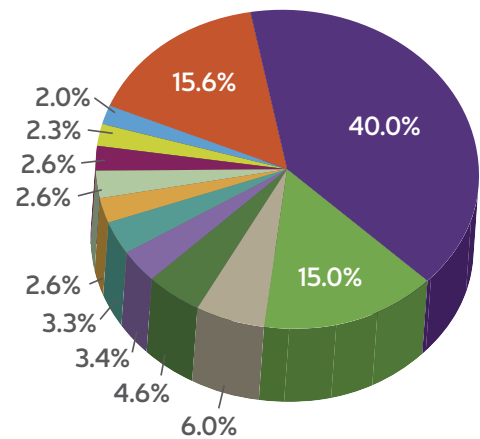
Gearáin: An Ghaeltacht agus lasmuigh den Ghaeltacht Complaints: Gaeltacht and non-Gaeltacht

	2014	2015
An Ghaeltacht <i>Gaeltacht</i>	24%	26%
Lasmuigh den Ghaeltacht <i>Non-Gaeltacht</i>	76%	74%
IOMLÁN / TOTAL	100%	100%



Gearáin de réir contae Complaints by county

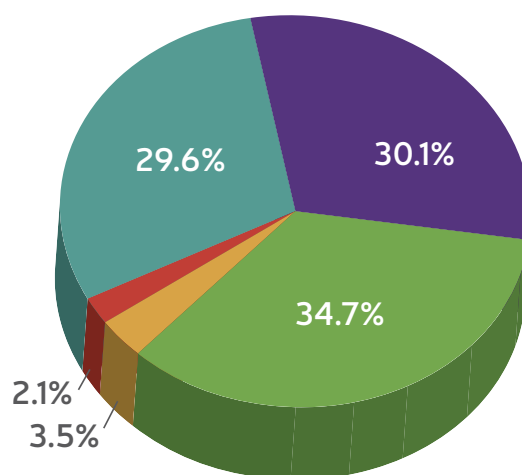
	2014	2015
Baile Átha Cliath <i>Dublin</i>	37.0%	40.0%
Gaillimh <i>Galway</i>	14.0%	15.0%
An Mhí <i>Meath</i>	6.0%	6.0%
Ciarraí <i>Kerry</i>	6.0%	4.6%
Cill Chainnigh <i>Kilkenny</i>	4.0%	3.4%
Corcaigh <i>Cork</i>	2.0%	3.3%
An Clár <i>Clare</i>	4.5%	2.6%
Port Láirge <i>Waterford</i>	2.0%	2.6%
Dún na nGall <i>Donegal</i>	4.0%	2.6%
Cill Dara <i>Kildare</i>	2.0%	2.3%
Cill Mhantáin <i>Wicklow</i>	2.0%	2.0%
Eile <i>Other</i>	16.5%	15.6%
IOMLÁN / TOTAL	100%	100%



Gearáin de réir cineál comhlachta phoiblí

Complaints by type of public body

	2014	2015
Ranna & oifigí rialtais <i>Government departments & offices</i>	16.9%	30.1%
Údaráis áitiúla <i>Local authorities</i>	32.2%	34.7%
Údaráis sláinte <i>Health authorities</i>	8.1%	3.5%
Údaráis oideachais <i>Education authorities</i>	4.0%	2.1%
Eagraíochtaí eile stáit <i>Other state organisations</i>	38.8%	29.6%
IOMLÁN / TOTAL	100%	100%



STAITISTICÍ

Mar a léiríonn na staitisticí thuas, i measc na nithe a ndearnadh gearán fúthu, bhain an chuid ba líonmhaire díobh (34.6%) le cur i bhfeidhm gealltanais a thug comhlachtaí poiblí faoi scéimeanna reachtúla teanga a aontaíodh faoi alt 11 den Acht. Bhí isliú ó 25.7% go 21.6% 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 isliú ar chéatadán na ngearán a bhain le sárú forálacha d'achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge, ó 3.8% go 1.5%. 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 fhigiúr neamhspleách: 8.3% de na gearáin a bhain le húsáid na Gaeilge ar chomharthaí tráchtála – ardú beag ar líon na bliana seo caite (7.2%). Sa Lámhleabhar do Chomharthaí Tráchtála a leagtar síos na dualgaí atá ar na húdaráis bóithre i leith úsáid na Gaeilge ar chomharthaí tráchtála.

STATISTICS

As the above statistics show, the largest number of complaints (34.6%) related to the implementation of commitments made by public bodies in statutory language schemes agreed under section 11 of the Act. There was a decrease from 25.7% to 21.6% 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 a decrease in the percentage of complaints relating to a breach of the provisions of other enactments concerning the status or use of Irish, from 3.8% to 1.5%. 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: 8.3% of complaints related to the use of Irish on traffic signs, a small increase on last year's figure (7.2%). The obligations on roads authorities in respect of road traffic signage are set out in the *Traffic Signs Manual*.

Bhí ardú suntasach, go 14.4%, in 2015 ar chéatadán na ngearán maidir le deacrachtaí a bhain le hainm agus 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 a bheith in oiriúint don síneadh fada nó le seoltaí a bheith á gclárú i mBéarla go huathoibríoch ar chlár ríomhaireachta, gan rogha Ghaeilge. Bhain líon suntasach de na gearáin seo le seoladh an phostchóid nua, agus rinneadh imscrúdú ar an ábhar sin i gcaitheamh na bliana. Tá cur síos ar an imscrúdú sin sa chéad chaibidil eile. 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 ardú ar chéatadán na ngearán i dtaca le freagraí i mBéarla ar chomhfhreagras i nGaeilge, ó 8.7% in 2014 go 9.0% in 2015, ábhar díomá i bhfianaise an fhoráil seo a bheith i bhfeidhm ó 2004 agus a bheith ar cheann de na forálacha is bunúsaí. Tá úsáid córas meaisínáistriúcháin le freagra i nGaeilge a eisiúint, nó le leagan Gaeilge de shuíomh gréasáin a chur ar fáil, fós tréan i measc na gcomhlachtaí poiblí chomh maith, agus tá céimeanna á dtógáil ag m'Oifig le cur ina luí ar na comhlachtaí sin nach bhfuil córais dá leithéid sách foirfe ná forbartha ag an bpointe ama seo do chomhfhreagras oifigiúil ó chomhlacht stáit, trí chomhairle agus seimineár traenála a chur ar fáil.

There was a substantial increase in 2015, to 14.4%, 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. A large number of these complaints were in respect of the issuing of the new postcodes, and an investigation was carried out on that matter during the year. The following chapter contains a report on that investigation. 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 an increase in complaints regarding replies in English to correspondence in Irish, from 8.7% in 2014 to 9.0% in 2015, a matter of some disappointment 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. The use of machine translation systems by public bodies to reply in Irish to official correspondence or to provide an Irish version of websites is still widespread amongst public bodies, and my Office is taking steps to impress upon public bodies that such systems are not yet sufficiently developed or perfected for official correspondence from state bodies, through providing advice and training seminars.

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 ndualgaís 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, Oidhreacht 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 réitithe gearán na hOifige.

Tá dualgas reachtúil ar chomhlachtaí poiblí agus ar dhaoine ar leith ar oifigh 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 ndíolúintí 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 díúltú 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

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 and the Gaeltacht, 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 complaints resolution 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:

dhualgais reachtúla a chomhlíonadh i dtaca le:

- Forálacha díreacha an Achte;
- 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 sé imscrúdú nua le linn 2015. Bhí cúig imscrúdú neamhchríochnaithe ann a tugadh ar aghaidh ó 2014. Mar sin, bhí aon imscrúdú dhéag idir lámha le linn na bliana 2015 agus críochnaíodh naoi gcinn acu sin faoi dheireadh na bliana. Dá bhrí sin, tá achoimre ar naoi n-imscrúdú sa Tuarascáil seo.

Líon na nImscrúduithe	2014	2015
Tugtha ar aghaidh ón mbliain roimhe	1	5
Imscrúduithe seolta	7	6
Iomlán idir lámha	8	11
Tugtha ar aghaidh go dtí an chéad bhliain eile	5	2
Iomlán críochnaithe / scortha	3	9

Is ceart a thuiscint go soiléir nach bhfuil sna hachoirí 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. Achoirí 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 six new investigations were commenced in 2015. Five uncompleted investigations were carried forward from 2014. Consequently, there were eleven investigations in hand during 2015 and nine of those investigations had been completed by the end of the year. Therefore, summaries are provided in this Report of nine investigations.

Number of Investigations	2014	2015
Brought forward from previous year	1	5
Investigations launched	7	6
Total in hand	8	11
Brought forward to next year	5	2
Total completed / discontinued	3	9

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 2015

SUMMARIES OF 2015 INVESTIGATIONS

AN ROINN CUMARSÁIDE, FUINNIMH AGUS ACMHAINNÍ NÁDÚRTHA

Léirigh imscrúdú gur sháraigh an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádirtha 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 i gCaibidil 2 den scéim sin, a bhaineann le logainmneacha Gaeltachta.

Ba ar an 13 Iúil 2015 a sheol an tAire Cumarsáide, Fuinnimh agus Acmhainní Nádirtha, Alex White TD, an córas nua postchód d'Éirinn, Eircode. Tugadh le fios an tráth sin go mbeadh postchód nua á seachadadh chuig gach áitreabh sa tír. Go gairid ina dhiaidh sin, ag tosú i mí Iúil 2015 agus le linn an dá mhí ina dhiaidh sin, rinneadh gearáin le m'Oifig ar an ábhar.

Bhain na gearáin a fuair m'Oifig le trí phríomhábhar:

- go raibh litreacha leis an Eircode nua á bhfáil ag baill den phobal agus nach raibh na logainmneacha Gaeltachta a bhí in úsáid ar na litreacha sin i gcomhréir leis an Ordú Logainmneacha (Ceantair Ghaeltachta)
- go raibh litreacha leis an Eircode nua á bhfáil ag baill den phobal agus nach raibh an gnáthleagan den seoladh a úsáideann na daoine céanna, is é sin seoladh i nGaeilge, á úsáid, agus
- go raibh litreacha leis an Eircode nua á bhfáil ag baill den phobal lena n-ainm agus sloinne i mBéarla nuair nár úsáid siad riamh ach a n-ainm agus sloinne i nGaeilge nó nuair nár ghnách leo ach é sin a úsáid.

Nuair a fhaigheann m'Oifig aon ghearán ina liomhnaítear nár cuireadh seirbhísí ar fáil i nGaeilge is gá dom a mheas an bhféadfadh gur sárú a bhí sa mhéid sin ar aon chuid d'Acht na dTeangacha

DEPARTMENT OF COMMUNICATIONS, ENERGY AND NATURAL RESOURCES

An investigation found that the Department of Communications, Energy and Natural Resources breached the statutory language obligation which is confirmed in subsection 18(1) of the Official Languages Act 2003 in respect of the implementation of its language scheme, insofar as it concerned a provision in Chapter 2 of that scheme, which concerns Gaeltacht placenames.

The Minister for Communications, Energy and Natural Resources, Alex White TD, launched the new Irish postcode system, Eircode, on 13 July 2015. It was advised at the time that the new postcodes would be issuing to every building in the country. Shortly afterwards, commencing in July 2015 and for the following two months, complaints were made to my Office on the subject.

The complaints my Office received concerned three main subjects:

- that letters with the new Eircode were being received by members of the public and that the Gaeltacht placenames in use on those letters were not in accordance with the Placenames (Ceantair Ghaeltachta) Order
- that letters with the new Eircode were being received by members of the public and that the version of their address which they usually used, that is the Irish version, was not used, and
- That letters with the new Eircode were being received by members of the public with their name and surname in English, when they only ever used their name and surname in Irish or when they did not normally use the name and surname in English.

When the Office receives any complaint that services are not provided in the Irish language, I need firstly to

Oifigiúla. Is féidir liom freisin aon fhoráil a bhaineann le húsáid nó stádas teanga oifigiúla atá in aon achtachán eile a áireamh.

Is ar an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha a thiteann an fhreagracht i dtaobh na postchóid a sholáthar agus tuigeadh dúinn gur bronnadh conradh ar chomhlacht príobháideach leis na cóid a scaipeadh. Tagann an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha faoi scáth Acht na dTeangacha Oifigiúla, 2003 agus tá scéim teanga aontaithe aici ina bhfuil gealltanais reachtúla tugtha i ndáil le seirbhísí áirithe a chur ar fáil i nGaeilge.

Faoi réir théarmaí Acht na dTeangacha Oifigiúla, baineann na gealltanais a thugann comhlacht poiblí ina scéim teanga le seirbhísí a chuirtear ar fáil go díreach nó go neamhdhíreach.

Ba léir, mar sin, faoi Acht na dTeangacha Oifigiúla, 2003, go leagtar na dualgais chéanna scéime ar chomhlachtaí príobháideacha atá ag feidhmiú ar conradh do chomhlacht poiblí a thagann faoi scáth na reachtaíochta agus atá ar an gcomhlacht poiblí féin.

Bhí gealltanas tugtha sa scéim teanga is deireanaí a d'aontaigh an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha sa bhliain 2014 maidir le húsáid logainmneacha Gaeltachta. Ba mar seo a leanas a bhí an mhír sin den scéim:

LOGAINMNEACHA GAELTACHTA

Tá na socrúcháin riachtanacha curtha in áit ag an Roinn le cinntiú go n-úsáidfear logainmneacha oifigiúla na gceantar Gaeltachta mar atá fógraithe ag an Aire in Ordú na Logainmneacha Gaeltachta 2005 mar réamhshocrú do chuspóirí corparáideacha, lena n-áirítear, mar is cuí, cuspóirí reachtúla, corparáideacha agus staidrimh.

Mheas mé go bhféadfadh an gealltanas seo a bheith ábhartha maidir le cuid de na gearáin a cuireadh faoi mo bhráid. Ní raibh a mhacasamhail de dhualgas ábhartha ann maidir le húsáid seoltaí taobh amuigh den Ghaeltacht ná, go deimhin, maidir le húsáid ainmneacha agus sloinnte i nGaeilge. Shocraigh mé

assess if it constitutes a possible breach of any part of the Official Languages Act. I can also include any provision of any other enactment concerning the use or status of an official language.

The responsibility for providing a postcode falls to the Department of Communications, Energy and Natural Resources and we understood that a contract was awarded to a private company to distribute the postcodes. The Department of Communications, Energy and Natural Resources comes under the auspices of the Official Languages Act 2003 and it has agreed a language scheme which contains statutory commitments in respect of providing certain services in Irish.

Under the terms of the Official Languages Act commitments given by a public body in its language scheme encompass services provided directly or indirectly.

It was therefore apparent that the same scheme obligations are placed on private companies acting under contract to a public body under the auspices of the Act as are placed on the body itself under the Official Languages Act.

There was a commitment given in the most recent language scheme which the Department of Communications, Energy and Natural Resources agreed in 2014 in respect of the use of Gaeltacht placenames, as follows:

GAELTACHT PLACE NAMES

The Department has put in place the necessary arrangements to ensure that official Placenames of Gaeltacht areas as declared by the Minister in the (Ceantair Ghaeltachta) Placenames Order 2005 will continue to be used as the default for corporate purposes, including, where appropriate, legislative, corporate and statistical purposes.

I thought that this commitment could be relevant to some of the complaints submitted to me. There was no similar relevant commitment in respect of the use of addresses outside the Gaeltacht or indeed in

go ndéanfainn tuilleadh fiosrúchán ar an méid seo agus ag an am céanna chinn mé na gearáin a chur faoi bhráid na Roinne Cumarsáide, Fuinnimh agus Acmhainní Nádurtha.

Rinne m'Oifig iarracht an cheist seo agus na gearáin éagsúla ina leith a réiteach go neamhfhoirmiúil leis an Roinn ach níor éirigh leis na hiarrachtaí sin. Go deimhin, b'fhiú dom a lua chomh maith gur ardaigh an Oifig seo an cheist seo faoi úsáid logainmneacha don chóid poist nua leis an Roinn Cumarsáide siar chomh fada le mí Feabhra 2008.

Ó tharla gearáin a bheith déanta ag baill den phobal liom i dtaobh na ceiste seo nach raibh mé in ann teacht ar réiteach sásúil leis an Roinn ina leith, bheartaigh mé go raibh gá le himscrúdú le haon amhras a sheachaint. Go bunúsach, theastaigh uaim de thoradh an imscrúdaithe seo a bheith ábalta a rá an amhlaidh a bhí nó nach raibh an fhoráil i scéim teanga na Roinne á cur i bhfeidhm go cuí.

Sheol mé an t-imscrúdú ar an 5 Deireadh Fómhair 2015 trí litir a eisiúint, mar chéad chéim, chuig an Aire Cumarsáide, Fuinnimh agus Acmhainní Nádurtha, ag lorg eolas ar leith, freagraí ar cheisteanna ar leith chomh maith le haon fhaisnéis, taifid, nó rud den sórt sin a bhain le hábhar an imscrúdaithe.

D'iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 27 Deireadh Fómhair 2015. Seoladh freagra chugam i ríomhphost dar dáta an 28 Deireadh Fómhair 2015. Níor cuireadh aon cháipeisí tacaíochta ar fáil.

Sa ríomhphost sin chugam, shéan an Roinn go raibh aon sárú ar a dualgas reachtúil teanga i gceist sa chás. D'áitigh an Roinn gur bronnadh an Conradh chun córas na bpostchód a dhearadh, a scaipeadh agus a chothabháil ar chuideachta phríobháideach theoranta agus go raibh sí den tuairim nach comhlacht poiblí a bhí sa chonraitheoir chun críocha Acht na dTeangacha Oifigiúla, 2003.

Thagair an Roinn do mhír eile ina scéim teanga reachtúil a bhain le tríú páirtithe a bhíonn ag obair ar son na Roinne a chur ar an eolas faoi ghealltanais na scéime teanga agus iad a spreagadh chun spiorad na scéime a léiriú. Mhaigh an Roinn go raibh an méid sin déanta sa chás seo. Mar thaca leis an méid sin thug an Roinn le fios go raibh an conraitheoir tar éis dul i gcomhairle le Conradh na Gaeilge agus le Foras na Gaeilge chun ábhar áirithe a chur ar fáil ar bhonn dátheangach mar chuid den tionscnamh.

respect of the use of names and surnames in Irish. I decided to undertake further enquiries on the subject and at the same time I decided to refer the complaints to the Department of Communications, Energy and Natural Resources.

My Office attempted to resolve this question and the various complaints informally with the Department but those attempts were unsuccessful. In fact, I should mention that this Office had raised the question of the use of placenames for the new postal codes with the Department of Communications as far back as February 2008.

As complaints had been made to me by members of the public on this question and as I was unable to reach a satisfactory resolution with the Department in that respect, I decided that it was necessary to launch an investigation for the avoidance of doubt. Basically, I wanted to be able to say as a result of the investigation whether or not the provision in the Department's scheme was being appropriately implemented.

I launched the investigation on the 5 October 2015 by issuing a letter, as a first step, to the Minister for Communications, Energy and Natural Resources seeking particular information and responses to certain questions, as well as any information, record or any such thing which was relevant to the subject of the investigation.

I requested that the relevant information be provided to me on or before 27 October 2015. I was sent a response in an e-mail dated 28 October 2015. No accompanying documents were provided.

In that e-mail the Department denied that there had been any breach of its statutory language obligations in this case. The Department contended that the contract to design, distribute and maintain the postcode system was awarded to a private company and that it was of the opinion that the contractor was not a public body under the Official Languages Act 2003.

The Department referred to another section in its statutory language scheme that related to informing third parties working on behalf of the Department about commitments in the language scheme and encouraging them to embrace the spirit of the scheme. The Department claimed that that had been done in this case. To support this case the Department informed me that the contractor had

Luaigh sí go raibh ábhar bolscaireachta dátheangach agus litreacha fógartha postchóid dátheangacha curtha i dtoll a chéile ag Eircode agus suíomh gréasáin dátheangach forbartha. Cuireadh ar a súile don imscrúdú go raibh baill foirne dhátheangacha earcaithe ag Eircode freisin le haghaidh a lárionaid glaonna agus Cód Cleachtais forbartha acu inar leagadh amach an chaoi a gcuirfí an Córas Náisiúnta Postchód ar fáil don phobal.

Dúirt an Roinn gur chóir a thabhairt faoi deara gur ón mbunachar sonraí GeoDirectory agus uaidh sin amháin a tháinig na seoltaí, seoltaí Gaeilge san áireamh, i mBunachar Sonraí Seoltaí Eircode. Thug an Roinn le fios go raibh an bunachar sonraí sin á chur ar fáil faoi cheadúnas ag An Post GeoDirectory (APG) do Capita, agus go raibh An Post freagrach as a scéim féin mar chomhlacht sainithe faoi Acht 2003. Dúradh go raibh sé curtha in iúl don Roinn ag APG go bhféachann siad leis na logainmneacha Gaeilge oifigiúla deimhnithe ar sheoltaí a chur san áireamh taobh istigh den bhunachar sonraí nuair a bhíonn siad ar fáil, agus “aistriúcháin ó Logainm agus ó Shuirbhéireacht Ordanáis Éireann in úsáid”. Dearbhaíodh sa chás go raibh logainmneacha deimhnithe ar fáil ó APG, go gcuirfí le bunachar sonraí Eircode iad.

Shoiléirigh an Roinn go raibh “Logainm” ag obair i gcomhar le APG chun aon difríocht idir a mbunachair sonraí a réiteach, mar thoradh ar roinnt fadhbanna a bheith aimsithe maidir leis an aistriúchán Gaeilge ar sheoltaí i mbunachar sonraí GeoDirectory.

Leagadh dréacht-tuarascáil (gan fionnachtana ná moltaí) faoi bhráid na Roinne ar an 24 Samhain 2015 le deis a thabhairt don chomhlacht poiblí a léiriú má bhí aon mhibhrí bainte agam as an eolas a bhí curtha ar fáil aici san imscrúdú. Tar éis dom an dréacht-tuarascáil sin eisiúint, d'iarr an Roinn síneadh ama le freagra a chur ar fáil, mar go raibh eolas tagtha chun solais sa dréacht-tuarascáil nach raibh tugtha faoi deara aici sna buncháipéisí imscrúdaithe. Ceadaíodh síneadh ama go dtí Dé Luain, an 21 Nollaig leis an dréacht-tuarascáil a fhreagairt. Cuireadh freagra faoi mo bhráid i ríomhphost dar dáta an 22 Nollaig 2015.

Sa tuairisc ar an dréacht-tuarascáil, thug an Roinn le fios nach raibh an chúis a dtagann conraitheoir atá ag oibriú de bhun conradh leis an Roinn faoi scáth Acht na dTeangacha Oifigiúla soiléir di sna buncháipéisí imscrúdaithe.

engaged with Conradh na Gaeilge and Foras na Gaeilge to provide certain materials on a bilingual basis as part of the project.

The Department said that Eircode had provided bilingual promotional material and bilingual notice letters relating to the postcodes as well as developing a bilingual website. The investigation was informed that Eircode had recruited bilingual staff for its central phone centre and that it had developed a Code of Practice where it was specified how the National Postcode System would be provided to the public.

It should be noted, the Department stated, that the addresses, including addresses in Irish, were included on the Eircode Address Database solely from the GeoDirectory data base. The Department stated that this database was being provided under licence by An Post and GeoDirectory (APG) to Capita, and that An Post is responsible for its own scheme as a specified company under the 2003 Act. It was said that APG had informed the Department that it looks to include official Gaeltacht placenames on the database when they are available and “to use translations from Logainm and the Ordnance Survey of Ireland.” It was confirmed that certified placenames were available for APG, and that they were included on the Eircode database.

The Department confirmed that, as a result of a number of problems identified in relation to the Irish language translations of addresses in the GeoDirectory database, “Logainm” was working in conjunction with APG to resolve any differences in their databases.

A draft report (without findings and recommendations) was presented to the Department on 24 November 2015 to give the public body concerned an opportunity to illustrate if I had misconstrued the information that was provided to the investigation. After that draft report was issued the Department requested more time to provide an answer, as information had come to light in the draft report that it hadn't noticed in the original investigative documents. A time extension until Monday 21 December was permitted to reply to the draft report. A reply was presented to me by e-mail on 22 December 2015.

In its response to the draft report the Department said that the reason a contractor working under contract with the Department comes under the Official Languages Act wasn't clear in the original investigative documents.

Thug an Roinn le fios gur thuig sí dearcadh an Choimisinéara Teanga agus d'aithin sí go bhféadfadh conraitheoir atá ag oibriú de bhun conradh leis an Roinn a bheith faoi réir Scéim Teanga na Roinne de réir léirmhíniú an Choimisinéara.

Thug an Roinn le fios arís go raibh cruinnithe tar éis a bheith ag APG le Brainse na Logainmneacha lena chinntiú go gcuirfí logainmneacha oifigiúla dearbhaithe Gaeilge san áireamh i mbunachar sonraí GeoDirectory.

ACHOIMRE

D'eascair an t-imscrúdú seo as líon substaintiúil gearán a rinne baill den phobal le m'Oifig ar an ábhar. San iomlán, fuair m'Oifig os cionn 70 gearán ón bpobal i dtaca le seachadadh litreacha Eircode. Bhain 17 acu sin le ceist logainm oifigiúil Gaeltachta a bheith i mBéarla nó míchuinn.

B'fhíor, mar a dúirt an Roinn ina freagra, nár chomhlacht poiblí chun críocha an Achta é Capita Business Support Services Ireland Limited – an comhlacht príobháideach ar a bronnadh an conradh chun córas na bpostchód a dhearadh, a scaipeadh agus a chothabháil.

Ach níor ghá gur comhlacht chun críocha an Achta a bheadh ag soláthar na seirbhíse faoi chonradh thar ceann na Roinne chun go dtabharfaí faoi choimirce na reachtaíochta é – ba leor go mbeadh aon comhlacht nó eagraíocht ag soláthar seirbhíse faoi chonradh thar ceann na Roinne le go leagfaí na dualgais reachtúla chéanna orthu is a leagann a scéim teanga ar an Roinn. I measc na ndualgas sin tá gealltanas i dtaca le logainmneacha oifigiúla Gaeltachta a úsáid chun críocha corparáideacha.

Cé go raibh mír ar leith sa scéim teanga a bhain le soláthraí seirbhíse a bheith á spreagadh le cloí le “spiorad na scéime”, thóg foráil san Acht féin a bhain leis an ábhar seo ceannas ar an ngealltanas sin. Tá forlámhas ag foráil dhlíthiúil i reachtaíocht atá daingnithe ag an Oireachtas, agus ní féidir le haon ghealltanas i scéim teanga leasú, maolú nó cealú a dhéanamh ar fhoráil in aon Acht.

Leag an fhoráil san Acht dualgas sonrach ar an gcomhlacht poiblí a chinntiú gur chloígh aon chonraitheoir a bhí ag feidhmiú thar a cheann le forálacha a scéime teanga i gcás seirbhísí atá á gcur ar fáil faoi chonradh.

The Department said it understood the position of An Coimisinéir Teanga and recognised that a contractor working under contract with the Department could come under the language scheme of the Department according to the interpretation of the Coimisinéir.

The Department reiterated that APG and Brainse na Logainmneacha had meetings to ensure that confirmed placenames were included in the GeoDirectory database.

SUMMARY

This investigation arose from a substantial number of complaints made by members of the public on the matter to my Office. In total, the Office received over 70 complaints from the public relating to the delivery of the Eircode letters. 17 of those complaints related to official Gaeltacht placenames being in English or inaccurate.

It is true, as the Department said in its response, that Capita Business Support Services Ireland Limited – the private company that was awarded the contract to design, distribute and maintain the system – is not a public body for the purposes of the Act.

But a company providing a service under contract on the Department's behalf need not come under the Act itself for it to come under the auspices of the legislation – it is enough that any company or organisation provides a service under contract on behalf of the Department for the same obligations in the language scheme to apply to it as apply to the Department. Those obligations include the commitment regarding the use of official Gaeltacht placenames for corporate purposes.

Whilst the language scheme includes a section relating to the providers of services being encouraged to comply with the “spirit of the scheme”, the provision in the Act itself relating to this matter overrides that commitment. A legal provision in legislation passed by the Oireachtas has supremacy, and no commitment in a language scheme can amend, dilute or cancel a direct provision in the Act.

The provision in the Act placed a specific obligation on the public body to ensure that the contractor operating on its behalf adhered to the provisions in its language scheme in relation to services being provided under contract.

Dhearbhaigh an Roinn go raibh seirbhís á cur ar fáil thar a ceann nuair a dúirt sí sa litir freagartha don imscrúdú gur *“bronnadh an Conradh chun córas na bpostchód a dhearadh, a scaipeadh agus a chothabháil ar chuideachta phríobháideach theoranta, Capita Business Support Services Ireland Limited i mí na Nollag 2013.”*

Ba léir don imscrúdú gur bheartas de chuid na Roinne a bhí i bhforbairt córais postchód don tír, agus ní raibh aon amhras ach gur bronnadh Conradh ar chomhlacht príobháideach chun an tseirbhís sin a sholáthar. Ó tharla gur seirbhís í seo a bhí á soláthar go neamhdhíreach ag an Roinn, lean dualgais na scéime dá réir.

Ba léir go raibh cúram déanta d’ábhar agus de sheirbhísí áirithe a chur ar fáil as Gaeilge nó go dátheangach, le tacaíocht ó Fhoras na Gaeilge agus Conradh na Gaeilge, mar chuid den tionscnamh seo. In ainneoin an méid sin, ba bhunriachtanas é go gcomhlíonfaí dualgais reachtúla teanga agus níorbh fhéidir le haon socruithe eile teacht in áit na ndualgas sin ná na dualgais sin a mhaolú ar aon bhealach. Ba é an bunriachtanas sa chás seo go dtabharfaí aird ar an ngealltanas a bhí tugtha maidir le húsáid logainmneacha Gaeltachta.

Thug an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha le fios go raibh “Logainm” agus GeoDirectory ag oibriú le chéile anois chun réiteach a fháil ar na difríochtaí a bhain le logainmneacha éagsúla. Léirigh an méid seo dom go bhféadfadh an fhadhb a bhain le húsáid logainmneacha Gaeltachta a bheith seachanta ach an phleanáil cheart a bheith déanta roimh ré.

Bhí an cheist maidir leis an riachtanas atá ar chonraitheoirí, a bhíonn ag obair thar ceann na Roinne, cloí le téarmaí na scéime teanga pléite roimhe seo leis an Roinn de thoradh gearán a tháinig chun cinn roinnt blianta ó shin. Dhearbhaigh an Roinn ag an am sin gur thuig sí an dualgas a bhí i gceist. Ní fhéadfaí, mar sin, a mhaíomh go raibh aon cheist aineolais anseo go háirithe i bhfianaise an riachtanas seo a bheith meabhraithe ag m’Oifig don Roinn le linn cruinniú faireacháin a tharla sé seachtaine sular seoladh an tseirbhís Eircode. B’ábhar iontais dom, mar sin, nár ghlac an Roinn leis ag an tús gur thit dualgais na scéime teanga ar an gconraitheoir a bhí i mbun an tionscnaimh seo thar a ceann.

The Department confirmed that a service was being provided on its behalf when it said in its response to the investigation that *“the contract to design, distribute and maintain the postcode system was awarded to a private limited company, Capita Business Support Services Ireland Limited, in December 2013.”* (trans).

It was clear to the investigation that the development of the country’s postcode system was a policy of the Department, and there was no doubt that a contract was awarded to a private company to provide that service. Since that service was being provided indirectly by the Department the commitments under the scheme followed on.

It was clear that care was given to providing certain materials and services through Irish, with support from Foras na Gaeilge and Conradh na Gaeilge, as part of this project. In spite of this it is a basic requirement that statutory language obligations are upheld and no other arrangements can replace those obligations or diminish them in any way. The basic requirement in this instance was that due regard be given to the commitment regarding the use of Gaeltacht placenames.

The Department of Communications, Energy and Natural Resources said that “Logainm” and GeoDirectory were working together to resolve the differences between various placenames. This indicated to me that the problem relating to the use of Gaeltacht placenames could have been avoided if the correct planning had been carried out beforehand.

The question relating to the obligation of contractors working on behalf of the Department, to comply with terms of the language scheme was raised with the Department as a result of a complaint years previously. The Department confirmed at the time that it understood the obligation in question. It couldn’t be claimed, therefore, that there was any question of ignorance especially since the Department had been reminded of the obligation during a monitoring meeting six weeks prior to the launch of the Eircode service. It surprised me then that the Department didn’t accept at the outset that the obligations of the language scheme applied to the contractor undertaking this project on its behalf.

Cé gur bhain an t-imscrúdú seo le húsáid logainmneacha Gaeltachta, ní fhéadfainn neamhaird a dhéanamh den olc a bhí ar dhaoine, a rinne teagmháil le m'Oifig, gur i mBéarla a bhí a n-ainm agus sloinne ar an litir seachadta Eircode. Ghoill sé go smior ar dhaoine go bhfacthas dóibh gur thóg eagraíocht éigin uirthi féin a n-ainm agus sloinne a aistriú go Béarla, i ngan fhios dóibh, agus gur úsáideadh é sin chun críocha oifigiúla. Fuair m'Oifig 48 gearán ar an ábhar seo amháin. Is ábhar é seo ar thagair mé dó le linn comhfhreagras leis an Roinn agus mar chuid den litir oifigiúil a eisíodh agus mé ag seoladh an imscrúdaithe.

Thug an Roinn aghaidh ar ábhar seo agus í ag tabhairt freagra ar an dréacht-tuarascáil. Thug sí le fios gur bhain An Post úsáid as 'tuairisceoirí foirgnimh' chun go sárófaí an dúshlán i dtaca le cinnte a dhéanamh de gur sannadh an postchód ceart do gach seoladh aonair agus gur seachadadh an postchód ceart chuige sin. Dúirt sí gurb é an t-aon chuspóir amháin a bhí leis sin ná an postchód a sheachadadh go cruinn, agus dúirt gur dhealraigh sé gurb é an leagan Béarla de shloinne úinéir an tí a bhí sna 'tuairisceoirí foirgnimh' i gcásanna áirithe. Níor thug sí aon mhíniú ar an gcúis a bhí leis an aistriúchán go Béarla a rinneadh ná níor ghlac sí aon leithscéal as go ndearnadh é.

Glacaim leis nach bhfuil aon reachtaíocht teanga ann i láthair na huaire a chinntíonn go bhfuil dualgas ar an Stát glacadh le rogha an tsaoránaigh maidir lena (h)ainm agus sloinne agus dá bharr sin ní raibh sí áirithe mar cheist reachtúil a raibh fionnachtana le déanamh ina leith san imscrúdú. Ach is cuid dhilis de chéannacht duine a (h)ainm agus sloinne. Níl aon leithscéal ann go ndéanadh aon duine, comhlacht nó eagraíocht, ní áirim foras de chuid an Stáit, galldú ar an gcéannacht sin trí shonraí daoine a chlárú i mBéarla nuair nach é sin a t(h)oil ná a rogha.

Is dóigh liom gur ceist thábhachtach í seo agus léirigh an méid a tharla le linn eisiúint na bpostchód an gá follasach atá le reachtaíocht a chosnaíonn ceart an tsaoránaigh go mbeadh a (h)ainm agus sloinne ina rogha teanga oifigiúla. Tá a leithéid molta ag m'Oifig go deimhin chomh fada siar le 2011 i gcomhthéacs an athbhreithnithe ar an Acht agus ag Coistí Oireachtais ina dhiaidh sin. Tá molta agam chomh maith go mbeadh stádas reachtúil ag leagan Gaeilge de sheoladh lasmuigh den Ghaeltacht mar chuid den fhoráil chéanna san Acht.

Whilst this investigation related to the use of Gaeltacht placenames I couldn't turn a blind eye to the anger those who contacted my Office felt because their names on the Eircode delivery letters were in English. It upset people deeply that, as they saw it, an organisation had taken it upon itself to translate their names to English for official purposes, without their knowledge. My Office received 48 complaints on this matter alone. I referred to this matter in my correspondence with the Department and in the official letter that was issued when the investigation was launched.

The Department addressed this matter when answering the draft report. It said that An Post used 'building identifiers' to overcome the challenges of ensuring that the correct postcode was identified with each individual address and that the correct postcode was delivered. It said that the only objective was to deliver an accurate postcode and that it seemed that the English version of the homeowner's name was used for 'building identifiers' in some instances. No explanation was given as to why the translations to English took place nor was any apology offered that the translations occurred.

I accept that there is no language legislation at present that ensures the State has an obligation to accept the choice of the citizen regarding his/her name and because of that it wasn't included as a statutory question for which findings had to be made as part of the investigation. However, one's name and surname is integral to one's identity. There is no excuse for any person, company or organisation, not to mention an agency of the State, to anglicise that identity by registering people's details in English when that is neither their wish nor their choice.

I feel this is an important question and what happened during the issuing of the postcodes shows the manifest need for legislation that protects people's right to use their name and surname in either official language. My Office recommended such a measure as long ago as 2011 as part of the review of the Act and at Oireachtas committees subsequently. I have also recommended that the Irish versions of addresses outside the Gaeltacht be given a statutory standing as part of the same provision in the Act.

Le tamall de bhlianta anuas, tá socruithe á ndéanamh le dlí a choisceann ar shaoránaigh aon leagan dá n-ainm agus sloinne a úsáid seachas an leagan atá ar a dteastas breithe, gan fianaise de ghnáth ar úsáid an leagain eile ar feadh tréimhse dhá bhliain ar a laghad, a chur faoi bhráid an Stáit. Is ait liom, mar sin, go dtabharfaí cead do chomhlacht stáit aistriúchán Béarla a úsáid d'ainm agus sloinne duine ar bith chun críocha oifigiúla.

Is féidir go mbeadh ceist ann i dtaobh cosaint sonraí, sa chás go raibh sonraí pearsanta míchruinne á gcoinneáil i mbunachar sonraí ag eagraíocht stáit i ngan fhios do na daoine ar bhain na sonraí sin leo. Tá an cheist ghinearálta sin curtha faoi bhráid an Choimisinéara Cosanta Sonraí agam.

Imscrúdú seolta: 5 Deireadh Fómhair 2015
Tuarascáil eisithe: 31 Nollaig 2015

AN ROINN OIDEACHAIS AGUS SCILEANNA

Rinneadh cinneadh scor d'imscrúdú nuair a cuireadh in iúl dom nach raibh sé beartaithe dul chun cinn leis na trialacha caighdeánacha scoile ab ábhar don imscrúdú.

D'eascair an cás seo ó dhualgas na hOifige seo imscrúdú a dhéanamh ar chomhlíonadh forálacha achtacháin a bhaineann le stádas nó le húsáid teanga oifigiúla de bharr gearán ó bhall den phobal.

Ba chás leis an ngearánach go raibh tástálacha caighdeánacha Béarla le cur ar mhic léinn dara leibhéal, bliain sula gcuirfi tástálacha caighdeánacha Gaeilge ar na mic léinn dara leibhéal, fiú sna scoileanna Gaeltachta agus sna scoileanna a dhéanann teagasc trí mheán na Gaeilge.

Thionscain mé an t-imscrúdú ar an Roinn Oideachais agus Scileanna chun a chur ó amhras an raibh nó nach raibh na dualgais reachtúla teanga atá daingnithe i bhfo-alt 6(i), (j) & (k) agus i bhfo-alt 7(2)(d) den Acht Oideachais, 1998, ar achtachán é a bhaineann le stádas nó le húsáid teanga oifigiúla, á gcomhlíonadh go cuí i dtaca leis na tástálacha caighdeánacha seo. Sheol mé an t-imscrúdú ar an 29 Deireadh Fómhair 2014.

Ceadaítear dom, faoi fho-alt 24(3)(b)(iv) d'Acht na dTeangacha Oifigiúla, scor d'imscrúdú má thagaim ar an tuairim nach bhfuil aon sárú i gceist ar fhorálacha an Achta sin nó aon achtachán eile a bhaineann le

For some years now arrangements are being made in law which prevent citizens from using any version of their name except that which is on their birth certificate, without presenting evidence to the State that another version has been in use for at least two years. It mystifies me, therefore, that a state organisation would be allowed to use an English translation of a person's name for official purposes.

There may be a question in relation to data protection where incorrect personal information was being retained in a data base by a state body without the knowledge of those to whom the details applied. I referred that general question to the Data Protection Commissioner.

Investigation launched: 5 October 2015
Report issued: 31 December 2015

DEPARTMENT OF EDUCATION AND SKILLS

It was decided to discontinue an investigation when I was advised that it was not intended to proceed with the standardised school tests which were the subject of the investigation.

The case arose from the obligation on the Office to conduct an investigation on the fulfilment of the provisions of an enactment relating to the status or use of an official language, as a result of a complaint from a member of the public.

The complainant was concerned that standardised English tests were to be introduced for second level students a year prior to standardised Irish tests being introduced, even in Gaeltacht schools and schools which teach through the medium of Irish.

I initiated the investigation on the Department of Education and Skills to remove any doubt as to whether or not the statutory language obligations that are confirmed in sections 6(i), (j) & (k) and section 7(2)(d) of the Education Act 1998, which is an enactment concerning the use or status of the official languages, were being properly fulfilled in respect of these standardised tests. I launched the investigation on 29 October 2014.

I am permitted, under subsection 24(3)(b)(iv) of the Official Languages Act, to discontinue an investigation if I come to the opinion that there is no breach of that Act or any other enactment concerning

stádas nó le húsáid na Gaeilge. I bhfianaise na litreach dar dáta an 11 Bealtaine 2015 thar ceann na Roinne ó Phríomhoifigeach dá cuid, rinne mé cinneadh scor den imscrúdú seo.

Thug an Roinn Oideachais agus Scileanna deimhniú sa litir thuasluaite nach bhfuil sé beartaithe na trialacha caighdeánacha a thabhairt isteach do lucht an dara bliain de bharr mholtaí Thuarascáil Travers, a eisíodh mar chuid den idirphlé ar athchóiriú na Sraithe Sóisearaí. Ó tharla nach mbeadh sárú i gceist ar aon fhoráil reachtúil teanga maidir le stádas nó le húsáid na Gaeilge ní bheadh aon bhuntáiste breise ag eascairt as leanúint den imscrúdú, fad is nach bhfuil na trialacha caighdeánacha á mbeartú.

Dearbhaíodh nár chóir glacadh leis an gcinneadh go raibh an t-imscrúdú á scor agam gur ghéill mé do sheasamh na Roinne maidir leis an gceist seo, agus tugadh le fios go bhféadfaí glacadh leis go rachadh an Oifig i mbun imscrúdú athuair ar an ábhar dá gcinnfí amach anseo na trialacha caighdeánacha a dhéanamh agus an leagan Béarla a thionscnamh níos túsce ná an leagan Gaeilge.

Imscrúdú seolta: 29 Deireadh Fómhair 2014

Imscrúdú scortha: 28 Bealtaine 2015

IARNRÓD ÉIREANN

Léirigh imscrúdú go raibh Iarnród Éireann ag sárú an dualgais reachtúil teanga atá daingnithe sna Rialacháin atá eisithe faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 [Na Rialacháin um Acht na dTeangacha Oifigiúla, 2003 (alt 9) 2008] (I.R. Uimh. 391 de 2008) i gcás fógairtí taifeadta béil atá á ndéanamh ar thraenacha DART agus i stáisiúin dá chuid.

Rinneadh roinnt gearán le m'Oifig thar thréimhse ó Lúnasa 2013 nach raibh fógairtí taifeadta béil ar an DART agus i stáisiúin de chuid Iarnród Éireann ag teacht leis na Rialacháin.

Leagann na Rialacháin dualgas ar chomhlachtaí poiblí a chinntiú gur i nGaeilge nó i mBéarla agus i nGaeilge a bheidh a fógairtí taifeadta béil ón 1 Iúil 2013. Rinne m'Oifig iarracht na gearáin seo a réiteach ar bhonn neamhfhoirmiúil le hIarnród Éireann ach níor éirigh leis na hiarrachtaí sin comhréiteach a aimsiú. Dá bhrí sin, chonacthas dom nach raibh de rogha agam ach imscrúdú a

the status or use of an official language. In light of the letter of 11 May 2015 from a Principle Officer on behalf of the Department, I decided to discontinue this investigation.

The Department of Education and Skills confirmed in the above-mentioned letter that it is not intended to introduce the standardised tests for second year students in light of the recommendations of the Travers Report, which issued as part of the negotiations on the restructuring of the Junior Cycle. As there will be no breach of any statutory language provision in respect of the status or use of Irish there would be no extra benefit to be gained from continuing with the investigation, as long as standardised tests are not being contemplated.

The Department was advised that my decision to discontinue the investigation should not be construed as my yielding to the Department's stance on this matter, and that it could be assumed that the Office would reinstate the investigation if it was decided in the future to proceed with the standardised tests and to initiate the English tests prior to initiating those in Irish.

Investigation launched: 29 October 2014

Investigation discontinued: 28 May 2015

IARNRÓD ÉIREANN

An investigation found that Iarnród Éireann was in breach of the statutory language obligation enshrined in the Regulations which are issued under subsection 9(1) of the Official Languages Act 2003 [Official Languages Act 2003 (Section 9) Regulations 2008] (S.I. 391 of 2008) in respect of recorded oral announcements which are being made on DART trains and in train stations.

A number of complaints were made to my Office over a period of time from August 2013 that recorded oral announcements being made on the DART and in train stations were not in accordance with the Regulations.

The Regulations place an obligation on public bodies to ensure that recorded oral announcements are in Irish or in English and Irish with effect from 1 July 2013. My Office attempted to resolve these complaints informally with Iarnród Éireann but those attempts were unsuccessful. It was apparent to me, therefore, that I had no choice but to initiate an investigation in order

thionscnamh sa chás le teacht ar fhionnachtana agus ar mholtaí, dá mba cuí.

Sheol mé litir chuig Príomhfheidhmeannach na heagraíochta ag lorg eolas ar leith, freagraí ar cheisteanna ar leith chomh maith le haon fhaisnéis, taifid, nó rud den sórt sin a bhain le hábhar an imscrúdaithe. D'iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 22 Eanáir 2015 agus thairg mé deis ar shoiléiriú ar aon ghné de riaradh an imscrúdaithe trí theagmháil le m'Oifig. I litir dar dáta an 20 Eanáir 2015, thug Iarnród Éireann freagra i scribhinn ar an imscrúdú.

Ba léir ón gcéad fhreagra ó Iarnród Éireann gur ghlac sé leis gan cheist go raibh an eagraíocht ag sárú an dualgaís reachtúil teanga, atá daingnithe sna Rialacháin atá eisithe faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003, i gcás na bhfógairtí taifeadta béil seo. Thug Iarnród Éireann le fios go raibh sin amhlaidh toisc nárbh fhéidir teicneolaíocht a uasghrádú ar thraenacha DART agus i stáisiúin, ceal maoinithe.

Thug an Príomhfheidhmeannach (PF) le fios go raibh iarrtha aige *"athbhreithniú eile a dhéanamh ar na fógairtí béil ar thraenacha DART agus i stáisiúin faoi láthair chun an tAcht a chomhlíonadh a mhéid agus is féidir laistigh de shrianta na gcórais atá againn."*

Anuas air sin, dhearbhaigh an PF go raibh sé beartaithe acu a gcórais eolais do chustaiméirí a uasghrádú agus go raibh staidéir féidearthachta déanta acu maidir leis sin. Dúradh go ndearnadh iarratas ar mhaoiniú leis an Údarás Náisiúnta Iompair (ÚNI) i Meán Fómhair 2012 ach nach raibh aon mhaoiniú ar fáil faoi láthair. Cuireadh in iúl don Oifig go gcuirfí ar an eolas í faoin am a bheadh leagtha amach chun comhlíonadh a chinntiú dá dtiocfadh athrú ar chúrsaí maoinithe.

Dhúsigh an freagra ó Iarnród Éireann roinnt ceisteanna agus d'fhill mé air ag lorg soiléiriú ar roinnt ábhar, mar aon le hábhar tacaíochta. I bhfreagra ríomhphoist a seoladh chuig an mBainisteoir Imscrúdaithe thug PF Iarnród Éireann le fios gur infheistíocht chaipitil €107.5m agus €93.6m a cuireadh ar fáil don eagraíocht sna blianta 2014 agus 2015 faoi seach. Thug an PF le fios gurbh iad ÚNI agus an Roinn Iompair, Turasóireachta agus Spóirt na gníomhaireachtaí maoinithe atá ag Iarnród Éireann agus go gcaitear cloí leis na réimsí caiteachais a bhíonn ceadaithe dóibh. De dheasca an chaillteanais shuntasaigh atá Iarnród Éireann ag déanamh níl aon bhuiséad féinmhaoinithe ag an gcomhlacht

to make a finding on the matter, along with recommendations, if appropriate.

I issued a letter to the Chief Executive Officer of the organisation, seeking particular information and responses to certain questions as well as any information, record or item of that nature which related to the subject of the investigation. I requested that the relevant information would be provided by 22 January 2015. On 20 January, Iarnród Éireann responded in writing to the investigation.

It was apparent from Iarnród Éireann's first response that it accepted without question that the organisation was in breach of the statutory language obligation, which is confirmed by the Regulations issued under subsection 9(1) of the Official Languages Act, in the case of these recorded oral announcements. Iarnród Éireann advised the investigation that this was the case as they could not upgrade the technology on DARTs and in stations due to a lack of funding.

The Chief Executive Officer (CEO) stated that he had requested that *"another review be carried out on the oral announcements on DART trains and in stations at present to enable the Act to be fulfilled as far as possible under the current system restraints."* (Translation)

The CEO confirmed also that it was intended to upgrade the customer information system and that a feasibility study had been undertaken in that respect. It was stated that an application for funding had been made to the National Transport Authority (NTA) in September 2012 but that no funding was available at present. The Office was advised that it would be informed as to the timetable that would be set out to ensure compliance if the situation with regard to funding changed.

The response from Iarnród Éireann raised a number of questions and I reverted to the organisation, seeking clarification on a number of issues, as well as supporting material. In an email response which was sent to the Investigations Manager, the CEO of Iarnród Éireann advised that capital investment of €107.5m and €93.6m had been provided to the organisation for 2014 and 2015 respectively. The CEO advised that the NTA and the Department of Transport, Tourism and Sport are the funding agencies for Iarnród Éireann, and that the body must adhere to the spending fields permitted to it. Iarnród Éireann has no internal capital funding as a

d'infheistíocht chaipitil. I dteannta an chomhfhreagrais sin bhí sleachta as iarratas maoinithe larnród Éireann agus sleachta ón staidéar féidearthachta a bhí déanta ag an gcomhlacht ar an ábhar.

D'fhill mé an athuair ar larnród Éireann ag lorg cóip den litir dhiúltaíthe a bhí luaite sa chéad fhreagra ón gcomhlacht chomh maith le costas iomlán an tionscnaimh. Tar éis roinnt cumarsáide ar an ábhar seo soiléiríodh dom, i ríomhphost dar dáta an 17 Meitheamh 2015, nach ndearna ÚNI aon ráiteas sonrach ag diúltú maoiniú don tionscnamh seo. Níor chuir larnród Éireann aon eolas breise ar fáil dúinn i dtaobh chostas an tionscnaimh, mar a bhí iarrtha.

Bhain an t-imscrúdú seo le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar fhógairtí taifeadta béil de chuid larnród Éireann. Ní dhearna larnród Éireann aon chás nach ann do dhualgas reachtúil sa chás seo.

Ba é seasamh larnród Éireann nárbh fhéidir an teicneolaíocht a uasghrádú ar thraenacha DART agus sna stáisiúin de thoradh easpa maoinithe. Thug sé le fios go raibh sé i gceist aige an t-uasghrádú sin a dhéanamh agus go raibh staidéar féidearthachta déanta aige chuige sin, ach nach raibh maoiniú ar fáil ón Údarás Náisiúnta Iompair.

Chuir larnród Éireann sliocht as cóip den iarratas ar mhaoiniú a sheol sé chuig ÚNI i Meán Fómhair 2012 don tréimhse 2012-2016 ar fáil don imscrúdú mar léiriú ar a thiomantas don Acht. Cé go raibh an dualgas faoin Acht i dtaca le fógraí réamhthaifeadta luaite san iarratas, níor tugadh aon mhiondealú ar chostas measta an tionscnaimh, agus is ar cheist na comharthaíochta neamhghéilliúla is mó a bhí an t-iarratas dírithe. Fiú sa chás sin, bhí larnród Éireann ag caint ar mhaoiniú do na comharthaí a cheartú a bheith leata thar thréimhse 10 mbliana agus é a bheith siarchoinnithe (backloaded) agus go mbeadh maolú á lorg i dtaca le cur i bhfeidhm na Rialachán. Ba chóir a lua nach bhfuil an chumhacht ná an t-údarás ag an Oifig seo maolú den chineál sin a thabhairt.

Cuireadh sliocht as an staidéar féidearthachta a rinneadh i Márta 2014 ar fáil don imscrúdú chomh maith. Arís, ní raibh aon mhiondealú déanta ar chostas an tionscnaimh, ná meastacháin tugtha ina leith. Ba chosúil, áfach, ón eolas a cuireadh faoi bhráid an imscrúdaithe, nach ndeachaigh larnród

result of the substantial losses being made by the organisation. Excerpts from larnród Éireann's capital funding application and feasibility study on the matter were included in this response.

I reverted to larnród Éireann seeking a copy of the rejection letter which was mentioned in the first response from the body as well as a total costing for the project. After some communication on this issue it was clarified for me in an email of 17 June 2015 that the NTA had not made any specific statement refusing funding for this project. larnród Éireann did not provide any further information as to the total cost of the project, as had been requested.

This investigation concerned the use of the official languages, Irish and English, on recorded oral announcements made by larnród Éireann. larnród Éireann did not make any case that a statutory obligation did not exist in this instance.

larnród Éireann maintained that it could not upgrade the technology on DART trains and in stations due to a lack of funding. It advised that it intended to undertake the upgrade and that a feasibility study had been conducted to that end, but that no funding was available from the NTA.

larnród Éireann supplied the investigation with an excerpt from a copy of the application for funding for the period 2012-2016 which it had submitted to the NTA in September 2012 as an indication of its commitment to the Act. Although the obligation under the Act in regard to recorded oral announcements was mentioned in the application, there was no breakdown given of estimated project costs and the application was directed mainly towards the question of non-compliant signage. Even in that case, larnród Éireann was proposing that funding to correct the signage would be spread over a period of 10 years and backloaded and that a derogation would be sought with regard to the implementation of the Regulations. It should be mentioned that this Office has neither the power nor the authority to grant a derogation of that nature.

An excerpt from the feasibility study which was undertaken in March 2014 was also supplied to the investigation. Once again, there was no breakdown or estimate given of the cost of the project. It appeared, however, from the information provided to the investigation, that larnród Éireann did not get to grips

Éireann i ngleic mar is ceart leis an gceist seo go dtí Meán Fómhair 2012 ar a luaithe, in ainneoin gur eisíodh na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 (I.R. 391 de 2008) ar an 1 Deireadh Fómhair 2008.

Lena chois sin, de réir eolas a chuir Iarnród Éireann faoi bhráid an imscrúdaithe, ceadaíodh €107.5m d'infheistíocht chaipitil don bhliain 2014 agus €93.5m don bhliain 2015 agus ní raibh aon chuid den airgead seo curtha ar fáil leis an dualgas reachtúil seo a chomhlíonadh. Cé go n-aithním an dearbhú ó Iarnród Éireann go raibh siad féin ag obair ar chaillteanas suntasach agus nach raibh siad in acmhainn, dá bhrí sin, maoiniú caipitil a chur ar fáil, is léir gur faoi Iarnród Éireann a bhí sé cás a dhéanamh don mhaoiniú sin leis an Roinn Iompair agus le ÚNI. Níor cuireadh aon fhianaise faoi mo bhráid go ndearna Iarnród Éireann aon chás ar leith don mhaoiniú seo, nó gur thug sé le fios ag aon phointe do ÚNI gur tosaíocht dó é i measc na n-ábhar a raibh iarratas ar mhaoiniú déanta ina leith. Ar deireadh thiar thall, is faoi Iarnród Éireann atá sé a chinntiú go gcloítear le reachtaíocht na tíre sa chás seo agus is faoi siúd atá sé na tosaíochtaí a leagan síos agus an cás is láidre is féidir a dhéanamh chun a chinntiú go gcuirtear an maoiniú ar fáil dó chuige sin.

Mar a dúradh in imscrúdú a rinne an Oifig seo ar Iarnród Éireann sa bhliain 2008, is léir go n-éilíonn Iarnród Éireann go ginearálta go gcomhlíonadh paisinéirí a ndualgais agus iad ag taisteal ar thurais traenach, go háirithe an dualgas táille chuí a íoc mar mhalairt ar chearta taistil. Caithfidh Iarnród Éireann a dhualgais féin a chomhlíonadh, go háirithe iad siúd atá daingnithe sa dlí ag an Oireachtas, agus ina measc na Rialacháin faoi fho-alt 9(1) i dtaca le fógairtí taifeadta béil.

Mhol an t-imscrúdú, gan dochar don dualgas reachtúil a bhí ann go mbeadh na fógairtí taifeadta béil seo i nGaeilge nó dátheangach láithreach, go gcuirfeadh Iarnród Éireann plan céimnithe cuimsitheach in áit laistigh de 6 mhí ó dháta eisithe na tuarascála imscrúdaithe le dul i ngleic le ceartú a dhéanamh ar na fógairtí taifeadta béil, go gcuirfí i bhfeidhm an plan ar bhonn céimnithe sa tréimhse is giorra ab fhéidir sin a dhéanamh ach go mbeadh gach fógairt acu ceartaithe ar a dheireanaí ar fad laistigh de thréimhse 2 bhliain ó dháta na tuarascála sin.

Imscrúdú seolta: 31 Nollaig 2014

Tuarascáil eisithe: 10 Meán Fómhair 2015

properly with the issue until September 2012, at the earliest, despite the fact that the Regulations under subsection 9(1) of the Official Languages Act 2003 (S.I. 391 of 2008) issued on 1 October 2008.

Also, according to information supplied by Iarnród Éireann to the investigation, €107.5m in capital investment was granted in 2014 and €93.5m in 2015, but none of this money was provided to implement this statutory obligation. Although I recognise the statement from Iarnród Éireann that it was operating at a substantial loss and that it was therefore unable to provide capital funding, it is apparent that it was up to Iarnród Éireann to make the case for that funding to the Department of Transport and the NTA. No evidence was presented to me that Iarnród Éireann made any specific case for this funding, nor did it make it clear at any point that this was a priority for it amongst the items for which an application for funding was made. At the end of the day, it is a matter for Iarnród Éireann to ensure that the legislation of the country is adhered to in this case and it is up to it to set out the priorities and to make the strongest possible case to ensure that funding is provided to it for this purpose.

As was said during a previous investigation on Iarnród Éireann in 2008, it is apparent that Iarnród Éireann seeks in general that passengers fulfil their obligations when they are making a train journey, specifically the obligation to pay a fee in exchange for travel rights. Iarnród Éireann must fulfil its own obligations, especially those which are enshrined in law by the Oireachtas, which include the Regulations under subsection 9(1) in respect of recorded oral announcements.

The investigation recommended, without prejudice to the statutory obligation which existed that these recorded oral announcements be made in Irish or bilingually immediately, that Iarnród Éireann would put a comprehensive graduated plan in place within 6 months of the date of issue of the report on the investigation to address the issue of the correction of the recorded oral announcements, and that the plan would be implemented on a graduated basis in the shortest time possible, but that every announcement would be corrected at the latest within 2 years of the issue of the report.

Investigation launched: 31 December 2014

Report issued: 10 September 2015

AN tÚDARÁS UM BÓITHRE NÁISIÚNTA

Léirigh imscrúdú a rinneadh ar an Údarás um Bóithre Náisiúnta (ÚBN):

- Nach mbaineann dualgais reachtúla teanga le comharthaí nach comharthaí tráchta iad agus a bhíonn curtha in airde ag comhlacht Comhpháirtíochta Poiblí Priobháidí (CPP), agus
- Gur sáraíodh na dualgais reachtúla teanga i gcás comharthaí áirithe tráchta a bhí curtha in airde ag ÚBN nó thar a cheann. Ba chóir a nótáil freisin go ndearnadh roinnt de na comharthaí sin a leasú go sásúil le linn thréimhse an imscrúdaithe.

Rinneadh gearáin éagsúla le m'Oifig maidir le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomharthaí a bhí curtha in airde ar bhóithre náisiúnta na tíre, agus a measadh a bhí curtha in airde ag ÚBN nó thar a cheann. Tarraingíodh ceist na comharthaíochta seo anuas leis an Údarás ar bhonn neamhfhoirmiúil, tríd an gcóras a fheidhmíonn m'Oifig chuige sin, thar thréimhse ama ó mhí Feabhra 2010 ar aghaidh.

In ainneoin an chomhoibrithe a fuair m'Oifig ón Údarás i dtaca leis na fiosruithe neamhfhoirmiúla seo, agus na ngealltanais a tugadh i dtaca le ceartú roinnt de na comharthaí, bhí cuid de na comharthaí seo fós gan cheartú i mí Iúil na bliana 2014. Bhí amhras ann i dtaca le húinéireacht roinnt de na comharthaí. Bhí ceisteanna freisin faoi na freagrachtaí reachtúla a bhí ar an Údarás i leith roinnt de na comharthaí sin.

Ba léir dom go raibh ceart reachtúil ag na gearánaithe faoin reachtaíocht go ndéanfaí fionnachtana agus moltaí foirmiúla (dá mba chuí) sna cásanna seo mar nár réitíodh na ceisteanna seo faoin gcóras neamhfhoirmiúil réitithe gearán, bíodh is go raibh thréimhse ceithre bliana caite i gcás roinnt díobh agus gach iarracht déanta. Chinn mé, chomh maith, gur ghá dul chun cinn le himscrúdú ar an ábhar chun go bhféadfaí léirmhíniú cruinn a dhéanamh ar an reachtaíocht a bheadh ina slat tomhais i gcás aon ghearán eile a dhéanfaí leis an Oifig amach anseo.

Tá dualgais reachtúla i bhfeidhm faoi úsáid na Gaeilge ar chomharthaí tráchta bóthair atá déanta faoi rialacháin agus ordacháin faoi fho-ailt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961. Tá na dualgais sin daingnithe sa *Lámhleabhar do Chomharthaí Tráchta* (Lámhleabhar) agus is

NATIONAL ROADS AUTHORITY

An investigation carried out on the National Roads Authority (NRA) found:

- That there are no statutory language obligations in respect of signs which are not road signs and which are erected by a Public Private Partnership (PPP) company, and
- That the statutory language obligations were breached in respect of certain road signs which were erected by the NRA or on its behalf. It should also be noted that there were a number of signs included which were satisfactorily corrected during the period of the investigation.

Different complaints were made to my Office concerning the use of the official languages, Irish and English, on signs that had been erected on the country's national roads and which were thought to have been erected by the NRA or on its behalf. The question of these signs was raised with the Authority on an informal basis, through the system my Office operates for that purpose, over a period of time from February 2010 onwards.

Despite the cooperation my Office received from the Authority in respect of these informal enquiries, and the commitments given in relation to the correction of some of the signs, some of these signs had still not been corrected by July 2014. There was some doubt as to the ownership of some of the signs. There were also some questions as to the NRA's statutory obligations in respect of some of the signs.

It was apparent to me that the complainants had a statutory right under the legislation that formal findings and recommendations (if appropriate) be made in these instances as the questions had not been resolved through the informal complaints resolution system although up to four years had passed in the case of some of the signs and every effort had been made. I decided, also, that an investigation was necessitated on the issue so that an accurate interpretation of the legislation could be made, which would provide a yardstick in the case of any other complaints made to the Office in the future.

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

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. Tá dualgais reachtúla eile i bhfeidhm faoi úsáid na Gaeilge agus an Bhéarla ar chomharthaí nach comharthaí tráchtta iad faoi na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003.

Bheartaigh mé tabhairt faoi imscrúdú sa chás ar an 31 Iúil 2014, faoi na cumhachtaí reachtúla agus údaráis a thugann ailt 21-29 d'Acht na dTeangacha Oifigiúla dom, mar a cheadaítear dom faoi fho-alt 21(f) den Acht de bharr gearáin a bheith déanta liom.

Sheol mé litir chuig ceann an chomhlachta phoiblí ag lorg eolas ar leith, freagraí ar cheisteanna ar leith chomh maith le haon fhaisnéis, taifid nó rud eile den sórt sin a bhain le hábhar an imscrúdaithe.

D'iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 5 Meán Fómhair 2014. Fuair mé freagra dar dáta an 5 Meán Fómhair 2014 ar an litir sin. Níor cuireadh aon ábhar tacaíochta ar fáil leis an litir sin, in ainneoin é sin a bheith iarrtha.

Ina fhreagra, chuir an tÚdarás tábla ar fáil ag leagan amach staid reatha na comharthaíochta a bhí faoi chaibidil san imscrúdú. Thug an tÚdarás le fios nach amhlaidh a sholáthraíonn an tÚdarás féin gach comhartha feadh na mbóithre náisiúnta, agus gur féidir le húdaráis áitiúla nó tríú páirtithe eile, ar nós cuideachtaí Comhpháirtíochta Poiblí Priobháidí (CPP), comharthaí a chur in airde agus go bhfuil thart ar 330km den ghréasán mótarbhealaí á oibriú agus á chothabháil ag cuideachtaí CPP faoi láthair. Thug an tÚdarás le fios freisin gur féidir le cuideachtaí tógála comharthaí a chur in airde i gcaitheamh scéimeanna feabhsaithe bóithre náisiúnta a thógáil. D'áitigh an tÚdarás gur tháinig tromlach mór na gcomharthaí a bhí faoi réir an imscrúdaithe faoi chuimsiú na gcatagóirí seo.

Mheas ÚBN nach raibh aon dualgas ná freagracht air féin i gcás na gcomharthaí sin ab ábhar don imscrúdú agus a d'eascair go díreach nó go hindíreach ó chonarthaí CPP. Ina ainneoin sin, thug ÚBN le fios go dtugann sé faoi dhul i gcion ar thríú páirtithe chun an reachtaíocht ábhartha a chomhlíonadh de bharr a thiomantais don Acht. Dheimhnigh an tÚdarás gur oibrigh sé go gníomhach chun réitigh mheara shásúla a bhaint amach ina leith sin agus go raibh méid áirithe de rath orthu ina dtaobh sin, mar a bhí sonraithe sa tábla.

obligations are confirmed in the *Traffic Signs Manual* (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 authorities must adhere to those obligations. There are other statutory obligations in effect concerning the use of Irish and English on signs which are not road signs under the Regulations under subsection 9(1) of the Official Languages Act 2003.

I decided to launch an investigation in this case on 31 July 2014, in line with the authority and legal powers granted to me by sections 21-29 of the Official Languages Act, as I am permitted to do under subsection 21(f) on foot of complaints being made to me.

I sent a letter to the head of the public body seeking particular information and answers to certain questions, as well as any information, record or such thing pertaining to the subject of the investigation.

I requested that the relevant information be provided by 5 September 2014. I received a response to that letter dated 5 September 2014. No accompanying documents were provided, despite their being requested.

In its response, the Authority provided a table setting out the current position of the signage which was the subject of the investigation. The Authority advised that it does not itself supply all the signage on the national roads and that local authorities or other third parties, such as Public Private Partnership companies (PPPs), can erect signs, and that approximately 330km of the motorway network are currently being worked and maintained by PPP companies. The Authority also advised that building companies can erect signs during the building of road improvement schemes. The Authority maintained that the vast majority of the signs which were the subject of the investigation fell into these categories.

The NRA was of the opinion that it had no obligation or responsibility in the case or those signs which were the subject of the investigation and which arose directly or indirectly from a PPP contract. Despite that, the NRA advised the investigation that it undertakes to influence third parties to fulfil the relevant legislation because of its commitment to the Act. The Authority confirmed that it actively worked to achieve quick satisfactory solutions in that respect and that it had a certain amount of success in that area, as was set out in the table.

D'fháiltigh mé roimh an dearbhú a bhí curtha ar fáil go raibh comharthaí áirithe ab ábhar don imscrúdú curtha ina gceart anois. Bhí mé den tuairim, áfach, go raibh ceisteanna fós le freagairt i dtaca leis an bhfreagracht fhoriomlán a thiteann ar an Údarás i dtaca le comharthaíocht ar bhóithre náisiúnta na tíre, agus maidir leis an reachtaíocht i dtaca le CPP – an tAcht um Údaráis Stáit (Socruithe le haghaidh Comhpháirtíochtaí Poiblí Priobháideacha), 2002. D'fhill mé ar an Údarás ar an mbonn sin agus d'iarr mé go gcuirfeadh sé cás dlíthiúil i mo láthair a thacódh lena sheasamh nach raibh dualgas reachtúil air i dtaca leis na comharthaí:

- a bhí curtha in airde ar bhóithre náisiúnta na tíre ag comhlachtaí CPP, agus
- ag conraitheoirí a bhí ag obair ar scéimeanna feabhsaithe bóithre.

D'iarr mé arís go gcuirfí aon fhaisnéis, taifead nó rud den sórt sin a bhain nó a bhaineann leis an imscrúdú ar fáil don imscrúdú, mar a éilíonn an reachtaíocht.

D'fhreagair an tÚdarás i litir dar dáta an 6 Deireadh Fómhair, agus sheas sé go láidir leis an méid a bhí ráite sa chéad fhreagra ar an imscrúdú. I dtuairim an Údaráis ba léir ón reachtaíocht nár thit an fhreagracht orthusan maidir le comharthaí áirithe ab ábhar don imscrúdú. Níor cuireadh aon cháipéisí tacaíochta ar fáil i dteannta an fhreagra sin.

De réir na hargóna a bhí á déanamh ag ÚBN, níorbh eisean an t-údarás bóithre i gcás na gcomharthaí seo, de réir na nAchtanna um Thrácht ar Bhóithre, agus thit an fhreagracht sin ar na húdaráis áitiúla. An t-aon eisceacht dó seo ná comharthaí a bhí ar bhóithre a tógadh faoi scéim CPP agus inar fheidhmigh ÚBN mar an t-údarás bóithre.

Thug sé le fios chomh maith gur le fógraíocht amháin a bhain an reachtaíocht i dtaobh comharthaí atá in airde ar bhóithre na tíre ach nach comharthaí tráchta iad.

Thug an tÚdarás le fios gur bhain na gearáin i dtaca le comharthaí nár chuir údaráis áitiúla ná ÚBN in airde le (a) comharthaí sealadacha oibreacha bóthair a chuir conraitheoirí in airde, nó (b) comharthaí a chuir cuideachtaí CPP in airde. D'fhreagair an tÚdarás na ceisteanna ón imscrúdú i dtaca leis an dá aicme sin.

I welcomed the confirmation which was provided that certain signs which were the subject of the investigation had been corrected. I was of the opinion, however, that there were questions still to be answered in respect of the Authority's overall responsibility for signage on the country's national roads, and in connection with the legislation in respect of PPPs – State Authorities (Public Private Partnership Arrangements) Act 2002. I reverted to the Authority on that basis and I requested that a legal case be put to me that would support its contention that it had no legal responsibility in respect of the signs:

- which had been erected on the country's national roads by PPP companies, and
- by contractors working on road improvement schemes.

I requested once more that any information, record or any such thing which pertained or pertains to the investigation would be provided to the investigation, as the legislation requires.

The Authority responded in a letter dated 6 October, and it strongly stood by the assertions made in its first response to the investigation. In the Authority's opinion it was clear from the legislation that the responsibility for certain signs which were the subject of the investigation did not fall upon it. No supporting documents were provided to the investigation with that response.

According to the argument being put forward by the NRA, it was not the roads authority in the case of these signs, under the Road Traffic Acts, and the responsibility was the local authorities'. The only exception to that was a road which was built under a PPP scheme where the NRA acted as the roads authority.

The NRA also advised that the legislation in respect of signs which are erected on the country's roads which are not road signs covers advertising only.

The Authority said that the complaints in respect of signs that neither the local authorities nor the NRA erected were either (a) temporary road works signs which contractors erected, or (b) signs which PPP companies erected. The Authority responded to questions from the investigation on these two categories of signs.

I gcás comharthaí sealadacha oibreacha bóthair dúirt ÚBN nár pháirtí sa chonradh tógála é agus chomh maith leis sin gur thit an fhreagracht maidir le conarthaí tógála ar an Oifig um Sholáthar Rialtais (OGP) mar gur chonarthaí soláthair phoiblí iad.

Maidir le cás comharthaí a bhí curtha in airde faoi scéimeanna CPP, dúirt ÚBN nach comharthaí um thrácht ar bhóithre a bhí i gceist ('Welcome to M1' etc.) laistigh de bhri an *Lámhleabhair*, nár chuir an tÚdarás in airde iad agus nár cuireadh iad in airde thar ceann an Údaráis.

Rinne mé cinneadh, tar éis freagraí ÚBN a bhreithniú, go raibh saineolas breise de dhíth orm ar ábhar an imscrúdaithe agus shocraigh mé, ar an mbonn sin, scríobh chuig Ard-Rúnaí na Roinne Iompair, Turasóireachta agus Spóirt d'fhonn soiléiriú a fháil i dtaca le freagrachtaí na bpáirtithe éagsúla. Sheol mé an litir sin ar an 3 Samhain 2014. Fuair mé freagra cuimsitheach ón Roinn ar an ábhar i litir dar dáta an 14 Samhain 2014. Socraíodh cruinniú idir m'oifigigh agus oifigigh na Roinne, chun an t-ábhar a phlé, ar an 23 Eanáir 2015.

COMHAIRLE NA ROINNÉ IOMPAIR, TURASÓIREACHTA AGUS SPÓIRT

Shoiléirigh an Roinn Iompair, Turasóireachta agus Spóirt *"nach féidir aon chomhartha tráchta a chur in airde ar bhóithre poiblí nach gcloíonn leis na riachtanais atá leagtha síos sa Lámhleabhar do Chomharthaí Tráchta"*. Thug sí le fios chomh maith nach féidir le doiciméad, amhail an *Lámhleabhar*, gach comhdhéanamh de théacs agus siombailí a d'fhéadfai a úsáid ar chomharthaí tráchta a thaispeáint.

Maidir le ceist i dtaca leis an dualgas atá ann a chinntiú go gcloíonn gach comhartha a chuirtear in airde ar bhóithre náisiúnta leis na riachtanais atá leagtha síos sa *Lámhleabhar*, thug an Roinn le fios gurb é an t-údarás bóithre (an chomhairle contae nó cathrach ábhartha) atá freagrach ar deireadh thiar. Ach thug sí le fios, sa chás go dtugann ÚBN féin faoi chomharthaí a chur in airde ar feadh bealach áirithe (bealach a ghabhann trí cheantair a bhaineann le húdarais áitiúla éagsúla de ghnáth), go ndéanfaidh sé socrú díreach le conraitheoir agus ansin go ndéanfaidh sé maoirseacht le cinntiú go bhfuiltear ag cloí le téarmaí an chonartha. Dhearbhaigh an Roinn, sa chás go raibh comharthaí tráchta á gcur in airde nach bhfuil áirithe sa *Lámhleabhar*, go gcaithfidís cloí leis na riachtanais sa *Lámhleabhar*, agus gurbh amhlaidh an cás do chomharthaí rialála a bhí áirithe sa *Lámhleabhar* freisin ionas go mbeadh sé éasca teacht orthu.

In the case of temporary road works signs the NRA stated that it was not a party to the building contract and that the responsibility for building contracts lay with the Office for Government Procurement because they were public supply contracts.

As regards signs which had been erected under PPP schemes, the NRA said that the signs in question ('Welcome to M1' etc.) were not road traffic signs within the meaning of the *Manual*, they were not erected by the Authority nor were they erected on behalf of the Authority.

I decided, having reviewed the NRA's response, that I required additional expert knowledge on the subject of the investigation and I arranged, on that basis, to write to the Secretary General of the Department of Transport, Tourism and Sport with a view to clarifying the responsibilities of the various parties. I issued that letter on 3 November 2014. I received a comprehensive response on the matter in a letter dated 14 November 2014. A meeting was arranged between my officers and officers of the Department to discuss the matter on 23 January 2015.

THE ADVICE OF THE DEPARTMENT OF TRANSPORT, TOURISM AND SPORT

The Department of Transport, Tourism and Sport clarified that *"no traffic sign can be erected on public roads which does not adhere to the requirements set out in the Traffic Signs Manual"* (trans.) The Department also advised that no document, such as the *Manual*, could display every possible combination of text and symbol which could be displayed on a road traffic sign.

In reference to a question about the obligation which exists to ensure that every sign which is erected on national roads adheres to the requirements set out in the *Manual*, the Department advised that it is the roads authority (the relevant city or county council) which is ultimately responsible. But the Department advised in any case that the NRA undertook to erect signs on a certain route (a route which goes through different local authority areas, normally) that the NRA would make a direct arrangement with a contractor and that it would then supervise to ensure that the terms of the contract were adhered to. The Department confirmed that in any case where a traffic sign was being erected that was not encompassed by the *Manual*, that the sign must adhere to the requirements of the *Manual*, and that the same was true of regulatory signs, which were included in the *Manual* also for ease of reference.

I gcás comhlachtaí CPP, shoiléirigh an Roinn nárbh údaráis bóithre iad seo agus dá bhrí sin gurb iad na húdaráis áitiúla na húdaráis bóithre i gcás gach bóthair phoiblí. Faoi na conarthaí CPP, áfach, glacann na lamháltóirí CPP freagrachtaí orthu féin chun stráice áirithe de bhóthar a thógáil agus é a chothabháil ansin ar feadh tréimhse ama (ní bheadh 30 bliain neamhghnách). Agus iad ag tógáil bóthair, bíonn ar an gcomhlacht CPP tabhairt faoi na hoibreacha riachtanacha go léir, lena n-áirítear comharthaí tráchta a sholáthar, chun stráice bóthair a bheadh feiliúnach do thrácht a chur ar fáil. Ceanglas de chuid an chonartha a bheadh ann go mbeadh gach comhartha tráchta i gcomhréir leis an *Lámhleabhar*.

Lorg an t-imscrúdú soiléiriú ar cheist na comharthaíochta a chuireann CPP in airde trí chéile agus fiafraíodh an gá go mbeadh gach comhartha a chuireann CPP in airde ar bhóthar náisiúnta i gcomhréir leis an *Lámhleabhar*. Thug an Roinn le fios mar fhreagra gur gá go mbeadh gach comhartha tráchta i gcomhréir leis an *Lámhleabhar* ach mura comhartha tráchta é an comhartha nach mbeadh sé clúdaithe ag an *Lámhleabhar*.

Dhearbhaigh an Roinn anuas air sin gurb é ÚBN a dhéanann maoirseacht ar chonarthaí CPP, agus mura gcloífi le riachtanas áirithe i gcaitheamh na tógála, go gcuirfeadh ÚBN é sin ar a shúile don chonraitheoir CPP agus go réiteofai de réir théarmaí an chonartha.

Dúirt an Roinn go mbíonn sé de dhualgas ar chonraitheoir tabhairt faoi na hoibreacha riachtanacha go léir de réir choinníollacha an chonartha agus de réir Shonraíocht ÚBN d'oibreacha bóithre. Ar an ngnáthbhealach is ceanglas de chuid na Sonraíochta é go mbeadh gach comhartha tráchta i gcomhréir leis an *Lámhleabhar*. Dearbhaíodh gurb é an t-údarás áitiúil nó ÚBN, ag brath ar cé acu páirtí a shínigh an conradh leis an gconraitheoir, a chuirfeadh na socruithe riachtanacha maoirseachta i bhfeidhm.

Chuir an Roinn cóip de Shonraíocht ÚBN d'Oibreacha Bóithre ar fáil don imscrúdú. Thug an Roinn le fios gur ar an bpáirtí a shíníonn an conradh a bhíonn an fhreagracht a chinntiú go gcomhlíonann an conraitheoir na dualgaí sin, agus dúirt go mbeadh foireann lánaímseartha chónaitheach innealtóireachta ag maoirsiú na n-oibreacha i gcás conarthaí móra.

In the case of PPP companies, the Department clarified that these were not roads authorities and that therefore the local authorities were the roads authority in the case of every public road. Under the PPP contracts, however, the PPP concessionaires assume the responsibility to build a stretch of road and then maintain it for a certain period of time (30 years would not be unusual). When building a road, a PPP company must undertake all the necessary works, including the supply of traffic signs, to provide a stretch of road suitable for use by traffic. It would be a requirement of the contract that every traffic sign would be in accordance with the *Manual*.

The investigation sought clarification on the general question of signs erected by a PPP company and it asked whether it was necessary that every sign erected by a PPP company on a public road be in accordance with the *Manual*. The Department responded that it was necessary that every traffic sign had to be in accordance with the *Manual* but if it wasn't a traffic sign that it wouldn't be covered by the *Manual*.

The Department also confirmed that it was the NRA which supervised PPP contracts, and that if certain requirements were not adhered to during the building that the NRA would bring that to the attention of the contractor and that the situation would be rectified in accordance with the terms of the contract.

The Department stated that a contractor was obliged to undertake all the necessary works in line with the conditions of the contract and in accordance with the NRA's specifications for road works. It is normally a requirement of the Specification that every traffic sign would be in accordance with the requirements of the *Manual*. It was confirmed that either the local authority or the NRA, whichever party signed the contract with the contractor, would be responsible for putting the necessary supervisory arrangements into effect.

The Department supplied the investigation with a copy of the NRA's Specification for Road Works. The Department advised that it is the party which signs the contract that has responsibility for ensuring the contractor fulfils those obligations

Sa chás, áfach, go mbeadh fochonraitheoirí ceaptha ag CPP, thitfeadh an dualgas ar an údarás bóithre (comhairle cathrach, comhairle contae nó ÚBN) a shínigh an conradh leis an CPP maoirseacht a dhéanamh ar a gcuid conarthaí, ach is leis an bpríomhchonraitheoir nó leis an gcomhlacht CPP a dhéanfaí teagmháil den sórt sin, de réir na Roinne.

Thug an Roinn le fios go bhfuil feidhm ag alt 71(9) d'Acht na mBóithre, 1993 i gcás comhartha ar bith. Dhearbhaigh sí go bhfuil sé de cheart ag údarás bóithre, nó conraitheoir atá ag gníomhú thar ceann údarás bóithre, comharthaí a chur in airde ar bhóthar poiblí, ach i gcás conraitheora go gcaithfeadh na comharthaí a bheith i gcomhréir lena raibh sa chonradh. Dúradh gur comharthaí tráchtacha a bheadh sna comharthaí a chuirtear in airde de ghnáth ach go bhféadfadh comharthaí eile a bheith i gceist, mar shampla 'Cosc ar Dhumpáil' nó 'Pobal ar Aire'. Má bhíonn aon pháirtí eile ag iarraidh comhartha a chur in airde, agus mura mbíonn an teidlíocht reachtúil aige chun é sin a dhéanamh, ní féidir leis é a dhéanamh ach le toiliú an údaráis bóithre.

Mar fhreagra ar an dréacht-tuarascáil (gan fionnachtana agus mholtaí) a leagadh faoi bhráid ÚBN ar an 10 Márta 2015, thug ÚBN le fios gurbh ábhar imní dó nár tugadh deis roimhe sin dó freagra a thabhairt ar ábhar na litreach ón Roinn Iompair, Turasóireachta agus Spóirt, a bhí áirithe sa dréacht-tuarascáil. Thug sé le fios, chomh maith, nach bhfuair sé aon chóip de nóta faoi chruinniú a bhí idir an Roinn agus Oifig an Choimisinéara Teanga ar an 23 Eanáir 2015.

FOCAIL SCOIR

Bhain an t-imscrúdú seo le catagóirí éagsúla comharthaí, mar seo a leanas:

- Comharthaí tráchtacha arna gcur in airde ag an Údarás um Bóithre Náisiúnta nó ag údarás bóithre eile (comhairle contae nó cathrach) ar bhóithre náisiúnta.
- Comharthaí arna gcur in airde ag comhlacht CPP faoi chonradh le ÚBN nach comharthaí tráchtacha iad.
- Comharthaí tráchtacha arna gcur in airde ag comhlacht CPP faoi chonradh le ÚBN.
- Comharthaí tráchtacha arna gcur in airde ar bhóithre náisiúnta ag fochonraitheoir de thoradh conartha idir ÚBN & comhlacht CPP.

Is mar seo a leanas a chinn an t-imscrúdú i gcás gach ceann de na catagóirí comharthaí sin:

and it said that fulltime residential engineering staff would be supervising in the case of large contracts. However, where a PPP company appointed subcontractors, the obligation would fall upon the roads authority (city or county council or NRA) which signed the contract to supervise its contracts, but any contact on the matter would be with the main contractor or the PPP company, according to the Department.

The Department advised that section 71(9) of the Roads Act 1993 had effect in the case of any sign. It confirmed that a roads authority, or a contractor acting on behalf of a roads authority, had a right to erect signs on a public road, but that in the case of a contractor that the signs had to be in accordance with the contract. It was stated that the signs erected would generally be traffic signs, but that other signs could be involved, for instance 'No Dumping' or 'Community Alert'. If any other party wishes to erect a sign, and if it doesn't have the legal right to do so, it cannot do so except with the permission of the roads authority.

In response to the draft report (without findings or recommendations) which was submitted to the NRA on 10 March 2015, the NRA advised that it was a matter of concern to it that it had not previously been given an opportunity to respond to the contents of the Department of Transport, Tourism and Sport's letter which was included in the draft report. It advised also that it had not received a copy of the note of the meeting between the Department and the Office of An Coimisinéir Teanga which took place on 23 January 2015.

IN CONCLUSION

This investigation concerned different categories of signs, as follows:

- Traffic signs erected by the National Roads Authority or by another roads authority (a city or county council) on national roads.
- Signs erected by a PPP company under contract to the NRA which were not traffic signs.
- Traffic signs erected by a PPP company under contract with the NRA.
- Traffic signs erected on national roads by a subcontractor as a result of a contract between the NRA and a PPP.

The investigation decided as follows in respect of each of these categories of signs:

CATAGÓIR 1

Bhí 8 gcomhartha éagsúla i gceist anseo agus cinn áirithe acu seo curtha faoi bhráid ÚBN ón mbliain 2010. Ghlac ÚBN leis go raibh dualgas reachtúil i gceist leis na comharthaí seo agus dearbhaíodh don imscrúdú go raibh siad sin ceartaithe anois. Nótáil mé an mhoill fhada a bhí le ceartú na gcomharthaí áirithe seo a bhí ar cheann de na príomhchúiseanna ar seoladh an t-imscrúdú. Ag an am céanna, ghlac mé le háitiú ÚBN go gcomhoibríonn sé go rialta le m'Oifig in iarracht gearáin den chineál seo a réiteach.

CATAGÓIR 2

Comharthaí nach comharthaí tráchta a bhí i gceist leo seo, curtha in airde ag comhlacht CPP faoi chonradh. Ba gá a mheas ar tháinig na comharthaí seo faoi scáth na nAchtanna um Thrácht ar Bhóithre nó faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003. Chonacthas don imscrúdú, tar éis na hargóintí uile a mheá, go háirithe an méid a bhí le rá ag an Roinn Iompair, nár chomharthaí tráchta iad seo agus dá bhrí sin nár tháinig siad faoi réir an *Lámhleabhair*. Ó tharla nach raibh na comharthaí seo curtha in airde thar ceann ÚBN agus nach comhlacht poiblí a thagann faoi scáth Acht na dTeangacha Oifigiúla a bhí tar éis iad a chur in airde, ba léir nár bhain na rialacháin atá déanta faoin Acht sin leo ach an oiread.

Ba léir, áfach, go n-éilíonn comharthaí den chineál sin cead an údaráis bóithre lena gcur in airde faoi alt 71 d'Acht na mBóithre, 1963, nó cead ÚBN i gcás bóithre faoi Chuid V den Acht. Gan a leithéid de chead, is ionann agus comharthaí neamh-fhorordaithe iad seo.

Bhí mé den bharúil go bhféadfaí a chinntiú go mbeadh na comharthaí seo dátheangach ón tús dá mbeadh an méid sin sonraithe sa chonradh a bhí aontaithe idir an CPP agus an t-údarás bóithre cuí i dtús aimsire. Toisc nár cuireadh na conarthaí ar fáil don imscrúdú, in ainneoin iad a bheith iarrtha faoi dhó, ní raibh ar mo chumas a dheimhniú an raibh aon chúram déanta de chomharthaí den chineál seo.

CATAGÓIR 3

Bhí an t-imscrúdú sásta gur comharthaí tráchta a bhí curtha in airde ag comhlacht CPP, de bhun conartha le ÚBN, a bhí sna comharthaí seo. Tháinig na comharthaí seo faoi réir an *Lámhleabhair do Chomharthaí Tráchta*, in ainneoin dearcadh dá mhalairt a bheith ag ÚBN. Bhí soláthar sonrach déanta sa *Lámhleabhar* do cheann de na comharthaí

CATEGORY 1

There were 8 different signs involved with some of these referred to the NRA since 2010. The NRA accepted that there was a statutory obligation in respect of these signs and it was confirmed to the investigation that they were now corrected. I noted the long delay rectifying these signs which was one of the primary causes for the launch of the investigation. At the same time, I accepted the NRA's contention that it cooperates regularly with my Office in an attempt to resolve complaints of this nature.

CATEGORY 2

These were signs which were not traffic signs, erected by a PPP company under contract. It was necessary to assess whether these signs came under the Road Traffic Acts or under subsection 9(1) of the Official Languages Act 2003. It was apparent to the investigation, after weighing all the arguments, especially those put forward by the Department of Transport, that these were not traffic signs, and therefore they did not come under the auspices of the *Manual*. As these signs were not erected on behalf of the NRA and as they were not erected by a public body which comes under the Official Languages Act, it was apparent that the Regulations issued under that Act did not apply either.

It was clear, however, that signs of this nature require the permission of the roads authority to be erected under section 71 of the Roads Act 1963, or the permission of the NRA in respect of roads under Part V of the Act. Without such permission, they are the same as non-compliant signs.

I was of the opinion that it could have been ensured from the start that these signs would be bilingual if that much had been specified in the contract which was agreed between the PPP and the relevant roads authority from the start. As the contracts were not supplied to the investigation, despite being requested twice, I was unable to confirm whether any care had been taken of signs of this nature.

CATEGORY 3

The investigation was satisfied that these signs were traffic signs which had been erected by a PPP company on the basis of a contract with the NRA. These signs came under the auspices of the *Traffic Signs Manual*, despite the view to the contrary of the NRA. There was specific provision in the *Manual* for

a bhí i gceist. Bhí mé sásta go raibh an dá chomhartha a bhí i gceist ag tabhairt treoir do thrácht agus thacaigh an chomhairle a chuir an Roinn Iompair ar fáil don imscrúdú leis an seasamh sin.

Thug ÚBN le fios, mar fhreagra ar an dréacht-tuarascáil imscrúdaithe, go raibh comhairle dlí faighte aige a thug a mhalairt le fios i gcás na gcomharthaí seo. Níor roinneadh leis an imscrúdú an chomhairle dlí a lorgaíodh nó a cuireadh ar fáil. I bhfianaise an eolais a bhí ar fáil dom bhí mé sásta gur tháinig na comharthaí a bhí i gceist faoi bhrí an *Lámhleabhair*.

CATAGÓIR 4

Ba shraith comharthaí bóithre sealadacha a bhí i gceist anseo a bhí in úsáid ag fochonraitheoir le linn oibreacha bóthair ar an N11/M11. Sna cásanna uile seo, bhí conradh sínithe idir an t-údarás bóithre agus an CPP (agus is údarás bóithre faoin dlí é ÚBN chun na críche seo amháin, i.e. conradh a dhéanamh d'oibreacha bóithre nó do thógáil agus cothabháil bóithre dola faoi chonradh CPP) agus bhí dualgas ar an gconraitheoir feidhmiú de réir an chonartha.

Níor cuireadh aon fhianaise ar fáil don imscrúdú nár fheidhmigh ÚBN mar údarás bóithre i gcás na n-oibreacha seo. Ní raibh, dar liom, aon bhunús leis an bpointe a rinne ÚBN go raibh an Oifig um Sholáthar Rialtais freagrach as aontú conarthaí bóithre. Mar chuid den phlé a bhí ag m'Oifig leis an Roinn Iompair ar an ábhar dearbhaíodh dúinn go bhféadfadh ról comhairleoireachta a bheith ag gníomhaireachtaí eile ach gurbh ag ÚBN a bhí an saineolas in aontú conarthaí den chineál seo.

Is faoin údarás bóithre, sa chás seo ÚBN, a bhí sé a chinntiú go bhfeidhmeodh an conraitheoir / CPP de réir théarmaí an chonartha agus pé pionós a bhí dlite a ghearradh sa chás gur theip ar an gconraitheoir a dhualgaí faoin gconradh a chomhlíonadh. Fiú sa chás nach raibh comharthaíocht luaite go sonrach sa chonradh, rud a bheadh neamhghnách, is faoi ÚBN a bheadh sé a chinntiú nach gcuirfí aon chomharthaí tráchta in airde ar na bóithre seo a raibh conarthaí sínithe acu ina leith nach raibh i gcomhréir leis an *Lámhleabhar*. Is amhlaidh an cás dá dtarlódh sé go raibh fochonraitheoir ag tabhairt faoin obair thar ceann an chonraitheora ba pháirtí sa bhunchonradh.

Tá conarthaí bóithre á n-aontú ar bhonn rialta le conraitheoirí agus CPPanna, agus ba léir, den chuid is mó, go leantar na treoracha atá leagtha amach sa *Lámhleabhar* ó thaobh comharthaíochta de, mar atá daingnithe

one of the signs in question. I was satisfied that both signs in question were giving direction to traffic and the advice given by the Department of Transport supported that contention.

The NRA advised, in response to the draft report on the investigation, that it had received legal advice to the contrary in the case of these signs. Neither the advice requested or received was shared with the investigation. In light of the information that was available to me I was satisfied that the signs in question came under the auspices of the *Manual*.

CATEGORY 4

These signs were a series of temporary road signs which were being used by a subcontractor during road works on the N11/M11. In all of these cases, a contract had been signed between the roads authority and the PPP (and the NRA is a roads authority under law for this purpose only – i.e. to make a contract for road works or for the building and maintenance of a toll road under a PPP contract), and the contractor was obliged to act in accordance with the contract.

No evidence was provided to the investigation that the NRA did not act as the roads authority in the case of these works. There was no basis, in my opinion, for the contention of the NRA that the Office for Government Procurement was responsible for the agreement of roads contracts. As part of the discussions on the matter which took place between my Office and the Department, it was confirmed that other agencies could have an advisory role but that the NRA had the expertise in agreeing contracts of this nature.

It was up to the roads authority, in this case the NRA, to ensure that the contractor/PPP operated in accordance with the terms of the contract and to impose whatever penalty was due where the contractor failed to fulfil its obligations under the contract. Even if it were the case that signage was not specifically mentioned in the contract, which would be unusual, it would be up to the NRA to ensure that signs that were not in accordance with the *Manual* would not be erected on those roads where it had signed a contract. The situation would be the same where a subcontractor was undertaking work for a contractor who was a party to the original contract.

Road contracts are being agreed on a regular basis with contractors and PPPs, and it was apparent, for the most part, that the instructions set out in the *Manual* are adhered to, as is confirmed in the

sna conarthaí. Mhaígh ÚBN nach raibh aon fhreagracht dhlíthiúil air a chinntiú go gcoíonn na conarthaí seo le téarmaí an *Lámhleabhair*. Níor ghlac mé leis nach raibh freagracht dhlíthiúil ar an Údarás sna cásanna seo, agus deimhníodh an tuiscint sin leis an Roinn Iompair.

Mar fhreagra ar an dréacht-tuarascáil imscrúdaithe, d'eaontaigh ÚBN leis an dearcadh go raibh freagracht air a chinntiú go raibh na comharthaí seo ag cloí le téarmaí an *Lámhleabhair* ó tharla nár pháirtí é sa chonradh idir an CPP agus fochonraitheoir na n-oibreacha bóthair seo. Ach mar a léirigh an t-imscrúdú, agus mar a d'aontaigh an Roinn Iompair, toisc gurbh é ÚBN a shínigh an conradh leis an CPP faoinar eascair an conradh tógála leis an gconraitheoir príobháideach, ba orthu siúd a thit an dualgas forfheidhmithe i dtaca le comharthaíocht agus gach gné eile. Níor thug ÚBN le fios ag aon phointe nár pháirtí sa chonradh leis an CPP é. Anuas air sin, dhearbhaigh Comhairle Contae Cill Mhantáin dúinn le linn ár bhfiosruithe neamhfhoirmiúla ar an ábhar gurbh é ÚBN a shínigh an conradh leis an CPP, BAM. Dearbhaíodh an méid sin ar shuíomh gréasáin na Comhairle, áit a dtugtar le fios gur síníodh an conradh idir BAM (CPP) agus an tÚdarás um Bóithre Náisiúnta ar an 30 Aibreán 2013.

Imscrúdú seolta: 31 Iúil 2014

Tuarascáil eisithe: 8 Bealtaine 2015

COMHAIRLE CONTAE CHEATHARLACH

Léirigh imscrúdú gur sháraigh Comhairle Contae Cheatharlach na dualgais reachtúla 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 i gcás comharthaí bóthair i mBéarla amháin a bhí in airde i gceantar feidhme na Comhairle Contae, agus ag sárú na Rialachán i dtaca le comharthaíocht faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 i gcás comharthaí ainmnithe ag eastáit tithíochta i gceantar feidhme na Comhairle.

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

contracts. The NRA maintained that it had no legal responsibility for ensuring these contracts adhere to the terms of the *Manual*. I did not accept that the Authority had no legal responsibility for this matter, and that understanding was confirmed with the Department of Transport.

In response to the draft report on the investigation the NRA disagreed with the view that it was responsible for ensuring that these signs adhered to the terms of the *Manual* as it was not a party to the contract between the contractor and the subcontractor for these road works. But as the investigation showed, and as the Department of Transport agreed, due to the fact that the NRA had signed the contract with the PPP from which the building contract with the private subcontractor arose, the enforcement obligations in respect of signage and every other aspect were theirs. The NRA did not advise at any stage that it was not a party to the contract with the PPP. Wicklow County Council also confirmed to us during our informal enquiries that it was the NRA which signed the contract with the PPP, BAM. That much was confirmed on the Council's website, which states that a contract was signed between BAM (a PPP) and the National Roads Authority on 30 April 2013.

Investigation launched: 31 July 2014

Report issued: 8 May 2015

CARLOW COUNTY COUNCIL

An investigation found that Carlow County Council was in breach of the statutory language obligations which are confirmed in the regulations and in the orders which are made under subsections 95(2) and 95(16) of the Road Traffic Act 1961 in the case of road signs in English only erected in the council's functional area and in breach of the Regulations in respect of signage under subsection 9(1) of the Official Languages Act 2003 in respect of named signs at a housing estate in the Council's functional area.

A number of complaints were made to my Office in respect of the use of the official languages, Irish and English, on various signs in the Council's functional area:

- Comhartha bóthair i mBéarla amháin ar an R448 a raibh an téacs “Caution Major Junction Ahead” air.
- Comhartha bóthair i mBéarla amháin ar an R448 a raibh an téacs “Heavy Vehicles Turning” air.
- Comharthaí míchruinne in airde ag eastáit tithíochta i gceantar feidhme na Comhairle a raibh an téacs “Ashfield” “Gleann na Bearu”, “darach grove” agus “Oak Grove” orthu.

I gcás chomhartha (1) thuas, bhí comhartha dá mhacasamhail ann (“Major Junction Ahead”) ar scor m’Oifig d’imscrúdú ina leith sa bhliain 2011, tar éis dúinn dearbhú a fháil go raibh an comhartha bainte anuas. In ainneoin iarratas a bheith déanta ina leith, níor éirigh leis an gComhairle a dhearbhu do m’Oifig ó Bhealtaine 2015 arbh ionann an comhartha seo agus an comhartha a bhí faoi chaibidil san imscrúdú, nó an comhartha eile a bhí ann.

I gcás chomharthaí (1) & (2), 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.

Maidir le ceist na gcomharthaí ag (3), bhí an leagan Gaeilge de na comharthaí míchruinn, bhí tús áite ag an mBéarla i gcás amháin acu agus bhí an téacs i mBéarla níos mó na an téacs i nGaeilge ar an dá chomhartha, in ainneoin fhorálacha na Rialachán atá eisithe faoi fho-alt 9(1) d’Acht na dTeangacha Oifigiúla, 2003 (I.R. 391 de 2008).

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 moltaí sa chás.

Bheartaigh mé tabhairt faoi imscrúdú sa chás ar an 22 Deireadh Fómhair 2015, mar a cheadaítear dom faoi fho-alt 21(c) den Acht de bharr gearán a bheith déanta liom.

Sheol mé litir chuig Príomhfheidhmeannach na Comhairle mar chéad chéim ag lorg eolas ar leith, freagraí ar cheisteanna ar leith chomh maith le haon fhaisnéis, taifid nó rud eile den sórt sin a bhain le hábhar an imscrúdaithe. D’iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 13 Samhain 2015. Fuair mé freagra dar dáta an 11 Samhain 2015 ar an litir sin.

- A road sign in English only on the R448 displaying the text “Caution Major Junction Ahead”.
- A road sign in English only on the R448 displaying the text “Heavy Vehicles Turning”.
- Inaccurate text on signs erected at a housing estate in the Council’s functional area – “Ashfield”, “Gleann na Bearu”, “darach grove” and “Oak Grove”.

In the case of the sign mentioned above at (1), my Office had discontinued an investigation in respect of a similar sign ‘Major Junction Ahead’ in 2011, having received confirmation that the sign had been removed. Despite a request from my Office in that respect, the Council failed to confirm to my Office from May 2015 whether this was the sign which was the subject of the previous investigation or a different sign.

In the case of the signs mentioned at (1) and (2) above, there are statutory obligations in effect in respect of the use of Irish on road traffic signs which are made under the 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 authorities must comply with those obligations.

As regards the signs at (3), the Irish versions of the signs were incorrect, the English text came first on one of them and the text in English was larger than the text in Irish on both signs, despite the provisions of the Regulations issued under subsection 9(1) of the Official Languages Act 2003 (S.I. 391 of 2008).

As informal attempts to resolve this matter were not successful, it was apparent to me that it was necessary to launch an investigation to reach findings and make recommendations in the case.

I decided to undertake an investigation in the case on 22 October 2015, as I am permitted to do under section 21(c) of the Act as complaints had been made to me.

I sent a letter to the Chief Executive of the Council as a first step seeking particular information, answers to particular questions as well as any information, record or anything of that respect in connection with the subject of the investigation. I requested that the relevant information be provided to me by 13 November 2015. I received a response to that letter on 11 November 2015.

Ina freagra ar an imscrúdú d'admhaigh Comhairle Contae Cheatharlach go raibh sí ag sárú a cuid dualgas reachtúil teanga chomh fada agus a bhain sé leis na comharthaí ab ábhar don imscrúdú. Chomh maith leis sin, dheimhnigh sí gurb ionann an comhartha "Major Junction Ahead" agus an comhartha a bhí faoi chaibidil san imscrúdú a scoradh sa bhliain 2011 nuair a thug an Chomhairle dearbhú go raibh sé bainte anuas. Thug sí le fios go raibh an comhartha sin agus an comhartha "Heavy Vehicles Turning" anois bainte anuas. Dhearbhaigh sí go raibh na comharthaí ag an eastát tithíochta bainte anuas chomh maith agus comharthaí nua a bhí i gcomhréir leis na Rialacháin ordaithe.

Thug an Chomhairle le fios don imscrúdú go bhfuil sí an-dáiríre ar fad faoina cuid dualgas faoin Acht agus faoi na Rialacháin. Dhearbhaigh sí leis go bhfuil sí dáiríre faoi chomhlíonadh na ndualgas a eascraíonn ó na hAchtanna um Thrácht ar Bhóithre agus ón *Lámhleabhar do Chomharthaí Trácht*.

Bhain an t-imscrúdú seo le húsáid na Gaeilge ar chomharthaí agus le géilliúlacht údaráis áitiúil ar leith don reachtaíocht sa réimse seo.

Thug an Chomhairle Contae le fios ina freagra gur ghlac sí leis go raibh dualgais reachtúla teanga á sárú i gcás na gcomharthaí seo agus thug sí faoina gceartú láithreach. D'fháiltigh mé roimhe sin. Thug an Chomhairle Contae le fios chomh maith go gcuirfeadh sí an fhoireann ar an eolas faoina ndualgais faoin Acht, agus d'fháiltigh mé roimhe sin freisin.

In ainneoin na gcéimeanna a bhí glactha ag an gComhairle chun na comharthaí neamhghéilliúla a cheartú, ba léir dom go raibh dhá ábhar shuntasacha a tháinig chun cinn le linn an imscrúdaithe nach bhféadfaí neamhaird a dhéanamh díobh. Ar an gcéad cheann acu sin bhí an chosúlacht air nach raibh córas i bhfeidhm ag an gComhairle le plé go cuí le gearáin a chuir an Oifig seo (nó go deimhin, baill den phobal) ina láthair, agus nach rabhthas ag dul i ngleic le dualgais reachtúla dá réir.

Bhain an dara ceist leis an Oifig seo a bheith tar éis scor d'imscrúdú i ndiaidh barántas a bheith tugtha ag an gComhairle agus go mba léir nár feidhmíodh de réir an bharántais sin. Ba thromchúiseach an gníomh é seo, cibé acu a tharla sé trí dhearmad nó

In its response to the investigation, Carlow County Council admitted that it was in breach of its statutory language obligations in respect of the signs which were the subject of the investigation. The Council also confirmed that the sign "Major Junction Ahead" was the sign which was the subject of the investigation discontinued in 2011, on the basis of the Council's assurance that it had been removed. The Council advised that both that sign and the sign "Heavy Vehicles Turning" had by that time been removed. The Council confirmed that the signs at the housing estate had also been removed and that new signs had been ordered which were in accordance with the legislation.

The Council advised the investigation that it takes its obligations under the Act and under the Regulations very seriously indeed. It also confirmed that it was serious about fulfilling the obligations which arise from the Road Traffic Acts and the *Traffic Signs Manual*.

The investigation concerned the use of Irish on signs and the compliance of a particular local authority with legislation in that area.

The Council accepted in its response that it was in breach of the legislation in respect of these particular signs and it undertook to correct them immediately. I welcomed that. The Council also advised the investigation that it would inform the staff as to their responsibilities under the Act, and I welcomed that also.

Despite the steps taken by the Council to correct the non-compliant signs, it was apparent to me that two substantive issues had arisen during the investigation that could not be ignored. The first of these was that it appeared that the Council had no system in place to deal correctly with complaints that this Office (or indeed members of the public) brought to its attention, and that accordingly it was not getting to grips with statutory obligations.

The second question concerned this Office having discontinued an investigation after receiving a guarantee, where it was apparent that the Council had not acted in accordance with that guarantee. This was a serious act, regardless of whether it happened accidentally or on purpose. It was a matter

in aon turas. Ábhar imní dom ba ea go raibh orm dul i muinín imscrúdú chun go ngníomhódh an Chomhairle i dtaca leis na comharthaí áirithe seo. Ba léir, ó na teagmhálacha éagsúla a bhí ag m'Oifig leis an gComhairle agus na freagraí a bhí á soláthar, nach raibh sí ag dul i ngleic mar ba cheart leis na gearáin seo.

Ní fhacthas don imscrúdú ach an oiread gur córas sásúil a bhí ann comharthaí a bhaint anuas le bheith géilliúil don reachtaíocht. Má tá gá leis an gcomhartha, agus is léir nuair a crochadh na comharthaí seo i dtús ama gur measadh gur ghá, ba cheart go gcrochfaí é de réir mar a éilíonn an reachtaíocht.

Bheinn ag súil de thoradh an imscrúdaithe go gcuirfí córas i bhfeidhm a chinnteoidh go ngabfar i ngleic go gairmiúil le gearáin ón Oifig seo nó ó bhaill den phobal i dtaca le comharthaíocht neamhghéilliúil atá in airde i gceantar feidhme na Comhairle.

Maidir le dearbhú míchruinn a bheith faighte ag m'Oifig roimhe seo go raibh comharthaí áirithe bainte anuas, mheabhraigh mé don Chomhairle gur oifig reachtúil de chuid an Stáit í an Oifig seo agus gur cheart go gcaithfí léi ar an mbealach sin. Is gníomh tromchúiseach atá ann nuair nach ndéantar comhoibriú leis an Oifig seo agus tá foráil shonrach sa reachtaíocht a phléann leis an gceist seo. Mheabhraigh mé don Chomhairle go bhfuil de chúram orm tuairisciú chuig Tithe an Oireachtais má thagaim ar an tuairim nár cuireadh moltaí a rinneadh mar chuid de thuarascáil imscrúdaithe i ngníomh laistigh de thréimhse réasúnach ama.

Mhol mé, i measc nithe eile, go gcinnteodh Comhairle Contae Cheatharlach go gcloífí go hiomlán agus go cuí feasta leis na forálacha reachtúla teanga i gcás comharthaí bóthair agus i gcás aon chomharthaíocht nua eile atá á cur in airde aici agus go gcuirfeadh sí fianaise chuí ar fáil do m'Oifig, laistigh de 8 seachtaine ó dháta na tuarascála imscrúdaithe, go raibh na comharthaí uile ab ábhar don imscrúdú ceartaithe.

Imscrúdú seolta: 22 Deireadh Fómhair 2015
Tuarascáil eisithe: 31 Nollaig 2015

of some concern to me that I had to undertake an investigation for the Council to take action in respect of these signs. It was apparent, from the contacts my Office had with the Council and the responses received, that the Council was not tackling these complaints properly.

It did not appear to the investigation either that it was a satisfactory system that signs would be removed in order to comply with the legislation. If a sign is required – and it is apparent that when these signs were first erected they were thought to be – it should be erected in the manner sought by the legislation.

I would expect as a result of the investigation that a system would be put in place to ensure that complaints from this Office or from members of the public in respect of non-compliant signs erected in the Council's functional area would be dealt with professionally.

As regards incorrect assurances being received previously by my Office that these particular signs had been removed, I reminded the Council that this Office is a statutory office of the State and that it should be dealt with accordingly. It is a serious act when this Office is not cooperated with and there is a specific provision in the Act which deals with this issue. I reminded the Council that I am obliged to report to the Houses of the Oireachtas if I arrive at the opinion that recommendations I made as part of a report on an investigation are not implemented within a reasonable time frame.

I recommended, amongst other things, that Carlow County Council ensure that it adheres fully and properly in future to the statutory language provisions in respect of road signs and in respect of any other signage it erects and that it furnishes my Office with satisfactory evidence that all the signs which were the subject of this investigation were corrected, within 8 weeks of the date of the report on the investigation.

Investigation launched: 22 October 2015
Report issued: 31 December 2015

COMHAIRLE CATHRACH NA GAILLIMHE

Léirigh imscrúdú gur sháraigh Comhairle Cathrach na Gaillimhe 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 míreanna sonraithe den scéim sin.

Daingníodh dara scéim teanga Chomhairle Cathrach na Gaillimhe faoi alt 11 d'Acht na dTeangacha Oifigiúla agus tháinig sí i bhfeidhm ar an 23 Nollaig 2009. Faoi fho-alt 14(3) den Acht, fanann forálacha na scéime i bhfeidhm ar feadh tréimhse trí bliana ón dáta a dhaingníonn an tAire Ealaíon, Oidhreacht agus Gaeltachta í nó go dtí go mbíonn scéim nua daingnithe ag an Aire de bhun alt 15 den Acht, cibé acu is déanaí.

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.

Mar chuid d'fheidhm faireacháin m'Oifige, rinneadh iniúchadh ar chomhlíonadh an dualgais faoi fho-alt 18(1) den Acht i gcás dara scéim teanga Chomhairle Cathrach na Gaillimhe ag deireadh na tréimhse trí bliana den scéim. De thoradh an phróisis sin, bhí an chosúlacht air nár cuireadh gealltanais ar leith de chuid na scéime teanga sin i bhfeidhm. Rinne m'Oifig iarracht cás na ngealltanais a raibh amhras faoina gcur i ngníomh a réiteach leis an gComhairle le linn an phróisis faireacháin agus iniúchta ach níor éirigh leis na hiarrachtaí sin comhréiteach a aimsiú.

Sa bhreis air sin, rinne ball den phobal gearán le m'Oifig i mí na Nollag 2014 nach raibh suíomh gréasáin na Comhairle i gcomhréir leis an méid a bhí geallta sa scéim teanga agus nach raibh an tseirbhís cuntair ar fáil mar a bhí leagtha síos sa scéim. Nuair nár éirigh le m'Oifig an cheist seo a réiteach ar bhonn neamhfhoirmiúil, ní raibh de rogha agam ach imscrúdú foirmiúil a sheoladh faoi réir na ndualgas atá orm agus na gcumhachtaí atá tugtha dom go reachtúil. Bheartaigh mé imscrúdú a sheoladh ar an 15 Bealtaine 2015.

Scríobh mé, mar chéad chéim den imscrúdú, chuig an bPríomhfheidhmeannach ag lorg eolas ar leith, freagraí ar cheisteanna ar leith, chomh maith le haon fhaisnéis, taifid nó rud den sórt sin a bhain le hábhar

GALWAY CITY COUNCIL

An investigation found that Galway City Council breached the statutory language obligation which is confirmed in subsection 18(1) of the Official Languages Act 2003 in respect of its language scheme insofar as it concerned specified elements of that scheme.

Galway City Council's second language scheme under section 11 of the Official Languages Act was confirmed and came into effect on 23 December 2009. Under subsection 14(3) of the Act, the provisions of the scheme remain in effect for three years from the date it is confirmed by the Minister for Arts, Heritage and the Gaeltacht, or until a new scheme is confirmed by the Minister under section 15 of the Act, whichever is later.

Under subsection 18(1) of the Official Languages Act 2003, a duty is placed on public bodies to proceed with implementing a language scheme which is confirmed under this Act.

As part of the monitoring function of my Office, an audit was carried out on the fulfilment of the obligation under subsection 18(1) of the Act in respect of the second scheme of Galway City Council at the end of the third year of the scheme. As a result of that process, it appeared that certain provisions of the scheme had not been implemented. My Office attempted to resolve the issue of the provisions regarding which there was some doubt as to their implementation during the monitoring and audit process but those attempts did not achieve a resolution.

On top of that, a member of the public made a complaint to my Office in December 2014 that the Council's website was not in accordance with the provisions of the language scheme and that a counter service which was provided for in the scheme was not available. When my Office's informal attempts to resolve the matter were unsuccessful, I had no other option but to launch an investigation in line with the statutory obligations placed upon me and powers given to me. I decided to launch an investigation on 15 May 2015.

As the first step of the investigation, I wrote to the Chief Executive, requesting particular information and responses to certain questions as well as

an imscrúdaithe. D'iarr mé go gcuirfí an t-eolas cui sin ar fáil faoin 8 Meitheamh 2015. Tháinig freagra ón gComhairle mar aon le hábhar tacaíochta i litir dar dáta an 4 Meitheamh 2015.

Ina freagra, thug an Chomhairle le fios don imscrúdú nach raibh Oifigeach Gaeilge aici faoi láthair chun maoirseacht a dhéanamh ar fheidhmiú agus ar chur chun cinn na scéime teanga.

Dhearbhaigh an Chomhairle go raibh 20% de laghdú tagtha ar fhoireann na heagraíochta de bharr iarrachtaí an Rialtais dul i ngleic leis an staid eacnamaíoch éigeandála a bhí ann agus go raibh, dá thoradh sin, laghdú ar a cumas a chinntiú go raibh sí ag cloí go hiomlán lena scéim teanga. Thuairisc an Chomhairle go raibh iarrachtaí déanta aici nithe áirithe a thabhairt chun cinn lena gealltanais a chomhlíonadh go dtí na caighdeáin chuí. Thug sí le fios chomh maith go raibh iarrtha arís agus arís eile aici ar an Roinn Comhshaoil, Pobail & Rialtais Áitiúil cead a thabhairt di duine a earcú don phost mar Oifigeach Gaeilge lánaimseartha, agus chuir sí fianaise ar fáil ina leith seo. I dteannta an méid sin, thug an Chomhairle le fios go raibh sí i dteagmháil le Gaillimh le Gaeilge maidir le modhanna eile chun cabhair a fháil le cloí lena scéim.

Mhaigh an Chomhairle go raibh na gealltanais ina scéim an-sonrach agus go raibh siad insroichte tráth a gcomhaontaithe, ach go raibh laghdaithe ar a cumas cloí leis an scéim de bharr ualach oibre agus laghdú acmhainní.

D'fhill mé ar an gComhairle ag lorg a seasaimh i dtaca le gach aon cheann de na gealltanais a bhí leagtha amach san Aguisín leis an imscrúdú, mar a bhí riachtanach do riaradh an phróisis. D'iarr mé go dtabharfaí cuntas faoin 7 Iúil 2015 ar an dul chun cinn a bhí déanta i leith gach ceann de na gealltanais ábhartha ón tráth a daingníodh an scéim teanga.

Mar fhreagra ar an litir sin, fuair mé litir dar dáta an 26 Meitheamh 2015 ag tabhairt le fios go raibh Oifigeach Gaeilge ceaptha ag an gComhairle ar bhonn sealadach ar feadh tréimhse sé mhí, agus ag lorg síneadh ama dá bharr. De bharr cheapachán an Oifigigh Gaeilge shealadaigh, shocraigh mé an t-imscrúdú a chur ar athló ar feadh tréimhse trí mhí, mar a bhí iarrtha, le deis a thabhairt don Chomhairle a dualgaís reachtúla uile i dtaca le cur i bhfeidhm na scéime a chomhlíonadh. Chuir mé

any information, record or any such thing which was relevant to the subject of the investigation. I requested that the relevant information be provided by 8 June 2015. I received a response from the Council together with accompanying documentation in a letter dated 4 June 2015.

In its answer, the Council advised the investigation that it did not have an Irish Language Officer at the time to supervise the implementation and progression of the language scheme.

The Council confirmed that staffing levels had been reduced by 20% due to the efforts of Government to tackle the emergency economic situation and that its ability to ensure that the Council was adhering to its language scheme was reduced accordingly. The Council reported that it had made some efforts to advance some of the commitments in the scheme to the required standard. It advised also that it had asked the Department of the Environment, Community and Local Government over and over again for permission to recruit somebody for the position of fulltime Irish Language Officer, and it provided evidence to this effect. As well as that, the Council informed the investigation that they had been in touch with Gaillimh le Gaeilge in respect of other methods of getting help to comply with its scheme.

The Council claimed that the commitments in the scheme were definitive and that they were achievable at the time of its agreement, but that its ability to comply with the scheme was reduced due to the workload and reduced resources.

I reverted to the Council seeking its stance with regard to each individual commitment set out in the Appendix to the investigation, as was required for the administration of the process. I requested that an account be given by 7 July 2015 of the progress made in respect of each of the relevant commitments from the time the language scheme was confirmed.

In response to that letter, I received a letter dated 26 June informing me that the Council had appointed an Irish Language Officer in a temporary capacity for a period of six months, and requesting a time extension because of this. I decided to adjourn the investigation for a period of three months, as requested, as a result of the appointment of the Irish Language Officer, to afford the Council the opportunity to implement all its obligations under the scheme. I informed the Council of that decision on 7 July, and advised that

é sin in iúl don Chomhairle ar an 7 Iúil, agus dúirt mé go bhfillfinn ar an gComhairle ag deireadh mhí Mheán Fómhair, le tuairisc a fháil ar an dul chun cinn, agus go ndéanfainn cinneadh i dtaca leis an imscrúdú ar fháil na tuairisce sin dom.

Scríobh mé arís chuig an gComhairle ar an 30 Meán Fómhair, ag lorg na tuairisce sin, agus fuair mé an tuairisc i litir dar dáta an 14 Deireadh Fómhair. Dúirt an Chomhairle go raibh an tOifigeach Gaeilge sealadach ceaptha gan cead na Roinne ach go raibh sí ag leanúint ar aghaidh leis an bpróiseas maidir le cead a fháil an post sin a líonadh ar bhonn buan.

Thug an Chomhairle cur síos don imscrúdú sa tuairisc ar an méid a bhí déanta agus beartaithe faoi na míreanna éagsúla den scéim teanga, ina measc foirmeacha iarratais, eisiúintí preasa, seirbhísí TF, idirlíon agus suíomh gréasáin, seirbhísí cuntair agus bróisiúir/bileoga eolais.

Anuas air sin, rinne an Chomhairle Cathrach cur síos ar bhearta breise a bhí curtha i bhfeidhm aici agus comhordú á dhéanamh ar ghéilliúlacht do Scéim Teanga na Comhairle agus d'Acht na dTeangacha Oifigiúla, 2003. Ghlac an Chomhairle buíochas leis an Oifig agus dúirt gur mhaith léi leanúint ar aghaidh leis an gcomhoibriú a bhí ar siúl idir an dá eagraíocht.

D'eisigh mé dréacht-tuarascáil ar an 23 Deireadh Fómhair 2015. Agus í ag lorg soiléiriú ar ghnéithe éagsúla den dréacht-tuarascáil, d'iarr an Chomhairle go gcuirfí an t-eolas i dtobh na ngearán agus an fhaireacháin ar an scéim teanga leis an tuarascáil.

Ní raibh aon amhras orm ach go raibh cuid mhaith gealltanais fhiúntacha i scéim teanga reatha na Comhairle Cathrach. Go deimhin, bhí go traidisiúnta agus tá go fóill an Ghaeilge aitheanta go láidir le Cathair na Gaillimhe. Tá ceantar Gaeltachta mar chuid de cheantar feidhme an údaráis áitiúil agus tá an ceantar Gaeltachta is mó sa tír ag luí ar thairseach na cathrach. Tá iarrachtaí móra ar siúl sa chathair le stádas agus úsáid na Gaeilge a neartú inti agus tá an Chomhairle Cathrach féin bainteach le cuid de na hiarrachtaí sin. Láidriú an méid sin tuilleadh fós an riachtanas go bhféachfadh Comhairle Cathrach na Gaillimhe chuige go gcuirfí gach a raibh geallta sa scéim teanga i bhfeidhm go huile agus go hiomlán, gan trácht ar an dualgas reachtúil go ndéanfaí sin.

Ba í firinne an scéil, áfach, mar a d'admhaigh an

I would revert to the Council once more at the end of September for a progress report, and that I would make a decision in respect of the investigation on receipt of that report.

I wrote once more to the Council on 30 September, seeking that progress report, and I received the report in a letter dated 14 October. The Council stated that the Irish Language Officer had been appointed without the permission of the Department but that it was continuing with the process of seeking permission to fill that position on a permanent basis.

The Council gave an account to the investigation in the report on the amount that had been achieved and was proposed in respect of the various elements of the language scheme, including application forms, press releases, IT services, internet and website, counter services and information brochures/leaflets.

The City Council also gave an account of the additional measures it had implemented while coordinating compliance with the Council's language scheme and the Official Languages Act 2003. The Council thanked the Office and stated that it would like to continue with the cooperation which was in place between the two organisations.

I issued a draft report on 23 October 2015. While seeking clarification on various aspects of the draft report, the Council requested that the information in respect of the complaints and the monitoring of the language scheme be included in the report.

I was in no doubt that there were a good number of worthy commitments in the current language scheme of the City Council. Indeed, the Irish language was traditionally and still is widely identified with Galway City. There is a Gaeltacht area within the local authority's remit and the largest Gaeltacht area in the country is on its doorstep. Huge efforts are being made to strengthen the status and use of the Irish language in the city and the City Council itself is associated with some of those efforts. That strengthened even further the requirement that Galway City Council would ensure that all that was promised in the language scheme was implemented in full, without mentioning the legal obligation to do so.

The truth of the matter, however, as the Council admitted to the investigation, was that the Council failed to achieve that much, within the timescale

Chomhairle don imscrúdú, gur theip uirthi an méid sin a bhaint amach laistigh den sprioc-am a bhí leagtha síos go reachtúil sa scéim teanga. Ní raibh na gealltanais curtha i bhfeidhm ina n-iomláine go fóill tráth críochnaithe an imscrúdaithe, ach bhí socrú sásúil molta ag an gComhairle le cinntiú go gcuirfí i bhfeidhm iad mar a bhí dlite. Ní raibh aon amhras orm ach go raibh sárú déanta ar fho-alt 18(1) den Acht sa chás seo.

Thuig an t-imscrúdú go raibh deacrachtaí ann ó thaobh srianta airgeadais agus acmhainní foirne, ach ní chiallaíonn sin nach gá gealltanais reachtúla i scéim teanga a chomhlíonadh. Anuas air sin, chonacthas don imscrúdú go raibh an-chuid den obair seo ar bun ag údarais áitiúla eile ar fud na tíre, agus go raibh an-chuid den ábhar céanna i gceist. Níor mhiste féachaint ar an obair sin chun éascaíocht a dhéanamh maidir le comhlíonadh gealltanais áirithe de chuid na scéime teanga.

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 agus nach raibh an Chomhairle trí chéile ag glacadh freagrachta as an scéim. 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 dhith chun an scéim a chur i bhfeidhm ina hiomláine.

Bhí an chosúlacht ar an scéal, le ceapachán Oifigigh Gaeilge nua ar bhonn sealadach, go raibh athrú ag teacht ar an scéal, agus go rabhthas ag leagan freagrachta as a réimsí féin ar oifigigh de chuid na heagraíochta chomh maith. Bhí mé ag súil go mbeadh a thionchar sin le feiceáil ar chur i bhfeidhm na scéime.

Mhol mé go gcuirfí i bhfeidhm an plean céimnithe a chuir an Chomhairle faoi mo bhráid ina tuairisc le cinntiú go mbeadh gach mír den scéim teanga curtha i bhfeidhm faoin 28 Feabhra 2016. Lorg mé chomh maith go gcuirfí tuairisc chuimsitheach faoi bhráid m'Oifige faoin 18 Márta 2016 ag tabhairt léargas foriomlán agus fianaise chuí i dtaca le stádas géilliúlachta ghealltanais aonaracha na scéime teanga agus go bhfeidhmeofaí próiseas monatóireachta leanúnach, i gcomhréir le gealltanais na scéime, chun an baol neamhghéilliúlachta sa todhchaí a mhaolú nó a chur go leataobh.

Imscrúdú seolta: 15 Bealtaine 2015

Tuarascáil eisithe: 8 Nollaig 2015

which was set down statutorily in the language scheme. The commitments had not yet been implemented in full by the end of the investigation, but the Council had proposed a satisfactory arrangement to ensure they were implemented as was due. I was in no doubt but that subsection 18(1) had been breached in this instance.

The investigation understood that there were difficulties faced in terms of monetary restraints and staff resources, but that does not mean that statutory obligations in language schemes need not be fulfilled. It was also apparent to the investigation that a lot of this work was being done by other local authorities around the country, and that a lot of the same material was involved. That work should be looked at with a view to facilitating the implementation of certain commitments of the language scheme.

It was clear 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 and that the Council in general was not taking responsibility for the scheme. Without the Irish Language Officer's ongoing coordinating, supporting and monitoring role, the implementation of statutory obligations under the Official Languages Act was not getting the attention required to implement the scheme in its entirety.

It appeared, with the appointment of a new Irish Language Officer on a temporary basis, that the situation was changing and that responsibility for their own area was being placed on officers of the organisation also. I was hopeful that the impact of this would be seen in the implementation of the scheme.

I recommended that the phased plan the Council submitted to me in its report be implemented to ensure that all elements of the language scheme were implemented by 28 February 2016. I sought also to have a comprehensive report submitted to my Office by 18 March 2016 giving an overall view with relevant evidence of the compliance status of the individual commitments of the language scheme and that an ongoing monitoring process be implemented, in accordance with the scheme's commitment, to negate or reduce the risk of future non-compliance.

Investigation launched: 15 May 2015

Report issued: 8 December 2015

COMHAIRLE CONTAE SHLIGIGH

Léirigh imscrúdú gur sháraigh Comhairle Contae Shligigh 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 míreanna sonraithe den scéim sin.

Daingníodh scéim teanga Chomhairle Contae Shligigh faoi alt 11 d'Acht na dTeangacha Oifigiúla agus tháinig sí i bhfeidhm ar an 28 Iúil 2010. Faoi fho-alt 14(3) den Acht, fanann forálacha na scéime i bhfeidhm ar feadh tréimhse trí bliana ón dáta a dhaingníonn an tAire Ealaíon, Oidhreacht agus Gaeltachta i nó go dtí go mbíonn scéim nua daingnithe ag an Aire de bhun alt 15 den Acht, cibé acu is déanaí.

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 alt seo a chur i gcrích. Seo a leanas mar atá an mhír sin den Acht: 18(1) "I gcás ina ndaingneoidh an tAire scéim faoin Acht seo, rachaidh an comhlacht poiblí ar aghaidh leis an scéim a chur i gcrích."

Mar chuid d'fheidhm faireacháin m'Oifige, rinneadh iniúchadh ar chomhlíonadh an dualgais faoi fho-alt 18(1) den Acht i gcás scéim teanga Chomhairle Contae Shligigh ag deireadh thréimhse trí bliana na scéime. De thoradh an phróisis sin, bhí an chosúlacht ann nár cuireadh gealltanais ar leith de chuid na scéime teanga sin i bhfeidhm. Bhain na gealltanais is suntasaí acu sin le foirmeacha iarratais agus bileoga eolais, an suíomh gréasáin, teachtaireachtaí séanta ar ríomhphoist, seirbhís duine le duine, eisiúintí preasa agus córais idirghníomhacha.

Rinne m'Oifig iarracht cás na ngealltanais a raibh amhras faoina gcur i ngníomh a réiteach leis an gComhairle le linn an phróisis faireacháin agus iniúchta ach níor éirigh leis na hiarrachtaí sin comhréiteach a aimsiú. Nuair nár éirigh le m'Oifig an cheist seo a réiteach ar bhonn neamhfhoirmiúil, ní raibh de rogha agam ach imscrúdú foirmiúil a sheoladh faoi réir na ndualgas atá orm agus na gcumhachtaí atá tugtha dom go reachtúil.

Bheartaigh mé imscrúdú a sheoladh ar an 17 Nollaig 2014 de réir an nóis imeachta atá leagtha amach chuige sin in Acht na dTeangacha Oifigiúla, 2003. Theastaigh uaim a chur ó amhras go raibh nó nach raibh Comhairle Contae Shligigh ag sárú

SLIGO COUNTY COUNCIL

An investigation found that Sligo County Council failed to comply with the statutory language obligations which are confirmed in subsection 18(1) of the Official Languages Act 2003 in respect of the implementation of its language scheme insofar as it pertained to specified elements of that scheme.

Sligo County Council's language scheme was confirmed under section 11 of the Official Languages Act and came into effect on 28 July 2010. Under subsection 14(3) of the Act, provisions of the scheme are in effect for a period of 3 years from the date that the Minister for Arts, Heritage and the Gaeltacht confirms the scheme or until the Minister confirms a new scheme under section 15 of the Act, whichever is later.

Under subsection 18(1) of the Official Languages Act 2003, public bodies have a duty to carry out language schemes which are confirmed under this section. The subsection provides as follows: 18(1) "Where the Minister confirms a scheme under this Act, the public body shall proceed to carry out the scheme."

An audit was carried out on the fulfilment of the duty under subsection 18(1) of the Act in respect of Sligo County Council's language scheme at the end of the three year period of the scheme as part of the monitoring function of my Office. As a result of that process, it appeared that certain provisions of that language scheme had not been implemented. The most significant of those provisions pertained to application forms and leaflets, the website, e-mail disclaimers, person to person services, press releases and interactive systems.

My Office attempted to resolve the matter of the provisions about which there was doubt as to their implementation with the Council during the monitoring and audit process but those efforts did not achieve a resolution. When my Office could not resolve the matter informally, I had no choice but to launch a formal investigation as I am obliged to do under the statutory powers conferred upon me.

I decided to launch an investigation on 17 December 2014 in accordance with the procedure which is set out for that purpose in the Official Languages Act 2003. I wanted to remove any doubt as to whether Sligo County Council was or was not contravening the statutory

an dualgais reachtúil teanga atá daingnithe i bhfo-alt 18(1) den Acht maidir le cur i gcrích na míreanna cuí dá scéim teanga.

Ba é an nós imeachta a bheartaigh mé don chéad chéim den imscrúdú ná litir a sheoladh chuig an bPríomhfheidhmeannach ag lorg eolas ar leith, freagraí ar cheisteanna ar leith, chomh maith le haon fhaisnéis, taifid nó rud den sórt sin a bhain le hábhar an imscrúdaithe.

D'iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 20 Eanáir 2015 agus thairg mé deis ar shoiléiriú ar aon ghné de riaradh an imscrúdaithe trí theagmháil le m'Oifig. Tháinig freagra ón gComhairle mar aon le hábhar tacaíochta i ríomhphoist dar dáta an 1 agus an 2 Feabhra 2015.

Ina freagra dar dáta an 1 Feabhra 2015, thug an Chomhairle le fios gur ghlac sí leis nach raibh an scéim á comhlíonadh:

"Glacann muid nach ndearna muid comhlíonadh iomlán leis an scéim go dtí le gairid. An fáth le sin ná go raibh muid faoi bhrú achainní. É sin ráite tá an tuafás déanta againn le mí anuas."

Cuireadh in iúl don imscrúdú go raibh sí le teacht ar ais chugainn maidir le cúrsaí ríomhaireachta, ach taobh amuigh de sin, go raibh an scéim i bhfeidhm anois. Seoladh ar ais cóip den aguisín a eisíodh leis na cáipéisí imscrúdaithe le tuairisc ar gach mír a bhí luaite. Cuireadh roinnt foirmeacha iarratais agus bróisiúr ar fáil i ríomhphost dar dáta an 2 Feabhra, a bhí luaite sa chéad ríomhphost.

Ba léir dom, áfach, ainneoin na hoibre a bhí déanta ó thús an imscrúdaithe, go raibh roinnt easnamh fós ann. De bharr na dea-thola a bhí léirithe ó thús an imscrúdaithe, agus na hoibre a bhí déanta, shocraigh mé an t-imscrúdú a chur ar athló go ceann trí mhí, le deis a thabhairt don Chomhairle a dualgais reachtúla uile i dtaca le cur i bhfeidhm na scéime a chomhlíonadh. Chuir mé é sin in iúl don Chomhairle ar an 23 Feabhra, agus dúirt mé go bhfillfinn ar an gComhairle ag deireadh mhí na Bealtaine, le tuairisc a fháil ar an dul chun cinn, agus go ndéanfainn cinneadh faoi scor den imscrúdú nó tuarascáil a eisiúint bunaithe ar an tuairisc sin.

Scríobh mé arís chuig an gComhairle ar an 28 Bealtaine, ag lorg na tuairisce sin. Nuair nach raibh freagra faighte faoin 28 Iúil, scríobh mé arís chuig an gComhairle, ag lorg freagra láithreach, ach ar a dhéanaí faoin 19 Lúnasa. Thug mé le fios go mbeinn

language obligation which is confirmed in subsection 18(1) of the Act in respect of the implementation of certain sections of its language scheme.

As the first step of the investigation, I proposed to issue a letter to the Chief Executive, seeking specific information, and a response to certain questions, as well as any information, record or any such thing that was relevant to the subject of the investigation.

I asked that this information be provided to me by 20 January 2015 and I offered a chance to clarify any aspect of the investigation through contact with my Office. A response was received from the Council along with supporting material in e-mails of 1 and 2 February.

In its response of 1 February 2015, the Council confirmed that it accepted that the scheme was not being complied with:

"We accept that we had not complied completely with the scheme until recently. The reason for that was that we were under pressure as regards resources. That said, we have done a huge amount in the last month." (Trans.)

The investigation was advised that the Council was to revert in respect of computer services, but that with that exception, the scheme was now in effect. A copy of the appendix which had issued with the investigation documents was returned with a report on each item mentioned. Some application forms and brochures were forwarded in the e-mail of 2 February, which was mentioned in the first e-mail.

It was apparent to me, however, in spite of the work which had been done since the commencement of the investigation, that there were still some omissions. Due to the goodwill which had been exhibited from the start of the investigation, and the work which had been undertaken, I decided to suspend the investigation for a period of 3 months, to give the Council a chance to fulfil all its legal obligations in respect of the implementation of the scheme. I advised the Council of this on 23 February and informed it that I would revert seeking a progress report at the end of May, and that I would make a decision as to whether to discontinue the investigation or issue a final report based on that account.

I wrote again to the Council on 28 May, seeking that report. When I had not received a response by 28 July, I wrote once more to the Council, seeking an immediate response, by 19 August at the latest. I informed the Council that I would be proceeding with

ag dul chun cinn leis an tuarascáil imscrúdaithe faoin dáta sin. Fuair m'Oifig glaoch fóin ón gComhairle ar an 4 Lúnasa ag iarraidh an cheist a phlé, agus leanadh an glaoch fóin sin le ríomhphost i mBéarla den dáta céanna. Meabhraíodh don Chomhairle go raibh dualgas uirthi faoi fho-alt 9(2) den Acht comhfhreagras a fhreagairt sa teanga oifigiúil chéanna. Mar fhreagra air seo, agus de thoradh roinnt plé leis an mBainisteoir Imscrúduithe, chuir an Chomhairle freagra leasaithe i nGaeilge faoi bhráid an imscrúdaithe ar an 10 Lúnasa 2015.

Glacadh leithscéal sa litir sin as an moill ag freagairt litreacha an 28 Bealtaine agus an 28 Iúil, agus tugadh le fios go raibh an fhreagracht i dtaobh mhaoirseoireacht agus chomhordú chur i bhfeidhm an Achta anois ar an oifigeach a scríobh an litir.

Cuireadh eolas breise ar fáil sa ríomhphost seo i dtaca leis an dul chun cinn a bhí déanta ar chur i bhfeidhm na scéime agus glacadh le tairiscint a bhí déanta roimhe sin ag Bainisteoir Géilliúlachta na hOifige traenáil feasachta teanga a chur ar fáil. Iarradh tréimhse ama go dtí an 30 Samhain leis an scéim ina hiomláine a chur i bhfeidhm.

Is trí chóras na scéimeanna teanga a aontaíonn comhlachtaí poiblí na seirbhísí breise a chuirfear ar fáil i nGaeilge thar thréimhse ama. Níor bhain aon amhras leis na gealltanais a bhí tugtha ag Comhairle Contae Shligigh sa scéim teanga ab ábhar don imscrúdú seo.

Is léir ó fho-alt 18(1) d'Acht na dTeangacha Oifigiúla, 2003 go bhfuil dualgas ar chomhlachtaí poiblí na gealltanais atá tugtha i scéim teanga a chur i gcrích. Bhí, agus tá fós, na gealltanais ábhartha sa scéim teanga i bhfeidhm go reachtúil agus tá dualgas ar Chomhairle Contae Shligigh na gealltanais sin, a rinne an Chomhairle iad féin ina scéim teanga, a chur i gcrích.

Ba léir gur theip ar an gComhairle an méid sin a bhaint amach, mar a d'admhaigh sí don imscrúdú, laistigh den sprioc-am a bhí leagtha síos go reachtúil sa scéim teanga. Tuigimid go bhfuil deacrachtaí ann ó thaobh srianta airgeadais agus acmhainní foirne, ach ní fhágann sin gur féidir neamhaird a dhéanamh ar dhualgais reachtúla teanga áirithe. Anuas air sin, chonacthas don imscrúdú go raibh an-chuid den obair seo ar bun ag údarais áitiúla eile ar fud na tíre, agus go raibh

the final report on the investigation at that date. My Office received a phone call from the Council on 4 August seeking to discuss the matter, and that phone call was followed up by an e-mail in English of the same date. The Council was reminded that it was obliged under subsection 9(2) of the Act to respond to correspondence in the same official language. In response to this, and as a result of some discussion with the Investigations Manager, the Council provided an amended response in Irish on 10 August 2015.

The letter contained an apology for the delay in replying to my letters of 28 May and 28 July, and advised that the responsibility for the monitoring and coordination of the implementation of the Act was now vested in the official who wrote the letter.

Additional information was provided in this e-mail in respect of the progress that had been made in regard to the implementation of the scheme and an offer which had been previously made by the Office's Compliance Manager to provide language awareness training was accepted. A period of time to 30 November was requested to implement the full scheme.

It is through the language schemes system that public bodies agree the additional services that they will provide through the medium of Irish over a period of time. There was no doubt about the promises given by Sligo County Council in the language scheme which was the subject of this investigation.

It is apparent from subsection 18(1) of the Official Languages Act 2003 that public bodies are obliged to implement the commitments given in a language scheme. The relevant commitments in the scheme had and still have statutory effect and Sligo County Council is obliged to implement those commitments, which were made by the Council itself in its language scheme.

It was apparent that the Council failed to achieve this, as the Council itself admitted to the investigation, by the deadline which was set out statutorily in the language scheme. We understand that there are difficulties concerning monetary restrictions and staff resources, but that does not mean that certain statutory language obligations may be ignored. Furthermore, the investigation noted that a lot of this work has been undertaken by other local authorities around the country, and that a lot of the subject

an-chuid den ábhar céanna i gceist. D'fhéadfai sábháil mhór a dhéanamh sa ghnó seo ach acmhainní a roinnt.

Chonacthas don imscrúdú go raibh cur i bhfeidhm na scéime ag brath nach mór go hiomlán ar bhall foirne amháin. In ainneoin a chuid iarrachtaí, ba léir nach raibh an t-am ná na hacmhainní ag an té sin chun dul i ngleic le cur i bhfeidhm na scéime mar ba chóir agus nach raibh an Chomhairle trí chéile ag glacadh freagrachta as an scéim teanga. Bhí an chosúlacht ar an scéal, áfach, le ceapachán oifigigh nua, go raibh athrú ag teacht ar an scéal, agus go mbeifí ag leagan freagrachta as a réimsí féin ar oifigigh shinsearacha foirne de chuid na heagraíochta. Bheinn ag súil go mbeadh a thionchar sin le feiceáil ar chur i bhfeidhm na scéime. Bhí mé, ar an mbonn sin, sásta glacadh le tairiscint na Comhairle ina litir dar dáta an 10 Lúnasa go mbeadh an scéim ar fad i bhfeidhm faoin 30 Samhain 2015.

Imscrúdú seolta: 17 Nollaig 2014

Tuarascáil eisithe: 22 Deireadh Fómhair 2015

COMHAIRLE CONTAE LOCH GARMAN

Léirigh imscrúdú gur sháraigh Comhairle Contae Loch Garman na dualgais reachtúla teanga atá daingnithe faoi na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 i gcás comhartha i mBéarla amháin a bhí curtha in airde i gceantar feidhme na Comhairle, ach nach raibh aon sárú déanta i gcás comhartha eile sa cheantar céanna.

Rinneadh gearáin éagsúla le m'Oifig maidir le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomharthaí in Inis Córthaidh, i mí na Nollag 2014 agus i mí an Mhárta 2015. Tarraingíodh ceist na gcomharthaí seo anuas leis an gComhairle ar bhonn neamhfhoirmiúil, ag tosú i mí na Nollag 2014.

In ainneoin meabhrúcháin dar dátaí an 24 Márta 2015 agus an 21 Bealtaine 2015, agus glaoch fóin dar dáta an 23 Meitheamh 2015 agus meabhrúchán dar dáta an 10 Iúil i gcás gearán faoi chomhartha "No Casual Trading...", agus meabhrúcháin dar dátaí an 24 Aibreán 2015 agus an 9 Meitheamh, glaoch fóin dar dáta an 23 Meitheamh agus meabhrúchán dar dáta an 10 Iúil 2015 i gcás gearán faoi chomhartha "Mary Street 2006", mar aon le litir chuig an bPríomhfheidhmeannach dar dáta an 13 Lúnasa, níor cuireadh aon fhreagra ar fáil don Oifig i dtaca leis na gearáin seo, naoi mí agus sé mhí faoi seach ón uair a tharraingíomar anuas leis an gComhairle den chéad uair iad.

matter was the same. Large savings could be made by the sharing of resources.

It seemed to the investigation that the implementation of the language scheme was almost completely dependent on one member of staff. Despite his efforts, it was apparent that that individual had neither the time nor the resources to deal with the implementation of the scheme in the correct manner, and that the Council as a whole was not taking responsibility for the language scheme. It appeared, however, with the appointment of a new officer, that the situation was changing, and that responsibility for their own areas would be given to senior staff members of the organisation. I would hope that the impact of this would be seen in the implementation of the scheme. I was, on that basis, prepared to accept the Council's proposal in its letter of 10 August that the scheme would be fully implemented by 30 November 2015.

Investigation launched: 17 December 2014

Report issued: 22 October 2015

WEXFORD COUNTY COUNCIL

An investigation found that Wexford County Council was in breach of statutory language obligations under subsection 9(1) of the Official Languages Act 2003 in respect of a sign which was erected in the area under the Council's remit, but was not in breach of those obligations in respect of another sign in the same area.

Separate complaints were made to my Office in respect of the use of the official languages, Irish and English, on signs in Enniscorthy, in December 2014 and March 2015. The issue was raised informally with the Council, commencing in December 2014.

Despite reminders of 24 March 2015, 21 May 2015, a phone call of 23 June 2015 and a reminder of 10 July in respect of a sign "No Casual Trading...", and reminders of 24 April 2015, 9 June, a phone call of 23 June and a reminder of 10 July 2015 in the case of a complaint in respect of a sign "Mary Street 2006", as well as a letter of 13 August to the Chief Executive, no response was provided to the Office in respect of these complaints, nine months and six months respectively from the time we first brought them to the attention of the Council.

We understood, from an acknowledgement issued to us, that these complaints had been forwarded for

Tuigeadh dúinn, ó admháil a seoladh chugainn, go raibh na gearáin seo curtha faoi bhráid na n-innealtóirí cuí, ach dúradh linn nárbh eol cathain a chuirfí freagra ar fáil.

Tá dualgas soiléir ar an gComhairle faoi na Rialacháin atá eisithe faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 a chinntiú gur i nGaeilge nó i nGaeilge agus i mBéarla a bheidh comharthaí den chineál seo le héifeacht ón 1 Márta 2013 – ní cheadaítear comharthaí i mBéarla amháin.

Mar is léir ón méid thuas, rinne m'Oifig iarracht an cás seo a réiteach trí chóras neamhfhoirmiúil réitithe gearán na hOifige. Toisc nár éirigh leis na hiarrachtaí neamhfhoirmiúla sin an cheist a réiteach, chonacthas dom nach raibh an dara rogha agam ach imscrúdú a sheoladh le teacht ar fhionnachtana agus moltaí a dhéanamh sa chás, dá mba chúig, de bharr theip na Comhairle Contae freagra a sholáthar faoin gcóras neamhfhoirmiúil, ainneoin gach deis a bheith tugtha di – freagra a bhí tuillte ag na gearánaithe.

Bheartaigh mé tabhairt faoi imscrúdú sa chás ar an 22 Meán Fómhair 2015, mar a cheadaítear dom faoi fho-alt 21(c) den Acht, de bharr gearán a bheith déanta liom.

Sheol mé litir chuig Príomhfheidhmeannach na Comhairle ag lorg eolas ar leith, freagraí ar cheisteanna ar leith chomh maith le haon fhaisnéis, taifid nó rud eile den sórt sin a bhain le hábhar an imscrúdaithe.

D'iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 13 Deireadh Fómhair 2015. Fuair mé freagra dar dáta an 12 Deireadh Fómhair 2015 ar an litir sin ag tabhairt le fios go raibh comhartha amháin de na comharthaí a bhí faoi chaibidil bainte anuas agus nárbh í an Chomhairle a chuir an comhartha eile in airde.

Sa fhreagra ó Chomhairle Contae Loch Garman, dhearbhaigh an Chomhairle don imscrúdú go raibh córas i bhfeidhm aici chun a chinntiú go gcuirtear comharthaí in airde i nGaeilge agus i mBéarla, agus chur sí cóip den mhodh oibre a eisíodh chuig an bhfoireann bainistíochta ar fáil don imscrúdú.

Cuireadh in iúl go raibh an comhartha "No casual trading no overnight parking by order of Wexford County Council" bainte anuas.

Anuas air sin, thug an Chomhairle le fios nach

attention to the relevant engineers, but were told that they could not advise us as to when an answer would be forthcoming.

There is a clear statutory obligation on the Council under the Regulations which are issued under subsection 9(1) of the Official Languages Act 2003 to ensure that signs of this nature are in Irish or in Irish and English with effect from 1 March 2013 – signs in English only are not permitted.

As is apparent from the above, my Office attempted to resolve this matter through the informal complaints resolution system which it operates. As those 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 reach findings and make recommendations, if appropriate, as a result of the Council's inability to provide an answer through the informal process – an answer to which the complainants were entitled.

I decided to undertake an investigation on the matter on 22 September 2015, as provided for under subsection 21(c) of the Act, due to a complaint being made to me.

I sent a letter to the Chief Executive of the Council seeking particular information and answers to certain questions as well as any information, record or other such thing which related to the subject of the investigation.

I requested that the relevant information be provided by 13 October 2015. I received a response dated 12 October 2015 to that letter, advising me that one sign had been removed and that the second sign had not been erected by the Council.

In its response, the Council confirmed to the investigation that it had a system in place to ensure that signs were erected in Irish and English, and a copy of the procedures which were issued to management of the Council was provided to the investigation.

The Council advised that the sign "No casual trading no overnight parking by order of Wexford County Council" had been removed.

The Council also advised that the sign "Mary Street 2006" did not belong to the Council and that it had not erected it.

comhartha de chuid na Comhairle a bhí sa chomhartha “Mary Street 2006” agus nárbh í an Chomhairle a chuir an comhartha sin in airde.

Bhain an t-imscrúdú seo le húsáid na Gaeilge ar chomharthaí a thagann faoi na Rialacháin faoi fho-alt 9(1) d’Acht na dTeangacha Oifigiúla, 2003, agus le géilliúlacht údaráis áitiúil ar leith don reachtaíocht sa réimse seo.

Cé nár thug an Chomhairle Contae le fios ina freagra gur ghlac sí leis go raibh dualgais reachtúla teanga á sárú i gcás na gcomharthaí seo, mar sin féin ghéill sí gur chóir an ceann a bhí faoi chúram na Comhairle a cheartú, agus rinne sí sin láithreach. D’fháiltigh mé roimhe sin, agus roimh dhearbhu na Comhairle go raibh córas i bhfeidhm aici le cinntiú go gcuirtear comharthaí in airde i nGaeilge agus i mBéarla.

Níor bhain an t-imscrúdú, áfach, le córas a bheith i bhfeidhm i dtaca le haon chomharthaí nua a bheadh á gcur in airde i gceantar feidhme na Comhairle, ach le córas soiléir a bheith i bhfeidhm le dul i ngleic le gearáin a dhéantar leis an gComhairle i dtaca le comharthaí atá in airde cheana féin agus nach bhfuil ag teacht leis an reachtaíocht.

B’ábhar imní dom go raibh orm dul i muinín imscrúdú chun go ngníomhódh an Chomhairle i dtaca leis an dá chomhartha áirithe seo. Ba léir, ó na teagmhálacha éagsúla a bhí ag m’Oifig leis an gComhairle agus na freagraí a bhí á soláthar, nach raibh sí ag dul i ngleic mar ba cheart leis na gearáin seo. Ní fhacthas don imscrúdú ach an oiread gur beart sásúil a bhí ann comharthaí a bhaint anuas le bheith géilliúil don reachtaíocht. Má tá gá leis an gcomhartha, agus is léir nuair a crochadh an comhartha ar dtús gur measadh gur ghá, ba cheart go gcrochfaí é de réir mar a éilíonn an reachtaíocht.

Bheinn ag súil, de thoradh an imscrúdaithe seo, go gcuirfí córas i bhfeidhm a chinnteodh go ngabhfaí i ngleic go críochnúil le gearáin ón Oifig seo nó ó bhall den phobal i dtaca le comharthaíocht neamhghéilliúil a thagann faoi dhlínse feidhme na Comhairle.

Mhol mé, i measc nithe eile, go ndaingneofai cleachtas oibre sa Chomhairle Contae laistigh d’ocht seachtaine ó dháta eisiúna na tuarascála imscrúdaithe le plé go cuí agus go tráthúil le gearáin faoi sháruithe ar reachtaíocht teanga agus go gcuirfí cóip den chleachtas sin ar fáil do m’Oifig.

Imscrúdú seolta: 22 Meán Fómhair 2015

Tuarascáil eisithe: 24 Samhain 2015

This investigation concerned the use of Irish on signs which come under the remit of the Regulations under subsection 9(1) of the Official Languages Act 2003, and with a particular Council’s compliance with the legislation in this area.

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 conceded all the same that the one which came under the Council’s remit should be corrected, and it proceeded to do so immediately. I welcomed that, as I welcomed the confirmation by the Council that it had a system in place to ensure that signs were erected in Irish and English.

The investigation, however, did not concern a system being in place in respect of new signs being erected in places within the Council’s remit, but rather concerned having a clear system in place to deal with complaints in respect of signs which are already erected but do not comply with the legislation.

It was a matter of some concern to me that I had to undertake an investigation in order for the Council to act in respect of these two signs. It was apparent, from the various contacts my Office had with the Council, and the responses that were being provided, that these complaints were not being addressed in a proper manner. The investigation was not convinced either that removing a sign in order to be compliant was an appropriate action. If a sign is required, and it is clear that it was thought to be so when the sign was erected, then it should be erected in the manner required by legislation.

I would hope, as a result of this investigation, that a system would be put in place which would ensure that complaints from this Office or from members of the public in respect of non-compliant signage under the remit of the Council would be dealt with efficiently.

I recommended, amongst other things, that a work practice be introduced in the County Council within eight weeks of the date of issue of the report on the investigation to deal in a correct and timely fashion with complaints in respect of breaches of language legislation and that a copy of that work practice should be provided to my Office.

Investigation launched: 22 September 2015

Report issued: 24 November 2015

AN ROINN LEANAÍ AGUS GNÓTHAÍ ÓIGE

Léirigh imscrúdú nár sháraigh an Roinn Leanaí agus Gnóthaí Óige 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 seirbhísí idirghníomhacha a chur ar fáil go dátheangach i gcás córas clárúcháin ar líne do scéim luathoideachais (córas PIP).

Rinneadh gearáin le m'Oifig i mí Dheireadh Fómhair 2014 gur i mBéarla amháin a bhí foirmeacha a bhí á nginiúint ag córas nua ar líne de chuid na Roinne le síniú ag tuismitheoirí páistí a bhí ag freastal ar naíonraí Gaeilge agus Gaeltachta. Ba chás leis na gearánaigh go mbíodh na foirmeacha seo ar fáil i nGaeilge cheana.

Rinne m'Oifig fiosruithe ar an ábhar leis an Roinn agus tháinig sé chun solais go raibh córas nua ar líne á thionscnamh ag an Roinn agus go raibh an córas á fhorbairt i mBéarla amháin, in ainneoin gealltanais i scéim teanga na Roinne, a tháinig i bhfeidhm sa bhliain 2013, go ndéanfaí aon chóras nua ar líne a thabhairt isteach go dátheangach, dá bhféadfaí sin a dhéanamh ó thaobh na teicneolaíochta de. Is mar seo a leanas a bhí an mhír chuí den scéim:

SEIRBHÍSÍ IDIRGHNÍOMHACHA

I gcás aon seirbhísí idirghníomhacha nua a chuirfeadh ar chumas an phobail i gcoitinne iarratais a dhéanamh ar líne ó thús na scéime seo, tabharfar isteach go dátheangach iad má fhéadtar sin a dhéanamh ó thaobh na teicneolaíochta de.

Ba léir ón gcumarsáid a bhí againn leis an Roinn gur i mBéarla amháin a bhí an córas nua seo á fhorbairt, cé go raibh sé i gceist leagan Gaeilge a chur ar fáil amach anseo.

Rinne m'Oifig iarracht an gearán seo a réiteach leis an Roinn Leanaí agus Gnóthaí Óige, agus fuaireamar an-chomhoibriú chuige sin. Cuireadh socrú in áit a chiallóidh nach mbeadh ar thuismitheoirí páistí i naíonraí Gaeilge agus Gaeltachta foirm i mBéarla a shíniú, agus tugadh dearbhú do m'Oifig go mbeadh na foirmeacha á nginiúint i nGaeilge faoi Mheán Fómhair 2015, nuair a bheidís le síniú arís.

DEPARTMENT OF CHILDREN AND YOUTH AFFAIRS

An investigation found that the Department of Children and Youth Affairs did not breach the statutory language obligations confirmed in subsection 18(1) of the Official Languages Act 2003 in respect of the implementation of its language scheme insofar as it concerned providing interactive services bilingually in the case of online registration for an early education scheme (PIP system).

A number of complaints were made to my Office in October 2014 that forms were being generated in English only for signature by parents of children attending Irish language & Gaeltacht pre-schools by a new online system of the Department. It was of concern to the complainants that these forms had previously been available in Irish.

My Office made some enquiries on the matter with the Department and it came to light that a new online system was being developed by the Department and that this system was being developed in English only, despite a commitment in the Department's language scheme, which came into effect in 2013, that any new online system would be introduced bilingually, if that could be achieved from a technological aspect. The relevant provision of the scheme was as follows:

INTERACTIVE SERVICES

Any new interactive services which allow the general public to make applications online from the outset of this scheme will be introduced bilingually where technically feasible.

It was apparent from the communication we had with the Department that this new system was being developed in English only, although it was intended to provide an Irish version at a later date.

My Office tried to resolve these complaints with the Department of Children and Youth Affairs, and we received total cooperation in that respect. An arrangement was put in place which meant that parents of children attending Irish language or Gaeltacht pre-schools would not have to sign English language forms, and a commitment was given that the forms would be generated in Irish by September 2015, when they were to be signed again.

Ni raibh mé sásta, áfach, go raibh an socrú seo i gcomhréir leis an ngealltanas a bhí tugtha sa scéim teanga, agus bhí mé den tuairim go bhféadfadh sé go dtarlódh a mhacasamhail arís agus go bhforbrófaí córas nua ar líne i mBéarla amháin, beag beann ar an ngealltanas scéime. De réir alt 18(1) den Acht, tá dualgas reachtúil ar chomhlachtaí poiblí atá faoi scáth an Achta scéim atá daingnithe ag an Aire a chur i bhfeidhm. Tá sé curtha mar dhualgas reachtúil ormsa in alt 21(c) d'Acht na dTeangacha Oifigiúla, 2003 imscrúdú a dhéanamh maidir le haon mhainneachtain ag comhlacht poiblí forálacha an Achta a chomhlíonadh, ar mainneachtain i ar dóigh liom gur féidir gur tharla sí. Ó tharla gearáin a bheith déanta ag baill den phobal liom i dtaobh na ceiste seo agus ó tharla nach raibh mé sásta nach dtarlódh a mhacasamhail arís i gcás aon chóras ar líne eile a bheadh á fhorbairt, bheartaigh mé go raibh gá le himscrúdú le haon amhras a sheachaint.

Go bunúsach, ba mhian liom de thoradh an imscrúdaithe seo a bheith ábalta a rá an amhlaidh a bhí nó nach raibh an fhoráil i scéim teanga na Roinne á cur i bhfeidhm go cuí.

Sheol mé an t-imscrúdú ar an 16 Aibreán 2015. Bheartaigh mé don chéad chéim den imscrúdú litir a sheoladh chuig an Aire Leanaí agus Gnóthaí Óige, ag lorg eolas ar leith, freagraí ar cheisteanna ar leith chomh maith le haon fhaisnéis, taifid, nó rud den sórt sin a bhain le hábhar an imscrúdaithe.

D'iarr mé go gcuirfí an t-eolas cuí sin ar fáil faoin 8 Bealtaine 2015. Tar éis síneadh ama a bheith iarrtha agus ceadaithe faoi dhó agam, seoladh freagra cuimsitheach chugam, mar aon le cáipéisí tacaíochta, i litir dar dáta an 5 Meitheamh 2015.

Ina litir dar dáta an 5 Meitheamh 2015 chugam, shéan an Roinn go raibh aon sárú ar a dualgas reachtúil teanga i gceist sa chás seo. D'aithin sí gur cuireadh formáid leictreonach na 'Foirme Dearbhaithe Tuisti' ar fáil i mBéarla amháin, agus thug sí le fios go ndéanfaidh an Roinn comhoibriú iomlán leis an imscrúdú. Chuir an Roinn béim chomh maith ar a tiomantas leanúnach do chothú na Gaeilge agus do sholáthar faisnéise trí mheán na Gaeilge.

Chuir an Roinn tuairisc iomlán ar fáil mar fhreagra ar na ceisteanna a bhí ardaith ag an imscrúdú, mar aon le cáipéisí tacaíochta, faoi mar a bhí iarrtha. Leag an Roinn amach an mhír chuí dá scéim teanga, ag leagan béim ar an mír dheireanach:

I was not satisfied, however, that this arrangement was in accordance with the commitment given in the language scheme, and I was of the opinion that a similar situation could arise again and that a new online system could be developed in English only, regardless of the commitment in the scheme. Under subsection 18(1) of the Act, there is a statutory obligation on public bodies which come under the Act to implement a scheme which has been confirmed by the Minister. There is an obligation placed on me by subsection 21(c) of the Official Languages Act 2003 to carry out an investigation into any default on the part of a public body in fulfilling the provisions of the Act, where I think such a default may have occurred. As complaints had been made to me by members of the public on this issue and as I was not satisfied that a similar situation would not reoccur, I decided an investigation was necessitated for the avoidance of doubt.

Essentially, I wanted to be able to say as a result of this investigation whether or not the Department was fulfilling the provision in the language scheme properly.

I launched the investigation on 16 April 2015. I decided as a first step to write to the Minister for Children and Youth Affairs seeking particular information and answers to certain questions as well as any information, record or such thing which related to the subject of the investigation.

I requested that the relevant information be provided to me on or before 8 May 2015. After a time extension had been requested and granted twice, I received a comprehensive response, along with accompanying documentation, in a letter dated 5 June 2015.

In that letter, the Department denied that there was any breach of a statutory language obligation in this case. It recognised that the electronic version of the 'Parental Declaration Form' had been provided in English only, and advised that the Department would cooperate fully with the investigation. The Department also emphasised its ongoing commitment to fostering the Irish language and to providing information in the Irish language.

The Department provided a complete report in response to the questions raised by the investigation, along with accompanying documentation, as had been requested. The Department laid out the relevant provision of its language scheme, placing emphasis on the last part:

“Cuirfear aon seirbhísí nua idirghníomhacha a chuireann ar chumas an phobail iarratais a dhéanamh ar fáil go dátheangach ó thus na scéime seo, nuair a bhíonn sé sin indéanta go teicniúil.”

Thug an Roinn le fios go raibh córas céimneach incriminteach ar bun i gcás fhorbairt an chórais seo (PIP) thar thréimhse suas le trí bliana, agus go gcabhródh sé le riar €260 milliún de mhaoiniú Stáit a chur i gcrích do 4,500 soláthraí nuair a bheadh sé curtha i gcrích go hiomlán, ach nár mhór líon suntasach coigeartuithe agus feidhmeanna teicniúla a dhéanamh sula mbeadh sé lánsásúil. Thug an Roinn le fios go ndearnadh triail phiolótach, ach mar gheall ar a méid teoranta, nár aimsigh an triail phiolótach ach cuid de na fadhbanna. Dúirt an Roinn gur aithníodh suas le 1,000 mionchoigeartú teicniúil agus cuireadh cruthúnas ar fáil don imscrúdú i dtaobh na gceistanna a d’eascair as an triail. Dúradh nár measadh é a bheith indéanta go teicniúil ná ó thaobh cúrsaí airgeadais aghaidh a thabhairt ar na ceistanna seo ar fad le linn forbairt a bheith á déanamh ar chóras dátheangach. De réir na Roinne chuirfeadh a leithéid moill shuntasach ar chur i bhfeidhm an chórais mar aon le hiarmhairt airgeadaíochta a thabhdhódh “athruithe tástála”.

Bhí an Roinn den tuairim nach mbeadh sé i gcomhréir réasúnta le riachtanais na hearnála ná na Roinne dá gcuirfí moill ar sheoladh an chórais go dtí go réiteofaí na fabhtanna ar fad, de bharr na práinne a bhí le córas éifeachtach TFC a chur ar fáil don earnáil. Chuir an Roinn in iúl don imscrúdú go raibh an áis an Dearbhú Oifigiúil Tuistí PIP a chuimsiú i nGaeilge curtha san áireamh sa riachtanas don Chóras PIP, go raibh sé á dhearadh faoi láthair agus gur measadh go mbeadh sé ar fáil do chlárúithe 2015-2016.

D’eascair an t-imscrúdú seo as teacht a bheith ag tuismitheoirí leanaí réamhscoile ar leagan Gaeilge nó dátheangach d’fhoirm dearbhaithe cláraithe a bhí á giniúint ag córas ríomhaireachta. Tháinig sé chun solais, mar chuid den imscrúdú seo, go raibh córas idirghníomhach nua á fhorbairt, ar bhonn céimneach, faoi choimirce na Roinne Leanaí agus Gnóthaí Óige, a bhí dírithe ar chur le héifeacht na gcóras riaracháin san earnáil seo.

“Any new interactive services which allow the general public to make applications online from the outset of this scheme will be introduced bilingually where technically feasible.” (Translation)

The Department advised that a stepped incremental system was in place for the development of this system (PIP), over a period of up to three years, and that it would assist in the administration of €260 million of state funds to 4,500 suppliers when it was fully implemented, but that a significant number of adjustments and technical functions needed to be made before it would be completely satisfactory. The Department advised that a pilot trial had been done, but that because of its limited size, that the pilot trial had only found some of the problems. The Department stated that up to 1,000 minor technical adjustments had been identified, and evidence was furnished to the investigation of the questions that arose from the trial. It was stated that it was not thought feasible from a technical or monetary point of view to address all these questions while developing a bilingual system. In the Department’s opinion this would significantly delay the implementation of the system as well as having monetary consequences which the testing of changes would engender.

The Department was of the opinion that it would not be reasonably proportionate to the needs of the sector or the Department if the launch of the system were delayed until all the faults were corrected, because of the urgency of providing an effective ICT system for the sector. The Department informed the investigation that the facility to include the Official Parental PIP Declaration in Irish had been taken into account in the requirements for the PIP system, that it was currently being designed and that it was thought that it would be available for registrations in 2015-2016.

This investigation arose from the availability to parents of pre-school children of an Irish or bilingual version of a registration confirmation form which was being generated by a computer system. It came to light, as part of the investigation, that a new online system was being developed, on a graduated basis, under the auspices of the Department of Children and Youth Affairs, which was intended to improve the administrative systems in this sector.

The system was aimed at the service providers, that is the pre-school centres, although it was

Is ar na soláthraithe seirbhíse, is é sin na hionaid réamhscoile, a bhí an córas nua seo dírithe cé go mba léir go mbeadh ábhar á tháirgeadh ag an gcóras a bhí dírithe ar thuismitheoirí. Tá sé réasúnach a bheith ag súil go mbeadh ábhar caighdeánach den chineál seo ar fáil i nGaeilge gan mórán stró, go háirithe agus naíonraí Gaelacha agus Gaeltachta ag feidhmiú sa tír seo le blianta fada.

Níor ghlac an Roinn Leanaí agus Gnóthaí Óige leis go raibh aon sárú reachtúil déanta ar fho-alt 18(1) d'Acht na dTeangacha Oifigiúla sa chás seo. Chuir an Roinn dhá phríomhargóint os comhair an imscrúdaithe mar thaca don mhéid seo, is iad sin:

- Nach raibh sé “indéanta go teicniúil” leagan Gaeilge den chóras a chur ar fáil go comhuaineach leis an leagan Béarla de bharr cúrsaí airgeadais, moille, agus líon na mionchoigeartuithe teicniúla.
- Nach raibh an córas nua seo ag ceadú do bhaill den phobal iarratas a dhéanamh.

Mhaigh an Roinn gur fhág an méid seo go raibh forbairt an chórais nua seo lasmuigh de théarmaí an ghealltanais a bhí tugtha sa scéim teanga.

Ba é an cás a bhí le meá ag an imscrúdú ná an raibh dualgas reachtúil ar an Roinn Leanaí agus Gnóthaí Óige an córas idirghníomhach nua seo á chur ar fáil go comhuaineach sa dá theanga oifigiúla. Chun an méid sin a mheas, ba ghá féachaint ar an dualgas a bhí leagtha ar an Roinn de thoradh an méid a bhí daingnithe ina scéim teanga.

Níor mhór a shoiléiriú ón tús go raibh difríocht i mbri na bhfocal a bhí in úsáid idir an leagan Gaeilge agus leagan Béarla den ghealltanais ábhartha sa scéim teanga. Is éard a bhí luaite do sholáthar na seirbhíse sa leagan Béarla den ghealltanais ná, “where technically feasible” a bhí aistrithe mar “má fhéadtar sin a dhéanamh ó thaobh na teicneolaíochta de” sa leagan Gaeilge den scéim. Ar ndóigh, ní hionann an dá riachtanas. Bhí sé dearbhaithe i gCaibidil 5 den scéim teanga gurb é an leagan Béarla bunleagan na scéime agus is ar an mbonn sin a mheáigh mé an raibh sé indéanta go teicniúil an córas seo a chur ar fáil go comhuaineach sa dá theanga oifigiúla.

Níor ghlac an Oifig le hargóintí i dtaobh costais nó moille i dtaca le gealltanais scéime – sa chás go bhfuil gealltanais daingnithe i scéim teanga ag an Aire, tá dualgas reachtúil ar chomhlacht poiblí an

apparent that some material produced by the system was aimed at parents. It is reasonable to expect that standardised material of this kind would be available without too much difficulty, particularly as Irish Language and Gaeltacht naíonraí have been operating in this country for a long number of years.

The Department of Children and Youth Affairs did not accept that there was any breach of subsection 18(1) of the Official Languages Act in this case. The Department put forward two main arguments in support of this contention, namely:

- That it was not technically feasible to provide an Irish version of the system simultaneously with the English version due to monetary considerations, delay and the number of minor technical adjustments.
- That this new system was not permitting members of the public to make an application.

The Department maintained that this meant that the development of the new system was outside the scope of the commitment given in the language scheme.

The case the investigation had to weigh was whether the Department of Children and Youth Affairs was statutorily obliged to provide this new interactive system simultaneously in both official languages. To assess that, it was necessary to look at the obligation placed on the Department as a result of what was confirmed in its language scheme.

It was necessary to clarify from the start that there was a difference in the meanings of the words which were being used in the relevant commitment in the scheme between the Irish and English versions. What was mentioned for the provision of the service in the English version of the commitment was “where technically feasible”, which had been translated as “if that can be achieved from a technological aspect” in the Irish version of the scheme. Of course, the two requirements are not the same. It was confirmed in Chapter 5 of the language scheme that the English version was the original text of the scheme and on that basis I assessed whether it was technically feasible to provide this system simultaneously in both official languages.

The Office did not accept arguments of cost or delay in respect of scheme commitments – in any instance where a commitment in a scheme is confirmed by the Minister, the public body must proceed to implement it, irrespective of conditions or other legislation.

gealltanas sin a chur i bhfeidhm, beag beann ar chúinsí nó reachtaíocht eile.

Mar a léirigh an Roinn ina freagra, bhí os cionn 1,000 mionchoigeartú teicniúil sa chéad chéim den tionscadal, agus bheadh sé rídheacair dul i ngleic leo siúd ar fad ar bhonn dátheangach. Ghlac an t-imscrúdú leis an bhfianaise a cuireadh ar fáil mar thaca don ráiteas seo. Ba é seasamh na Roinne nach bhféadfaí aghaidh a thabhairt ar na mionchoigeartuithe seo laistigh den amchlár a bhí beartaithe do sholáthar an chórais nua seo agus ag an am céanna an córas a sholáthar ar bhonn dátheangach.

Ba léir dom, áfach, go raibh amchlár teann ag baint leis an togra seo ón am ar bronnadh an conradh i mí an Mhárta 2014 go dtí teacht i bhfeidhm cuid áirithe den chóras i bhfómhar na bliana céanna. Chuir an Roinn doiciméad faoi bhráid an imscrúdaithe dar teideal “Functional Requirements Specification” a leag amach cuid mhaith mionsonraí i dtaca le réimsí feidhmiúlachta an chórais nua. Ba léir gur forbraíodh an doiciméad seo mar dhoiciméad oibre i mí Feabhra 2014 agus go raibh an leagan críochnaitheach ar fáil i mí Bealtaine na bliana céanna. Thug mé suntas dó nach raibh aon tagairt déanta do riachtanais teanga sa doiciméad teicniúil seo.

Mar phrionsabal ginearálta ní ghéillim don argóint nach féidir córais teicneolaíochta a chur ar fáil go chomhuaineach sa dá theanga oifigiúla. Tá a leithéid déanta ag cuid mhaith comhlachtaí poiblí roimhe seo. Mar aon le gnéithe eile d’aon tionscnamh teicneolaíochta is gá go mbeadh an réamhphleanáil déanta, na hacmhainní cuí curtha ar fáil agus na hamscálaí curtha in oiriúint más ann go bhfuil a leithéid le baint amach.

D’fháiltigh mé roimh an eolas gur pléadh ceist na Gaeilge ag céim phleanála an chórais. Tá sé tábhachtach, sa chás go bhfuil córas den chineál seo á bheartú, go ndéanfaí cinnte de go bhfuil aon dualgas reachtúil teanga atá ar an gcomhlacht poiblí curtha san áireamh. Cé gur chuir an Roinn cás i mo láthair go ndearnadh scrúdú ar cheist na Gaeilge agus an córas á phleanáil, áfach, níor cuireadh aon fhianaise ar fáil gur áiríodh an mhír sa scéim teanga sa phleanáil sin – go deimhin, tugadh le fios go ndearnadh an phleanáil bunaithe ar chóras “FAOI MAR ATÁ”, rud a thabharfadh le fios nár áiríodh aon

As the Department demonstrated in its answer, there were over 1,000 minor technical adjustments in the first stage of the project, and it would be extremely difficult to address all of them on a bilingual basis. The investigation accepted the evidence supplied in support of this statement. The Department’s stance was that these minor adjustments could not be addressed in the timetable that had been proposed for the supply of the new system while delivering the system on a bilingual basis.

It was apparent to me, however, that this proposal had an extremely tight timetable imposed, from the time the contract was awarded in March 2014 until the implementation of certain parts of the system in the autumn of the same year. The Department provided the investigation with a document entitled “Functional Requirements Specification” which set out a lot of specifications in respect of the operational fields of the new system. It was apparent that this document had been developed as a working document in February 2014 and that the final version was available in May of the same year. It was significant that there was no mention of language requirements in this technical document.

As a general principle I do not yield to the argument that a technological system cannot be provided simultaneously in both official languages. It has been done by quite a number of public bodies before. As well as any other aspect of any technological project, it is necessary that preplanning be carried out, the necessary resources be made available and that the timescales are in accordance if such a thing is to be achieved.

I welcomed the information that the question of Irish was discussed at the planning stage. It is important, when proposing a system of this nature, that it is ensured that any statutory language obligation on the public body is included. Although the Department made a case to me that the question of Irish had been examined at the planning stage, no evidence was supplied that this element of the language scheme was taken into account in that planning – indeed, it was advised that the planning undertaken was based on a “AS THINGS STAND” (trans.) system, which would give one to understand that no element of the scheme, which was to come into effect whenever a new form or system was proposed, was taken into account. I confirmed that it should be ensured that it

mhír sa scéim, a bhí le teacht i bhfeidhm i gcás aon chóras nó foirm nua a bhí beartaithe. Dhearbhaigh mé gur chóir cinnte a dhéanamh de go n-áireofaí é in aon réamhphleanáil feasta.

Ba léir ón eolas a cuireadh ar fáil don imscrúdú nach raibh an córas seo ar fáil don phobal i gcoitinne, faoi mar a dhearbhaigh an Roinn. In ainneoin go bhféadfadh aischur a bheith á ghiniúint ag an gcóras a bhí dírithe ar an bpobal i gcoitinne nó ar aicme den phobal sin, ba léir go raibh an córas seo forbartha ar mhaithe lena úsáid ag eagraíochtaí réamhscoile. Ba léir freisin nach raibh rochtain ag an bpobal ar an gcóras chun aon iarratas a dhéanamh.

Ós rud é nár chóras é an córas PIP a bhí ag cur ar chumas an phobail i gcoitinne iarratas ar líne a dhéanamh, níorbh fhéidir go raibh sárú ar dhualgas reachtúil i gceist.

D'fháiltigh mé roimh dhearbhu na Roinne Leanaí agus Gnóthaí Óige go rabhthas ag oibriú i dtreo na sprice go mbeadh an leagan Gaeilge den fhoirm dhearbhaite, ab ábhar don bhunghearán, á ghiniúint ag an gcóras do chlárúithe 2015-2016.

D'fháiltigh mé roimh chinneadh na Roinne tógáil uirthi féin socruithe eatramhacha a chur in áit nuair a chuir an Oifig seo ábhar an ghearáin ar a súile di. De thoradh na ngearán sin agus na socruithe a cuireadh in áit fágadh nach raibh aon iallach ar thuismitheoirí páistí naiscoile glacadh le foirm dhearbhaite chórasghinte a bhí i mBéarla amháin.

Imscrúdú seolta: 16 Aibreán 2015

Tuarascáil eisithe: 7 Lúnasa 2015

was taken into account in any preplanning in future.

It was apparent from the information provided to the investigation that this system was not available to the public in general, as the Department confirmed. Despite the fact that returns could be generated by the system that were directed at the public in general or a class of that public, it was apparent that the system had been developed for the benefit of preschool organisations. It was also apparent that the public did not have access to the system to make any applications.

As the PIP system was not a system which was enabling the public in general to make online applications, it could not be said that there was a breach of statutory obligations.

I welcomed the affirmation of the Department of Children and Youth Affairs that it was working towards the target that the Irish version of the confirmation form, which was the subject of the original complaints, would be generated by the system for registrations for 2015-2016.

I welcomed the decision of the Department to take upon itself to put interim arrangements in place when this Office brought the subject of the complaints to its attention. As a result of those complaints and the arrangements put in place no parent of a preschool child was forced to accept a computer generated confirmation form in English only.

Investigation launched: 16 April 2015

Report issued: 7 August 2015

CÚRSAÍ AIRGEADAIS

FINANCIAL MATTERS

Cuireadh buiséad €670,000 ar fáil don Oifig don bhliain 2015 agus tarraingíodh anuas €669,048 den airgead sin.

Tá ráitis airgeadais na hOifige don bhliain 2015 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 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 2015 and €669,048 of that money was drawn down.

The financial statements of the Office for 2015 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 and the Gaeltacht 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 2015
Period Covered: 1 January – 31 December 2015

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	209	144,743	97%
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	6	14,901	3%
Líon na n-íocaíochtaí a rinneadh sa bhreis ar 30 lá Number of payments made in excess of 30 days	0	0	0%
Líon iomlán na n-íocaíochtaí sa tréimhse Total number of payments made in the period	215	159,644	100%
*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 2015

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 2015, d'úsáid Oifig an Choimisinéara Teanga 66.22 MWh leictreachais. Is ionann sin agus méadú 11.7% ar úsáid na bliana 2014 (59.28 MWh). Chlis ar an gcóras teasa agus aeraithe san Oifig mí na Nollag agus b'éigean an foirgneamh a théamh le téitheoirí sealadacha. Chuir sé sin le caitheamh an leictreachais.

GNÍOMHARTHA A RINNEADH IN 2015

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 2016

Leanfar de na beartais sábhála fuinnimh atá tionscanta cheana féin agus déanfar monatóireacht rialta ar úsáid leictreachais i gcaitheamh na bliana 2016.

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

OVERVIEW OF ENERGY USAGE IN 2015

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 2015, the Office of An Coimisinéir Teanga consumed 66.22 MWh of electricity. This constituted an increase of 11.7% in comparison to 2014 (59.28 MWh). The Office heating and aeration system failed in December and several temporary heaters were used to heat the building. This increased the consumption of electricity.

ACTIONS TAKEN IN 2015

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 2016

The Office will continue the energy-saving policies already initiated and it is intended to monitor electricity consumption on a regular basis 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>	Dualta Ó Broin
Bainisteoir Géilliúlachta <i>Compliance Manager</i>	Éamonn Ó Bróithe
Oifigeach Feidhmiúcháin <i>Executive Officer</i>	Nóirín Sheoige
Oifigeach Cléireachais <i>Clerical Officer</i>	Deirdre Nic Dhonncha

Ar an 12 Márta 2014, cheap Uachtarán na hÉireann, Micheál D. Ó hUiginn, Rónán Ó Domhnaill mar Choimisinéir Teanga.
On 12 March 2014, the President of Ireland, Michael D. Higgins, appointed Rónán Ó Domhnaill as Coimisinéir Teanga.

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.
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.

AGUISÍN

APPENDIX

Scéimeanna daingnithe faoi dheireadh 2015 / *Schemes confirmed by the end of 2015*

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 Talmhaíochta, Bia agus Mara	Department of Agriculture, Food and the Marine	01/06/2006
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 Gnóthaí Eachtracha agus Trádála	Department of Foreign Affairs and Trade	01/12/2006
Banc Ceannais na hÉireann	Central Bank of Ireland	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 Contae na hIarmhí	Westmeath 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 Stiúrthóra 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
An Garda Síochána	An Garda Síochána	28/05/2009
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
An Roinn Ealaíon, Oidhreacht agus Gaeltachta	Department of Arts, Heritage and the Gaeltacht	01/05/2012
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
Údarás Craolacháin na hÉireann	Broadcasting Authority of Ireland	16/09/2013
An Roinn Leanaí agus Gnóthai 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	Raidió Teilifís Éireann	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
SCÉIM 2	SCHEME 2	
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	11/05/2009
Roinn an Taoisigh	Department of the Taoiseach	21/12/2009
Comhairle Cathrach na Gaillimhe	Galway City Council	23/12/2009
Ollscoil Luimnigh	University of Limerick	29/12/2009
Comhairle Contae Bhaile Átha Cliath Theas	South Dublin County Council	30/07/2012
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 Ombudsman	Office of the Ombudsman	01/12/2012
Oifig an Uachtaráin	Office of the President	28/01/2013
Institiúid Teicneolaíochta na Gaillimhe – Maigh Eo	Galway – Mayo Institute of Technology	22/04/2013
An Roinn Oideachais agus Scileanna	Department of Education and Skills	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, Fuinnimh agus Acmhainní Nádurtha	Department of Communication, Energy and Natural Resources	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, Maigh 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
SCÉIM 3	SCHEME 3	
An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil	Department of the Environment, 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

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 ó Dháta an Fhógra (míonna) <i>Period Elapsed from Date of Notice (months)</i>
An Ceoláras Náisiúnta	National Concert Hall	21/09/2006	111
Amharclann na Mainistreach	Abbey Theatre	21/09/2006	111
An Coimisiún um Scrúduithe Stáit	State Examinations Commission	21/09/2006	111
Leabharlann Náisiúnta na hÉireann	National Library of Ireland	27/09/2006	111
Ard-Mhúsaem na hÉireann	National Museum of Ireland	27/09/2006	111
An Chomhairle Oidhreachta	Heritage Council	27/09/2006	111
Comhairle Contae Uíbh Fhailí	Offaly County Council	10/06/2007	103
Feidhmeannacht na Seirbhíse Sláinte	Health Service Executive	10/06/2007	103
An Coláiste Ollscoile, Baile Átha Cliath	University College Dublin	10/02/2009	83
Institiúid Teicneolaíochta Chorcaí	Cork Institute of Technology	10/02/2009	83
Córas Iompair Éireann	Córas Iompair Éireann	14/09/2012	40
Údarás Aerfort Chorcaí	Cork Airport Authority	14/09/2012	40
Bord na Móna	Bord na Móna	14/09/2012	40
Ervia	Ervia	14/09/2012	40
Bord Iascaigh Mhara	Bord Iascaigh Mhara	14/09/2012	40
Fiontraíocht Éireann	Enterprise Ireland	14/09/2012	40
G.F.T. Éireann (IDA)	I.D.A. Ireland	14/09/2012	40
Coillte	Coillte	14/09/2012	40
Fáilte Ireland - An tÚdarás Náisiúnta Forbartha Turasóireachta	Fáilte Ireland - National Tourism Development Authority	14/09/2012	40
Bord Oideachais agus Oiliúna an Chabháin agus Mhuineacháin	Cavan & Monaghan Education & Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna an Longfoirt agus na hIarmhí	Longford and Westmeath Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Bhaile Átha Cliath agus Dhún Laoghaire	Dublin Dún Laoghaire Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Chathair Bhaile Átha Cliath	City of Dublin Education Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Chiarraí	Kerry Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Chill Dara agus Chill Mhantáin	Kildare and Wicklow Education Training Board	22/08/2013	28

Bord Oideachais agus Oiliúna Chorcaí	Cork Education & Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Cill Chainnigh agus Cheatharlach	Kilkenny and Carlow Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Dhún na nGall	Donegal Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Laoise agus Uíbh Fhailí	Laois and Offaly Education Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Luimnigh agus an Chláir	Limerick and Clare Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Mhaigh Eo, Shligigh agus Liatroma	Mayo, Sligo and Leitrim Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Phort Láirge agus Loch Garman	Waterford and Wexford Education and Training Board	22/08/2013	28
Bord Oideachais agus Oiliúna Thiobraid Árann	Tipperary Education and Training Board	22/08/2013	28
Comhairle Contae Thiobraid Árann	Tipperary County Council	03/11/2014	14
Údarás Fuinnimh Inmharthana na hÉireann	Sustainable Energy Authority of Ireland	28/05/2015	7
An Chartlann Náisiúnta	National Archives	22/06/2015	6
Údarás Uchtála na hÉireann	Adoption Authority of Ireland	22/06/2015	6
An Coimisiún um Rialáil Eitlíochta	Commission for Aviation Regulation	22/06/2015	6
An Coimisiún um Chaighdeán in Oifigi Poiblí	Standards in Public Office Commission	22/06/2015	6
An tÚdarás Rialála Carthanais	Charities Regulatory Authority	22/06/2015	6
An Binse Achomhairc Fostaíochta	Employment Appeals Tribunal	22/06/2015	6
An Ghníomhaireacht um Chaomhnú Comhshaoil	Environmental Protection Agency	22/06/2015	6
An tÚdarás Árachais Sláinte	Health Insurance Authority	22/06/2015	6
Seirbhís Phríosúin na hÉireann	Irish Prison Service	22/06/2015	6
An Chomhairle Spóirt	Irish Sports Council	22/06/2015	6
Oifig an Phríomh-Dhochtúra Oifigiúil don Státseirbhís	Office of the Chief Medical Officer for the Civil Service	22/06/2015	6
An tSeirbhís Phromhaidh	Probation Service	22/06/2015	6
Institiúid Teicneolaíochta Cheatharlach	Institute of Technology Carlow	22/06/2015	6
Institiúid Teicneolaíochta Luimnigh	Limerick Institute of Technology	22/06/2015	6
Iascach Intíre Éireann	Inland Fisheries Ireland	22/06/2015	6
An tOmbudsman do Leanaí	Ombudsman for Children	22/06/2015	6

An Coimisiún um Iomaíocht agus Cosaint Tomhaltóirí	Competition and Consumer Protection Authority	22/06/2015	6
Seirbhísí Eolais an Rialtais	Government Information Services	22/06/2015	6
An tÚdarás Sláinte agus Sábháilteachta	Health and Safety Authority	22/06/2015	6
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	6
Tusla – An Ghníomhaireacht um Leanai agus Teaghlaigh	Tusla – Child and Family Support Agency	22/06/2015	6
An Ghníomhaireacht Tithíochta	Housing Agency	22/06/2015	6
An Coimisiún um Rialáil Cumarsáide	Commission for Communications Regulation	22/06/2015	6
An Coimisiún um Rialáil Fuinnimh	Commission for Energy Regulation	22/06/2015	6
An tÚdarás Náisiúnta Iompair	National Transport Authority	22/06/2015	6
Údarás Sábháilteachta Bia na hÉireann	Food Safety Authority of Ireland	22/06/2015	6
An tÚdarás Náisiúnta Míchumais	National Disability Authority	22/06/2015	6
Seirbhís Fuilaidriúcháin na hÉireann	Irish Blood Transfusion Service	22/06/2015	6
An Ghníomhaireacht Náisiúnta Bainne	National Milk Agency	22/06/2015	6

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 (míonna) ón Dáta Éaga <i>Period (months) from Date Expired</i>
An Chomhairle Ealaíon	Arts Council	30/06/2008	90
Ollscoil Chathair Bhaile Átha Cliath	Dublin City University	02/04/2009	81
An Roinn Talmhaíochta, Bia agus Mara	Department of Agriculture, Food and the Marine	31/05/2009	79
An Roinn Dlí agus Cirt agus Comhionannais	Department of Justice and Equality	29/06/2009	78
Comhairle Contae na Mí	Meath County Council	31/08/2009	76
An Roinn Gnóthai Eachtracha agus Trádála	Department of Foreign Affairs and Trade	30/11/2009	73
Coláiste na hOllscoile, Corcaigh	University College, Cork	30/11/2009	73
Banc Ceannais na hÉireann	Central Bank of Ireland	01/12/2009	73

Comhairle Contae Liatroma	Leitrim County Council	31/12/2009	72
An tÚdarás Clárúcháin Maoine	Property Registration Authority	01/04/2010	69
Coimisiún Forbartha an Iarthair	Western Development Commission	09/04/2010	69
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	29/04/2010	68
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	30/06/2010	66
Comhairle Contae an Chláir	Clare County Council	19/08/2010	64
Comhairle Contae Chorcaí	Cork County Council	30/09/2010	63
Comhairle Contae Ros Comáin	Roscommon County Council	30/09/2010	63
Comhairle Contae na hIarmhí	Westmeath County Council	01/10/2010	63
Comhairle Cathrach Chorcaí	Cork City Council	30/10/2010	62
An Phríomh-Oifig Staidrimh	Central Statistics Office	04/11/2010	62
Comhairle Contae Lú	Louth County Council	19/11/2010	61
Teagasc	Teagasc	31/12/2010	60
Comhairle Contae Mhuineacháin	Monaghan County Council	01/06/2011	55
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/2011	55
Comhairle Contae an Longfoirt	Longford County Council	01/07/2011	54
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	04/07/2011	54
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/2011	54
Comhairle Contae Chill Dara	Kildare County Council	08/09/2011	52
Comhairle Contae Cheatharlach	Carlow County Council	01/10/2011	51
Oifig an Ard-Reachtair Cuntas agus Ciste	Office of the Comptroller and Auditor General	19/01/2012	47
An Binse Comhionannais	Equality Tribunal	01/02/2012	47
Bord Scannán na hÉireann	Irish Film Board	26/04/2012	44
Comhairle Contae Chill Mhantáin	Wicklow County Council	24/05/2012	43
An Garda Síochána	An Garda Síochána	27/05/2012	43
Comhairle Contae an Chabháin	Cavan County Council	03/08/2012	41
Comhairle Contae Laoise	Laois County Council	30/11/2012	37
Comhairle Contae Loch Garman	Wexford County Council	10/01/2013	36
Comhairle Contae Shligigh	Sligo County Council	27/07/2013	29
Institiúid Teicneolaíochta Bhaile Átha Cliath	Dublin Institute of Technology	22/05/2015	7
An Roinn Ealaíon, Oidhreacht agus Gaeltachta	Department of Arts, Heritage and the Gaeltacht	01/05/2015	8
Seirbhís Thithe an Oireachtais	Houses of the Oireachtas Service	31/07/2015	5

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 (mionna) ón Dáta Éaga Period (months) from Date Expired
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	11/05/2012	44
Roinn an Taoisigh	Department of the Taoiseach	21/12/2012	36
Comhairle Cathrach na Gaillimhe	Galway City Council	23/12/2012	36
Ollscoil Luimnigh	University of Limerick	29/12/2012	36
Comhairle Contae Bhaile Átha Cliath Theas	South Dublin County Council	30/07/2015	5
Coláiste Oideachais Eaglais na hÉireann	Church of Ireland College of Education	07/08/2015	5
An Crannchur Náisiúnta	National Lottery	13/08/2015	5
Ollscoil na hÉireann, Gaillimh	National University of Ireland, Galway	23/10/2015	2
Oifig an Ombudsman	Office of the Ombudsman	01/12/2015	1
Oifig an Uachtarán	Office of the President	28/01/2016	0
An Roinn Oideachais agus Scileanna	Department of Education and Skills	22/04/2015	0
Institiúid Teicneolaíochta na Gaillimhe – Maigh Eo	Galway – Mayo Institute of Technology	22/04/2016	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 Gnóthai Pobail, Comhionannais & Gaeltachta	Department of Community, Equality & Gaeltacht Affairs	An Roinn Ealaíon, Oidhreacht & 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 <i>Public bodies dissolved – Local Government (Miscellaneous Provisions) Act 2012</i>
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 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	



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