

## TUARASCÁIL BHLIANTÚIL **ANNUAL REPORT**

**2011**



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# TUARASCÁIL BHLIANTÚIL ANNUAL REPORT

## 2011



### Don Aire Ealaíon, Oidhreacht agus Gaeltachta:

De réir alt 30 d'Acht na dTeangacha Oifigiúla 2003, tá an Tuarascáil seo don bhliain 2011 á cur i láthair ag an gCoimisinéir Teanga.

**Seán Ó Cuirreáin**  
An Coimisinéir Teanga

Eanáir 2012

### 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 2011 is being presented by An Coimisinéir Teanga.

**Seán Ó Cuirreáin**  
An Coimisinéir Teanga

January 2012

## 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

Bhí bliain eachtrúil, ghnóthach ag Oifig an Choimisinéara Teanga in 2011.

Leanadh de phríomhchúraimí reachtúla na hOifige a chomhlíonadh trí fheidhmiú mar sheirbhís neamhspleách ombudsman, mar ghníomhaireacht ghéilliúlachta, agus mar eagraíocht chomhairleach ar chearta agus ar dhualgais reachtúla teanga. Tá anailís staitistiúil agus cur síos i scríbhinn ar obair na bliana sa Tuarascáil seo.

## Tuarascálacha Speisialta

Sa bhreis air sin, d'fhoilsigh an Oifig seo tráchttaireacht ar fheidhm phraiticiúil agus ar oibriú fhorálacha Acht na dTeangacha Oifigiúla 2003. Foilsíodh an tráchttaireacht sin mar thuairisc speisialta faoi alt 29 den Acht sin i mí Iúil. Bhí sé mar aidhm ag an tuairisc sin taithí agus tuiscintí na hOifige seo ar fheidhmiú na reachtaíochta a chur i láthair an phobail agus cabhrú sa phróiseas athbheithnithe foirmiúil ar an Acht a fógraíodh mar ghné amháin de chlár oibre an Rialtais nua a tháinig i gcumhacht le linn na bliana. Tá tuilleadh eolais faoin tuairisc sin ar lch. 15 den Tuarascáil seo.

Ag an am céanna, sheol m'Oifig dhá thuarascáil speisialta a bhí leagtha faoi bhráid Thithe an Oireachtais againn agus a bhain le cásanna ina raibh sárú déanta ag comhlachtaí poiblí ar dhualgais reachtúla teanga ach ina raibh teipthe orthu moltaí a chur i bhfeidhm le géilliúlacht a chinntiú. Ní dhearna na heagraíochtaí a bhí i gceist – Feidhmeannacht na Seirbhíse Sláinte agus Ard-Mhúsaem na hÉireann – achomharc chun na hArd-Chúirte i gcoinne na gcinntí a rinneadh de thoradh na n-imscrúduithe ach, fós féin, níor chuir siad na moltaí a bhí déanta i bhfeidhm. Ba é seo an chéad uair a bhí ar m'Oifig an beart seo a dhéanamh ó bunaíodh í. Tá tuilleadh eolais faoin ábhar seo ar lch. 19 den Tuarascáil seo.

## Gearáin agus Imscrúduithe

Dhéileáil m'Oifig le linn na bliana le 734 cás i dtaca le deacrachtaí nó fadhbanna le seirbhísí stáit á fháil trí Ghaeilge – an bhliain ba mhó ar cuireadh gearáin ón bpobal i láthair na hOifige ó bunaíodh í. B'ionann sin agus méadú 5% ar líon na gcásanna an bhliain roimhe sin. Mar is gnách, ba ó dhaoine aonair sa phobal i gcoitinne, ó ghníomhairí teanga agus ó eagraíochtaí teanga a tháinig na gearáin sin. Réitíodh formhór mór na gcásanna sin trí idirbheartaíocht neamhfhoirmiúil leis an gcomhlacht poiblí cuí nó trí chomhairle a chur ar an ngearánach. Tá léargas tugtha ar shamplaí de na cásanna a réitíodh trí idirbheartaíocht neamhfhoirmiúil ar lch 34-38 den Tuarascáil seo.

Seoladh 15 cinn d'imscrúduithe foirmiúla le linn na bliana 2011 sa bhreis ar cheann a bhí fós idir lámha ó dheireadh na bliana roimhe sin. Tugadh chun críche 12 cheann de na himscrúduithe sin agus bhí na ceithre cinn eile fós idir lámha ag deireadh na bliana. Tá achoimre ar na cásanna a bhí i gceist sa chaibidil den Tuarascáil seo dar teideal "Imscrúduithe". Ní théitear i mbun imscrúdú ach amháin nuair atá an chosúlacht ann go bhfuil sárú reachtúil tarlaíthe agus nuair a theipeann ar iarracht neamhfhoirmiúil comhréitithe.

## FOREWORD

The year 2011 was a busy and eventful one for the Office of An Coimisinéir Teanga.

The Office continued to perform its main statutory functions by operating as an independent ombudsman's office, as a compliance agency and as advisory body with regard to statutory language rights and duties. This Report presents a statistical analysis and a written description of the year's work.

## Special Reports

During the year, the Office published a commentary on the practical application and operation of provisions of the Official Languages Act 2003. This commentary was published in July as a special report under section 29 of the Act. The aim of the commentary was to present to the public the experience and understanding of this Office with regard to the operation of the legislation and thereby to assist in the formal review of the Act. The new Government which came into power during the year had announced the review of the Act as one element of its programme for Government. Further information on this commentary is provided on page 15 of this Report.

At the same time, my Office laid two special reports before the Houses of the Oireachtas with regard to cases where public bodies had breached their statutory language obligations but then failed to implement the recommendations made to ensure compliance. The organizations involved – the Health Service Executive and the National Museum of Ireland – did not appeal to the High Court against the decisions reached in the relevant investigations, but they did not implement the recommendations made by the investigations. This was the first time since its establishment that my Office had to take such action. Further information on this is provided on page 19 of this Report.

## Complaints and Investigations

During the year, my Office dealt with 734 cases of difficulties or problems accessing state services through Irish – the largest number of complaints from the public to the Office since its establishment. This represented an increase of 5% on the number of cases in the previous year. The complaints came from individuals in the general public, from language activists and from language organisations. The vast majority of cases were resolved by means of informal negotiations with the appropriate public body or by providing advice to the complainant. Examples of cases resolved through informal negotiations can be found on pages 34-38 of this Report.

A total of 15 formal investigations were commenced during 2011 in addition to one which was ongoing from the previous year. Of these investigations, 12 were concluded while 4 others were still in progress at year-end. Summaries of the investigations are in the chapter of this Report entitled "Investigations". Investigations are only undertaken when it appears that a breach of a statutory obligation has occurred and when informal efforts have failed to resolve the issue.



Tá suntas ar leith le tabhairt d'imscrúdú inar cinneadh gur sárú reachtúil a bhí ann ag an nGarda Síochána buíon láidir comhaltáí den fhórsa gan Ghaeilge a chur ar dualgas i gceartlár na Gaeltachta i nDún na nGall. Níl raibh Gaeilge ach ag Garda amháin as an naonúr a bhí lonnaithe i stáisiún i bparóiste Ghaoth Dobhair. Tharla seo ag tráth nach dócha go raibh stádas na teanga mar theanga phobail sa Ghaeltacht i gcoitinne chomh leochaileach riamh. Ní féidir leis an Stát a bheith ag súil leis go mairfidh an Ghaeilge mar a rogha teanga ag an bpobal sa Ghaeltacht má leantar ag brú Béarla ar phobal na gceantar sin lena gcuid gnóthaí oifigiúla a dhéanamh.

Cinneadh de thoradh dhá imscrúdú eile nach raibh an Roinn Coimirce Sóisialaí ag bronnadh marcanna bónais mar is ceart d'inniúlacht sa Ghaeilge agus sa Bhéarla i gcomórtais inmheánacha d'ardú céime. Seo an córas a bhí ceaptha le feidhmiú ó 1975 in áit na Gaeilge 'éigeantaí' le cinntiú go mbeadh foireann le Gaeilge ar fáil ag gráid éagsúla sa Státseirbhís. Ní dhearna an Roinn Coimirce Sóisialaí achomharc i gcoinne chinntí na n-imscrúduithe chuig an Ard-Chúirt ach, fós féin, níor chuir sí na moltaí i bhfeidhm. Cúis imní é sin agus is measa an scéal nuair is léir go bhfuil an cleachtas céanna, faoin mbealach nach mbronnar na marcanna bónais seo go cuí, coitianta ar fud na Státseirbhíse.

Tráth ar beag earcaíocht atá a dhéanamh sa tSeirbhís Phoiblí agus a bhfuil deireadh curtha chun gach críche agus cuspóra le Gaeleagras na Seirbhíse Poiblí, mura bhfuil marcanna bónais á mbronnadh go cuí as inniúlacht sa dá theanga oifigiúla i gcomórtais inmheánacha d'ardú céime, is deacair a fheiceáil cén bealach inar féidir go fírinneach líon agus caighdeán na seirbhísí stáit trí Ghaeilge a mhéadú.

## Géilliúlacht

Le linn 2011, lean m'Óifig le clár mioniniúchtaí ar chomhlachtaí poiblí le monatóireacht a dhéanamh ar chomhlíonadh fhorálacha Acht na dTeangacha Oifigiúla. Díríodh an chuid is mó d'acmhainn faireacháin na hÓifige ar iniúchadh a dhéanamh ar chur i bhfeidhm na scéimeanna teanga. Is léir ó na hiniúchtaí a tugadh chun críche nach n-éiríonn le formhór na gcomhlachtaí poiblí na gealltanais ar fad a thugann siad ina scéimeanna teanga a chur i gcrích ina n-iomláine laistigh de shaolré na scéimeanna. Minic go maith, is iad na gealltanais is mó a mbeadh tairbhe leo, ar nós fáil a bheith ar leaganacha Gaeilge de shuíomhanna gréasáin, seirbhísí ar líne agus seirbhísí idirphearsanta i nGaeilge, nach mbíonn curtha i gcrích.

I gcaitheamh na bliana, chuir m'Óifig tús le hiniúchtaí ar scéimeanna teanga atá i bhfeidhm le breis agus sé bliana anois i gcomhlachtaí poiblí áirithe. Sna cásanna sin, ní raibh an dara scéim daingnithe fós dóibh. Cé go bhfuil sé míshásúil a bheith ag déanamh monatóireachta ar ghealltanais a tugadh roinnt mhaith blianta ó shin – gealltanais i gcásanna áirithe nach bhfuil chomh hábhartha céanna an tráth seo – is beag rogha atá ar fáil dúinn má táthar le muinín a choimeád sa phróiseas faireacháin. Tá eolas cuimsitheach tugtha faoi iniúchtaí teanga na hÓifige seo sa chaibidil dar teideal "Faireachán" sa Tuarascáil seo.

Particular significance attaches to an investigation which found that An Garda Síochána stationed a substantial number of members of the force, who did not speak Irish, in the heart of the Donegal Gaeltacht in breach of statutory obligations. Only one of the nine Gardaí stationed in the parish of Gaoth Dobhair spoke Irish. This occurred at a stage when the status of Irish as a community language in the Gaeltacht is more vulnerable than at any time in the past. The State can hardly expect the Irish language to survive as the language of choice of Gaeltacht communities if it continues to require people in such areas to carry out their business with the State through English.

As a result of two other investigations it was found that the Department of Social Protection failed to correctly award bonus marks for competence in Irish and English in internal promotion competitions. The system, which is in operation since 1975, was set up as a replacement for 'compulsory' Irish, and it was designed to ensure that Irish-speaking staff would be available at all grades in the Civil Service. The Department of Social Protection did not appeal the decision of the investigation to the High Court, but neither did it implement the recommendations. That in itself is a matter of concern but the situation is made worse by the knowledge that the practice of failing to award bonus marks correctly is common throughout the Civil Service.

If bonus marks are not awarded for proficiency in the two official languages in internal promotion competitions at a time when little recruitment is taking place in the Public Service and at a time when the work of Gaeleagras, the Irish language training body for the Public Service has been all but terminated, it is very difficult to see how the quantity and quality of state services through Irish could be improved.

## Compliance

In 2011, my Office continued a programme of detailed audits of public bodies in order to monitor compliance with the provisions of the Official Languages Act. The monitoring capacity of the Office was mainly focused on the implementation of language schemes. It is clear from the completed audits that the majority of public bodies do not succeed in fully implementing all commitments given in their language schemes within the lifetime of the schemes. Often, the commitments that are not implemented are the very ones most likely to be of benefit, such as the availability of Irish language versions of websites and online services and interpersonal services in Irish.

During the year, my Office began audits of language schemes that have been in place for more than six years. In these cases, the second scheme had not yet been ratified. While it is most unsatisfactory that we have to monitor commitments made many years ago, commitments that are possibly no longer as relevant as they were when they were made, we have little option if we are going to maintain confidence in the monitoring process. Comprehensive information in relation to the language audits completed by the Office is given in the chapter entitled "Monitoring" in this Report.

## Scéimeanna Teanga

Tá curtha in iúl go rialta agam le roinnt blianta anuas go raibh inní orm faoin moill a bhain le daingniú scéimeanna teanga le comhlachtaí poiblí faoin Acht.

Tá córas na scéimeanna teanga i gcroílár na reachtaíochta agus braitear ar an gcóras sin le forbairt a dhéanamh ar líon agus ar chaighdeán na seirbhísí trí Ghaeilge a sholáthraíonn comhlachtaí poiblí.

Níor dhaingnigh an tAire Ealaíon, Oidhreachta agus Gaeltachta ach scéim teanga nua amháin le linn na bliana 2011.

San iomlán, tá 105 scéim teanga daingnithe ag an Aire go dtí seo, ach faoi dheireadh na bliana 2011 bhí 66 acu sin tar éis dul in éag. D'fhág sin nach raibh an dara scéim daingnithe i gcás dhá thrian de na comhlachtaí poiblí sin – gníomh a mhéadódh an soláthar seirbhíse trí Ghaeilge a bhféadfaí a bheith ag súil leis ó na comhlachtaí poiblí sin.

Bhí 20% de na scéimeanna teanga sin in éag le tréimhse ama trí bliana ar a laghad agus 20% eile acu in éag le breis agus dhá bhliain.

I measc na gcomhlachtaí poiblí a raibh a gcuid scéimeanna teanga in éag le tréimhse fhada ag deireadh na bliana 2011, bhí Oifig an Uachtaráin (trí bliana agus ocht mí), an Chomhairle Ealaíon (trí bliana agus sé mhí), Oifig an Ombudsman (trí bliana agus sé mhí), an tSeirbhís Chúirteanna (trí bliana agus cúig mhí), Comhairle Contae na Gaillimhe (trí bliana agus ceithre mhí), Oifig na gCoimisinéirí Ioncaim (trí bliana agus trí mhí), agus an Roinn Oideachais agus Scileanna (trí bliana agus mí).

Sa bhreis air sin, bhí 28 comhlacht poiblí eile ann a raibh an chéad dréachtscéim iarrtha orthu ach nach raibh siad aontaithe ná daingnithe fós mar scéimeanna ag an Aire Ealaíon, Oidhreachta agus Gaeltachta. I gcás deich gcinn acu sin, bhí breis agus *cúig bliana* imithe ó iarradh orthu an dréachtscéim a ullmhú agus ceithre bliana go leith imithe in dhá chás eile. Díol suntais é go bhfuil ceithre bliana agus seacht mí caite ó iarradh ar Fheidhmeannacht na Seirbhíse Sláinte dréachtscéim teanga a ullmhú – eagraíocht a bhfuil dlúthcheangal aici le pobal na tíre i gcoitinne agus a bhfuil gar don tríú cuid d'fhostaithe na Seirbhíse Poiblí ag obair inti. Tá sé beagnach trí bliana ó iarradh ar an bPost dréachtscéim teanga a ullmhú agus os cionn dhá bhliain ó rinneadh an t-iarratas céanna sin ar Oifig Thithe an Oireachtais, RTÉ agus an tÚdarás um Bóithre Náisiúnta.

Faoi dheireadh na bliana, ní raibh aon scéim teanga daingnithe fós i gcás na Roinne Ealaíon, Oidhreachta agus Gaeltachta – roinn a bunaíodh go foirmiúil ar an 1 Meitheamh 2011.

Léiríonn staitisticí na bliana seo caite go lom nach féidir teacht ar aon chonclúid eile ach go bhfuil na maidí ligthe le sruth agus gur cosúil go bhfuil teipthe tríd is tríd anois ar chóras daingnithe na scéimeanna teanga. Is oth liom a rá go gcreidim go mbeidh sé ionann agus dodhéanta anois muinín a chothú athuair sa chóras sin.

## Language Schemes

I have referred regularly over the past few years to my concern in relation to the delay in the confirmation of language schemes for public bodies under the Act.

The system of language schemes is at the very heart of the legislation and we rely on the language scheme system to improve the quantity and quality of much of the services provided in Irish by public bodies.

During 2011, the Minister for Arts, Heritage and the Gaeltacht confirmed only one new language scheme.

In total, 105 language schemes have been confirmed by the Minister to date, but by the end of 2011, 66 of these had expired. This means that no second scheme has been confirmed for two thirds of public bodies, a development that would have increased the supply of services through Irish that could be expected from those public bodies.

At least 20% of the language schemes had expired for more than three years and a further 20% for more than two years.

The following were among the public bodies whose language schemes had expired for long periods at the end of 2011: the Office of the President (three years and eight months), the Arts Council (three years and six months), Office of the Ombudsman (three years and six months), the Courts Service (three years and five months), Galway County Council (three years and four months), the Revenue Commissioners (three years and three months), and the Department for Education and Skills (three years and one month).

In addition to the above, 28 other public bodies had been asked to prepare a first draft scheme but by the end of 2011 these schemes were still not confirmed by the Minister for Arts, Heritage and the Gaeltacht. In the case of ten of those, more than *five years* had elapsed since they were initially asked to prepare a draft scheme, in two other cases four and a half years had elapsed. It is of particular significance that four years and seven months had elapsed since the HSE was requested to prepare a draft language scheme; this is an organisation with very close ties to the community and where almost a third of public sector employees work. It is almost three years since An Post was asked to prepare a draft language scheme and more than two years since the Office of the Houses of the Oireachtas, RTÉ and the National Roads Authority were asked to prepare schemes.

By year end, no language scheme had been confirmed for the Department of Arts, Heritage and the Gaeltacht, which was formally established on June 1st 2011.

Last year's statistics show that matters have undoubtedly been allowed to slide out of control and that the system for the confirmation of language schemes appears now to have failed completely. I regret to say that I am of the opinion that it will prove next to impossible to re-establish confidence in that system.

## Acmhainn Oideachais

Le linn na bliana 2011 freisin, sheol m'Oifig acmhainn dhátheangach oideachais ar chearta teanga chun cabhrú le daltaí agus múinteoirí mar chuid den chúrsa san Oideachas Saoránach, Sóisialta agus Polaitiúil (OSSP) sa Teastas Sóisearach. Cuireadh cóipeanna den acmhainn seo ar fáil do gach scoil dara leibhéal sa tír le tacaíocht ón gComhairle um Oideachas Gaeltachta agus Gaelscolaíochta. Sraith ceachtanna scoile a bhaineann le cearta teanga atá san acmhainn oideachais sin do mhúinteoirí agus do dhaltáí an chúrsa OSSP. Tugtar léargas ar chearta teanga go ginearálta agus ar chás na Gaeilge go háirithe, i gcomhthéacs cearta daonna. Tá an pacáiste foghlama gníomhaí seo ullmhaithe go dátheangach agus áirítear ann leabhar don mhúinteoir, póstaer, CD-ROM, DVD de ghearrthóga físe agus acmhainní ar líne.

## Leasuithe Reachtúla

Rinneadh leasuithe faoi dhó le linn 2011 ar fhorálacha reachtúla a bhain le hAcht na dTeangacha Oifigiúla.

Daingnítear in alt 7 den Acht gur gá Achtanna a chló agus a fhoilsiú go comhuaineach sa dá theanga oifigiúla a luaite agus is féidir tar éis a n-aachtaithe. Ceadáíonn leasú a rinneadh ar an bhforáil seo in alt 62 den Acht um an Dlí Sibhialta (Forálacha Ilghnéitheacha) 2011 go bhféadfadh 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.

Le logainmneacha a bhain an leasú eile. Leasaíodh le halt 48 den Acht Comhshaoil (Forálacha Ilghnéitheacha) 2011 foráil den Ionstraim Reachtúil (Uimh. 872 de 2004) – an tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004, a rinneadh faoi Acht na dTeangacha Oifigiúla – fad is a bhaineann sé leis an logainm 'An Daingean'. Deimhnítear 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.

Rinneadh na leasuithe sin le linn 2011 cé go raibh sé leagtha amach i gclár oibre an Rialtais go mbeadh athbhreithniú iomlán le déanamh ar an Acht. D'fhógair an Roinn Ealaíon, Oidhreacht agus Gaeltachta téarmaí tagartha don athbhreithniú sin ar an 3 Samhain 2011 le linn Fhéile an Oireachtais. Mar chuid den phróiseas comhairliúcháin, foilsíodh teimpléad le haghaidh aighneachtaí agus suirbhé.

Coicís dár gcionn, mar chuid dá chlár d'athchóiriú na Seirbhíse Poiblí, fógraíodh go raibh cinneadh déanta ag an Rialtas feidhmeanna Oifig an Choimisinéara Teanga a chónascadh le hOifig an Ombudsman agus go dtabharfaí an cónascadh sin i bhfeidhm le linn 2012 mar chuid den athbhreithniú ar an Acht.

## Cúrsaí foirne

Dála cuid mhór oifigí eile sa tSeirbhís Phoiblí, chuir srianta foirne isteach orainn arís le linn na bliana 2011. Foireann de 5.5 státseirbhíseach a bhí ag obair liom in áit an ochtair a bhí ceadaithe mar íosmhéid. Glacaim leis an deis seo le mo bhuíochas pearsanta a chur in iúl don fhoireann sin as a ndúthracht i mbun oibre le linn na bliana. Ba mhaith liom an deis seo a

## Educational Resource

During 2011, my Office launched a bilingual educational resource on language rights as an aid to students and teachers of the Junior Certificate Civic, Social and Political Education (CSPE) course. Copies of the resource were made available to every secondary school in the country with support from An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta. The resource consists of a series of lessons on language rights for teachers and students of the CSPE course and gives an overview of language rights generally and Irish language rights in particular, in the context of human rights. The active learning package is bilingual and includes a teacher's booklet, posters, a CD-ROM, a DVD of video clips and online resources.

## Statutory Amendments

Amendments were made twice during 2011 to statutory provisions of the language legislation.

Section 7 of the Act requires that Acts be printed and published simultaneously in both official languages as soon as possible after their enactment. An amendment to this provision, made in section 62 of the Civil Law (Miscellaneous Provisions) Act 2011, allows the publication of any Act of the Oireachtas on the internet in one official language, before it is printed and published simultaneously in both official languages.

Another amendment concerned placenames. Section 48 of the Environment (Miscellaneous Provisions) Act 2011 amends a provision of Statutory Instrument (No. 872 of 2004) – Placenames Order (Gaeltacht Districts) 2004, made under the Official Languages Act – in so far as it relates to the placename 'An Daingean'. This amendment provides that 'Daingean Uí Chúis' in Irish and 'Dingle' in English are now the official names, rather than 'An Daingean'.

These amendments were made in 2011 although it was set out in the programme for Government that there would be a full review of the Act. The Department of Arts, Heritage and the Gaeltacht announced the terms of reference for this review at Oireachtas na Gaeilge on 3 November 2011 and, as part of the consultation process, published a template for submissions and a survey.

Two weeks later the Government announced that, as part of its programme of Public Service reform, it had decided to merge the functions of the Office of An Coimisinéir Teanga with the Ombudsman's Office and that this arrangement would be implemented during 2012 in the context of the review of the Act.

## Staffing

Like many other public service offices, we again suffered staffing constraints during 2011. I have a staff of 5.5 civil servants working with me in place of the eight staff approved as the minimum necessary for the Office. I would like to take this opportunity to express my personal thanks to the staff for their dedication to the work of the Office throughout the



thapú freisin le buíochas a ghlacadh leosan ar fad a thacaigh agus a chomhoibhrigh linn le linn na bliana, ar a n-áirítear fostaithe de chuid na Státseirbhíse agus na Seirbhíse Poiblí i gcoitinne, ionadaithe ó eagraíochtaí Gaeilge agus Gaeltachta, na meáin chumarsáide, lucht taighde agus acadúil, agus iliomad daoine eile nach iad.

## Eile

Áirítear ar fheidhmeanna na hOifige comhairle a sholáthar do chomhlachtaí poiblí faoina ndualgais teanga faoin Acht. Rinne comhlachtaí poiblí 214 iarratas le linn na bliana ar chomhairle faoina ndualgais teanga agus déileáladh le gach ceann acu.

Le linn na bliana 2011, chas mé leis an gcéad Choimisinéir Teanga atá ceaptha sa Bhreatain Bheag, Meri Huws – iar-Chathaoirleach ar Bhord na Breatnaise. Gheall mé comhoibriú na hOifige seo di agus í ag dul i mbun a cúraim dhúshlánaigh nua.

Le linn na bliana freisin, ghlac mé féin agus feidhmeannach de chuid na hOifige seo le cuireadh ó Mhisean an OSCE sa Chosaiv comhairle a chur orthu maidir le hatheagar a chur ar Choimisiún Teanga na Cosaive trí cheardlanna ar dhea-chleachtas a réachtáil dóibh.

Chas mé le linn na bliana freisin ar Bhanríon Eilís II na Breataine agus ar a fear céile, an Prionsa Pilib, ag fáiltiú i gColáiste na Tríonóide le linn an chéad lae dá gcuart stairiúil ar an tír seo. D'fhreastail mé freisin ar ócáid insealbaithe an Uachtaráin nuathofa Michael D. Higgins.

year. I would also like to thank all those who supported and cooperated with us during the year, including employees of the civil and public service, representatives of Irish language and Gaeltacht organisations, the media, researchers, academics and many others.

## Other

One of the functions of my Office is the provision of advice to public bodies about their obligations under the Act. During the year, my Office replied to 214 requests from public bodies for advice on their language obligations.

During 2011, I met the newly appointed first Welsh Language Commissioner, Meri Huws – former chairperson of the Welsh Language Board. I offered her the assistance and cooperation of this Office as she undertakes her challenging new role.

During the last year also, an official of this Office and I accepted an invitation from the OSCE Mission in Kosovo to advise on the reorganisation of the Language Commission in Kosovo, and to organise a series of workshops on best practice for them.

I met with Queen Elizabeth II and her husband, Prince Philip, at a reception in Trinity College during the first day of their historic visit to this country. I also attended the inauguration the newly elected President, Michael D. Higgins.



An Coimisinéir Teanga, Seán Ó Cuirreáin, ag cruinniú i mBaile Átha Cliath le Meri Huws – an chéad Choimisinéir Teanga atá ceaptha sa Bhreatain Bheag.

*An Coimisinéir Teanga, Seán Ó Cuirreáin, at a meeting in Dublin with Meri Huws – the first Language Commissioner appointed in Wales.*

## CÚLRA

Rinne an tUachtarán mé a athcheapadh i mo Choimisinéir Teanga go foirmiúil ar an 23 Feabhra 2010 ar chomhairle an Rialtais tar éis do Thithe an Oireachtais rún a rith ag moladh an cheapacháin. Fuair an t-athcheapachán sin tacaíocht ó na páirtithe uile sa Dáil agus sa Seanad agus ó chomhaltaí an Chomhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Comhionannais, agus Gaeltachta.

Tá cur síos mion ar obair Oifig an Choimisinéara Teanga go dtí seo sna tuarascálacha bliantúla atá ar fáil ar shuíomh gréasáin na hOifige: [www.coimisineir.ie/foilseachain](http://www.coimisineir.ie/foilseachain). 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 m'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 líomhaítear 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 líomhaire agus ar chaighdeán níos airde in imeacht tréimhse ama.

Bheadh súil go mbeadh de thoradh ar fheidhmiú an Achta go gcruthófaí spás nua don Ghaeilge i gcóras riaracháin phoiblí na tíre. Is léiriú é ar ghné amháin de pholasaí an Stáit i leith na Gaeilge agus is taca é leis na hiarrachtaí eile an teanga a chur chun cinn san oideachas, sa chraoltóireacht, sna healaíona, i saol na Gaeltachta agus i gcúrsaí an tsaoil go ginearálta.

Shínigh 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.

Shínigh 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. Ba é an dáta feidhme ba thúisce faoi na Rialacháin ná an 1 Márta 2009, nuair a tháinig dualgais faoi leith i bhfeidhm maidir le húsáid na Gaeilge ar chomharthaí agus ar stáiseanóireacht de chuid na gcomhlachtaí poiblí. Ní raibh aon Rialachán déanta faoi dheireadh na bliana 2011 maidir le fógraí nua maidir le fógartí beo béil.

## BACKGROUND

The President formally reappointed me as Coimisinéir Teanga on 23 February 2010 on the advice of the Government following a resolution passed by both Houses of the Oireachtas recommending the appointment. The reappointment received the support of all the parties in the Dáil and Seanad and of members of the Oireachtas Joint Committee on Arts, Sports, Tourism, Community, Equality and Gaeltacht Affairs.

A detailed account of the work of the Office since its establishment is provided in the annual reports available on the Office's website: [www.coimisineir.ie/publications](http://www.coimisineir.ie/publications). 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.

It is expected that the implementation of the Act will create a new space for the language within the public administration system of the country. It is an illustration of one element of the State's Irish language policy which complements other efforts to promote the language in education, in broadcasting, in the arts, in Gaeltacht life and in Irish life generally.

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). The earliest implementation date under the Regulations was 1 March 2009, when specific obligations came into effect with regard to the use of Irish on new signage and stationery. No Regulations had been made by the end of 2011 regarding advertisements or live oral announcements.

Faoi na Rialacháin, tá dualgas ar chomhlachtaí poiblí a chinntiú go bhfuil a gcuid stáiseanóireachta, a gcuid comharthaíochta agus a gcuid fógairtí taifeadta béal á soláthar i nGaeilge amháin, nó i nGaeilge agus i mBéarla, de réir critéir ar leith atá daingnithe sna Rialacháin.

Rinneadh leasú ar Acht na dTeangacha 2003 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 le linn na bliana. I mí Iúil, d'fhoilsigh m'Oifig tráchttaireacht mar thuairisc speisialta faoi alt 29 d'Acht na dTeangacha Oifigiúla 2003, ar fheidhm phraiticiúil agus ar oibriú fhorálacha an Achta.

I mí Iúil freisin d'fhoilsigh m'Oifig dhá thuarascáil speisialta a bhí leagtha roimhe sin againn faoi bhráid Thithe an Oireachtais. Bhain na tuarascálacha le cásanna ina raibh sárú déanta ag comhlachtaí poiblí ar dhualgais reachtúla teanga ach ina raibh teipthe orthu moltaí a chur i bhfeidhm le géilliúlacht a chinntiú. Is ar Thithe an Oireachtais a thiteann sé aon bheart breise a chur i gcrích, má mheastar gur cuí sin a dhéanamh.

I mí na Samhna, mar chuid d'athchóiriú na Seirbhíse Poiblí, fógraíodh go raibh cinneadh déanta ag an Rialtas feidhmeanna Oifig an Choimisinéara Teanga a chónascadh le hOifig an Ombudsman agus go dtabharfaí an cónascadh sin i bhfeidhm le linn 2012.

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.

An amendment was made to the Official Languages Act 2003 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 full review of the Official Languages Act formed part of programme for Government of the new administration that came to power during the year. In July, my Office published a commentary, as a special report, under section 29 of the Official Languages Act 2003 on the practical application and operation of the Act.

At the same time, my Office laid two special reports before the Houses of the Oireachtas with regard to cases where public bodies had breached their statutory language obligations but then failed to implement the recommendations made to ensure compliance. It is a matter for the Houses of the Oireachtas to take any additional steps, if they consider this appropriate.

In November, the Government announced, as part of public service reform, that the functions of the Office of An Coimisinéir Teanga would be amalgamated with those of the Office of the Ombudsman and that this would be implemented during 2012.

## SEIRBHÍSÍ EOLAIS & CUMARSÁIDE

Le linn na bliana 2011, lean m'Óifig le feachtais éagsúla le heolas a scaipeadh faoi Acht na dTeangacha Oifigiúla 2003 agus faoi obair na hOifige féin.

### Acmhainn Oideachais

I mí Mheán Fómhair, cuireadh cóipeanna d'acmhainn oideachais dhátheangach, *Cearta Teanga / Language Rights*, a bhí forbartha ag m'Óifig, ar fáil do gach scoil dara leibhéal sa tír le tacaíocht ón gComhairle um Oideachas Gaeltachta agus Gaelscolaíochta. Tugtar léargas san acmhainn seo ar chearta teanga go ginearálta agus ar chás na Gaeilge go háirithe i gcomhthéacs cearta daonna.

An tAire Stáit Gaeltachta, Donncha Mac Fhionnlaoich TD, a sheol an tionscnamh ag ócáid i nGaillimh. Dúirt sé go raibh súil aige go gcuideodh sé le daltaí scoile forbairt a dhéanamh ar a bhféiniúlacht féin mar shaoránaigh i dtír a bhfuil dhá theanga oifigiúla aici agus go méadódh sé a dtuiscint ar a thábhachtaí agus atá cosaint agus cur chun cinn ár dteanga náisiúnta.

Sraith de cheachtanna scoile agus tionscadail dhátheangacha atá ann a mhúinfeadh mar chuid de chúrsa an Teastais Shóisearaigh san Oideachas Saoránach, Sóisialta agus Polaitiúil (OSSP). Tá an pacáiste foghlama gníomhaí seo ullmhaithe go dátheangach agus áirítear ann leabhar don mhúinteoir, póstaer, CD-ROM, DVD de ghearrthóga físe agus acmhainní ar líne atá ar fáil ag [www.coimisineir.ie/scoileanna](http://www.coimisineir.ie/scoileanna).

Pléitear ann na buntáistí agus na dúshláin a bhaineann leis an ilteangachas agus scrúdaítear Dearbhú Uilechoiteann Chearta an Duine de chuid na Náisiún Aontaithe. Taispeántar an gearrscannán *Yu Ming is Ainm Dom* – scannán ina n-insítear scéal an ógánaigh ón tSín a d'fhoghlaim Gaeilge mar ullmhúchán dá thuras ar Éirinn ach a mbíonn deacrachtaí cumarsáide aige i dtús aimsire go dtí go n-aimsíonn sé post mar fhreastalaí beáir sa Ghaeltacht.

Úsáidtear íomhánna a bhaineann le féiniúlacht náisiúnta i bhfíseán a léirigh Nuacht TG4/RTÉ le fuaimrian le The Coronas mar chuid de cheacht ar chultúr agus náisiúntacht. Baintear leas as sraith tasc-chartaí i gceacht ina n-iarrtar ar dhaltaí gnéithe de shaol na hÉireann a mhíniú do chuairteoir Marsach, agus bunaítear ceacht eile ar fhorbairt comharthaíochta agus stáiseanáireachta dátheangaí.

Painéal de mhúinteoirí OSSP a d'fhorbair an t-ábhar in teannta na hOifige seo agus le cabhair ó raon leathan eagraíochtaí ar a n-áirítear an tSeirbhís um Fhorbairt Ghairmiúil do Mhúinteoirí de chuid na Roinne Oideachais agus Scileanna, Acadamh na hOllscolaíochta Gaeilge, COGG, Nuacht TG4/RTÉ agus tuilleadh nach iad. Rinneadh tástáil ar an acmhainn seo mar 'thionscnamh póilótach' i 15 scoil ar fud na hÉireann in 2010 agus baineadh úsáid as an aiseolas a tháinig dá bharr sin le feabhas a chur air.

## INFORMATION & COMMUNICATION SERVICES

During 2011, my Office continued with various campaigns to provide information about the Official Languages Act 2003 and about the Office itself.

### Educational Resource

In September, copies of the bilingual education resource, *Cearta Teanga / Language Rights*, developed by my Office, were distributed to all second level schools in the country with support from the COGG, the Department of Education and Skills' advisory council on Gaeltacht and gaelscoil education. The resource provides an overview of language rights in general and of Irish language rights in particular, in the context of human rights.

Dinny McGinley TD, Minister of State for the Gaeltacht, launched the resource at an event in Galway, where he said that he hoped it would help students develop their sense of identity as citizens of a country which has two official languages as well as increasing their understanding of the importance of protecting and promoting our national language.

The resource consists of a series of bilingual lessons and projects that will be taught as part of the Junior Certificate course in Civic, Social and Political Education (CSPE). The active learning package includes a teacher's manual, posters, task cards, a CD-Rom and a DVD of video clips in addition to online resources which are available at [www.coimisineir.ie/schools](http://www.coimisineir.ie/schools).

The module deals with the advantages and challenges of multilingualism and explores the United Nations' Universal Declaration of Human Rights. It includes the screening of the short film *Yu Ming Is Ainm Dom (My Name Is Yu Ming)* – the story of a young Chinese man who learns Irish in anticipation of his visit to Ireland but who experiences communications difficulties until he eventually finds himself a job as a barman in the Gaeltacht.

Images of Irish national identity compiled by Nuacht TG4/RTÉ with a soundtrack from The Coronas form part of a lesson on culture and nationality; a set of task cards is used in a lesson that asks students to explain elements of Irish society to a visiting Martian, and a further lesson involves developing bilingual stationery and signage.

The material was developed by a panel of CSPE teachers with assistance from a wide range of organisations including the Department of Education's Professional Development Service for teachers, NUIG's Acadamh na hOllscolaíochta Gaeilge, COGG, Nuacht TG4/RTÉ, and others. The initiative was tested initially as a 'pilot project' in a selection of 15 schools throughout Ireland in 2010 and the resultant feedback used to perfect the material.



## 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 2011, rinne oifigigh ó chomhlachtaí poiblí teagmháil le m'Oifig ar 214 ócáid éagsúil le ceisteanna sonracha nó le comhairle a fháil maidir le dualgais teanga faoin Acht. Bhain beagnach 60% de na fiosrúcháin sin le comhairle faoi na dualgais a bhí ar chomhlachtaí poiblí de réir na Rialachán a bhí déanta faoi fho-alt 9.1 den Acht maidir le húsáid na Gaeilge agus an Bhéarla ar chomharthaíocht, i stáiseanóireacht agus i bhfógairtí taifeadta béil.

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.

## Suíomh Gréasáin

Feidhmíonn an suíomh gréasáin [www.coimisineir.ie](http://www.coimisineir.ie) mar fhoinsé eolais faoi gach a mbaineann le hOifig an Choimisinéara Teanga agus le hAcht na dTeangacha Oifigiúla 2003. 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.

Tá leagan leictreonach den acmhainn oideachais, *Cearta Teanga / Language Rights*, le fáil ar líne ag [www.coimisineir.ie/scoileanna](http://www.coimisineir.ie/scoileanna).

Más mian le duine comhairle a lorg nó gearán a dhéanamh, is féidir foirm ghearáin ar líne a chomhlánú agus a sheoladh go leictreonach chuig an Oifig. Baineann leibhéal inrochtaineachta AA ar a laghad le gach leathanach den suíomh.

## Na Meáin Chumarsáide

Le linn na bliana 2011, 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. Ba mhaith liom buíochas a ghabháil 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.

## Duaiseanna an Choimisinéara Teanga

Tá ceangal ag m'Oifig leis an gcúrsa céime MA sa Chleachtas Dátheangach in Fiontar in Ollscoil Chathair Bhaile Átha Cliath, áit a mbronnar Bonn Óir an Choimisinéara Teanga ar an gcéimí a fhaigheann na marcanna is airde sa tráchtas iarchéime.

Is ar Sheosamh Ó Riain a bronnadh Bonn Óir na bliana 2011 dá thráchtas ag ócáid bhronnadh na gcéimeanna in Fiontar, Ollscoil Chathair Bhaile Átha Cliath ar an 7 Samhain 2011.

## Advice for 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 2011, officials from public bodies contacted my Office on 214 separate occasions either with specific questions or seeking advice about their obligations under the Act. Almost 60% of these queries concerned advice on the duties of public bodies under the Regulations made under subsection 9.1 of the Act, with regard to the use of the Irish and English languages on signage, stationery and recorded oral announcements.

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.

## Website

The website [www.coimisineir.ie](http://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.

An electronic version of an educational resource, *Cearta Teanga / Language Rights*, is available online at [www.coimisineir.ie/schools](http://www.coimisineir.ie/schools).

If a member of the public wishes to seek advice or make a complaint, there is an online form that can be completed and sent electronically to my Office. All pages of the website are, at a minimum, AA accessible.

## Media

During 2011, 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. I would like to thank all the journalists who showed such an interest in the work of the Office during the year and who helped to progress that work through their reports both in English and in Irish.

## Prizes of An Coimisinéir Teanga

My Office is associated with the MA degree course in Bilingual Practice in Fiontar in Dublin City University, where the Gold Medal of An Coimisinéir Teanga is presented annually to the graduate who receives the highest marks for their postgraduate thesis.

The 2011 Gold Medal was presented to Seosamh Ó Riain for his thesis at the graduation ceremony in Fiontar, Dublin City University on November 7th 2011.



Tá sé mar aidhm ag an gcúrsa MA sa Chleachtas Dátheangach – a bhfuil Stiúrthóir Fiontar, an Dr Peadar Ó Flatharta, ina cheannas – oiliúint a chur ar fhoireann a bheidh ag obair sna hearnálacha poiblí agus deonacha le seirbhís ardcháilíochta do chustaiméirí a bhainistiú agus a sholáthar go dátheangach, ag freagairt go háirithe do riachtanais Acht na dTeangacha Oifigiúla. Tugtar an t-eolas agus an scil is gá dóibhsean atá páirteach lena chinntiú go soláthrófar seirbhís ardcháilíochta dhátheangach don phobal – seirbhís a bheidh ag teacht le caighdeáin idirnáisiúnta.

Bronntar duais bhliantúil chomh maith don aiste taighde is fearr sa scrúdú sochtheangeolaíochta don chéim BA in Ollscoil na hÉireann, Gaillimh faoi stiúir an Dr John Walsh. Ar Dhara Folan a bronnadh Duais an Choimisinéara Teanga, 2011.

The aim of the MA course in Bilingual Practice – under the stewardship of the Director of Fiontar, Dr Peadar Ó Flatharta – is to train people who will work in the public and voluntary sectors in the management and delivery of high quality bilingual customer services, in response to the requirements of the Official Languages Act in particular. This course provides participants with the knowledge and skills necessary to ensure that the public is provided with a high quality bilingual service in accordance with international standards.

An award is also presented annually for the best research essay in the sociolinguistics examination for the BA degree under the direction of Dr John Walsh in the National University of Ireland, Galway. An Coimisinéir Teanga's prize for 2011 was presented to Dara Folan.



Bronnadh Bonn Óir na bliana 2011 ar Sheosamh Ó Riain don chéim MA sa Chleachtas Dátheangach in Fiontar, Ollscoil Chathair Bhaile Átha Cliath. Feictear an Coimisinéir Teanga, Seán Ó Cuirreáin, anseo ag déanamh comhghairdis leis.

*The 2011 Gold Medal was presented to Seosamh Ó Riain for the MA degree in Bilingual Practice in Fiontar, Dublin City University. He is seen here being congratulated by An Coimisinéir Teanga, Seán Ó Cuirreáin.*



Is é Dara Folan a bhuail Duais an Choimisinéara Teanga, 2011 don chéim BA in Ollscoil na hÉireann, Gaillimh.

*Dara Folan won An Coimisinéir Teanga's prize for 2011 for the BA degree in the National University of Ireland, Galway.*

## Caidreamh Seachtrach

Le linn na bliana 2011, lean an comhoibriú idir Oifig an Choimisinéara Teanga agus oifigí gaolmhara eile thar sáile atá gafa le cur chun cinn teangacha neamhfhorleathana.

I mí na Samhna, chas mé leis an gcéad Choimisinéir Teanga atá ceaptha sa Bhreatain Bheag, Meri Huws – iar-Chathaoirleach ar Bhord na Breatnaise. Aontaíodh go mbeadh comhoibriú idir an dá oifig agus go roinnfeadh an Oifig seo a taithí maidir le dea-chleachtais le hoifig nua na Breatnaise agus iad ag ullmhú do sheoladh poiblí na hoifige nua sin i dtús mhí an Aibreáin, 2012.

Le linn na bliana freisin, ghlac mé féin agus feidhmeannach de chuid na hOifige seo le cuireadh ó Mhisean an OSCE sa Chosaiv comhairle a sholáthar dóibh maidir le hatheagar a chur ar Choimisiún Teanga na Cosaive trí cheardlanna ar dhea-chleachtas a reáchtáil dóibh. Rinneadh an obair sin le linn saoire bhliantúil agus níor thit aon chostas ar an Oifig seo ná ar an Stát dá bharr. Faoi dheireadh na bliana, d'iarr Oifig an Phríomh-Aire sa Chosaiv go leanfadh an Oifig seo mar fhoinse sheachtrach chomhairle dóibh fad is bhí athchóiriú á dhéanamh ar obair an Choimisiúin Teanga ansin.

Lean an Oifig de bheith ag comhoibriú le scoláirí agus le lucht acadúil ó thíortha éagsúla a bhí i mbun taighde agus staidéir ar cheistanna a bhain le teangacha neamhfhorleathana.

## External Relations

During 2011, the Office of An Coimisinéir Teanga continued to work with other related offices overseas that are also concerned with the promotion of lesser used languages.

During the year, I met the first Language Commissioner appointed for Wales, Meri Huws – former chairperson of the Welsh Language Board. We agreed that the two offices should cooperate and that this Office should share its experience of best practice with the office in Wales as they prepare for the public launch of their new office early in April 2012.

During the past year, an official of this Office and I accepted an invitation from the OSCE Mission in Kosovo to advise on the reorganisation of the Language Commission in Kosovo, through the organising of a series of workshops on best practice. This work was carried out during annual leave and therefore did not involve any additional cost to this Office or the State. At the end of the year, the Office of the Prime Minister of Kosovo asked that my Office continue to provide external advice while the reorganisation of the Language Commission was ongoing.

The Office continued to collaborate with students and academics from different countries engaged in research and study on issues related to lesser used languages.



An Coimisinéir Teanga, Seán Ó Cuirreáin, an tAire Stáit Donnchadh Mac Fhionnlaoich TD, le Muireann Ní Mhóráin agus Anna Ní Chartúir ón Chomhairle um Oideachas Gaeltachta & Gaelscolaíochta ag seoladh na hacmhainne oideachais, *Cearta Teanga/ Language Rights*.

*An Coimisinéir Teanga, Seán Ó Cuirreáin, Minister of State Dinny McGinley TD, with Muireann Ní Mhóráin and Anna Ní Chartúir of An Chomhairle um Oideachas Gaeltachta & Gaelscolaíochta at the launch of the educational resource, Cearta Teanga/ Language Rights.*



## ATHBHREITHNIÚ AR AN ACHT

Le linn na bliana 2011, d'fhoilsigh an Oifig seo tráchttaireacht ar fheidhm phraiticiúil agus ar oibriú fhorálacha Acht na dTeangacha Oifigiúla 2003.

Foilsíodh an tráchttaireacht sin mar thuairisc speisialta faoi alt 29 den Acht sin i mí Iúil. Bhí sé mar aidhm ag an tuairisc sin taithí agus tuiscintí na hOifige seo ar fheidhmiú na reachtaíochta a chur i láthair an phobail agus cabhrú sa phróiseas athbhreithnithe foirmiúil ar an Acht a bhí fógartha mar ghné amháin de chlár oibre an Rialtais nua a tháinig i gcumhacht le linn na bliana.

Aithníodh sa tuairisc na codanna sin den Acht a bhí ag feidhmiú go héifeachtach, ar a n-áirítear na forálacha díreacha a bhaineann le cumarsáid i nGaeilge agus na rialacháin a bhaineann le húsáid na dteangacha oifigiúla i stáiseanóireacht agus i gcomharthaíocht na n-eagraíochtaí stáit.

Meabhraíodh go gcinntíonn an tAcht freisin go gcuirtear ar fáil bunchearta tábhachtacha teanga maidir le húsáid na Gaeilge agus an Bhéarla sna cúirteanna agus i dTithe an Oireachtais. Tagraíodh freisin don aitheantas a thugann an reachtaíocht do bhunús reachtúil a chur faoi logainmneacha oifigiúla an Stáit.

Aithníodh sa tuairisc go gcuireann an tAcht i bhfeidhm córas le monatóireacht a dhéanamh ar ghéilliúlacht na n-eagraíochtaí stáit don reachtaíocht agus córas le gearáin faoi sháruithe ar dhualgais reachtúla teanga a fhiosrú agus a réiteach.

Moladh gur cheart athbhreithniú a dhéanamh anois ar fhorálacha eile de chuid na reachtaíochta le leasuithe chun feabhais a chinntiú.

Dúradh gur cheart go mbeadh Acht ann a bheadh oiriúnach dá fheidhm agus a d'fhreastalódh go cuí ar mhianta an phobail teanga agus a chinnteodh go raibh brí á tabhairt don fhoráil bhunreachtúil gurb í an Ghaeilge an phríomhtheanga oifigiúil ós í an teanga náisiúnta í.

Moladh rangú a dhéanamh ar chomhlachtaí poiblí ina gcatagóirí éagsúla (A, B, C, etc.) de réir an réimse feidhme agus an chaidrimh atá acu leis an bpobal i gcoitinne – pobal na Gaeilge agus na Gaeltachta san áireamh – agus go mbeadh an leibhéal seirbhíse a bheadh le soláthar acu trí Ghaeilge i gcomhréir leis an rangú sin de thuras na huaire.

Moladh go mbeadh dualgais reachtúla á gcur ar chomhlachtaí poiblí a gcuid seirbhísí a sholáthar trí Ghaeilge sa Ghaeltacht ar chomhchaighdeán leis na seirbhísí a chuirtear ar fáil trí Bhéarla in áiteanna eile.

Maidir le foilseacháin oifigiúla a sholáthar trí Ghaeilge, moladh go dtabharfaí tosaíocht do na foilseacháin sin is mó a bhfuil éileamh ag an bpobal orthu, pobal na Gaeilge agus na Gaeltachta san áireamh.

Moladh go bhforálfaí go reachtúil go mbeadh ceart ag daoine a n-ainm, a sloinne agus a seoladh a úsáid ina rogha teanga oifigiúil agus iad i mbun gnóthaí le comhlachtaí poiblí.

## REVIEW OF THE ACT

During 2011, this Office published a commentary on the practical application and operation of the provisions of the Official Languages Act.

This commentary, published in July, was a special report under section 29 of the Act. Its purpose was to share this Office's experience and understanding of the implementation of the legislation with the public and to contribute to the formal review process of the Act which was announced as part of the programme of the new Government which came to power during the year.

The report acknowledged those elements of the Act which are working effectively, including the direct provisions in relation to communications in Irish and the regulations regarding the use of official languages in the stationery and signage of state organisations.

It also recognised the importance of the Act in confirming in law important basic language rights in relation to the use of Irish in the courts and the Houses of the Oireachtas. In addition, it noted that the Act provides a legislative framework for the State's official placenames.

The report also acknowledged that the Act also puts in place a system for monitoring the compliance of state agencies with language obligations and a structure for the investigation and resolution of complaints in relation to breaches of statutory language duties.

It recommended that a review be carried out of other elements of the legislation to ensure that these elements can be improved.

It was argued that the amended Act should be fit for purpose, serve the wishes of the Irish language community in an appropriate manner, and ensure that meaning is given to the constitutional provision which provides that Irish is the first official language as it is the national language.

It recommended that public bodies be classified into different categories (A, B, C, etc.) in accordance with their range of functions and their level of interaction with the public in general, including the Irish language and Gaeltacht communities, and that the level of service through Irish to be provided by public bodies should depend on that classification.

It recommended that public bodies be obliged by statute to provide their services through Irish in Gaeltacht regions and that such services should be of a standard equal to those provided elsewhere through English.

With regard to official publications provided through Irish, it recommended that priority be given to those publications for which there is the greatest demand from the public, the Irish-speaking and Gaeltacht communities included.

It recommended that statutory provision be made to ensure that people have the right to use their first name, surname and address in their choice of official language when dealing with public bodies.

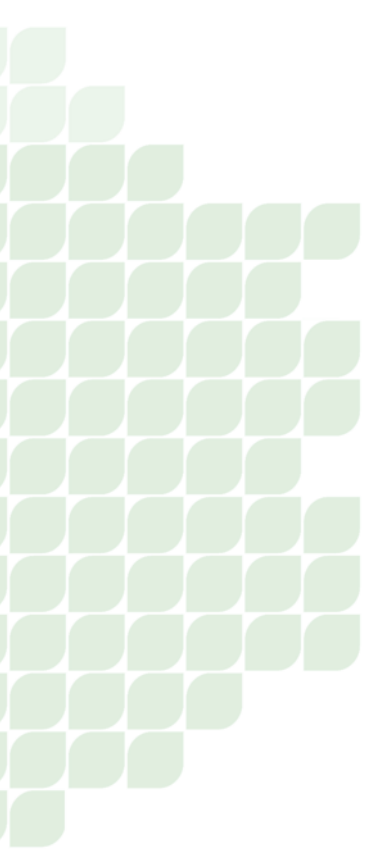


Moladh díriú athuair ar chóras na scéimeanna teanga faoin Acht a chur á fheidhmiú mar is ceart ar bhonn straitéiseach agus comhsheasmhach nó, de mhalairt air sin, go bhforbrófaí córas nua caighdeán a bheadh bunaithe ar rialacháin reachtúla mar atá beartaithe don Bhreatnais sa Bhreatain Bheag.

Moladh freisin dul i ngleic leis an bhfadhb is bunúsaí dá bhfuil ann maidir le soláthar seirbhísí stáit trí Ghaeilge, i.e. easpa foirne sa chóras poiblí le cumas in dhá theanga oifigiúla an Stáit, trí chórais nua earcaíochta agus oiliúna. Moladh seo ar an tuiscint go mbeidh maolú ar an lánchosc ar earcaíocht in am trátha.

It further recommended that a renewed effort be made to ensure the proper implementation of the language schemes system on a strategic and consistent basis, or, as an alternative, that a new “standards” system based on statutory regulations be developed, as is planned for the Welsh language in Wales.

In addition, it recommended that the most fundamental difficulty with the provision of state services through Irish, i.e. the lack of staff in the public sector competent in the two official languages of the State, be addressed by the introduction of a new system of recruitment and training. This recommendation was made in the knowledge that the current recruitment embargo will be relaxed in due course.



## FAIREACHÁN

### Scéimeanna Teanga

Fearacht blianta eile, lean an Oifig seo d'iniúchadh a dhéanamh ar an mbealach ina raibh comhlachtaí poiblí ag cur i bhfeidhm na scéimeanna teanga a bhí aontaithe acu. Is gnó don Aire Ealaíon, Oidhreacht agus Gaeltachta scéimeanna teanga a dhaingniú agus ní bhíonn aon bhaint ag an Oifig seo leis an bpróiseas sin. Tá de chúram ar an Oifig seo faireachán a dhéanamh ar an mbealach ina gcuireann comhlachtaí poiblí na scéimeanna teanga a bhíonn aontaithe acu leis an Aire i bhfeidhm.

Dhírigh clár iniúchta na bliana ar na scéimeanna teanga sin a bhí i bhfeidhm le bliain amháin, le trí bliana agus le sé bliana. Mar is gnách, bhain an chuid is troime den obair faireacháin leis na scéimeanna sin a bhí i bhfeidhm le trí bliana, tráth ar chóir na gealltanais uile a bheith curtha i bhfeidhm ag an gcomhlacht poiblí.

De ghnáth, bíonn de chuspóir ag faireachán na chéad bhliana a chinntiú go bhfuil córais agus cleachtais i bhfeidhm ag na comhlachtaí poiblí a chinnteoidh go mbainfear amach an méid a bhí geallta. Bíonn na hiniúchtaí trí bliana dírithe cuid mhaith ar an oiread fianaise agus is féidir a bhailiú chun a chruthú go bhfuil an scéim teanga curtha i bhfeidhm mar is cuí.

Ba í seo an chéad uair a scrúdaíodh na scéimeanna teanga a bhí i bhfeidhm le sé bliana. Cé go bhfuil tréimhse oibriúcháin trí bliana ag gach scéim teanga, fanann an scéim féin i bhfeidhm nó go ndaingníonn an tAire scéim nua. Ó tharla go bhfuil líon na gcomhlachtaí poiblí nach bhfuil an dara scéim teanga daingnithe acu go fóill ag dul i méid, mheasamar gur chóir athbhreithniú a dhéanamh ar na scéimeanna sin is faide a bhí i bhfeidhm, gan an dara scéim a bheith aontaithe go fóill.

Go ginearálta léirigh próiseas faireacháin na bliana dúinn go raibh deacrachtaí go leor ag comhlachtaí poiblí gach gealltanais reachtúil a bhí tugtha acu ina scéim teanga a chur i bhfeidhm laistigh den amchlár a bhí leagtha amach sa scéim sin. Minic go maith ba é an easpa foirne le dóthain cumas Gaeilge ba chúis le gealltanais gan a bheith comhlíonta. Chuir an chonstaic seo teorainn le cumas roinnt comhlachtaí poiblí seirbhísí díreacha a thairiscint dóibh siúd ar mian leo a gcuid gnó a dhéanamh trí Ghaeilge, agus anuas air sin chiallaigh sé nach raibh acmhainn inmheánach ar fáil chun seirbhísí tacaíochta a chur fáil i nGaeilge. D'fhág sin go raibh ar chomhlachtaí poiblí dul i muinín seirbhísí aistriúcháin seachtracha chun ábhar i nGaeilge a chur ar fáil do shuíomhanna gréasáin, preasráitis, seirbhísí leictreonacha agus ábhar foilsithe eile. De thoradh an bhrú atá ar acmhainní sa státchóras i gcoitinne i láthair na huaire, fágadh nár tugadh an tosaíocht chuí do sholáthar seirbhísí trí Ghaeilge i gcásanna áirithe, beag beann ar an méid a bhí geallta in aon scéim teanga.

## MONITORING

### Language Schemes

As in previous years, this Office continued to audit the compliance of public bodies with their agreed language schemes. The Minister for Arts, Heritage and the Gaeltacht is responsible for confirmation of language schemes; this Office does not play any part in that process. This Office is responsible for monitoring the way in which public bodies implement the language schemes which have been confirmed by the Minister.

The year's audit plan dealt with language schemes at the completion of their first year, at the end of year three and at the end of year six. As in previous years, most of the monitoring work related to schemes which were in operation for a period of three years as at this point all the commitments should have been implemented by the public bodies.

Generally, the objective when monitoring language schemes which have completed their first year of operation is to ascertain if the public body has systems and practices in place that will ensure the successful implementation of the commitments given in the scheme. The third year audits seek, for the most part, to gather as much evidence as possible to establish that the language scheme has been duly implemented.

This was the first year in which we examined language schemes that have been in operation for a period of six years. Although language schemes have a three year operational timeframe, each scheme remains in force until such time as a new scheme is confirmed by the Minister. As there is an increase in the number of public bodies whose first scheme is over three years old and who do not yet have second language scheme confirmed, we decided that those schemes that have been in operation for the longest period of time, without a second scheme having been agreed, should be audited.

This year the monitoring process found that, in general, public bodies had difficulties in implementing all the statutory commitments that they had given in their language schemes, within the agreed timeframe. In most cases the lack of staff with sufficient competence in Irish was the reason commitments were not implemented. This problem not only restricted the capacity of certain public bodies to provide services directly to those who wish to conduct their business through Irish, but also resulted in a lack of internal resources being available to provide support services in Irish. As a result, public bodies had to rely on external translation services to provide material in Irish for websites, press releases, electronic services and other published material. Because of the current pressure on resources within the state sector, adequate priority was not always given to the provision of services in Irish, irrespective of the commitments given in the language scheme.



D'éirigh leis an Oifig seo teacht ar réiteach sásúil le comhlachtaí poiblí i bhformhór na gcásanna inar léir dúinn nach raibh an scéim teanga á chur i bhfeidhm mar is ceart. Déantar athbhreithniú rialta ar aon socruithe a bhíonn déanta ag an Oifig seo le comhlachtaí poiblí chun a chinntiú go gcloítear leis an méid a bhíonn aontaithe. I ndiaidh dúinn dhá phróiseas iniúchta a thabhairt chun críche, ní raibh ar ár gcumas teacht ar réiteach sásúil leis na comhlachtaí poiblí a bhí i gceist. Sna cásanna sin, ní raibh de rogha againn ach tús a chur le himscrúdú oifigiúil.

In most cases, this Office succeeded in reaching satisfactory arrangements with the public bodies who had not fully implemented their language schemes. The arrangements that this Office makes with a public body are regularly reviewed to ensure that what has been agreed is actually implemented. Following two of these audit processes, we failed to agree satisfactory arrangements with the public bodies concerned, and in those cases, we had no option but to initiate formal investigations.

#### Léirmheasanna a rinneadh agus tuairiscí a eisíodh, 2011 • *Reviews completed and reports issued, 2011*

Ainm an Chomhlachta Phoiblí	Name of Public Body
Bord Scannán na hÉireann	Irish Film Board
An Garda Síochána	An Garda Síochána
Údarás Áitiúla Chill Mhantáin	Wicklow Local Authorities
Údarás Áitiúla Laoise	Laois Local Authorities
Coláiste na Tríonóide, Baile Átha Cliath	Trinity College Dublin
Údarás Áitiúla Loch Garman	Wexford Local Authorities
An Bord Pleanála	An Bord Pleanála
Institiúid Teicneolaíochta Leitir Ceanainn	Letterkenny Institute of Technology
Coiste Gairmoideachais Chathair Bhaile Átha Cliath	City of Dublin Vocational Education Committee
Údarás Áitiúla Chorcaí	Cork Local Authorities
Comhairle Cathrach Luimnigh	Limerick City Council
Údarás Áitiúla Ros Comáin	Roscommon Local Authorities
Údarás Áitiúla na hIarmhí	Westmeath Local Authorities
Comhairle Cathrach Chorcaí	Cork City Council
An Phríomh-Oifig Staidrimh	Central Statistics Office
Údarás Áitiúla Lú	Louth Local Authorities
Teagasc	Teagasc
An Crannchur Náisiúnta	The National Lottery
Comhairle Contae Luimnigh	Limerick County Council
Bord Soláthair an Leictreachais	Electricity Supply Board
An tÚdarás um Ard-Oideachas	Higher Education Authority
Comhairle Cathrach Phort Láirge	Waterford City Council
Leabharlann Chester Beatty	Chester Beatty Library
Údarás Áitiúla an Longfoirt	Longford Local Authorities
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement
Coiste Gairmoideachais Chontae Dhún na nGall	County Donegal Vocational Educational Committee
Roinn an Taoisigh	Department of the Taoiseach
Údarás Áitiúla Chontae Phort Láirge	Waterford County Local Authorities

## Faireachán ar chur i bhfeidhm moltaí imscrúdaithe

### Cúlra

Tá sé de cheart ag aon chomhlacht poiblí, lena bhain tuarascáil imscrúdaithe, achomharc a dhéanamh chun na hArd-Chúirte ar phonc dlí i gcoinne an chinnidh a rinne an Coimisinéir Teanga sa tuarascáil sin. Titeann an dualgas ar an gcomhlacht poiblí moltaí an imscrúdaithe a gcur i ngníomh ina n-íomláine sa chás nach roghnaítear a leithéid d'achomharc a dhéanamh.

Mar chuid de chúraimí faireacháin na hOifige, scrúdaítear go leanúnach an bealach ina bhfuil comhlachtaí poiblí ag cur moltaí a dhéantar i dtuarascálacha imscrúdaithe i bhfeidhm. Tugtar faoin bhfaireachán seo trí:

1. Scrúdú a dhéanamh ar na comhaid imscrúdaithe agus aon chomhfhreagras agus deimhnithe a lean an t-imscrúdú a bhailiú.
2. Litir a eisiúint chuig ceann an chomhlachta poiblí ag lorg breis eolais, dearbhaithe agus cruthúnais faoi mar is gá.
3. I gcásanna áirithe, cruinniú a réachtáil leis an gcomhlacht poiblí chun soiléiriú agus eolas breise a fháil.

I ndiaidh tréimhse réasúnach ama a bheith caite, tá sé de cheart ag an gCoimisinéir Teanga tuarascáil a thabhairt do gach Teach den Oireachtas más rud é go dtagann sé ar an tuairim nach bhfuil moltaí imscrúdaithe curtha i bhfeidhm ag comhlacht poiblí.

Le linn na bliana, scrúdaigh an Oifig seo an dul chun cinn a bhí déanta ag comhlachtaí poiblí i gcur i bhfeidhm moltaí a rinneadh i dtuarascálacha imscrúdaithe a eisíodh le linn na bliana 2010. Go ginearálta, bhí an Oifig seo sásta go raibh formhór na gcomhlachtaí poiblí ag cloí leis na moltaí a rinneadh sna tuarascálacha sin.

I gcásanna ar leith, áfach, agus tar éis eolas agus fianaise a bhailiú ó na comhlachtaí poiblí a bhí i gceist, tháinig an Coimisinéir Teanga ar an tuairim nach raibh comhlachtaí poiblí áirithe ag cur moltaí a bhí déanta i dtuarascálacha imscrúdaithe i bhfeidhm go sásúil. Sna cásanna sin, socraíodh tuairisc a thabhairt do Thithe an Oireachtais agus tá cuntas níos íomláine tugtha ar an méid sin thíos.

### Tuairisc do Thithe an Oireachtais

I mí an Mheithimh 2011, thug an Coimisinéir Teanga dhá thuarascáil do Thithe an Oireachtais ó tharla go raibh moltaí a rinneadh i dtuarascálacha imscrúdaithe nach raibh curtha i ngníomh ag dhá chomhlacht poiblí. Bhain na himscrúdaithe sin le Feidhmeannacht na Seirbhíse Sláinte agus le hArd-Mhúsaem na hÉireann.

Ba é seo an chéad uair don Choimisinéir Teanga tuarascálacha den sórt seo a chur faoi bhráid gach Tí den Oireachtas.

#### Feidhmeannacht na Seirbhíse Sláinte

I gcás Fheidhmeannacht na Seirbhíse Sláinte, mheas an Oifig seo nach raibh na moltaí ba chuid de dhá thuarascáil imscrúdaithe á gcur i bhfeidhm go sásúil. Bhain na himscrúdaithe sin le:

## Monitoring the implementation of the recommendations of investigations

### Background

A public body has the right to appeal to the High Court, on a point of law, against a decision made by An Coimisinéir Teanga in an investigative report to which it is a party. Should a public body choose not to make such an appeal, it is obliged to fully implement the recommendations made following an investigation.

As part of the monitoring responsibilities of this Office, we continually examine the way in which public bodies implement the recommendations made in investigative reports. This monitoring is conducted by:

1. Examining the investigation files and collating any correspondence and confirmation which followed the investigation.
2. Issuing a letter to the head of the public body requesting further information, confirmation and evidence, as required.
3. Organising meetings with the public body, in certain cases, in order to obtain clarification and further information.

After a reasonable period of time has passed, An Coimisinéir Teanga has the right to provide each House of the Oireachtas with a report if he is of the opinion that a public body has failed to implement the recommendations of an investigation.

During the year, this Office examined the progress made by public bodies in implementing the recommendations contained in investigative reports issued during 2010. In general, this Office was satisfied that the majority of public bodies were implementing the recommendations made in those reports.

In certain cases, however, after gathering information and evidence from the public bodies in question, An Coimisinéir Teanga formed an opinion that certain public bodies were failing to satisfactorily implement the recommendations made in the investigative reports. It was decided to issue a report, in those instances, to the Houses of the Oireachtas and a more detailed account of this is provided below.

### Report to the Houses of the Oireachtas

In June 2011, An Coimisinéir Teanga provided two reports to the Houses of the Oireachtas as two public bodies had failed to implement the recommendations made in investigative reports. These investigations related to the Health Service Executive and the National Museum of Ireland.

This was the first occasion that An Coimisinéir Teanga made such reports to the Houses of the Oireachtas.

#### Health Service Executive

In the case of the Health Service Executive, this Office formed the view that recommendations contained in two investigative reports were not being implemented satisfactorily. These investigations related to:

1. Cur i bhfeidhm scéim teanga na Feidhmeannachta do Limistéar an Iarthair, agus
2. Úsáid na dteangacha oifigiúla ar chomharthaíocht agus i gcumarsáid a thionscain an Fheidhmeannacht maidir le fliú na muc.

### ***Ard-Mhúsaem na hÉireann***

D'eascair an t-imscrúdú a rinneadh ar Ard-Mhúsaem na hÉireann as gearán a rinneadh leis an Oifig seo maidir leis an bhfoilseachán tréimhsiúil d'fhéilire imeachtaí na heagraíochta a bheith curtha ar fáil i mBéarla amháin. Nuair nach raibh aon toradh dearfach ar na hiarrachtaí neamhfhoirmiúla a rinne an Oifig seo chun an cás a réiteach, socraíodh imscrúdú oifigiúil a thionscnamh.

Ba é cinneadh an imscrúdaithe sin nach raibh líon leordhóthanach d'fhoireann an Ard-Mhúsaem inniúil sa Ghaeilge chun go mbeifí in ann seirbhís a sholáthar trí Ghaeilge chomh maith lena soláthar trí Bhéarla chomh fada agus a bhain sé le soláthar fhéilire imeachtaí an Ard-Mhúsaem. Rinneadh moltaí sonracha sa tuarascáil imscrúdaithe a bhí dírithe ar an méid sin a chur ina cheart.

I ndiaidh tréimhse réasúnach ama a bheith caite, scrúdaigh an Oifig seo an bealach ina raibh an tArd-Mhúsaem ag cur mholtaí an imscrúdaithe i bhfeidhm. Léirigh an scrúdú seo nach raibh aon dul chun cinn déanta ag an Ard-Mhúsaem agus nuair nach raibh aon dea-thoradh ar na hiarrachtaí comhaontaithe, ní raibh de rogha ag an Oifig seo ach tuarascáil a chur faoi bhráid Thithe an Oireachtais.

### ***An Roinn Coimirce Sóisialaí***

Tá cinneadh déanta ag an gCoimisinéir Teanga tuarascáil eile a chur faoi bhráid Thithe an Oireachtais ó tharla nach raibh na moltaí a rinneadh in dhá thuarascáil imscrúdaithe curtha i bhfeidhm go cuí ag an Roinn Coimirce Sóisialaí. D'eascair an dá imscrúdú seo as gearáin a rinneadh leis an Oifig seo maidir leis an mbealach inar bronnadh marcanna bónais d'inniúlacht sa Ghaeilge in dhá chomórtas éagsúla d'arduithe céime a d'eagraigh an Roinn Coimirce Sóisialaí.

Ba é cinneadh an dá imscrúdú nár chloígh an Roinn Coimirce Sóisialaí go cuí leis na dualgais reachtúla atá daingnithe i gCiorcláin ábhartha de chuid na Roinne Airgeadais a eisíodh de bhun agus de bhua alt 17 d'Acht Rialuithe na Stát-Sheirbhíse 1956. Is iad na ciorcláin sin a rialaíonn an bealach inar chóir marcanna bónais a bhronnadh d'inniúlacht sa Ghaeilge agus sa Bhéarla i gcomórtais um arduithe céime sa Státseirbhís.

Ní dhearna an Roinn Coimirce Sóisialaí aon achomharc chun na hArd-Chúirte i gcoinne chinneadh an Choimisinéara Teanga.

Scrúdaigh an Oifig seo an dul chun cinn a bhí déanta ag an Roinn i gcur i bhfeidhm mholtaí na n-imscrúduithe le linn na bliana 2011. Mar fhreagra ar na ceisteanna sonracha a chuir an Oifig seo, dhearbhaigh Ard-Rúnaí na Roinne nach raibh i gceist ag an Roinn moltaí na n-imscrúduithe a chur i bhfeidhm. I bhfianaise an tseasaimh sin, tá cinneadh déanta ag an gCoimisinéir Teanga tuairisc a chur faoi bhráid Thithe an Oireachtais ar an ábhar.

1. The implementation of the language scheme agreed by the Health Service Executive for the Western Region, and
2. The use of the official languages in signage and communications in an information campaign initiated by the Health Service Executive in relation to swine flu.

### ***National Museum of Ireland***

The investigation in relation to the National Museum of Ireland arose from a complaint made to this Office with regard to a periodic publication of the organisation's calendar of events, in English only. When informal negotiations failed to achieve a satisfactory resolution of the issue, it was decided to initiate a formal investigation.

The investigation found that the National Museum of Ireland did not have sufficient staff with competence in Irish to allow it to provide a service in Irish as well as in English, insofar as it related to the provision of the National Museum's calendar of events. Specific recommendations were made in the investigative report to address this issue.

After a reasonable period of time had passed, this Office examined the progress made by the National Museum in the implementation of the recommendations made by the investigation. This examination showed that the National Museum had not made progress and when efforts to reach an agreement did not succeed, this Office had no option but to provide a report to the Houses of the Oireachtas.

### ***Department of Social Protection***

An Coimisinéir Teanga has decided to submit a further report to the Houses of the Oireachtas in the case of the Department of Social Protection which failed to implement the recommendations made in two investigative reports. These two investigations arose from complaints made to this Office in relation to the manner in which bonus marks for proficiency in Irish were awarded in two separate promotion competitions organised by the Department of Social Protection.

Both investigations found that the Department of Social Protection failed to comply with the statutory obligations contained in the relevant Department of Finance circulars which are issued in pursuance of and by virtue of section 17 of the Civil Service Regulation Act, 1956. These circulars regulate the manner in which bonus marks should be awarded for proficiency in Irish and in English in Civil Service promotion competitions.

The Department of Social Protection did not appeal the decision of An Coimisinéir Teanga to the High Court.

This Office examined the progress made by the Department in implementing the investigations' recommendations during 2011. In response to the specific questions posed by this Office, the Secretary General of the Department confirmed that the Department did not intend to implement the investigations' recommendations. In light of that response, An Coimisinéir Teanga decided to report the matter to the Houses of the Oireachtas.

## SCÉIMEANNA TEANGA

### Scéimeanna daingnithe

Níor dhaingnigh an tAire Ealaíon, Oidhreacht agus Gaeltachta aon chéadscéim teanga nua le linn na bliana 2011. Dhaingnigh an tAire an dara scéim teanga le comhlacht phoiblí amháin le linn na bliana 2011. D'fhág sin go raibh 105 scéim teanga, a chuimsigh móriomlán 191 comhlacht poiblí, daingnithe faoi dheireadh 2011.

### Scéimeanna in éag

Bhí 66 de na 105 scéim teanga imithe in éag faoi dheireadh na bliana 2011. In éagmais an dara 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.

### Dréachtscéimeanna

Ag deireadh na bliana, bhí 28 céad-dréachtscéim fós le daingniú ag an Aire Ealaíon, Oidhreacht agus Gaeltachta. Ina theannta seo, bhí iarrtha ag an Aire ar 72 comhlacht poiblí an dara dréachtscéim a ullmhú agus ar chomhlacht poiblí amháin an tríú dréachtscéim a dhaingniú.

## LANGUAGE SCHEMES

### Schemes confirmed

The Minister for Arts, Heritage and the Gaeltacht did not confirm any new first language scheme during 2011. The Minister confirmed a second language scheme with one public body during the year. As a result, there were 105 language schemes covering a total of 191 public bodies confirmed by the end of 2011.

### Schemes expired

Of the 105 language schemes, 66 had expired by year end 2011. This meant that, in the absence of a second language scheme, no additional commitments in relation to improved services in Irish were required of those public bodies.

### Draft schemes

By the end of 2011, some 28 first draft schemes remained to be confirmed by the Minister for Arts, Heritage and the Gaeltacht. In addition, the Minister had requested 72 public bodies to prepare a second draft scheme and one public body to prepare a third draft scheme.

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

Bliain Year	Scéimeanna Schemes	Comhlachtaí Poiblí san Áireamh Public Bodies Included
2004	01	01
2005	22	35
2006	18	36
2007	29	55
2008	15	28
2009	15	26
2010	05	10
2011	0	0
<b>Iomlán • Total</b>	<b>105</b>	<b>191</b>

### An chéad dréachtscéim fós le daingniú • First draft scheme not yet confirmed

Bliain Year	Dréachtscéimeanna Draft Schemes	Comhlachtaí Poiblí san Áireamh Public Bodies Included
2005	16	25
2006	71	129
2007	42	79
2008	30	54
2009	31	43
2010	26	34
2011	28	36

### An dara dréachtscéim fós le daingniú • *Second draft scheme not yet confirmed*

Bliain Year	Dréachtscéimeanna Draft Schemes	Comhlachtaí Poiblí san Áireamh Public Bodies Included
2007	20	33
2008	22	35
2009	48	84
2010	54	104
2011	72	139

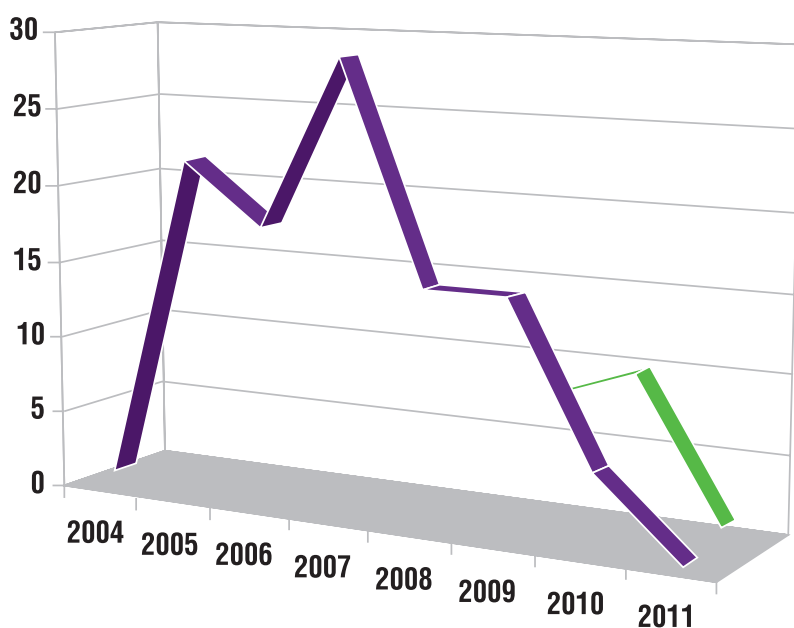
### An tríú dréachtscéim fós le daingniú • *Third draft scheme not yet confirmed*

Bliain Year	Dréachtscéimeanna Draft Schemes	Comhlachtaí Poiblí san Áireamh Public Bodies Included
2011	1	1

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

Bliain Year	Scéimeanna Schemes	Comhlachtaí Poiblí san Áireamh Public Bodies Included
2006	09	16
2007	25	43
2008	42	74
2009	39	73
2010	33	50
2011	29	62
<b>Iomlán • Total</b>	<b>177</b>	<b>318</b>

### Scéimeanna Daingnithe ag an Aire • *Schemes Confirmed by the Minister*



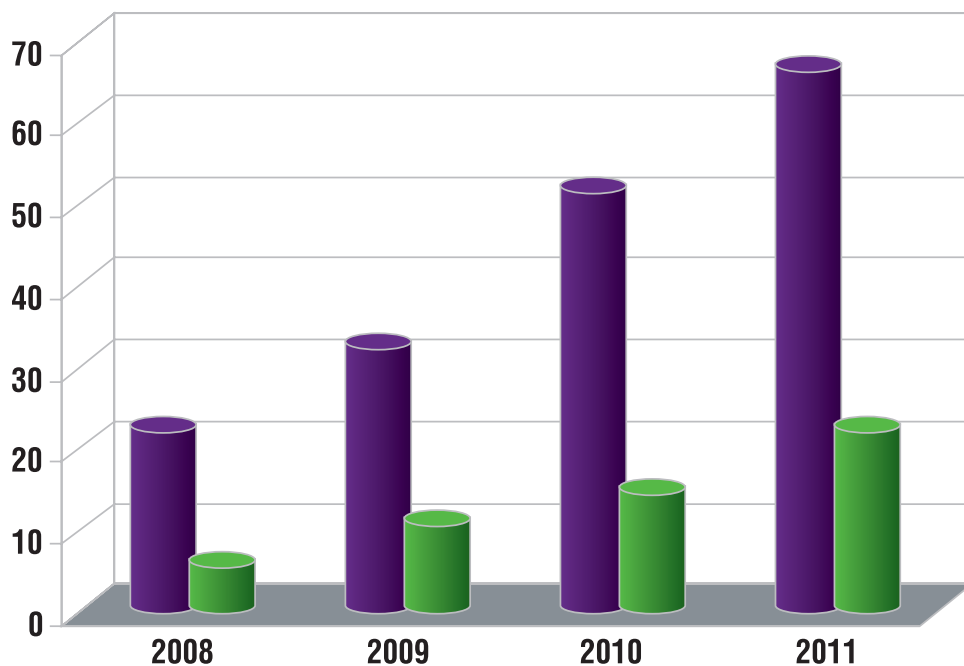
	2004	2005	2006	2007	2008	2009	2010	2011
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■ An Chéad Scéim Daingnithe • <i>First Scheme Confirmed</i>	1	22	18	29	15	15	5	0
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■ An Dara Scéim Daingnithe • <i>Second Scheme Confirmed</i>						8	10	1
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### Scéimeanna imithe in éag • Schemes expired



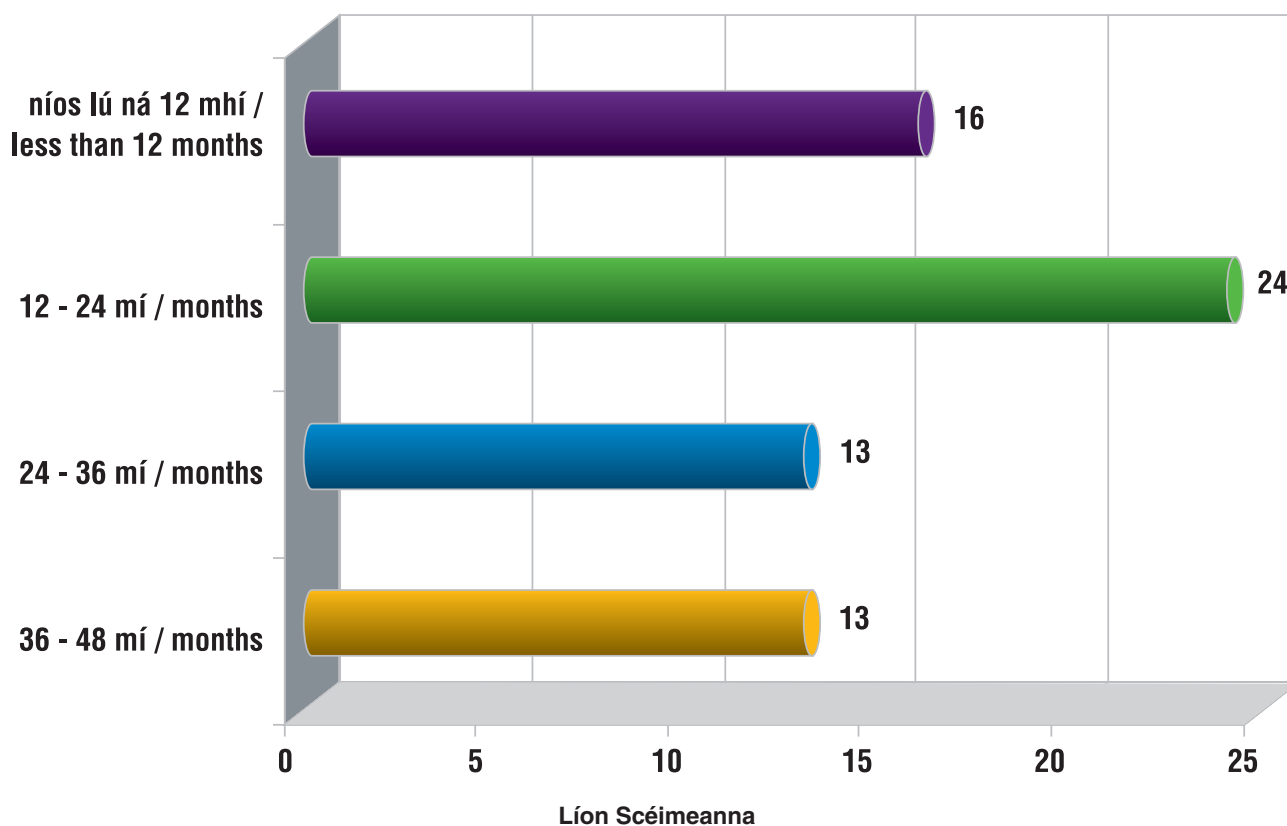
### Scéimeanna imithe in éag • Schemes expired

2008 2009 2010 2011

### Meántréimhse scéim in éag (mí) • Average period scheme expired (month)

2008 2009 2010 2011

### Tréimhse scéimeanna in éag • Period schemes expired



**Scéimeanna daingnithe faoi dheireadh 2011 • Schemes confirmed by the end of 2011**

<b>Ainm an Chomhlachta Phoiblí</b>	<b>Name of Public Body</b>	<b>Dáta tosaithe na chéad scéime Start date of first scheme</b>	<b>Dáta tosaithe an dara scéim Start date of second scheme</b>
An Roinn Gnóthaí Pobail, Comhionannais & Gaeltachta *	Department of Community, Equality & Gaeltacht Affairs	22/09/2004	30/06/2009
Oifig an Uachtaráin	Office of the President	28/04/2005	
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	30/05/2005	11/05/2009
An Roinn Ealaíon, Spóirt agus Turasóireachta *	Department of Arts, Sport and Tourism	01/07/2005	20/04/2009
Oifig an Stiúrthóra Ionchúiseamh Poiblí	Office of the Director of Public Prosecutions	01/07/2005	20/04/2010
An Chomhairle Ealaíon	The Arts Council	01/07/2005	
Oifig an Ombudsman & Oifig an Choimisinéara Faisnéise	Office of the Ombudsman & Office of the Information Commissioner	01/07/2005	
Coiste Gairmoideachais Chontae Dhún na nGall	County Donegal Vocational Educational Committee	01/07/2005	22/09/2009
Údaráis Áitiúla Chiarraí	Kerry Local Authorities	26/07/2005	26/10/2010
An tSeirbhís Chúirteanna	The Courts Service	31/07/2005	
Údaráis Áitiúla Chontae Phort Láirge	Waterford County Local Authorities	01/08/2005	
An Roinn Comhshaoil, Pobail & Rialtais Áitiúil **	Department of the Environment, Community & Local Government	15/08/2005	20/07/2009
Údaráis Áitiúla Chontae na Gaillimhe	County Galway Local Authorities	23/08/2005	
Roinn an Taoisigh	Department of the Taoiseach	01/09/2005	21/12/2009
Feidhmeannacht na Seirbhíse Sláinte, Limistéar an Iarthair	Health Service Executive, Western Area	01/09/2005	
Ollscoil na hÉireann, Má Nuad	National University of Ireland, Maynooth	19/09/2005	
Institiúid Teicneolaíochta na Gaillimhe-Maigh Eo	Galway-Mayo Institute of Technology	28/09/2005	
Oifig na gCoimisinéirí Ioncaim	Office of the Revenue Commissioners	01/10/2005	
Ollscoil na hÉireann, Gaillimh	National University of Ireland, Galway	01/10/2005	
Údaráis Áitiúla Dhún na nGall	Donegal Local Authorities	01/10/2005	01/07/2010
An tSeirbhís um Cheapacháin Phoiblí	Public Appointments Service	03/10/2005	
An Roinn Oideachais & Scileanna	Department of Education & Skills	01/12/2005	
An Roinn Airgeadais	Department of Finance	01/02/2006	
Ollscoil Chathair Bhaile Átha Cliath	Dublin City University	03/04/2006	
Seirbhís Oideachais Chontae Chiarraí	Kerry Education Service	15/05/2006	25/10/2010
An Roinn Talmhaíochta, Bia agus Mara	Department of Agriculture, Food and the Marine	01/06/2006	
Ollscoil Luimnigh	University of Limerick	01/06/2006	29/12/2009
An Roinn Dlí agus Cirt agus Comhionannais	Department of Justice and Equality	30/06/2006	
Comhairle Cathrach Bhaile Átha Cliath	Dublin City Council	13/07/2006	
Coiste Gairmoideachais Chontae na Gaillimhe	County Galway Vocational Education Committee	01/08/2006	28/06/2010
Óglaigh na hÉireann	The Defence Forces	01/09/2006	22/12/2010
Comhairle Cathrach na Gaillimhe	Galway City Council	01/09/2006	23/12/2009
Údaráis Áitiúla na Mí	Meath Local Authorities	01/09/2006	
Údaráis Áitiúla Fhine Gall	Fingal Local Authorities	01/10/2006	
An Roinn Cumarsáide, Fuinnimh & Acmhainní Náúúrtha	Department of Communications, Energy & Natural Resources	02/10/2006	
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 Bhaile Átha Cliath Theas	South Dublin County Council	20/12/2006	
Údaráis Áitiúla Mhaigh Eo	Mayo Local Authorities	22/12/2006	
Comhairle Contae Liatroma	Leitrim County Council	01/01/2007	
An Bord Seirbhísí Ríomhaire Rialtais Áitiúil	Local Government Computer Services Board	02/01/2007	
An Roinn Cosanta	Department of Defence	26/02/2007	25/10/2010
Oifig an Choimisinéara Cosanta Sonraí	Office of the Data Protection Commissioner	01/04/2007	18/10/2010
An tÚdarás Clárúcháin Maoine	Property Registration Authority	02/04/2007	

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta tosaithe na chéad scéime Start date of first scheme	Dáta tosaithe an dara scéim Start date of second scheme
An Foras Riaracháin	Institute of Public Administration	10/04/2007	
Coimisiún Forbartha an Iarthair	Western Development Commission	10/04/2007	
An Bord Seirbhísí Bainistíochta Rialtais Áitiúil	Local Government Management Services Board	23/04/2007	
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	30/04/2007	
Coiste Gairmoideachais Chathair Chorcaí	Cork City Vocational Education Committee	30/04/2007	
Oifig na nOibreacha Poiblí	Office of Public Works	08/05/2007	
An Bord um Chúnamh Dlíthiúil	Legal Aid Board	28/05/2007	
An Roinn Coimirce Sóisialaí	Department of Social Protection	01/06/2007	
Coiste Gairmoideachais Chathair na Gaillimhe	Galway City Vocational Education Committee	01/06/2007	
Údarás Áitiúla Thiobraid Árann Thuaidh & Comhchoiste Leabharlann Chontae Thiobraid Árann	North Tipperary Local Authorities & County Tipperary Joint Libraries Committee	01/06/2007	
Oifig an Ard-Aighne; Oifig na nDréachtóirí Parlaiminte don Rialtas; Oifig an Phríomh-Aturnae Stáit	Office of the Attorney General; Office of the Parliamentary Counsel to the Government; Chief State Solicitor's Office	20/06/2007	18/10/2010
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	01/07/2007	
Údarás Áitiúla an Chláir	Clare Local Authorities	20/08/2007	
An Bord Pleanála	An Bord Pleanála	01/09/2007	29/8/2011
Institiúid Teicneolaíochta Leitir Ceanainn	Letterkenny Institute of Technology	26/09/2007	
Coiste Gairmoideachais Chathair Bhaile Átha Cliath	City of Dublin Vocational Education Committee	01/10/2007	15/11/2010
Údarás Áitiúla Chorcaí	Cork Local Authorities	01/10/2007	
Comhairle Cathrach Luimnigh	Limerick City Council	01/10/2007	
Údarás Áitiúla Ros Comáin	Roscommon Local Authorities	01/10/2007	
Údarás Áitiúla na hIarmhí	Westmeath Local Authorities	01/10/2007	
Comhairle Cathrach Chorcaí	Cork City Council	31/10/2007	
Coláiste Oideachais Eaglais na hÉireann	Church of Ireland College of Education	01/11/2007	
An Phríomh-Oifig Staidrimh	Central Statistics Office	05/11/2007	
Údarás Áitiúla Lú	Louth Local Authorities	20/11/2007	
Teagasc	Teagasc	01/01/2008	
An Foras Áiseanna Saothair (FÁS)	The Training and Employment Authority (FÁS)	02/01/2008	
An Crannchur Náisiúnta	The National Lottery	02/01/2008	
Comhairle Contae Luimnigh	Limerick County Council	01/02/2008	
An Coimisiún Reifrinn	The Referendum Commission	06/03/2008	
Bord Soláthair an Leictreachais	Electricity Supply Board	17/03/2008	
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/2008	
Údarás Áitiúla Chontae Mhuineacháin	Monaghan Local Authorities	01/06/2008	
Comhairle Cathrach Phort Láirge	Waterford City Council	01/06/2008	
Leabharlann Chester Beatty	Chester Beatty Library	15/06/2008	
Údarás Áitiúla an Longfoirt	Longford Local Authorities	01/07/2008	
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	07/07/2008	
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/2008	
Údarás Áitiúla Chontae Chill Dara	Kildare Local Authorities	08/09/2008	
Coiste Gairmoideachais Chontae Bhaile Átha Cliath	County Dublin Vocational Education Committee	01/10/2008	
Údarás Áitiúla Cheatharlach	Carlow Local Authorities	01/10/2008	
Oifig an Ard-Reachtaire Cuntas & Ciste	Office of the Comptroller & Auditor General	19/01/2009	
Coiste Gairmoideachais Chontae Chorcaí	County Cork Vocational Education Committee	01/02/2009	
An Binse Comhionannais	The Equality Tribunal	01/02/2009	
Gailearaí Náisiúnta na hÉireann	National Gallery of Ireland	01/03/2009	
Bord Scannán na hÉireann	Irish Film Board	27/04/2009	
An Garda Síochána	An Garda Síochána	28/05/2009	
Údarás Áitiúla Chill Mhantáin	Wicklow Local Authorities	25/05/2009	

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta tosaithe na chéad scéime Start date of first scheme	Dáta tosaithe an dara scéim Start date of second scheme
An Oifig um Chlárú Cuideachtaí & Clárlann na gCara-Chumann	Companies Registration Office & Registry of Friendly Societies	26/05/2009	
Coiste Gairmoideachais Chontae an Chláir	County Clare Vocational Education Committee	01/07/2009	
Foras na Mara	Marine Institute	06/07/09	
Údaráis Áitiúla Chontae an Chabháin	Cavan Local Authorities	20/07/2009	
Comhairlí Contae & Cathrach Chill Chainnigh	Kilkenny County & City Councils	10/08/2009	
Údaráis Áitiúla Laoise	Laois Local Authorities	01/12/2009	
An Roinn Sláinte	Department of Health	15/12/2009	
Coláiste na Tríonóide, Baile Átha Cliath	Trinity College Dublin	01/01/2010	
Údaráis Áitiúla Loch Garman	Wexford Local Authorities	11/01/2010	
Údaráis Áitiúla Shligigh	Sligo Local Authorities	28/07/2010	
Institiúid Teicneolaíochta Thrá Lí	Institute of Technology, Tralee	18/10/2010	
Institiúid Teicneolaíochta Dhún Dealgan	Dundalk Institute of Technology	18/10/2010	
An Roinn Post, Fiontar agus Nuálaíochta **	Department of Jobs, Enterprise & Innovation	25/10/2010	

\* Ag deireadh na bliana reatha ní raibh aon scéim teanga daingnithe don Roinn Ealaíon, Oidhreacht agus Gaeltachta ach bhí aighneachtaí á lorg d'ullmhú na scéime.

*At the end of the current year the Department of Arts, Heritage and the Gaeltacht did not have a confirmed language scheme but submissions had been requested as part of the process to prepare that scheme.*

\*\* Ar an 26 Lúnasa 2011, d'iarr an tAire Ealaíon, Oidhreacht agus Gaeltachta ar na comhlachtaí poiblí seo leasuithe a mholadh ar na scéimeanna teanga atá daingnithe i gcomhréir le fo-alt 16 d'Acht na dTeangacha Oifigiúla 2003.

*On August 26th 2011, the Minister for Arts, Heritage and the Gaeltacht asked these public bodies to propose amendments to the confirmed language schemes in accordance with subsection 16 of the Official Languages Act 2003.*

## Dréachtscéimeanna le daingniú • Draft Schemes to be confirmed

### An Chéad Scéim • First Scheme

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta an Fhógra Date Notice Issued	Tréimhse ó Dháta an Fhógra (míonna) Period Elapsed from Date of Notice (months)
Údaráis Áitiúla Thiobraid Árann Theas	South Tipperary Local Authorities	30/07/2006	65
An Ceoláras Náisiúnta	National Concert Hall	21/09/2006	63
Amharclann na Mainistreach (An Chuideachta Amharclann Náisiúnta Teoranta)	Abbey Theatre (National Theatre Society Ltd.)	21/09/2006	63
An tÚdarás Comhionannais	Equality Authority	21/09/2006	63
An Coimisiún um Scrúduithe Stáit	State Examinations Commission	21/09/2006	63
Institiúid Teicneolaíochta Thamhlachta	Institute of Technology, Tallaght	21/09/2006	63
Leabharlann Náisiúnta na hÉireann	National Library of Ireland	27/09/2006	63
Ard-Mhúsaem na hÉireann	National Museum of Ireland	27/09/2006	63
Suirbhéireacht Ordanáis Éireann	Ordnance Survey Ireland	27/09/2006	63
An Chomhairle Oidhreacht	Heritage Council	27/09/2006	63
Údaráis Áitiúla Uíbh Fhailí	Offaly Local Authorities	10/06/2007	63
Feidhmeannacht na Seirbhíse Sláinte	Health Service Executive	10/06/2007	63
An Post	An Post	10/02/2009	35
Coláiste na hOllscoile, Baile Átha Cliath	University College Dublin	10/02/2009	35
Institiúid Teicneolaíochta Chorcaí	Institute of Technology, Cork	10/02/2009	35

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta an Fhógra Date Notice Issued	Tréimhse ó Dháta an Fhógra (míonna) Period Elapsed from Date of Notice (months)
Institiúid Teicneolaíochta Bhaile Átha Cliath	<i>Institute of Technology, Dublin</i>	10/02/2009	35
Oifig Thithe an Oireachtais	<i>Office of the Houses of the Oireachtas</i>	11/09/2009	28
Institiúid Teicneolaíochta Shligigh	<i>Institute of Technology, Sligo</i>	05/10/2009	27
Institiúid Teicneolaíochta Bhaile Átha Luain	<i>Institute of Technology, Athlone</i>	05/10/2009	27
Institiúid Teicneolaíochta Phort Láirge	<i>Institute of Technology, Waterford</i>	05/10/2009	27
Coiste Gairmoideachais Chontae Chill Dara	<i>County Kildare Vocational Education Committee</i>	05/10/2009	27
Coiste Gairmoideachais Chontae Chill Mhantáin	<i>County Wicklow Vocational Education Committee</i>	05/10/2009	27
Coiste Gairmoideachais Chontae na Mí	<i>County Meath Vocational Education Committee</i>	05/10/2009	27
Coiste Gairmoideachais Chontae Mhaigh Eo	<i>County Mayo Vocational Education Committee</i>	05/10/2009	27
Raidió Teilifís Éireann	<i>Raidió Teilifís Éireann</i>	05/10/2009	27
An tÚdarás um Bóithre Náisiúnta	<i>National Roads Authority</i>	05/10/2009	27
An Roinn Caiteachais Phoiblí agus Athchóirithe	<i>Department of Public Expenditure and Reform</i>	26/8/2011	4
An Roinn Leanaí agus Gnóthaí Óige	<i>Department of Children and Youth Affairs</i>	26/8/2011	4

### Dréachtscéimeanna le daingniú • Draft Schemes to be confirmed

#### An Dara Scéim • Second Scheme

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta Scéim in éag* Date Scheme Expires*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
Oifig an Uachtaráin	<i>Office of the President</i>	27/04/2008	44
Oifig an Ombudsman & Oifig an Choimisinéara Faisnéise	<i>Office of the Ombudsman &amp; Office of the Information Commissioner</i>	30/06/2008	42
An Chomhairle Ealaíon	<i>The Arts Council</i>	30/06/2008	42
An tSeirbhís Chúirteanna	<i>The Courts Service</i>	30/07/2008	41
Údaráis Áitiúla Chontae Phort Láirge	<i>County Waterford Local Authorities</i>	31/07/2008	41
Údaráis Áitiúla Chontae na Gaillimhe	<i>County Galway Local Authorities</i>	22/08/2008	40
Ollscoil na hÉireann, Má Nuad	<i>National University of Ireland, Maynooth</i>	18/09/2008	39
Institiúid Teicneolaíochta na Gaillimhe-Maigh Eo	<i>Galway-Mayo Institute of Technology</i>	27/09/2008	39
Oifig na gCoimisinéirí Ioncaim	<i>Office of the Revenue Commissioners</i>	30/09/2008	39
Ollscoil na hÉireann, Gaillimh	<i>National University of Ireland, Galway</i>	30/09/2008	39
An tSeirbhís um Cheapacháin Phoiblí	<i>Public Appointments Service</i>	02/10/2008	39
An Roinn Oideachais & Scileanna	<i>Department of Education &amp; Skills</i>	30/11/2008	37
An Roinn Airgeadais	<i>Department of Finance</i>	31/01/2009	35
Ollscoil Chathair Bhaile Átha Cliath	<i>Dublin City University</i>	02/04/2009	33
An Roinn Talmhaíochta, Bia agus Mara	<i>Department of Agriculture, Food and the Marine</i>	31/05/2009	31
An Roinn Dlí agus Cirt agus Comhionannais	<i>Department of Justice and Equality</i>	29/06/2009	30
Comhairle Cathrach Bhaile Átha Cliath	<i>Dublin City Council</i>	12/07/2009	30
Údaráis Áitiúla na Mí	<i>Meath Local Authorities</i>	31/08/2009	28
Údaráis Áitiúla Fhine Gall	<i>Fingal Local Authorities</i>	30/09/2009	27
An Roinn Cumarsáide, Fuinnimh & Acmhainní Náúúrtha	<i>Department of Communications, Energy &amp; Natural Resources</i>	01/10/2009	27
Banc Ceannais na hÉireann	<i>Central Bank of Ireland</i>	30/11/2009	25



Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta Scéim in éag* Date Scheme Expires*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
Comhairle Contae Bhaile Átha Cliath Theas	South Dublin County Council	19/12/2009	24
Údarás Áitiúla Mhaigh Eo	Mayo Local Authorities	21/12/2009	24
Comhairle Contae Liatroma	Leitrim County Council	31/12/2009	24
An Bord Seirbhísí Ríomhaire Rialtais Áitiúil	Local Government Computer Services Board	01/01/2010	24
An tÚdarás Clárúcháin Maoine	Property Registration Authority	01/04/2010	21
An Foras Riaracháin	Institute of Public Administration	09/04/2010	21
Coimisiún Forbartha an Iarthair	Western Development Commission	09/04/2010	21
An Bord Seirbhísí Bainistíochta Rialtais Áitiúil	Local Government Management Services Board	22/04/2010	20
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	29/04/2010	20
Coiste Gairmoideachais Chathair Chorcaí	Cork City Vocational Education Committee	29/04/2010	20
Oifig na nOibreacha Poiblí	Office of Public Works	07/05/2010	20
An Bord um Chúnamh Dlíthiúil	Legal Aid Board	27/05/2010	19
An Roinn Coimirce Sóisialaí	Department of Social Protection	31/05/2010	19
Coiste Gairmoideachais Chathair na Gaillimhe	Galway City Vocational Education Committee	31/05/2010	19
Údarás Áitiúla Thiobraid Árann Thuaidh & Comhchoiste Leabharlann Chontae Thiobraid Árann	North Tipperary Local Authorities & County Tipperary Joint Libraries Committee	31/05/2010	19
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	30/06/2010	18
Údarás Áitiúla an Chláir	Clare Local Authorities	19/08/2010	16
Institiúid Teicneolaíochta Leitir Ceanainn	Letterkenny Institute of Technology	25/09/2010	15
Údarás Áitiúla Chorcaí	Cork Local Authorities	30/09/2010	15
Comhairle Cathrach Luimnigh	Limerick City Council	30/09/2010	15
Údarás Áitiúla Ros Comáin	Roscommon Local Authorities	30/09/2010	15
Údarás Áitiúla na hIarmhí	Westmeath Local Authorities	30/09/2010	15
Comhairle Cathrach Chorcaí	Cork City Council	30/10/2010	14
Coláiste Oideachais Eaglais na hÉireann	Church of Ireland College of Education	31/10/2010	14
An Phríomh-Oifig Staidrimh	Central Statistics Office	04/11/2010	14
Údarás Áitiúla Lú	Louth Local Authorities	19/11/2010	13
Teagasc	Teagasc	31/12/2010	12
An Foras Áiseanna Saothair (FÁS)	The Training and Employment Authority (FÁS)	01/01/2011	12
An Crannchur Náisiúnta	The National Lottery	01/01/2011	12
Comhairle Contae Luimnigh	Limerick County Council	31/01/2011	11
An Coimisiún Reifrinn	The Referendum Commission	06/03/2011	10
Bord Soláthair an Leictreachais	Electricity Supply Board	17/03/2011	10
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/2011	7
Údarás Áitiúla Chontae Mhuineacháin	Monaghan Local Authorities	01/06/2011	7
Comhairle Cathrach Phort Láirge	Waterford City Council	01/06/2011	7
Leabharlann Chester Beatty	Chester Beatty Library	15/06/2011	7
Údarás Áitiúla an Longfoirt	Longford Local Authorities	01/07/2011	6
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	07/07/2011	6
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/2011	6
Údarás Áitiúla Chontae Chill Dara	Kildare Local Authorities	08/09/2011	4
Coiste Gairmoideachais Chontae Átha Cliath	County Dublin Vocational Education Committee	01/10/2011	3
Údarás Áitiúla Cheatharlach	Carlow Local Authorities	01/10/2011	3
Oifig an Ard-Reachtaire Cuntas & Ciste	Office of the Comptroller & Auditor General	19/01/2012	-
Coiste Gairmoideachais Chontae Chorcaí	County Cork Vocational Education Committee	01/02/2012	-
An Binse Comhionannais	The Equality Tribunal	01/02/2012	-
Gailearaí Náisiúnta na hÉireann	National Gallery of Ireland	01/03/2012	-

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta Scéim in éag* Date Scheme Expires*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
Bord Scannán na hÉireann	<i>Irish Film Board</i>	27/04/2012	-
An Garda Síochána	<i>An Garda Síochána</i>	28/05/2012	-
Údarás Áitiúla Chill Mhantáin	<i>Wicklow Local Authorities</i>	25/05/2012	-
An Oifig um Chlárú Cuideachtaí & Clárlann na gCara-Chumann	<i>Companies Registration Office &amp; Registry of Friendly Societies</i>	26/05/2012	-

### 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 Expires*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	<i>Office of the Commission for Public Service Appointments</i>	11/5/2012	-

\* 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).

## GEARÁIN

Tháinig méadú 5% le linn na bliana 2011 ar líon na gcásanna nua – ó 700 sa bhliain 2010 go dtí 734 in 2011 – 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'Óifig nó trí chomhairle a chur ar fáil do ghearánaigh. Tá léargas tugtha sa chéad chaibidil eile seo ar roinnt bheag cásanna samplacha a réitíodh ar an mbealach seo. Is mór agam an comhoibriú a fuair m'Óifig agus muid ag déileáil le cásanna ar an mbealach sin. Tá achoimre ar na cásanna nár réitíodh tríd an gcóras neamhfhoirmiúil réitithe gearán agus ar seoladh 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 arís i mbliana, is é sin 50% de na gearáin. Tháinig líon suntasach gearán freisin ó Chontae na Gaillimhe (12.5%), Contae Chiarraí (6.5%), Contae an Chláir (5.5%), Contae Dhún na nGall (4.5%), agus Contae Chorcaí (4%). Ón nGaeltacht a tháinig 21% de na gearáin agus tháinig an 79% eile ó cheantair lasmuigh den Gaeltacht.

## COMPLAINTS

There was an increase of 5% during 2011 – from 700 in 2010 to 734 in 2011 – in the number of new cases 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. An overview is provided in the next chapter of a small number of sample cases which were resolved in this manner. I am grateful for the cooperation my Office received in dealing with cases in that way. Summaries of cases which 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.

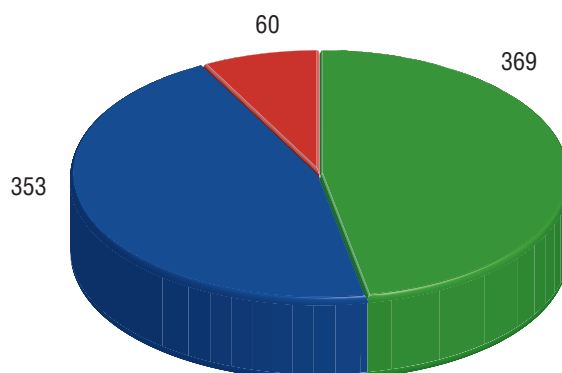
From a geographical perspective, the majority of the complaints once more came from County Dublin – 50% of the complaints. A substantial amount also came from County Galway (12.5%), County Kerry (6.5%), County Clare (5.5%), County Donegal (4.5%), and County Cork (4%). 21% of complaints came from within the Gaeltacht with the remaining 79% from areas outside the Gaeltacht.

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

### Gearáin le linn 2011 • Complaints during 2011

Gearáin nua 2011 • New complaints 2011	734
Gearáin tugtha ar aghaidh ó 2010 • Complaints brought forward from 2010	48
<b>Móiriomlán na ngearán – deacrachtaí agus fadhbanna • Total complaints – difficulties and problems</b>	<b>782</b>

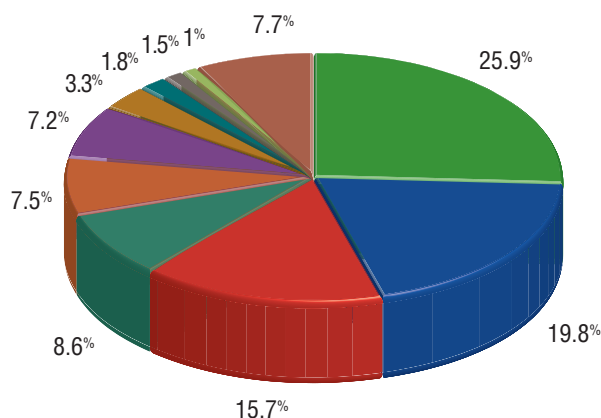
	2010	2011
■ Comhairle tugtha maidir le gearáin Advice given in respect of complaints	333	369
■ Gearáin fiosraithe agus críochnaithe Complaints investigated and finalised	360	353
■ Gearáin oscailte ag deireadh na bliana Complaints open at year end	48	60



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:

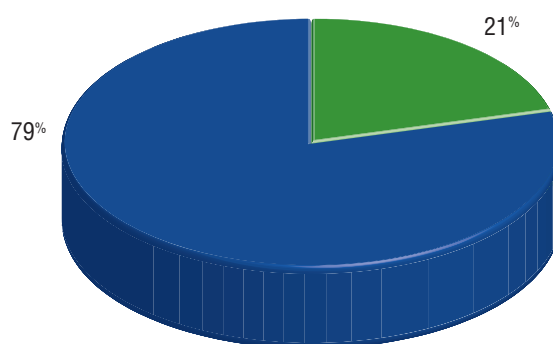
## Céatadán na ngearán de réir cineáil • Percentage of complaints by type

	2010	2011
■ Foráil de scéim teanga (san áireamh: cártaí aitheantais, suíomh gréasáin agus foirmeacha) <i>Provision of a language scheme (including identity cards, websites and forms)</i>	23%	25.9%
■ Easpa Gaeilge ar chomharthaíocht & stáiseanóireacht • <i>Lack of Irish on signage and stationery</i>	22.5%	19.8%
■ Easpa Gaeilge ar chomharthaí bóthair • <i>Lack of Irish on road signs</i>	17%	15.7%
■ Fadhb le hainm agus/nó seoladh i nGaeilge • <i>Problem with use of name and/or address in Irish</i>	9%	8.6%
■ Freagraí i mBéarla ar chumarsáid i nGaeilge • <i>Replies in English to correspondence in Irish</i>	5%	7.5%
■ Achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge • <i>Other enactments relating to the use or status of Irish</i>	4%	7.2%
■ Bileoga nó ciorcláin i mBéarla amháin • <i>Leaflets or circulars in English only</i>	3%	3.3%
■ Foilseacháin i mBéarla amháin • <i>Publications in English only</i>	1.5%	1.8%
■ Alt 32/33 – Logainmneacha Gaeltachta • <i>Section 32/33 – Gaeltacht Placenames</i>	2%	1.5%
■ Alt 8 – Na Cúirteanna/Riaradh an Cheartais • <i>Section 8 – The Courts/Administration of Justice</i>	1%	1%
■ Eile (cúiseanna aonair) • <i>Other (individual issues)</i>	12%	7.7%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>



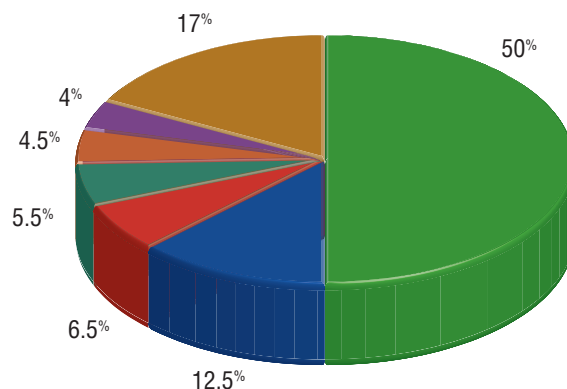
## Gearáin: An Ghaeltacht agus lasmuigh den Ghaeltacht • Complaints: Gaeltacht and non-Gaeltacht

	2010	2011
■ An Ghaeltacht • <i>Gaeltacht</i>	18%	21%
■ Lasmuigh den Ghaeltacht • <i>Non-Gaeltacht</i>	82%	79%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>



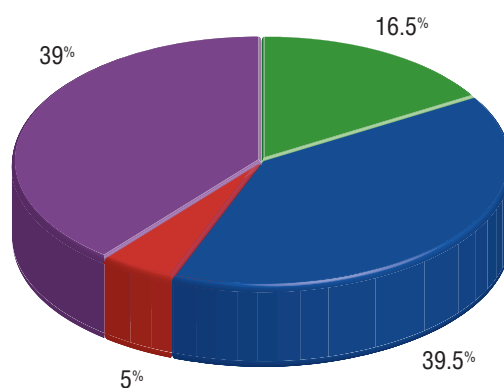
### Gearáin de réir contae • *Complaints by county*

	2010	2011
■ Baile Átha Cliath • <i>Dublin</i>	41%	50%
■ Gaillimh • <i>Galway</i>	9%	12.5%
■ Ciarraí • <i>Kerry</i>	6%	6.5%
■ An Clár • <i>Clare</i>	9.5%	5.5%
■ Dún na nGall • <i>Donegal</i>	4%	4.5%
■ Corcaigh • <i>Cork</i>	4%	4%
■ Eile • <i>Other</i>	26.5%	17%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>



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

	2010	2011
■ Ranna & oifigí rialtais <i>Government departments &amp; offices</i>	12%	16.5%
■ Údaráis áitiúla <i>Local authorities</i>	46.5%	39.5%
■ Údaráis sláinte <i>Health authorities</i>	3.5%	5%
■ Eagraíochtaí eile stáit <i>Other state organisations</i>	38%	39%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>





## Staitisticí

Mar a léirítear sna staitisticí thuas, i measc na nithe a ndearnadh gearán fúthu, bhain an chuid ba líonmhaire díobh (25.9%) le cur i bhfeidhm gealltanais a thug comhlachtaí poiblí faoi scéimeanna reachtúla teanga a aontaíodh faoi alt 11 den Acht. Bhí íslíú ó 22.5% go 19.8% ann ar chéatadán na ngearán a bhain le húsáid na Gaeilge ar chomharthaíocht agus ar stáiseanóireacht comhlachtaí poiblí, i gcomhréir leis na Rialacháin faoi fho-alt 9(1) den Acht. Bhí ardú ann ar chéatadán na ngearán a bhain le sárú ar fhorálacha d'achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge, ó 4% go 7.2%. Ar ndóigh, baineann na gearáin maidir le húsáid na Gaeilge ar chomharthaí tráchtacha leis an réimse seo chomh maith, ach léirítear an figiúr sin go hiondúil mar fhiúir neamhspleách: 15.7% de na gearáin a bhain le húsáid na Gaeilge ar chomharthaí tráchtacha – titim bheag ar líon na bliana seo caite. Sa *Lámhleabhar do Chomharthaí Tráchtacha* (ar foilsíodh leagan nua de dar dáta Samhain 2010 i mí Feabhra na bliana 2011) a leagtar síos na dualgais atá ar na húdaráis bhóithre i leith úsáid na Gaeilge ar chomharthaí tráchtacha.

Bhí íslíú beag, go dtí 8.6%, in 2011 ar chéatadán na ngearán maidir le deacrachtaí a bhain le hainm agus seoladh i nGaeilge. Bhain siadsan le hainmneacha agus seoltaí a bheith litrithe go míchruinn i nGaeilge, nó litrithe i mBéarla, nó le córas ríomhaireachta gan a bheith in oiriúint don síneadh fada. Tháinig ardú ar chéatadán na ngearán i dtaca le freagraí i mBéarla ar chomhfhreagras i nGaeilge, ó 5% in 2010 go 7.5% in 2011. Bhí méid áirithe gearán ann chomh maith a bhain le bileoga nó ciorcláin i mBéarla amháin (3.3%) agus le logainmneacha Gaeltachta (1.5%).

Tugtar léargas sa chéad chaibidil eile ar chuid bheag de na hábhair a cuireadh faoi mo bhráid agus a réitíodh tríd an gcóras neamhfhoirmiúil réitithe gearán a fheidhmíonn m'Óifig.

## Statistics

As the above statistics show, the largest number of complaints (25.9%) 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 22.5% to 19.8% in the percentage of the complaints relating to the use of Irish on public bodies' signage and stationery, in accordance with the Regulations under subsection 9(1) of the Act. There was an increase in the percentage of complaints relating to a breach of the provisions of other enactments which concern the status or use of Irish, from 4% to 7.2%. 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: 15.7% of complaints related to the use of Irish on traffic signs, a small reduction on last year's figure. The obligations on road authorities in respect of road traffic signage are set out in the *Traffic Signs Manual* (a new version of which was published in February 2011, dated November 2010).

There was a small decrease in 2011, to 8.6%, in the percentage of complaints regarding problems with the use of names and addresses in Irish. These concerned names and addresses which were spelt incorrectly in Irish, or spelt in English, or where computer systems could not handle the *síneadh fada*. There was an increase in complaints with regard to replies in English to correspondence in Irish, from 5% in 2010 to 7.5% in 2011. There were also a number of complaints with regard to leaflets or circulars in English only (3.3%) and Gaeltacht placenames (1.5%).

The following chapter on Sample Cases provides an overview of a small number of the matters brought to my attention which were resolved through the informal complaints system operated by my Office.

## CÁSANNA SAMPLACHA

Réitítear formhór na ngearán a chuirtear i láthair Oifig an Choimisinéara Teanga trí chóras neamhfhoirmiúil réitithe gearán a fheidhmíonn an Oifig. Tugtar léargas anseo ar shamplaí de roinnt bheag de na hábhair a réitíodh ar an mbealach seo.

- Dhearbhaigh údarás áitiúil i gcontae ina bhfuil limistéar Gaeltachta go mbainfí úsáid as leaganacha oifigiúla Gaeilge de logainmneacha Gaeltachta seachas leaganacha neamhoifigiúla Béarla.
- Leasaigh comhlacht poiblí dearadh a chuid ticéid taistil le leagan amach dátheangach a chur orthu le cloí le dualgas reachtúil teanga, agus cinneadh na ticéid sin a úsáid nuair a bheadh an stoc reatha ídithe.
- Mheabhraigh comhlacht poiblí dá fhoireann go raibh sé i gcoinne pholasaí na heagraíochta seoltaí i mBéarla a scríobh os cionn seoltaí i nGaeilge ar chlúdaigh litreach a bheadh le seachadadh chuig daoine den phobal.
- Leasaíodh comhartha tráchta de chuid údarás áitiúil ar a raibh an téacs seo a leanas i nGaeilge: ‘Cosc Anlontrail Ach Amhain Feithiclí Earraí Amháin’.
- Ghlac comhlacht poiblí leis gur sárú reachtúil a bhí ann leagan Béarla amháin d’fhoirmeacha a thairiscint don phobal i gcoitinne nuair a bhí sé geallta ina scéim teanga go dtairgfí go gníomhach rogha foirme i nGaeilge nó i mBéarla don phobal, agus rinneadh na socruithe cuí chuige sin.
- Eisíodh teastas báis leasaithe i gcás inar lorg clann leagan dátheangach, Gaeilge agus Béarla, in áit leagain i mBéarla amháin.
- Chuir roinn rialtais deis ar fáil don phobal i gcoitinne iarratas a dhéanamh trí Ghaeilge i gcomórtas ar líne a bhí á reáchtáil aici ar a suíomh gréasáin.
- Ceartaíodh comhartha ar bhóthar náisiúnta ar ar tugadh ‘Gach sa Lana’ mar Ghaeilge ar ‘Get in Lane’.
- Cuireadh ábhar don ‘Tionscadal Mata’ ar fáil i nGaeilge le freastal ar scoileanna Gaeilge agus Gaeltachta.
- Dhearbhaigh comhlacht poiblí go mbeadh inniúlacht sa Ghaeilge ina riachtanas i gceapadh treoraithe sealadacha d’ionaid a bhí faoina chúram sa Ghaeltacht ón mbliain 2012 ar aghaidh.
- Cuireadh leagan Gaeilge de chiorclán tábhachtach oideachais do scoileanna ar fáil cé go raibh moill coicíse air i ndiaidh an leagain Bhéarla.
- Dhaingnigh rannóg de chuid roinn rialtais córas le cinntiú nach trí Bhéarla a d’fhreagrófaí cumarsáid i scríbhinn i nGaeilge agus nach mbeadh aon chuid de sheoladh duine á aistriú go Béarla feasta acu.

## SAMPLE CASES

The vast majority of complaints made to the Office of An Coimisinéir Teanga are resolved through the informal complaints resolution process operated by the Office. The following is an overview of a small number of the many cases resolved in this manner.

- A local authority in a county containing a Gaeltacht area confirmed that it would use the official Irish language versions of Gaeltacht placenames instead of the unofficial English language versions.
- A public body modified the design of its travel tickets to a bilingual format in order to comply with language legislation, and committed to using the new tickets as soon as the present stock was exhausted.
- The staff of a public body was reminded that it was contrary to the organisation’s policy to overwrite addresses in Irish with English versions on envelopes to be delivered to members of the public.
- A local authority amended a road sign which had the following Irish inscription: “Cosc Anlontrail Ach Amhain Feithiclí Earraí Amháin”.
- A public body accepted that it was a breach of its statutory obligation to offer forms in English only to the general public when a commitment had been made in its language scheme that a choice of the Irish or English versions of the forms would be pro-actively offered, and appropriate arrangements for compliance were made.
- An amended death certificate was issued when a family requested a bilingual version in place of the English only version which it had initially received.
- A government department provided the opportunity for the general public to apply in Irish to an on-line competition that was being organised on its website.
- A sign on a national route which gave “Gach sa Lana” as an Irish translation for “Get in Lane” was corrected.
- Material for “Project Maths” was provided in Irish for Irish-medium and Gaeltacht schools.
- A public body confirmed that proficiency in Irish would be a requirement in the appointment of temporary guides for their Gaeltacht sites from 2012 onwards.
- An Irish language version of an important education circular to schools was provided a fortnight after its issuance in English.
- A procedure was established in a section of a government department to ensure that correspondence written in the Irish language would not in future be replied to in English nor any part of an address translated into English.

Chuir údarás áitiúil in airde leaganacha dátheangacha d'ainmplátaí do bhóithre in eastát tithíochta in áit ainmplátaí a bhí i mBéarla amháin roimhe sin.

Ghabh comhlacht poiblí leithscéal de bharr gur theip air a dhualgais reachtúla teanga a chomhlíonadh trí chora poist leictreonacha a sheoladh i mBéarla amháin chuig a chuid custaiméirí ar fad, ar a n-áirítear iadsan a bhí cláraithe lena gcuid gnó a dhéanamh trí Ghaeilge, agus atheisíodh an chumarsáid go dátheangach.

Leasaíodh doiciméid ó chomhlacht poiblí inar treoraíodh nach nglacfaí ach i mBéarla amháin le hiarratais ar thairiscintí agus ceadaíodh iarratais a dhéanamh i nGaeilge chomh maith.

Thug comhlacht poiblí le fios go raibh a chóras ríomhaireachta curtha in oiriúint le hadmhálacha dátheangacha a eisiúint in áit na n-admhálacha aonteangacha a bhí á n-eisiúint go dtí sin.

Cheadaigh roinn rialtais síneadh ama le glacadh le haighneachtaí ón bpobal le linn próiseas comhairliúcháin de bharr moille le soláthar leagan Gaeilge de na moltaí a bhí le breithniú ag an bpobal i gcoitinne.

Ghlac comhlacht poiblí leithscéal as comharthaíocht nua i mBéarla amháin a chur in airde i gceantar Gaeltachta agus chuir sé comharthaíocht dhátheangach ina háit.

Eisíodh pas ar a raibh leagan Gaeilge d'ainm duine nuair a tugadh an cruthúnas cuí ar úsáid rialta an leagain sin den ainm.

Leasaigh comhlacht poiblí córas billí leictreonacha a d'fhág go raibh na leaganacha Gaeilge inléite ag custaiméirí a roghnaigh an teanga sin dá gcuid gnóthaí.

Athraíodh ar ais go Gaeilge ainm agus sloinne duine i mbunachar sonraí comhlachta phoiblí tar éis dó leaganacha Béarla a chumadh chun an duine sin a chláru gan cead ná údarás ón ngearánach.

Chinn údarás áitiúil leasuithe a dhéanamh ar a chóras idirghníomhach leictreonach le billí a íoc nuair a athraíodh an leagan dátheangach a bhíodh aige go córas aonteangach Béarla le linn nuashonrú a bheith á dhéanamh air.

Chuir údarás áitiúil 190 comhartha bóthair dátheangach in airde in áit comharthaí a bhí i mBéarla amháin roimhe sin le teacht leis na treoracha sa Lámhleabhar do Chomharthaí Tráchtá.

Chuir roinn rialtais leagan Gaeilge ar fáil de sheirbhís idirghníomhach ar líne in áit na seirbhíse i mBéarla amháin a bhí seolta aici mar go raibh gealltanais tugtha aici ina scéim teanga go mbeadh a leithéid de sheirbhís nua ar fáil go dátheangach.

Cuireadh baill foirne in údarás áitiúil ar an eolas go raibh fáil acu ar admhálacha i nGaeilge le heisiúint chuig custaiméirí a bhí ag plé leo sa teanga sin.

The nameplates of roads in a housing estate which were in English only were replaced with bilingual nameplates.

A public body apologised for failing to fulfil its statutory language obligations by issuing an electronic mail-shot in English only to all its customers, including customers who had registered to do their business through Irish, and the mail-shot was re-issued bilingually.

A document issued by a public body directing that requests for tender would be accepted in English only was amended to allow for applications in Irish also.

A public body confirmed that its computer system had been modified to allow for the issuing of bilingual receipts instead of English only receipts.

A government department sanctioned an extension to the time-period permitted for accepting submissions from the public, as part of a consultative process, because of a delay in providing an Irish language version of recommendations to be considered by the general public.

A public body apologised for erecting new signs in English only in Gaeltacht areas and replaced them with bilingual signs.

A passport was issued in the Irish language version of a name when the appropriate proof of regular usage of that version was provided.

A public body amended its electronic billing system to make the Irish language version readable to customers who choose to do their business in that language.

A public body reregistered a person's name in Irish in their database having previously translated that person's name to English without permission.

A local authority amended its interactive system for paying bills to a bilingual system after it was changed to a monolingual English system during an upgrading process.

A local authority erected 190 bilingual traffic signs to replace signs that were in English only, to comply with the directions in the Traffic Signs Manual.

A government department provided an Irish language version of an on-line interactive service, in place of an English only service it had launched; the department had committed in its statutory language scheme to provide such a service bilingually.

Members of staff in a local authority were informed of the availability of receipts in Irish for issue to Irish language customers.

- Eagraíodh cruinniú trí Ghaeilge idir ionadaithe thar ceann roinn rialtais agus grúpa feachtais sa Gaeltacht.
- Ghlac údarás áitiúil leithscéal le gearánach nár cuireadh seirbhís i nGaeilge ar fáil dó nuair a thug sé cuairt ar oifig dá chuid agus meabhraíodh don fhoireann ansin na dualgais a bhí orthu i dtaca le seirbhís trí Ghaeilge a thairiscint.
- D'athraigh comhlacht poiblí comharthaí éagsúla a bhí míchruinn ó thaobh na Gaeilge de, mar shampla, cuireadh an focal 'Cóistí' in áit 'Cóicthe' agus "Cláru" in áit 'Sinim'.
- Aimsíodh comhréiteach le comhlacht poiblí a raibh leaganacha Béarla de logainmneacha Gaeltachta na tíre in úsáid aige mar réamhshocrú i mbunachar sonraí, agus tugadh deis do dhaoine an leagan Gaeilge dá seoladh a úsáid de rogha ar an leagan Béarla.
- Ghlac comhlacht poiblí leis gur shárú ar a dhualgais reachtúla cora poist i mBéarla amháin a eisiúint chuig tithe ar fud na tíre le faisnéis a thabhairt d'aicme den phobal i gcoitinne agus dhearbhaigh sé go mbeadh an chumarsáid sin dátheangach feasta.
- Ghlac comhlacht poiblí leis gur sárú a bhí ann ar a dhualgais reachtúla teanga clúdach litreach a úsáid ar a raibh na ceanteidil stáiseanoireachta i mBéarla amháin tráth a raibh an díolúine dhá bhliain d'úsáid seanstoc ídithe, agus socraíodh go mbeadh leaganacha dátheangacha á n-úsáid feasta aige.
- Ghlac údarás áitiúil leis gur cheart go mbeadh comharthaíocht sráide a bhí curtha in airde aige i dtaca le socruithe tráchta do Lá Fhéile Pádraig dátheangach in áit na gcomharthaí i mBéarla amháin a bhí á n-úsáid, agus cuireadh in airde comharthaí breise i nGaeilge leis an gcothromaíocht a chinntiú.
- Dheimhnigh agus chruthaigh roinn rialtais nach de bharr rogha teanga an ghearánaigh (Gaeilge) a bhain moill le próiseáil iarratais uaidh.
- Chinntigh roinn rialtais gur trí Ghaeilge a d'éistfí achomharc ó bhéal a bhí le déanamh ag duine den phobal i gcoinne cinnidh de chuid na roinne sin cé gur trí Bhéarla a freagraíodh cumarsáid scríofa i nGaeilge uaidh, agus gabhadh leithscéal leis faoin sárú reachtúil sin.
- Rinne comhlacht poiblí iniúchadh ar na comharthaí a bhí ar a champas le cinntiú go raibh siad ag teacht leis na riachtanais reachtúla teanga nuair a rinneadh gearán faoi chomharthaí ar leith a bheith i mBéarla amháin.
- Chinntigh roinn rialtais go mbeadh aistritheoir cáilithe á úsáid feasta le litreacha caighdeánacha a aistriú go Gaeilge seachas glacadh le lagiaracht ó bhall foirne ar bheagán Gaeilge.

- A meeting was organised through the medium of Irish between representatives of a government department and a campaign group in the Gaeltacht.
- A local authority apologised to a complainant that service in Irish was not provided to him when he visited one of their offices and staff in that office were reminded of their obligations in respect of offering services through Irish.
- A public body changed various signs where the Irish text was incorrect, for example the word "Cóistí" instead of "Cóicthe" and "Cláru" instead of "Sinim".
- A compromise was reached with a public body using the English versions of the country's Gaeltacht placenames as a default in a database and people were provided with the opportunity of choosing to use the Irish language version of their address if they so wished.
- A public body accepted that it had failed in its statutory obligations by issuing a mail-shot in English only to houses throughout the country providing information to a class of the public in general, and confirmed that this communication would be bilingual in future.
- A public body accepted that it was a breach of its statutory language obligations in using envelopes with the headings of stationery in English only at a time when the two year derogation for the usage of existing stock had elapsed, and it was arranged that bilingual versions would be used in future.
- A local authority accepted that signs it had erected in connection with traffic arrangements for St. Patrick's Day should be bilingual instead of the monolingual English signs that were in use, and additional Irish language signs were erected to ensure equality.
- A government department confirmed and proved that a delay in processing a complainant's application was not due to his language choice.
- A government department ensured that an oral appeal to be made by a member of the public against a decision of the department would be heard in Irish despite the fact that a written communication in Irish from him had been responded to in English, and an apology was made to him for that breach.
- A public body performed an audit on signage on its campus to ensure it was compliant with statutory language requirements when a complaint was made that certain signs were in English only.
- A government department ensured that a qualified translator would be used in future to translate standard letters to Irish instead of accepting the efforts of a member of staff with little Irish.

- Chuir údarás áitiúil pictagraim in airde in áit comhartha aonteacha Béarla agus tagairt á déanamh do pháistí ag trasnú bóthair.
- Ghlac údarás oideachais leis go raibh na forálacha reachtúla á sárú ag stáiseanóireacht dá chuid agus cinntíodh go mbeadh aon stáiseanóireacht a d'ordódh sé as sin amach ag cloí leis na dualgais reachtúla teanga.
- 'Earráid dhaonna' a tugadh mar leithscéal i gcás inar eisigh comhlacht poiblí freagra i mBéarla ar chumarsáid i nGaeilge don chustaiméir céanna den dara bliain as a chéile, tar éis córas nua a bheith curtha i bhfeidhm an bhliain roimhe le cinntiú nach dtarlódh a leithéid.
- Ghlac údarás áitiúil leis go raibh gealltanais a tugadh ina scéim teanga á shárú nuair nach raibh leagan Gaeilge ar fáil de leathanaigh áirithe dá shuíomh gréasáin, agus socraíodh iad sin a sholáthar láithreach.
- Thángthas ar shocrú le húdarás áitiúil gur i nGaeilge nó go dátheangach a chuirfí comharthaí a bhain le dúnadh bóthair do rás bóthair in airde as sin amach.
- Chinntigh comhlacht poiblí go gcuirfí a ainm i nGaeilge i dteannta a ainm i mBéarla ar stáiseanóireacht na heagraíochta le cloí le dualgais reachtúla teanga.
- Dhearbhaigh comhlacht poiblí go n-eiseofaí cora poist chuig gach tuismitheoir i gceantar áirithe go dátheangach feasta.
- Ghlac comhlacht poiblí leis go raibh dualgas teanga a bhí daingnithe i scéim teanga sáraithe aige nuair nár cuireadh leagan Gaeilge de leathanach clárúcháin do chóras ar líne dá chuid ar fáil, agus rinneadh na leasuithe cuí.
- Dhearbhaigh roinn rialtais go gcloíonn sí i gcónaí leis an leagan den seoladh a chuireann an custaiméir ar fáil agus nach ndéantar aistriúchán go Béarla ar sheoltaí Gaeltachta go huathoibríoch.
- Chuir comhlacht trasteorann socruithe cuí in áit le cinntiú gur i nGaeilge a d'fhreagrófaí comhfhreagras sa teanga sin feasta.
- Chuir údarás áitiúil comharthaíocht leictreonach ar fáil i nGaeilge i gceantair Ghaeltachta in áit comharthaíocht leictreonach i mBéarla amháin.
- Ghabh údarás oideachais leithscéal as freagra i mBéarla a eisiúint ar chumarsáid i scríbhinn i nGaeilge agus cuireadh socruithe cuí i bhfeidhm le cinntiú nach dtarlódh sárú den chineál sin ar chearta teanga arís.
- Ghlac údarás sláinte le ceart an duine leagan Gaeilge dá ainm á úsáid nuair a cuireadh fianaise ar fáil gurb é sin an leagan a bhí in úsáid rialta ag an ngearánach.
- A local authority erected pictograms showing children crossing the road in place of traffic signs in English only.
- An educational authority accepted that the statutory language provisions were breached by some of its stationery headings and it ensured that any stationery subsequently ordered would be compliant with the statutory requirements.
- 'Human error' was cited as the excuse in a case where a public body issued a response in English to a communication in Irish to the same customer for the second successive year, after a system had been put in place the previous year to ensure this wouldn't happen again.
- A local authority accepted that it had breached a commitment made in its language scheme by not providing certain pages of its website in Irish, and arranged to make them available immediately.
- An agreement was reached with a local authority that any signs to be erected in future in respect of road closures would be in Irish or bilingual.
- A public body confirmed that its name in Irish would be shown with its name in English on its stationery in the future to ensure compliance with statutory language requirements.
- A public body confirmed that mailshots to every parent in a certain area would issue bilingually in future.
- A public body accepted that a language obligation confirmed in its language scheme had been breached by the failure to provide an Irish version of the registration page of an on-line system it operates, and the appropriate amendments were made.
- A government department confirmed that it always adhered to the versions of addresses provided to it by its customers and that Gaeltacht addresses were not automatically translated to English.
- A cross-border body put appropriate arrangements in place to ensure that correspondence in Irish would be responded to in that language in future.
- A local authority provided text in Irish on electronic signage in a Gaeltacht area instead of text in English only.
- An educational authority apologised for issuing a response in English to a written communication in Irish and appropriate arrangements were put in place to ensure that such a breach of language rights did not reoccur.
- A health authority recognised the right of an individual to use the Irish version of their name for official purposes when evidence was provided that it was the version in common use by the individual.



- D'athraigh roinn rialtais córas le cinntiú gur leagan Gaeilge seachas leagan Béarla d'fhoirm ar leith a bhí á eisiúint go huathoibríoch ar bhonn rialta do chliaint arbh í an Ghaeilge a rogha teanga.
- Ghlac údarás sláinte leis go raibh an reachtaíocht sáraithe aige trí leagan Béarla de chor poist a eisiúint chuig scoileanna ina cheantar feidhme, agus cuireadh leagan Gaeilge ar fáil.
- Cuireadh leagan Gaeilge de shuíomh gréasáin ar fáil mar a bhí geallta i scéim teanga.
- Ghlac comhlacht poiblí leis go raibh dualgas air féin agus ar chuideachta a bhí ag feidhmiú thar a cheann cora poist a bhí á n-eisiúint chuig aicme den phobal i gcoitinne a bheith i nGaeilge nó dátheangach.
- D'aontaigh comhairle contae ábhar breise a chur ar fáil i nGaeilge ar a suíomh gréasáin leis an sprioc a bhí leagtha síos ina scéim teanga a bhaint amach.
- Dhearbhaigh roinn rialtais nach raibh aon fhadhb aici seirbhís i nGaeilge a sholáthar i gceantar áirithe Gaeltachta ach fios a bheith aici gurbh é sin rogha teanga an chustaiméara, agus sholáthair sí sonraí teagmhála do chainteoir dúchais ar a foireann a chuirfeadh an tseirbhís ar fáil.
- Dhearbhaigh roinn rialtais go raibh leagan Gaeilge de chora poist ar fáil don phobal i gcoitinne agus ghlac sí leithscéal gurbh é an leagan Béarla amháin a eisíodh i gceantar áirithe de bharr earráid dhaonna.
- Ghlac comhlacht poiblí leis go raibh dualgas reachtúil air faoina scéim teanga seirbhís idirghníomhach leictreonach a chur ar fáil i nGaeilge agus gealladh go mbeadh sin ar fáil faoi dheireadh Eanáir 2012.
- Dearbhaíodh go raibh córas in áit le go bhféadfaí leagan Gaeilge de thoghairm a iarraidh agus a eisiúint.
- Dhearbhaigh roinn rialtais go raibh seirbhís ar fáil i nGaeilge ó oifig áitiúil agus nach raibh aon bhaint ag rogha teanga an chliaint ansin leis an mbealach inar déileáladh leis an duine sin.
- Bhain údarás áitiúil anuas comharthaí i mBéarla amháin a bhí in úsáid i gceartlár ceantar Gaeltachta le linn obair feabhsúcháin ar bhóithre ansin, agus deimhníodh gur cinn dhátheangacha a d'úsáidfí feasta.

- A government department amended its system to ensure that the Irish version of a particular form issued automatically on a regular basis to a client whose language choice was Irish in place of the English version which had been issued heretofore.
- A health authority accepted that it had breached the legislation when it issued an English only version of a mailshot to schools in its functional area, and an Irish version was issued.
- An Irish version of a website was provided in compliance with a commitment in a language scheme.
- A public body accepted that there was an obligation on both itself and a company acting on its behalf to ensure that a mailshot issued to a class of the general public was in Irish/bilingual.
- A county council agreed to provide additional information in Irish on its website in order to comply with the commitment set out in its language scheme.
- A government department confirmed that it had no difficulty providing an Irish language service in a certain Gaeltacht area when aware of the language choice of a customer, and supplied contact details of a native Irish-speaking staff member who would provide that service.
- A government department confirmed that an Irish version of a mailshot was available to the general public and apologised for the fact that an English version only had issued in a certain area due to human error.
- A public body accepted that it had a statutory obligation confirmed in its language scheme to provide an Irish version of an electronic interactive service, and committed to providing that service by the end of January 2012.
- It was confirmed that a system was in place to issue Irish versions of summonses on request.
- A government department confirmed that Irish language services were available from a local office and that a client's language choice had not in any way affected the manner in which his case was dealt with.
- A local authority took down signs in English only that were in use during road works in the heart of a Gaeltacht area and confirmed that bilingual signs would be used in future.

## IMSCRÚDUI THE

Is é atá i gceist le himscrúdú ná fiosrúchán oifigiúil a sheoltar ar bhonn foirmiúil, reachtúil de réir na bhforálacha atá in Acht na dTeangacha Oifigiúla. Tá an t-údarás agus na cumhachtaí cuí chuige seo tugtha dom mar Choimisinéir Teanga faoin Acht; baineann sé seo le cásanna inar dóigh liom gur theip ar chomhlachtaí poiblí a ndualgais reachtúla a chomhlíonadh faoin Acht, agus baineann sé fosta le haon 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 atá i gceist agus ar m'Oifig. 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 bheal a thabhairt, tá an duine sin i dteideal na ndíolúintí agus na bpríbhleáidí céanna is atá ag finn os comhair na hArd-Chúirte.

Forálann an tAcht 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 díoltú comhoibriú le himscrúdú, as loiceadh ina d(h)ualgas comhoibriú le himscrúdú nó as bac a chur le hobair imscrúdaithe.

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

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

Ciallaíonn “achtachán” reacht arna dhéanamh 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 15 imscrúdú nua le linn 2011. Bhí imscrúdú neamhchríochnaithe amháin ann a tugadh ar aghaidh ó 2010. Mar sin, bhí 16 imscrúdú idir lámha le linn na bliana 2011 agus bhí ceithre cinn acu sin nár críochnaíodh faoi dheireadh na bliana. Dá bhrí sin, tá achoimre ar 12 imscrúdú sa Tuarascáil seo.

## INVESTIGATIONS

An investigation is an official inquiry 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 other enactments which relate to the status or use of Irish.

An investigation may be conducted based on a complaint from an individual, on 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 of this, efforts are usually made to resolve the complaint in the first instance through the informal complaints 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 a 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:

- 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 can be made to the High Court on a point of law against the decision within a period of four weeks.

A total of 15 new investigations were commenced in 2011. One uncompleted investigation was carried forward from 2010. Consequently, there were 16 investigations in hand during 2011 and four of those investigations had not been completed by the end of the year. Therefore, summaries are provided in this Report of 12 investigations.

Líon na nImscrúduithe	2010	2011
Tugtha ar aghaidh ón mbliain roimhe	1	1
Imscrúduithe seolta	11	15
Iomlán idir lámha	12	16
Tugtha ar aghaidh go dtí an chéad bhliain eile	1	4
<b>Iomlán críochnaithe / scortha</b>	<b>11</b>	<b>12</b>

Is ceart a thuiscint go soiléir nach bhfuil sna hachóimrí 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. Achóimrí atá iontu ar na tuarascálacha oifigiúla a eisíodh i nGaeilge faoi 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.

## ACHOIMRÍ AR IMSCRÚDUITHE 2011

### An Garda Síochána

Léirigh imscrúdú nár chomhlíon an Garda Síochána a ndualgais reachtúla teanga nuair a cuireadh comhaltaí den fhórsa ar stáisiún i gceantar Gaeltachta nach raibh inniúil go leor sa Ghaeilge chun go bhféadfaidís a ndualgais a chomhlíonadh go saoráideach sa teanga sin.

Chinn an t-imscrúdú gur sáraíodh fo-alt 33(2) d'Acht an Gharda Síochána, 2005 lena gcuirtear dualgas ar Choimisinéir an Gharda Síochána, a mhéid is indéanta, a chinntiú gur comhaltaí den fhórsa atá líofa sa Ghaeilge a chuirtear ar dualgas i ndúiche ina bhfuil limistéar Gaeltachta. Sáraíodh freisin gealltanas reachtúil i scéim teanga an Gharda Síochána faoi Acht na dTeangacha Oifigiúla go mbeadh na cáilíochtaí riachtanacha sa Ghaeilge ag gach comhalta a chuirfí ar dualgas i stáisiúin i gceantair Ghaeltachta.

Tháinig an gearánach – ar cainteoir dúchais Gaeilge ón Ghaeltacht é agus arbh í an Ghaeilge a rogha theanga – go dtí stáisiún na nGardaí ar an Bhun Bheag / Doirí Beaga (Gaoth Dobhair), Co. Dhún na nGall thart ar mheán lae ar an 24 Samhain 2010. Cé go raibh an Garda a bhí ar dualgas ansin múinte leis, dúirt sé leis nach raibh aon Ghaeilge aige le go mbeadh ar a chumas an gnó a dhéanamh sa teanga sin.

Nuair a rinne Oifig an Choimisinéara Teanga iarracht an cheist a réiteach go neamhfhoirmiúil, chuir údarás an Gharda Síochána in iúl nach raibh ach comhalta amháin as naonúr a bhí lonnaithe ansin in ann a dhualgais a chomhlíonadh go saoráideach trí Ghaeilge. Seoladh imscrúdú foirmiúil ag an tráth sin.

Le linn an imscrúdaithe, bhí idir chumarsáid i scríbhinn agus chruinnithe idir Oifig an Choimisinéara Teanga agus lucht bainistíochta sinsearach an Gharda Síochána.

Number of Investigations	2010	2011
Brought forward from previous year	1	1
Investigations launched	11	15
Total in hand	12	16
Brought forward to next year	1	4
<b>Total completed / discontinued</b>	<b>11</b>	<b>12</b>

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

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

## SUMMARIES OF 2011 INVESTIGATIONS

### An Garda Síochána

An investigation found that An Garda Síochána did not comply with its statutory duties where members of the force stationed in a Gaeltacht area were not sufficiently competent in Irish to carry out their duties with ease in that language.

The investigation concluded that there had been a breach of subsection 33(2) of the Garda Síochána Act 2005 which imposes an obligation on the Garda Commissioner to ensure, to the extent practicable, that members stationed in a district which includes a Gaeltacht area are fluent in the Irish language. There was also a breach of a statutory commitment in the language scheme of An Garda Síochána, made under the Official Languages Act, which requires members of the force stationed in Gaeltacht areas to have the necessary qualifications in Irish.

The complainant – a native Irish speaker from the Gaeltacht for whom Irish was his language of choice – visited the Garda station at An Bun Beag/Doirí Beaga (Gaoth Dobhair), Co. Donegal around midday on November 24th 2010. The Garda on duty, while courteous, explained that he did not have sufficient Irish to be able to conduct business in that language.

When the Office of An Coimisinéir Teanga tried to resolve the matter informally, the Garda authorities indicated that only one of the nine members assigned to that station could carry out his duties with ease through Irish. A formal investigation ensued at that stage.

During the course of the investigation, both written communications and meetings took place between the Office of An Coimisinéir Teanga and senior management of An Garda Síochána.

Nuair a tugadh le fios go raibh líon na nGardaí a raibh Gaeilge acu sa stáisiún méadaithe go dtí tríúr (agus go mbeadh ceathrar ann go luath ina dhiaidh sin) cinneadh an t-imscrúdú a chur ar leataobh go sealadach i ndeireadh mhí an Aibreáin le deis a thabhairt don Gharda Síochána plean a dhréachtú agus a fheidhmiú le cinntiú go mbainfí amach an sprioc gur Gardaí ag a mbeadh líofacht chuí sa Ghaeilge a bheadh lonnaithe sa stáisiún Gaeltachta sin.

Nuair a chonacthas don Choimisinéir Teanga gur beag dul chun cinn a bhí déanta ar an ábhar seo faoi dheireadh an tsamhraidh, 2011, bheartaigh sé fillleadh ar an imscrúdú foirmiúil. Idir an dá linn, bhí deacrachtaí ag an ghearánach chéanna a chuid gnó a dhéanamh trí Ghaeilge cúpla uair sa stáisiún céanna agus ba trí idirghabháil Oifig an Choimisinéara Teanga amháin a socraíodh cruinniú idir é agus Garda le Gaeilge ansin.

Mar chuid den phróiseas imscrúdaithe, seoladh cumarsáid ó Choimisinéir Cúnta de chuid an Gharda Síochána i mí na Nollag 2011 inar dúradh go sonrach maidir le stáisiún Gardaí an Bhuna Bhig/Dhoirí Beaga:

*“Tá Coiste an Gharda Síochána um Fheidhmiú na Gaeilge tar éis bualadh leis an gCeannfort sna Gleannta, Contae Dhún na nGall a bhfuil freagracht aige as Stáisiún Garda an Dhúin (Bhun) Bhig chun meas ar an tábhacht a bhaineann le fáil a bheith ar chainteoirí Gaeilge go huile agus go hiomlán. Tá gealltanús tugtha don Choiste go bhfuil cainteoirí Gaeilge a bhfuil inniúlacht acu ar fáil sna ceantair chun gnó a dhéanamh leis an bpobal trí mheán na Gaeilge...”*

*“Lonnaithe sa Bhun Bheag faoi láthair tá naoi comhaltaí den Garda Síochána. D’éirigh leis na comhaltaí seo pas a fháil sa scrúdú éifeachtúil béil gaeilge a bhí le déanamh acu i rith an treimhse traenáil sa Teampall Mór. Anuas air sin, tá tuairim is 100 Garda trasna Roinn Dhún na nGall atá tar éis iad féin a chur ar fáil feidhmiú trí mheán na Gaeilge de réir mar atá gá leis...”*

Tagraíodh chomh maith do chomharthaí dátheangacha a bheith ar fáil i stáisiúin an Gharda Síochána sa Gaeltacht chun comhairle a thabhairt go gcuirfí comhalta a bhfuil Gaeilge aige nó aici ar fáil, i gcás nach raibh líofacht ag an Gharda ar dualgas. Tagraíodh d’oiliúint bhreise sa Ghaeilge a sholáthar nuair a bheadh maoiniú ar fáil, agus an riachtanas teanga a chur san áireamh i ndáileadh Gardaí nuair a bheadh deireadh leis an lánchosc ar earcaíocht.

Chonacthas don imscrúdú nár leor ar chor ar bith a raibh sa litir seo le dul i ngleic le croí na faidhbe.

Is léir go n-éilíonn an fhoráil i bhfo-alt 33(2) d’Acht an Gharda Síochána go mbeadh líofacht ar leith sa Ghaeilge ag Gardaí atá ag plé le daoine sa Gaeltacht ionas go mbeidís ábalta an teanga a úsáid gan deacracht ná stró agus iad ag comhlíonadh a ndualgas:

*“Déanfaidh Coimisinéir an Gharda Síochána, a mhéid is indéanta, a chinntiú go mbeidh comhaltaí den Gharda Síochána a bheidh ar stáisiún i ndúiche ina bhfuil limistéar Gaeltachta inniúil go leor sa Ghaeilge chun a chumasú dóibh í a úsáid go saoráideach le linn dóibh a ndualgais a chomhall.” [Fo-alt 33(2) d’Acht an Gharda Síochána.]*

When An Garda Síochána indicated that the number of Gardaí with Irish in the station had been increased to three (and that a fourth would be assigned there shortly) it was decided, in late April 2011, to temporarily set aside the investigation to permit An Garda Síochána to draft and implement a plan which would achieve the objective that Gardaí serving in that Gaeltacht station would have the appropriate level of fluency in Irish.

By late summer 2011, when it appeared to An Coimisinéir Teanga that little progress had been made, he decided to resume the formal investigation. In the meantime, the original complainant had difficulty conducting his business through Irish in the same station several times. It was only through the intervention of the Office of An Coimisinéir Teanga that a meeting was arranged for him with an Irish-speaking Garda.

As part of the investigation, a letter was received from an Assistant Commissioner of An Garda Síochána in December 2011 which stated with regard to the Garda station at An Bun Beag/Doirí Beaga that:

*“The Garda Síochána’s Irish Language Implementation Committee have met with the Superintendent at Glenties, Co. Donegal, who has responsibility for the Bunbeag Garda Station, to ensure the importance of the availability of Irish speakers is fully appreciated. An assurance has been given to the Committee that there are competent Irish speakers available in the District to transact business with the community through the medium of the Irish language.”*

*“There are currently nine (9) members of An Garda Síochána stationed in Bunbeag Garda Station, who have successfully passed the oral Irish examination [in Templemore] as part of their training. In addition there are approximately 100 Gardaí across the Donegal Division who have made themselves available to work through the medium of the Irish language as the need arises.”*

In addition, reference was made to bilingual signs provided in Gaeltacht Garda stations to indicate that an Irish-speaking member would be made available in cases where the Garda on duty is not fluent in Irish. There was a reference to the provision of further training in Irish when funding would become available, and also to the inclusion of language requirements when Gardaí were being allocated to stations as soon as the recruitment moratorium comes to an end.

It appeared to the investigation that this letter did not go far enough in addressing the core issue at the root of the problem.

It is clear that the provision in subsection 33(2) of the Garda Síochána Act requires that Gardaí dealing with people in the Gaeltacht have a particular proficiency in Irish so that they can use the language without difficulty while performing their duties:

*“The Garda Commissioner shall, to the extent practicable, ensure that members of the Garda Síochána stationed in a district that includes a Gaeltacht area are sufficiently competent in the Irish language to enable them to use it with facility in carrying out their duties.” [Sub-section 33(2) of the Garda Síochána Act.]*



Ní foráil úr reachtúil í seo sa mhéid is go raibh a leithéid i gceist i reachtaíocht bhunaidh an Gharda Síochána ó Acht na bliana 1924 i leith. Mura raibh an Coimisinéir chun cloí leis an dualgas seo i gcás nó i gcásanna áirithe, chaithfeadh sé a bheith ábalta a léiriú go ndearna sé iarracht cloí leis *“a mhéid is indéanta”*, is é sin go ndearna sé iarracht ghníomhach cloí leis agus go raibh sé sin dodhéanta.

Bhí foráil reachtúil teanga eile i gceist anseo freisin – an gealltanais reachtúil a bhí tugtha i bhfo-alt 3.11 de Scéim Teanga an Gharda Síochána, 2009–2012: *“Beidh ag gach pearsanra na leithdháilfear ar stáisiúin i gceantair Ghaeltachta na cáilíochtaí riachtanacha sa Ghaeilge, a bheith acu.”*

Chonacthas don imscrúdú nár leor ar chor ar bith a mhaíomh gur *“éirigh leis na comhaltaí seo pas a fháil sa scrúdú éifeachtúil béil gaeilge a bhí le déanamh acu i rith an treimhse traenáil sa Teampall Mór”*. Bhí an scrúdú sin déanta agus an caighdeán sin bainte amach ag gach Garda den naonúr a bhí lonnaithe ar an Bhun Bheag/Doirí Beaga nuair a tháinig an gearán chun cinn den chéad uair agus admhaíodh go soiléir nach mbeadh ochtar den naonúr sin ábalta déileáil le duine den phobal trí Ghaeilge. Is mór ar fad idir an cumas teanga sin agus an caighdeán a éilíonn fo-alt 33(2) den Acht: comhaltaí a bheith inniúil go leor sa Ghaeilge chun a chumasú dóibh í a úsáid go saoráideach le linn dóibh a ndualgais a chomhlíonadh.

Ní dhearnadh aon argóint nach raibh dóthain Gardaí ag a raibh an inniúlacht riachtanach sa teanga ar fáil don Choimisinéir i measc an c.13,000 comhalta den fhórsa chun an dualgas reachtúil a chomhlíonadh go hiomlán agus go cuí. Go deimhin, dúradh i dtuairisc chuig an imscrúdú go raibh an fhoráil seo á chomhlíonadh ar bhonn 100% sna stáisiúin i nGaeltacht Chonamara, mar shampla.

Níor mheas an t-imscrúdú gur leigheas ar an scéal ach an oiread é tairiscint ar bhreis oiliúna sa Ghaeilge tráth éigin níos deireanaí chun an riachtanas reachtúil a chomhlíonadh.

Mheas an t-imscrúdú gur dócha nach raibh stádas na teanga mar theanga phobail sa Ghaeltacht chomh leochaileach riamh agus atá sí anois agus nach féidir leis an Stát a bheith ag súil leis go mairfidh an Ghaeilge mar a rogha teanga ag an phobal sa Ghaeltacht má leantar ag brú Béarla ar phobal na gceantar sin lena gcuid gnóthaí oifigiúla a dhéanamh.

Tuigeadh freisin go raibh tábhacht ar leith leis an chomhalta den Gharda Síochána mar dhuine údarásach in aon phobal agus gur minic a bhíonn seasamh ag comhaltaí an fhórsa i measc an phobail agus meas orthu.

Thuig an t-imscrúdú go mbíonn an Garda Síochána ag súil go gcloifeadh an pobal i gcoitinne le dlí na tíre agus go raibh dualgas ar an Gharda Síochána féin cloí leis an dlí freisin, ar a n-áirítear na forálacha reachtúla a bhaineann le cúrsaí teanga.

Fuair an t-imscrúdú mar chinneadh fíorais é sa chás seo go raibh comhaltaí den fhórsa gan an inniúlacht riachtanach sa Ghaeilge ar stáisiún i ndúiche ina raibh limistéar Gaeltachta. Cinneadh nár chinntigh Coimisinéir an Gharda Síochána a mhéid is indéanta gur Gardaí ag a raibh an inniúlacht riachtanach Gaeilge a chuirfí ar stáisiún ansin agus, dá bhrí sin, gur sháraigh Coimisinéir an Gharda Síochána an dualgas reachtúil a bhí leagtha air i bhfo-alt 33(2) d’Acht an Gharda Síochána.

This is not a new statutory obligation as there was a similar provision in the founding legislation, the Garda Síochána Act 1924. If the Garda Commissioner is not going to comply with this obligation in a particular case, or in certain cases, he is required to be able to demonstrate that he tried to comply with it *“to the extent practicable”*, i.e. that he made proactive efforts to comply and that this proved impossible.

There is a further statutory provision at issue here – a statutory commitment given in subsection 3.11 of the Garda Síochána Language Scheme 2009–2012: *“All personnel being allocated to Stations in the Gaeltacht will have the necessary qualifications in Irish.”*

The investigation considered that it was not sufficient to claim that personnel *“successfully passed the oral Irish examination as part of their training in Templemore”*. All of the nine Gardaí assigned to An Bun Beag/Doirí Beaga had successfully passed this examination when the complaint first arose and yet it was freely acknowledged that eight of the nine were unable to deal with a member of the public through Irish. There is a huge difference between that level of language ability and the standard required by subsection 33(2) of the Act: that members be sufficiently competent in the Irish language to enable them to use it with facility in carrying out their duties.

No argument was made that there were insufficient numbers of Gardaí available to the Commissioner, from among the c.13,000 members of the force, having the necessary competence in the language to properly comply with the statutory obligations. In fact, it was stated, as an example, in a report to the investigation, that there was 100% compliance with this provision at stations in the Connemara Gaeltacht.

The investigation did not consider that the problem could be resolved by offering Gardaí further training in Irish at some later time in order to meet the statutory requirement.

The investigation pointed out that the status of Irish as a community language in the Gaeltacht was more vulnerable now than at any time in the past and that the State can hardly expect the Irish language to survive as a community language in the Gaeltacht if it continues to require people in those areas to carry out their business with the State through English.

The investigation was of the opinion that members of An Garda Síochána, because of their authoritative role in any community, have a particular importance and standing in an area and are often held in high esteem.

Just as An Garda Síochána expects the general public to comply with the law of the land, so also must An Garda Síochána comply with the law, including the statutory provisions relating to the Irish language.

The investigation found that members of the force, without the necessary level of fluency in Irish, were stationed in a district that included a Gaeltacht area. It also found that the Garda Commissioner did not ensure, to the extent practicable, that Gardaí with the necessary competence in Irish were stationed there and therefore that the Garda Commissioner had breached the statutory obligation set out in subsection 33(2) of the Garda Síochána Act.



Sa bhreis air sin, ó tharla gur lonnadh Gardaí gan an líofacht chuí sa Ghaeilge i stáisiún an Bhuna Bhig/Dhoirí Beaga ón uair a daingnódh scéim teanga an fhórsa faoi Acht na dTeangacha Oifigiúla ar an 28 Bealtaine 2009, fuair an t-imscrúdú mar chinneadh fóraís é gur sháraigh an Garda Síochána an gealltanais reachtúil i bhfo-alt 3.11 den scéim teanga sin freisin.

Ní bhfuarthas aon locht pearsanta ar na Gardaí aonair a bhí curtha ar stáisiún sa dúiche atá i gceist. Ní leosan a bhaineann an sárú reachtúil ach leis na húdaráis a bhí ag feidhmiú thar ceann Choimisinéir an Gharda Síochána agus a chinn iad a lonnú ansin gan an inniúlacht riachtanach sa Ghaeilge a bheith acu.

Mhol an Coimisinéir Teanga go dtógfadh Coimisinéir an Gharda Síochána gach céim riachtanach le cinntiú gur Gardaí atá inniúil sa Ghaeilge a bheadh ar dualgas sa stáisiún ar an Bhun Bheag/Dhoirí Beaga. Mhol sé go mbeadh géilliúlacht iomlán do na dualgais reachtúla teanga chuí bainte amach ag Coimisinéir an Gharda Síochána a luaithe agus ab fhéidir ar bhonn céimnithe ach, ar a dhéanaí ar fad, laistigh de thréimhse naoi mí fad is a bhaineann sé le stáisiún Gardaí an Bhuna Bhig/Dhoirí Beaga.

Mhol sé nach mbainfí leas as cinneadh agus moltaí an imscrúdaithe mar leithscéal le laghdú nó maolú a dhéanamh ar sholáthar seirbhíse chuí phóilíneachta don limistéar atá i gceist. Mhol sé freisin go bhfeidhmeodh an Garda Síochána córas tástála teanga cuí chun líofacht Ghaeilge comhaltai a mheas tráth a mbeifí ag beartú iad a chur ar stáisiún i ndúiche ina bhfuil limistéar Gaeltachta. Ar deireadh, mhol sé go scrúdódh an Garda Síochána an raibh impleachtaí ag cinneadh an imscrúdaithe seo ó thaobh na ndúichí ar fad de chuid an Gharda Síochána ina bhfuil limistéir Gaeltachta agus, má bhí, go rachfaí i ngleic leo sin le géilliúlacht do na dualgais reachtúla teanga a chinntiú.

**Imscrúdú seolta:** 18 Feabhra 2011

**Tuarascáil eisithe:** 28 Nollaig 2011

## An Roinn Coimirce Sóisialaí

Léirigh dhá imscrúdú éagsúla nár chomhlíon an Roinn Coimirce Sóisialaí go cuí na dualgais reachtúla teanga i dtaca le marcanna bónaís a thabhairt d'inniúlacht sa Ghaeilge agus sa Bhéarla i gcomórtais inmheánacha d'ardú céime i gcás beirt oifigeach ainmnithe.

Bunaíodh córas na marcanna bónaís as inniúlacht in dhá theanga oifigiúla an Stáit mar mhalairt ar chóras na Gaeilge 'éigeantai' sa bhliain 1975.

Chreid na gearánaigh sa dá chás seo go raibh siad i dteideal na marcanna bónaís mar atá leagtha amach i gciocláin 43/75 agus 30/90 de chuid na Roinne Airgeadais ach níor bronnadh na marcanna sin orthu. Níor éirigh leo áit a fháil ar na painéil deiridh sna comórtais d'ardú céime agus is ag tráth sin amháin a raibh an t-ord fiúntais ar na painéil á shocrú a thairg an Roinn na marcanna bónaís d'inniúlacht teangacha a cheadú.

In addition, because Gardaí without the necessary fluency in Irish were assigned to the Garda station in An Bun Beag/Doirí Beaga after May 28th 2009, the date on which the force's language scheme under the Official Languages Act was confirmed, the investigation found that An Garda Síochána had also breached the statutory commitment given in subsection 3.11 of that scheme.

No fault was found with any of the individual Gardaí stationed in the district in question. They were not responsible for the statutory breach; that was the responsibility of the authorities acting on behalf of the Garda Commissioner who decided to station them there, even though they did not have the necessary competence in Irish.

An Coimisinéir Teanga recommended that the Garda Commissioner take all necessary steps to ensure that the Gardaí stationed in An Bun Beag/Doirí Beaga have the required fluency in Irish. He recommended that the Garda Commissioner should achieve full compliance with the appropriate language legislation as soon as possible, on a phased basis, but at the latest, in so far as it related to the Garda station at An Bun Beag/Doirí Beaga, within a period of nine months.

He recommended that the findings and recommendations of the investigation should not be used as an excuse to reduce the provision of a proper policing service to the area in question. He also recommended that An Garda Síochána operate an appropriate language appraisal system to assess the fluency of members when it was proposed to station them in a district that included a Gaeltacht area. Finally, he suggested that An Garda Síochána examine whether the findings of this investigation had implications for all Garda Síochána districts which include Gaeltacht areas and, if so, that the Garda authorities ensure that they address any such issues of compliance with the statutory language duties.

**Investigation launched:** 18 February 2011

**Report issued:** 28 December 2011

## Department of Social Protection

Two separate investigations found that, in the case of two named officials, the Department of Social Protection did not comply with its statutory language obligations with regard to the award of bonus marks for proficiency in Irish and English in internal promotion competitions.

The system for the awarding of bonus marks for proficiency in the two languages was established in 1975 to replace the previous system of "compulsory" Irish.

The complainants in both cases believed that they were entitled to bonus marks for language proficiency as set out in Circulars 43/75 and 30/90 of the Department of Finance, but no such marks are awarded to them. Neither official succeeded in progressing to the final panels in the promotion competitions and it was only at this final stage, when the order of merit on the panels was being decided, that the Department proposed to award the bonus marks.

Seoladh an chéad imscrúdú ar an gceist seo ag deireadh na bliana 2010, agus an dara ceann i mBealtaine na bliana 2011 le teacht ar chinntí an raibh nó nach raibh dualgais reachtúla teanga á sárú ag an Roinn Coimírce Sóisialaí sa mhéid a liomhnaíodh sna cásanna seo.

Bhí difríocht idir an dá chás a bhí faoi imscrúdú sa mhéid seo: sa chéad chás, bhí scrúdú scríofa mar chéad chéim agus ansin agallamh iomaíoch ina dhiaidh sin: sa dara cás, bhí réamhagallamh iomaíoch i gceist agus ansin agallamh deiridh. Níor chuir an leagan amach difriúil sin aon athrú ar na bunfhiricí mar go ndeirtear go soiléir in alt 4 de chiorclán 30/90: *“Beidh feidhm ag na socruithe thuas maidir le gach comórtas teoranta le haghaidh ardú céime cibé acu ar an modh agallaimh nó scrúduithe scríofa a thionólfar iad.”*

Ba é seasamh na Roinne nár sháraigh sí dualgais reachtúla teanga mar, dar léi, ní raibh aon riachtanas ann faoina gcaithfeadh ranna rialtais an fhoráil le haghaidh marcanna bónais as inniúlacht teanga a chur i bhfeidhm i gcomórtais inmheánacha; ach, i gcásanna ina mbronnar na marcanna bónais i gcomórtais inmheánacha, go mbronnar iad sa tslí chéanna is a bhronntar iad i gcomórtais idir-rannacha, i.e. na marcanna bónais a thabhairt agus ord an phainéil á shocrú. Tugadh le fios gurbh é sin seasamh na Roinne Airgeadais chomh maith mar a léiríodh i litir dar dáta an 4 Samhain 2005 chuig Oifigigh Phearsanra.

Dúirt siad gurb é nós na Roinne *“le fada an lá creidiúint a bhronnadh as inniúlacht teanga ar aon dul le forálacha na n-implitreacha, ach i gcás líon beag sainchomórtais, m.sh. poist TF nó poist ina n-íoctar liúntas speisialtóra.”*

Chuir an Roinn in iúl gur nós léi fógra oifige a eisiúint i gcás gach comórtais inmheánaigh agus go ndaingnítear forálacha agus coinníollacha an chomórtais san fhógra sin, ar a n-áirítear na riachtanais cháiliúcháin, agus an próiseas roghnúcháin, iarratais agus ceapacháin. Thug sí le fios gur réachtáladh gach ceann dá comórtais inmheánacha de réir *“Cód Cleachtais: Ceapacháin i bPoist sa Státseirbhís agus sa tSeirbhís Phoiblí”*, a d’fhoilsigh an Coimisiún um Cheapacháin Seirbhíse Poiblí.

Cinneadh sna himscrúduithe:

- Go bhfuil riachtanas reachtúil ann faoina gcaithfidh ranna rialtais (an Roinn Coimírce Sóisialaí san áireamh) an fhoráil le haghaidh marcanna bónais as inniúlacht teanga i gclárclán 43/75 agus 30/90 a chur i bhfeidhm i gcomórtais inmheánacha (caint Laffoy J. agus í ag déileáil go cuimsitheach leis an ábhar seo agus le feidhm chiorclán 43/75 agus 30/90 in *De Búrca v. An tAire Iompair agus eile* [2006].)
- Go mbeadh sé *ultra vires* ag an Roinn Coimírce Sóisialaí forálacha i gclárclán atá eisithe de bhun agus de bhua na gcumhachtaí a bhronntar faoi alt 17 d’Acht Rialuithe na Stát-Sheirbhíse ar Aire ar leith agus a dhaingníonn cearta do dhaoine ar leith, a leasú nó a athrú ar a conlán féin le fógra oifige.
- Nach gceadaíonn na ciorcláin chuí na marcanna bónais a theorannú dóibh siúd a ghnóthódh áit ar an bpainéal deiridh.
- Go dteoraíonn fo-alt 1(d) de chiorclán 43/75 go soiléir go mbeadh eolas *“ar an nGaeilge, áfach, ar cheann de na nithe a thabharfar faoi mheas nuair a bheidh oifigigh á roghnú le haghaidh ardú céime”*.

The first investigation on this issue was commenced at the end of 2010, and the second in May 2011. The investigations were conducted to establish whether or not the Department of Social Protection was in breach of its statutory language obligations as alleged in these cases.

The two cases under investigation differed in that the initial case comprised a written examination as a first step followed by a competitive interview, while the second case involved a preliminary interview followed by a final interview. This difference in arrangements had no material bearing on the matter as it is clearly stated in section 4 of Circular 30/90 that: *“The above arrangements will apply to all confined promotion competitions whether they are by way of interview or written examination.”*

The Department argued that it had not breached its statutory language obligations as government departments were not obliged to award bonus marks for language proficiency in internal competitions; and, where bonus marks were awarded in internal competitions, they were granted in the same manner as in inter-departmental competitions, i.e. the bonus marks were awarded when setting out the order of merit on the final panel. They indicated this was also the Department of Finance’s position, as expressed in a letter of 4 November 2005 to Personnel Officers.

The Department said that it was its custom and practice *“for many years to award credit for language competence in line with the provisions of the circulars, except in a small number or special competitions, e.g. IT posts or posts with a specialist allowance.”* (translation).

The Department indicated that it routinely issued an office notice for all internal competitions setting out the requirements and conditions of the competition, including the necessary qualifications, and also the selection, application and appointment processes. The Department indicated that it conducted its internal competitions in accordance with the *“Code of Practice: Appointment for Positions in the Civil and Public Service”*, published by the Commission for Public Service Appointments.

The investigations found as follows:

- That it is a statutory requirement for government departments (including the Department of Social Protection) to award bonus marks for language competence in internal competitions as set out in circulars 43/75 and 30/90. (Laffoy J. deals comprehensively with this matter and with the operation of circulars 43/75 and 30/90 in *De Búrca v. An tAire Iompair agus eile* [2006].)
- That it would be *ultra vires* for the Department of Social Protection to amend, on its own initiative, by means of an office notice, the provisions of circulars which secure rights for individuals when those circulars have been issued by a specific Minister by virtue of and pursuant to powers conferred by section 17 of the Civil Service Regulation Act.
- That the relevant circulars do not permit the restriction of bonus marks only to those who secure a place on the final panel.
- That subsection 1(d) of Circular 43/75 clearly directs that *“A knowledge of Irish will, however, be one of the factors which will be assessed in selecting staff for promotion.”*

- Sa chás nach mbronnar na marcanna bónais ar dhuine atá cáilithe go cuí, go bhfuil cearta an duine sin á sárú.

Chonacthas don imscrúdú nár leor mar chosaint ag an Roinn go raibh gnás na Státseirbhíse maidir le comórtais le haghaidh ardú céime nó *Cód Cleachtais an Choimisiúin um Cheapacháin Seirbhíse Poiblí* á leanúint má bhí na nósanna sin ag teacht salach ar fhorálacha reachtúla.

Chinn an t-imscrúdú go raibh dualgas reachtúil ar an Roinn marcanna bónais as inniúlacht sa Ghaeilge agus sa Bhéarla araon a bhronnadh ar na hiarratasóirí seo. Níor bhain aon discréd leis an gceist.

Níor cuireadh inniúlacht na ngearánach sa Ghaeilge san áireamh sa roghnú le haghaidh ardú céime sna comórtais seo. Is sárú é sin ar an dualgas a daingníodh i gciocláin 43/75 agus 30/90 agus is sárú ar chearta é freisin nuair a shéantar ar dhuine buntáiste a bhí dlite go reachtúil dó nó di. Mar a chinn Costello J. in *Gilheaney v. the Revenue Commissioners* “*when a statute confers a power on a minister to grant a benefit to some person and that power is exercised it also confers a corresponding right on that person to receive the benefit.*”

Moladh de thoradh na n-imscrúduithe go ndéanfaidh an Roinn athmharcáil ar thorthaí na gcomórtais seo le cinntiú go mbronnfaí na marcanna bónais cuí as inniúlacht sa Ghaeilge agus sa Bhéarla araon ar na gearánaigh agus go bhfaighidís aon bhuntáiste a d’eascródh as an athmharcáil sin.

Moladh freisin go gcinnteodh an Roinn go gcuirfí forálacha na gciocláin cuí i bhfeidhm go hiomlán feasta i ngach comórtas le haghaidh ardú céime dá cuid.

Anuas air sin, moladh go gcuirfí an tAire Caiteachais Phoiblí agus Athchóirithe, an tSeirbhís um Cheapacháin Phoiblí agus an Coimisiún um Cheapacháin Seirbhíse Poiblí ar an eolas faoi fhionnachtana agus moltaí na n-imscrúduithe.

Ní dhearna an Roinn achomharc i gcoinne na gcinntí sin chuig an Ard-Chúirt ar phonc dlí mar a bhí ceadaithe di a dhéanamh. Ach, fós féin, níor cuireadh moltaí na n-imscrúduithe i bhfeidhm. D’fhág sin go raibh sé riachtanach cinneadh na Roinne gan moltaí na n-imscrúduithe a chur i bhfeidhm a thuairisciú do gach Teach den Oireachtas faoi réir na ndualgas a dhaingnítear i bhfo-alt 26(5) d’Acht na dTeangacha Oifigiúla.

**Imscrúdú 1 seolta: 22 Nollaig 2010**

**Tuarascáil 1 eisiithe: 21 Márta 2011**

**Imscrúdú 2 seolta: 20 Bealtaine 2011**

**Tuarascáil 2 eisiithe: 23 Meitheamh 2011**

- Where bonus marks are not awarded to a suitably qualified person, that person’s rights are contravened.

It appeared to the investigation that it was not sufficient for the Department to offer as justification that the custom and practice of the Civil Service, or the *Code of Practice of the Public Service Commission*, were being adhered to if these procedures were in conflict with the statutory provisions.

The investigation found that the Department had a statutory duty to award bonus marks for competence in Irish and English to the complainants. No discretion attached to this.

The complainants’ competence in Irish was not taken into account in the selection process for promotion in these competitions. This is a breach of the obligations set out in circulars 43/75 and 30/90 and it is also an infringement of rights when a person is denied a benefit due to them by statute. As was determined by Costello J. in *Gilheaney v. the Revenue Commissioners*: “*when a statute confers a power on a minister to grant a benefit to some person and that power is exercised it also confers a corresponding right on that person to receive the benefit.*”

The investigations recommended that the Department revise the results of these two promotional competitions to ensure that bonus marks for proficiency in both Irish and English were properly awarded to the complainants and also that the complainants should receive any benefit which might arise from the revised marking.

The investigations also recommended that the Department ensure that the provisions of the relevant circulars were fully applied in future in all its promotion competitions.

Additionally, it was recommended that the Department inform the Minister for Public Expenditure and Reform, the Public Appointments Service and the Public Service Appointments Commission of the findings and recommendations of the investigations.

The Department did not appeal these decisions to the High Court on a point of law as it is permitted to do, but neither did it implement the recommendations of the investigations. As a result, it became necessary to report to the Houses of the Oireachtas, under subsection 26(5) of the Official Languages Act, the Department’s decision not to implement the recommendations of the investigations.

**First investigation launched: 22 December 2010**

**First report issued: 21 March 2011**

**Second investigation launched: 20 May 2011**

**Second report issued: 23 June 2011**

## An Coimisiún um Scrúduithe Stáit

Léirigh imscrúdú go bhfuil dualgas reachtúil faoin Acht Oideachais 1998 ar an gCoimisiún um Scrúduithe Stáit leaganacha Gaeilge de scéimeanna marcála a sholáthar do scrúdaitheoirí atá i mbun ceartúcháin ar scrúduithe de chuid an Teastais Shóisearaigh a fhreagraítear trí Ghaeilge.

Seoladh an t-imscrúdú de thoradh gearáin a rinne príomhoide meánscoile nach raibh fáil ar leaganacha Gaeilge de na scéimeanna marcála seo. Bhí siad á soláthar i mBéarla gan cheist do scoileanna a chuireann teagasc trí Bhéarla ar fáil, ach is trí Bhéarla amháin a bhí fáil orthu freisin do scoileanna aitheanta a chuireann teagasc trí Ghaeilge ar fáil.

In imscrúdú sa bhliain 2007, rinneadh fionnachtain gur sárú ar dhualgais reachtúla teanga atá daingnithe san Acht Oideachais 1998 a bhí ann ag an gCoimisiún um Scrúduithe Stáit nuair nach raibh leaganacha Gaeilge de scéimeanna marcála ar fáil le haghaidh scrúduithe de chuid na hArdteistiméireachta a freagraíodh trí Ghaeilge. Ghlac an Coimisiún le cinneadh agus le moltaí an Choimisinéara Teanga in 2007 agus níor lorgaíodh achomharc san Ard-Chúirt ar phonc dlí i gcoinne an chinnidh.

Má bhaineann dualgas reachtúil le soláthar leaganacha Gaeilge de scéimeanna marcála le haghaidh scrúduithe de chuid na hArdteistiméireachta a freagraíodh trí Ghaeilge – agus níl amhras ann ach go mbaineann – is léir go mbaineann an dualgas céanna i gcás scrúduithe an Teastais Shóisearaigh.

Chuir an Coimisiún um Scrúduithe Stáit argóintí chun cinn, *inter alia*, ag séanadh go bhfuil dualgas reachtúil i gceist anseo, á rá go gcaithfear ceist costais agus acmhainní (idir acmhainní airgeadais agus foirne) a thabhairt san áireamh, agus go mbeadh priacal nó baol suntasach breise i gceist don chóras dá gcaithfí leaganacha Gaeilge de na scéimeanna marcála seo a sholáthar.

Rinne an Coimisiún an cás freisin nach ionann ar chor ar bith an tábhacht a bhaineann le scrúduithe an Teastais Shóisearaigh i gcomparáid le scrúduithe na hArdteistiméireachta agus go gcaitear leo ar bhealaí difriúla. Deimhníodh freisin gur dócha nach fada eile go mbeadh leasuithe an-suntasach á ndéanamh ar scrúduithe an Teastais Shóisearaigh, an córas measúnachta san áireamh.

Chonacthas don imscrúdú go raibh dualgas reachtúil ar an gCoimisiún an tseirbhís taca seo a sholáthar trí Ghaeilge mar go bhfuil sí á soláthar trí Bhéarla agus nach leor na hargóintí éagsúla maidir le hacmhainní, priacal nó eile chun leasú, maolú nó cealú a dhéanamh ar dhualgas reachtúil atá daingnithe le dlí ag Tithe an Oireachtais. Ach tugadh suntas do na hargóintí sin sna moltaí a rinneadh de thoradh an imscrúdaithe.

Bhí na hargóintí dlíthiúla fréamhaithe i léirmhíniú ar na forálacha in alt 7 den Acht Oideachais 1998. Is féidir an cás a dhéanamh go bhfuil discréd ag an Aire Oideachais agus Scileanna maidir le soláthar seirbhísí taca go ginearálta faoi alt 7(1)(a) agus alt 7(2)(a) agus de réir na n-acmhainní atá ar fáil (alt 7(4)(a)(i)). Má chinntear, áfach, seirbhísí taca áirithe a sholáthar faoi na hailt seo, is léir gur dualgas reachtúil é na seirbhísí taca céanna sin a sholáthar trí Ghaeilge faoi alt 7(2)(d).

## State Examinations Commission

An investigation found that the State Examinations Commission has a statutory duty under the Education Act 1998 to provide Irish versions of marking schemes to examiners undertaking the correction of Junior Certificate examination papers answered in Irish.

The investigation was launched as a result of a complaint made by a secondary school principal that Irish language versions of the marking schemes were not available. The schemes were routinely provided in English to schools teaching through English, but only English versions were available to recognised schools teaching through Irish.

An investigation in 2007 found that the State Examinations Commission had breached its statutory language obligations as set out in the Education Act 1998 by failing to provide Irish versions of marking schemes for Leaving Certificate examination papers answered in Irish. The Commission accepted the decision and recommendations of An Coimisinéir Teanga in 2007 and did not appeal the matter to the High Court on a point of law.

If it is accepted that there is a statutory duty to provide Irish language versions of marking schemes for Leaving Certificate examinations answered through Irish – and this issue is not in doubt – then clearly the same statutory duty applies in the case of the Junior Certificate examination.

The State Examinations Commission put forward arguments denying, *inter alia*, that such a statutory duty existed and claiming that costs and resources (both financial and staff resources) needed to be taken into account. The Commission also suggested that a significant additional risk of error would be involved if Irish language versions had to be provided.

The Commission also made the case that the Junior Certificate examination is not nearly as important as the Leaving Certificate and is dealt with in a different manner. In addition, it was suggested that very significant amendments would soon be made to the Junior Certificate examination and its assessment system.

The investigation considered that the Commission had a statutory duty to provide this support service through Irish as it was already provided through English and that various arguments in relation to lack of resources or other risks were not sufficient to amend, reduce or terminate the statutory obligation confirmed in law by the Houses of the Oireachtas. However, these arguments were taken into account in framing the recommendations made as a result of the investigation.

The legal arguments were based on the interpretation of section 7 of the Education Act 1998. The case can be made that the Minister for Education and Skills has discretion in the provision of support services generally under section 7(1)(a) and section 7(2)(a) in accordance with the resources available (section 7(4)(a)(i)). If it is decided, however, to provide certain support services under these sections, it is clear that there is a statutory obligation to provide the same support services through Irish under section 7(2)(d).



Mhol an Coimisinéir Teanga go gcinnteodh an Coimisiún um Scrúduithe Stáit go gcloífeadh sé lena dhualgais reachtúla trí leagan cruinn Gaeilge de gach scéim mharcála a sholáthar do scrúdaitheoirí i gcás gach ábhair a fhreagraítear trí Ghaeilge i scrúduithe an Teastais Shóisearaigh agus go gcuirfí ar fáil go poiblí iad ar shuíomh gréasáin an Choimisiúin an tráth céanna leis na cinn i mBéarla.

Mar aitheantas ar an gcás a rinne an Coimisiún i dtaca le fadhbanna praiticiúla ach gan dochar don dualgas iomlán a bhaineann le fo-alt 7(2)(d) den Acht Oideachais, rinne an Coimisinéir Teanga moltaí a chiallóidh go mbeadh deis ag an gCoimisiún na costais a bhaineann le cloí leis na forálacha reachtúla seo a roinnt in imeacht tréimhse ama.

Mol sé gur “tiontú oifigiúil” a bheadh sa leagan Gaeilge de gach scéim mharcála i gcás nach é an leagan Gaeilge an bunleagan ach go leagfadh an Coimisiún amach prótacal le deacrachtaí a sheachaint sa chás eisceachtúil go mbeadh neamhréiteach idir dhá leagan. Mhol sé, ina theannta sin, go mbeadh na scéimeanna marcála trí Ghaeilge ar fáil mar thús i gcás na n-ábhar sin is coitianta a fhreagraítear trí Ghaeilge: i gcás scrúduithe na bliana 2012, go gcuirfí ar fáil iad do cheithre cinn de na hábhair **ar a laghad**, agus d’ocht n-ábhar **ar a laghad** do scrúduithe na bliana 2013 agus gach bliain ina dhiaidh sin go dtí go gcuirfear tús le scrúduithe faoin gcóras nua ar tagraíodh dó.

**Imscrúdú seolta:** 16 Márta 2011

**Tuarascáil eisithe:** 15 Iúil 2011

## Oifig na nOibreacha Poiblí

Léirigh imscrúdú nár chomhlíon Oifig na nOibreacha Poiblí an dualgas reachtúil teanga atá daingnithe i bhfo-alt 9(1) d’Acht na dTeangacha Oifigiúla i dtaca le húsáid na dteangacha oifigiúla (Gaeilge agus Béarla) ar aon chomharthaí nua a chuirfeadh an eagraíocht sin in airde tar éis an 1 Márta 2009 agus ar stáiseanóireacht nua nach raibh fós ina seilbh ar an dáta sin.

Tháinig sé chun solais, de bharr fiosrúcháin a rinne Oifig an Choimisinéara Teanga mar chuid dá dualgas faireacháin faoi Acht na dTeangacha Oifigiúla, gur cosúil nach raibh stáiseanóireacht agus comharthaíocht de chuid Oifig na nOibreacha Poiblí ag teacht leis na forálacha reachtúla maidir le húsáid na dteangacha oifigiúla.

Níor ghlac Oifig na nOibreacha Poiblí leis, áfach, gur sháraigh sí na Rialacháin (I.R. Uimh. 391 de 2008) faoi fho-alt 9(1) d’Acht na dTeangacha Oifigiúla.

Daingnítear sna Rialacháin má bheartaíonn comhlacht poiblí, ar nós Oifig na nOibreacha Poiblí, dhá theanga oifigiúla an Stáit – Gaeilge agus Béarla – a úsáid ina gcuid stáiseanóireachta agus comharthaíochta, go gcloífidh siad le leagan amach áirithe maidir le feiceálacht, inléiteacht, méid cló, eolas agus eile. Déantar foráil ar leith go mbeidh tús áite ag an nGaeilge, i.e. *“go mbeidh an téacs i nGaeilge ann ar dtús”*.

An Coimisinéir Teanga recommended that compliance with its statutory obligations would require the State Examinations Commission to provide examiners with the correct Irish language versions of marking schemes in the case of every subject answered through Irish in the Junior Certificate examination and also that the Irish language versions be made available to the public on the Commission’s website at the same time as the English versions.

In recognition of the case made by the Commission in relation to its practical difficulties, but without prejudice to the full compliance required by subsection 7(2)(d) of the Education Act, An Coimisinéir Teanga made recommendations that would allow the Commission to spread the costs of compliance out over a period of time.

He recommended that, where the Irish version of a marking scheme was not the original document, that the Irish version should be an “official translation”, but that the Commission should set out a protocol to avoid difficulties in exceptional cases where a discrepancy might arise between the two versions. He recommended also that the marking schemes through Irish be provided firstly in the subjects most frequently answered though Irish: they should be provided for **at least** four subjects for the year 2012 and for **at least** eight subjects for the year 2013 and for each subsequent year until the start of the examinations under the proposed new system.

**Investigation launched:** 16 March 2011

**Report issued:** 15 July 2011

## Office of Public Works

An investigation found that the Office of Public Works (OPW) failed to comply with its statutory language obligations as set out in subsection 9(1) of the Official Languages Act with regard to the use of the official languages (Irish and English) on new stationery and new signs erected after March 1st 2009.

It emerged as a result of an audit by the Office of An Coimisinéir Teanga, as part of its monitoring obligations under the Official Languages Act, that the OPW was using stationery and signage that appeared to breach the statutory provisions regarding the use of the official languages.

However, the OPW did not accept that it had breached the regulations (S.I. No. 391 of 2008) made under subsection 9(1) of the Official Languages Act.

The regulations provide that where a public body, such as the OPW, proposes to use the two official languages of the State – Irish and English – on stationery and signage, that it must comply with certain provisions in relation to visibility, legibility, font size, equality of information, etc. There is a specific provision stating that the Irish language has priority, i.e. *“the text in the Irish language shall appear first.”*



I gcás Oifig na nOibreacha Poiblí bhí tús áite tugtha d'ainm an chomhlachta phoiblí i mBéarla ar stáiseanóireacht agus ar chomharthaíocht nua.

Ní ceadmhach d'Oifig an Choimisinéara Teanga leasú ná maolú ar bith a dhéanamh ar na forálacha reachtúla agus is é gnó na hOifige a chinntiú go gcloíonn comhlachtaí poiblí leo. Dá nglacfaí leis nár ghá cloí leis i gcás Oifig na nOibreacha Poiblí, bheifí ag bunú fasach nár ghá cloí leis in aon chomhlacht poiblí eile.

Rinneadh an argóint gur bunchuid de ghrafaic nó léaráid lógó na hOifige sin a bhí in ainm an chomhlachta phoiblí agus go raibh sé saor ó riachtanais reachtúla teanga dá bharr sin de réir díolúine a bhí ceadaithe i bhfo-alt 9(1) (b)(iv) de na Rialacháin.

Níor ghlac an t-imscrúdú leis an argóint sin mar go raibh foráil sna Rialacháin a thug díolúine ó na dualgais reachtúla teanga d'ainm comhlachta ach amháin sa chás gur comhlacht poiblí a bhí i gceist.

Cé go bhféachfadh daoine áirithe ar an gcás seo mar mhionphointe, tá tábhacht leis mar fhasach agus le cinntiú nach ndéanfaí léirmhíniú míchruinn ar an díolúine a cheadaítear faoi na Rialacháin leis an nGaeilge a fhágáil ar lár ar fad in ainmneacha comhlachtaí poiblí.

Tá tábhacht eile leis – beidh, de bharr na gcúraimí atá ar an eagraíocht, an OPW freagrach as comharthaíocht a sholáthar do chuid mhór comhlachtaí poiblí ar fud na tíre agus tá sé tábhachtach go mbeadh léirmhíniú cruinn ar na forálacha reachtúla teanga ag an eagraíocht sin.

Chinn an Coimisinéir Teanga go gcaithfeadh Oifig na nOibreacha Poiblí cloí leis na Rialacháin reachtúla ach d'iarr sé go mbeifí fórchúramach nach gcuirfí aon chostas breise ar an eagraíocht lena ngéilliúlacht do na dualgais sin a chinntiú.

Mhol sé an stoc reatha stáiseanóireachta a bhí ina seilbh a úsáid ar fad ar dtús agus na leasuithe maidir le tús áite a thabhairt don leagan Gaeilge d'ainm an chomhlachta phoiblí a thabhairt i bhfeidhm in aon stoc nua agus in aon chomharthaíocht nua nach raibh ordaithe ná i seilbh an chomhlachta ag an tráth sin.

Mhol sé freisin go leasófaí seoladh oifigiúil an chomhlachta phoiblí i nGaeilge ó *“Sráid Jonathan Swift Street”* go *“Sráid Jonathan Swift.”*

**Imscrúdú seolta:** 8 Aibreán 2011

**Tuarascáil eisithe:** 9 Meitheamh 2011

The OPW had continued to give priority to the name of the public body in English on its stationery and signage.

The Office of An Coimisinéir Teanga cannot offer any derogation from these statutory provisions and the Office is obliged to ensure that public bodies comply with them. Were it to be accepted that the OPW did not need to comply, a precedent would be created that would allow other public bodies to breach the regulations.

It was argued that the name of the public body was an integral part of the graphic or logo and therefore exempted from the statutory language obligations in accordance with an exemption given for ‘logos’ in subsection 9(1)(b)(iv) of the regulations.

The investigation did not accept this argument as there is a provision in the regulations which exempts the name of a company from the regulations except where the name is that of a public body.

While some may see this case as of minor importance, it has significance in that it creates a precedent and should ensure there is no misinterpretation of the exemptions under the regulations such as might cause the Irish versions of names of public bodies to be omitted completely from signs and stationery.

It has further significance – the OPW, because of its wider responsibilities, provides signage for many public bodies throughout the country and therefore it is important that the organisation has a clear understanding of the language legislation.

An Coimisinéir Teanga found that the OPW is obliged to comply with the statutory regulations but stipulated that particular care should be taken to ensure that no additional costs arose for the organisation in ensuring compliance.

He recommended that the OPW should utilise fully the stock of stationery currently in its possession and should apply amendments, giving priority to the Irish version of the name of the public body, to any new stock and to any new signage not yet ordered or held by the OPW when the report of the investigation was issued.

He also recommended the official address of the public body in Irish be changed from *“Sráid Jonathan Swift Street”* to *“Sráid Jonathan Swift.”*

**Investigation launched:** 8 April 2011

**Report issued:** 9 June 2011

## Comhairle Contae Dhún Laoghaire–Ráth an Dúin

Léirigh imscrúdú gur sháraigh Comhairle Contae Dhún Laoghaire–Ráth an Dúin na dualgais reachtúla teanga atá daingnithe sa *Lámhleabhar do Chomharthaí Tráchtá* nuair a rinneadh logainmneacha i mBéarla amháin a mharcáil ar dhromchla na mbóithre féin i gceantair Áth an Ghainimh, na Céime agus Ghleann Cuilinn.

D'eascair an t-imscrúdú as gearán a rinneadh i mí Dheireadh Fómhair 2010. Treoraíonn an *Lámhleabhar do Chomharthaí Tráchtá* gurb é an t-eolas atá ar na treochoimharthaí tráchtá ba cheart a bheith ar dhromchla an bhóthair. Dá bhrí sin, ba cheart go mbeadh sé dátheangach, mar go bhfuil na logainmneacha ar na comharthaí treo dátheangach. Cé nach raibh an dualgas sin sonraithe go beacht sa *Lámhleabhar* ó 1996, tá an pointe soiléirithe sa leagan is déanaí den *Lámhleabhar*, áit a ndeirtear “*the need to provide bilingual information makes the use of place names on the carriageway impracticable*”.

Níor ghlac an Chomhairle leis go raibh a dualgais reachtúla teanga á sárú aici. Mar fhreagra ar an imscrúdú, dúirt an Chomhairle gurb é seasamh na Comhairle nach “*ann d’aon cheanglas ginearálta maidir le marcanna bóthair a bheith dátheangach*” agus gur chreid an Chomhairle “*go bhféadfaí i ndáiríre mearbhall a chur ar thiománaithe*” dá mbeadh comharthaí dátheangacha á n-úsáid.

Dúirt an Chomhairle freisin nárbh ionann an t-eolas a bhí ar dhromchla an bhóthair agus an t-eolas ar na réamhfhógraí: “*Níl marcanna bóthair, amhail M50 (N), S’FORD, CITY, K’Gobbin á dtaispeáint ar na treochoimharthaí tugtha go luath (advance directional signage). Is é seasamh na Comhairle – cé go mb’fhéidir go sáraíonn na marcanna bóthair go teicniúil an Lámhleabhar do Chomharthaí Tráchtá ó tharla nach ‘dtaispeántar an athuair’ orthu an fhaisnéis atá ar na treochoimharthaí ní sháraíonn siad Acht na dTeangacha Oifigiúla 2003 ó tharla nach ann d’aon cheanglas go mbeidís dátheangach.*”

Chonacthas don imscrúdú gurbh fhíor an méid a bhí á rá ag an gComhairle nach raibh an t-eolas céanna i mBéarla ar dhromchla na mbóithre agus a bhí ar na comharthaí treo i ngach cás agus dá bhrí sin go raibh an mharcáil sin ag teacht salach ar na teoracha sa *Lámhleabhar*. Ní gnó d’Oifig an Choimisinéara Teanga, áfach, faireachán a dhéanamh ar cheist ghéilliúlacht na Comhairle d’fhorálacha an *Lámhleabhair* ach amháin fad is a bhaineann sé leis an nGaeilge.

Ní chomhlíonfaí na dualgais trí leagan Gaeilge a dhéanamh de chomharthaí atá cheana féin ag sárú rialacha eile. Ní bheadh i gceist dá thoradh sin ach go mbeadh na rialacháin á sárú in dhá theanga oifigiúla an Stáit. Chonacthas don imscrúdú gur cheart go mbeadh an mharcáil dátheangach agus ag teacht go hiomlán leis an *Lámhleabhar do Chomharthaí Tráchtá*.

Tá ciall leis an bhforáil sa *Lámhleabhar* lena moltar gan ach uimhreacha na mbóithre a úsáid i gcásanna áirithe agus má tá logainmneacha le húsáid tá an rogha daingnithe sa *Lámhleabhar* iad a dhéanamh ar bhonn céimnithe “*...the destinations may optionally be staggered...*” agus a cheart féin a thabhairt don leagan Gaeilge chomh maith leis an leagan Béarla.

## Dún Laoghaire–Rathdown County Council

An investigation found that Dún Laoghaire–Rathdown County Council contravened its statutory language obligations as set out in the *Traffic Signs Manual* when it marked placenames in English only on the surface of the road in the Sandymore, Stepside, and Glencullen areas.

The investigation arose from a complaint made in October 2010. The *Traffic Signs Manual* directs that the information on the road surface should be the same as on the advance signs. Therefore, the information should be bilingual, as the placenames on directional signs are bilingual. Although this obligation was not very clearly specified in the *Manual* of 1996, the point is clarified and reinforced in the latest edition of the *Manual* where it is stated that “*the need to provide bilingual information makes the use of place names on the carriageway impracticable*”.

The Council did not accept it had breached its statutory language obligations. In response to the investigation, the Council claimed that “*there is no general requirement for road markings to be bilingual*” and the Council believed “*that, in reality, it might confuse drivers*” (trans.) if bilingual signs were used.

The Council also argued that the information on the road surface was not the same as the information on the advance signs: “*No road markings, such as M50 (N), S’FORD, CITY, K’Gobbin are shown on the advance directional signage. The Council’s position is that – although the road markings may technically contravene the Traffic Signs Manual since they do not repeat the information on the directional signage – they do not breach the Official Languages Act 2003 as there is no obligation to have them bilingual.*” (trans.)

The investigation found that, as the Council said, the information in English on road surfaces was not the same in all cases as that on the directional signs and therefore the markings were at odds with the instructions in the *Manual*. However, the Office of An Coimisinéir Teanga is not concerned with monitoring the compliance of the Council with the provisions of the *Traffic Signs Manual*, except in so far as it relates to the Irish language.

Compliance would not be achieved by producing Irish versions of signs that already contravene other rules. This would only result in a breach of the regulations in the two official languages of the State. The investigation considered that the road markings should be bilingual and fully in accordance with the *Traffic Signs Manual*.

The *Manual* contains the very sensible recommendation that in certain cases only road numbers should be used and that if bilingual placenames are used “*...the destinations may optionally be staggered*” which could allow for equal treatment of both the Irish and the English versions of the placenames.

Níor mhol an Coimisinéir Teanga na comharthaí a bhí ann cheana féin agus a bhí ag teacht salach ar an *Lámhleabhar do Chomharthaí Trácht*a a leasú láithreach. Bheadh, áfach, athnuachan le déanamh orthu de réir a chéile agus ag an tráth sin mhol sé go ndéanadh an Chomhairle an deis sin a thapú le cinntiú go mbeidís ag cloí go hiomlán agus go cruinn leis na dualgais reachtúla teanga.

**Imscrúdú seolta:** 1 Feabhra 2011

**Tuarascáil eisiithe:** 22 Márta 2011

## Comhairle Contae na Mí

Léirigh imscrúdú gur sháraigh Comhairle Contae na Mí na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla maidir le húsáid teangacha oifigiúla ar chomharthaíocht nuair a cuireadh comharthaí nua do mhéadair uisce in airde, i mBéarla amháin, i gceantar feidhme na Comhairle. Is de thoradh sé ghearán, cuid acu ón nGaeltacht, a tugadh faoin imscrúdú seo.

D'áitigh Comhairle Contae na Mí don imscrúdú nach comharthaí a bhí anseo chun críche na Rialachán mar nach raibh siad, dar léi, dírithe ar an bpobal. Ba léir gurbh é tuairim na Comhairle go mbeadh réiteach ar an scéal nuair a bheadh *“an chuid is mó de na méadair clúdaithe le duilliúr agus as radharc an phobail sa toadhchaí”*.

Thug an Chomhairle le fios gurbh í aidhm na gcomharthaí marcóir a chur ar fáil d'fhoireann na Comhairle seachas eolas a thabhairt don phobal agus nach raibh aon fheiceáil ag an bpobal orthu den chuid is mó. Dúirt an Chomhairle nach raibh na *“marcóirí atá lipéadaithe mar ábhar imní don phobal”*. Cinnte, ba léir go raibh siad ina n-ábhar imní don phobal i bhfianaise na sé ghearán a rinneadh ar an ábhar i gcaitheamh tréimhse ghairid ama.

Tá na Rialacháin maidir le húsáid na dteangacha oifigiúla ar chomharthaíocht (I.R. Uimhir 391 de 2008) soiléir agus, lasmuigh d'eisceachtaí faoi leith, baineann siad le haon chomhartha a chuireann comhlacht poiblí in airde, nó a chuirtear in airde thar a cheann, in aon suíomh.

Ní raibh aon amhras ar an imscrúdú ach gur comharthaí iad na marcóirí seo chun críche na Rialachán. Ní miste a lua arís go bhfuil ceantair Ghaeltachta i limistéar feidhme na Comhairle agus gur cuireadh cuid de na comharthaí i mBéarla amháin in airde sa cheantar sin.

Mhol an Coimisinéir Teanga go n-ullmhódh agus go gcuirfeadh an Chomhairle Contae i bhfeidhm plean leis na comharthaí nua ar fad i mBéarla amháin a leasú le go mbeidís ag teacht leis na forálacha reachtúla teanga. Mhol an Coimisinéir Teanga freisin go dtabharfaí tús áite i leasú na gcomharthaí sin do na cinn a bhí curtha in airde i limistéir Ghaeltachta.

Gan dochar don dualgas láithreach a bhí i gceist sa chás seo, mhol an t-imscrúdú go dtabharfaí faoin obair ar bhealach céimnithe.

**Imscrúdú seolta:** 21 Eanáir 2011

**Tuarascáil eisiithe:** 22 Feabhra 2011

An Coimisinéir Teanga did not recommend that the existing signs be amended immediately since they do not comply with the *Traffic Signs Manual*. They will, however, have to be upgraded over time and he recommended that the Council use that opportunity to ensure full and accurate compliance with Irish language legislation.

**Investigation launched:** 1 February 2011

**Report issued:** 22 March 2011

## Meath County Council

An investigation found that Meath County Council contravened the Regulations under subsection 9(1) of the Official Languages Act when it erected new signs for water meters which were in English only in the Council's area of operation. This investigation arose as a result of six complaints, some of which came from the Gaeltacht area of County Meath.

Meath County Council claimed that the signs concerned were not covered by the Regulations as, according to the Council, they were not directed at the public. It appeared that the Council was of the opinion that the problem would be solved when *“most of the meters would in the future be covered with foliage and hidden from public view.”* (trans.).

The Council stated that the purpose of the signs was to provide markers for the information of County Council staff and that they were not directed at the public. The Council said that the *“labelled markers should not be a matter of public concern.”* (trans.) It was clear, however, that they were a matter of public concern as six complaints were made regarding the matter over a short period of time.

The Regulations in relation to the use of official languages on signs (S.I. No. 391 of 2008) are clear and, apart from specific exemptions, they apply to any sign placed by or on behalf of a public body, at any location.

The investigation was in no doubt but that these markers were signs for the purposes of the Regulations. It should be noted that the Council's operational area includes Gaeltacht areas and some of the English only signs were erected there.

An Coimisinéir Teanga recommended that Meath County Council prepare and implement a plan for the amendment of all the new signs that had been erected in English only to ensure that the signs would comply with the language legislation. He also recommended that priority be given to the amendment of those signs erected in Gaeltacht areas.

Without prejudice to the immediate obligation which the investigation found to exist in this case, it was recommended that the work be done on a phased basis.

**Investigation launched:** 21 January 2011

**Report issued:** 22 February 2011

## Comhairle Contae na Gaillimhe

Léirigh imscrúdú go raibh Comhairle Contae na Gaillimhe ag sárú a dualgas reachtúil teanga toisc go raibh úsáid á baint, thar ceann na Comhairle, as bunachar sonraí ina raibh seoltaí Béarla do cheantair Ghaeltachta. Bhí an bunachar sonraí in úsáid ag Celtic Anglian Water le billí uisce a eisiúint.

Tháinig an fhadhb seo chun solais de bharr gearán a bheith déanta ar ábhar gaolmhar. Tharraing Oifig an Choimisinéara Teanga an cheist anuas leis an gComhairle ar bhonn neamhfhoirmiúil mar chéad chéim i mí Dheireadh Fómhair 2010. Cé go ndearnadh iarracht leanúnach an cheist a réiteach ar feadh breis agus bliain, agus gur tuigeadh go raibh dul chun cinn áirithe á dhéanamh, i ndeireadh na dála níor éirigh leis na hiarrachtaí an cheist a réiteach agus ar an ábhar sin ní raibh de rogha ann ach imscrúdú a sheoladh le teacht ar fhionnachtana agus moltaí sa chás.

Bhí sé daingnithe i scéim teanga na Comhairle, a tháinig i bhfeidhm sa bhliain 2005, go mbainfí úsáid as an tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004 chun críocha oifigiúla.

Is mar seo a leanas atá an mhír sin den scéim, 3.11.18: *“Bainfidh an Chomhairle úsáid as an tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004 chun críocha oifigiúla agus úsáidfear é mar réamhshocrú i ngach bunachar sonraí agus comhfhreagras de chuid na Comhairle.”*

Leagann Acht na dTeangacha Oifigiúla dualgais áirithe reachtúla i leith na teanga ar chomhlachtaí poiblí ach tugtar san áireamh freisin i gcúinsí ar leith na seirbhísí a sholáthraítear go hindíreach thar ceann comhlacht poiblí ag cuideachta nó eile.

Tugtar an sainmhíniú seo a leanas ar ‘seirbhís’ chun críche scéim teanga i bhfo-alt 2(1) d’Acht na dTeangacha Oifigiúla 2003:

*“Ciallaíonn ‘seirbhís’ seirbhís arna tairiscint nó arna soláthar (cibé acu go díreach nó go neamhdhíreach) ag comhlacht poiblí don phobal i gcoitinne nó d’aicme den phobal i gcoitinne.”*

Ghlac an Chomhairle leis go raibh sárú déanta aici ar dhualgais reachtúla teanga sa chás seo. Is cosúil nach d’aon ghnó, áfach, a rinneadh an sárú sin. Is léir ón tuairisc a sheol an Chomhairle chuig an imscrúdú go raibh iarracht éigin déanta ón tús cloí leis an reachtaíocht ach gur tharla lúb ar lár áit éigin sa chóras.

Mar mhíniú ar an sárú, bhí an méid seo le rá ag an gComhairle: *“Cé gur déanadh iarrachtaí ag an tús, nuair a bhí an tseirbhís dhá shocrú suas (fianaise de seo ar fáil má tá sé ábhartha), a chinntiú go raibh an Scéim Teanga agus an reachtaíocht teanga curtha san áireamh sa gConradh le Celtic Anglian Water ag cuimsiú cúrsaí logainmneacha níor déanadh athbhreithniú cheart ar bhunachair sonraí Celtic Anglian maidir le cloí leis an tOrdú Logainmneacha go dtí an bhliain reatha de bharr iomrall riaracháin. Tá athbhreithniú mhionsonraithe curtha i gcrích sa bhliain reatha bunaithe ar sheoltaí poist agus áit gur léirigh an seoladh billeála go raibh sé lonnaithe sa Ghaeltacht.”*

## Galway County Council

An investigation showed that Galway County Council was in breach of its statutory language obligations where addresses in English were used as the default setting instead of Gaeltacht placenames in a database. This database was used by Celtic Anglian Water when issuing bills for water charges.

This problem came to light as a result of a complaint on a related matter. The Office of An Coimisinéir Teanga raised the issue with the Council on an informal basis initially in October 2010. Regular efforts were made for over a year to resolve the matter, and it was understood that some progress was being made, but ultimately these efforts were unsuccessful and it was necessary to initiate an investigation to reach findings and make recommendations on the matter.

It was confirmed in the Council's language scheme, which came into force in 2005, that the Placenames Order (Gaeltacht Districts) 2004 would be used for official purposes.

Paragraph 3.11.18 of the scheme states as follows: *“An t-Ordú Logainmneacha (Ceantair Ghaeltachta) 2004 will be used by the Council for official purposes and used as a default in all of the Council's databases and correspondence.”*

The Official Languages Act places certain statutory obligations in relation to the use of Irish on public bodies but also takes into account, in certain circumstances, services which are provided indirectly on behalf of a public body by another company.

The following definition of ‘service’ for the purpose of language schemes is given in subsection 2(1) of the Official Languages Act 2003:

*“‘service’ means a service offered or provided (whether directly or indirectly) to the general public or a class of the general public by a public body.”*

The Council accepted that it had breached its statutory language obligations in this case. It appeared, however, to have done so inadvertently. It is clear from the report sent by the Council to the investigation that some effort was made at the outset to comply with the legislation but that a breakdown occurred somewhere in the system.

In explaining the breach, the Council said: *“Although various attempts were made when the service was set up initially to ensure that the Language Scheme, the language legislation and placename issues were taken into account in the Contract with Celtic Anglian Water (evidence of this can be provided if necessary), because of an administrative error, Celtic Anglian's databases were not properly reviewed to ensure they complied with the Placenames Order until the current year. This year a detailed review has been completed based on postal addresses in cases where the billing address indicated the address was located in the Gaeltacht.”* (translation)



Chinn an t-imscrúdú gur sháraigh an Chomhairle 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 bhaineann sé le mír 3.11.18 den scéim sin, a bhaineann le húsáid a bhaint as an Ordú Logainmneacha (Ceantair Gaeltachta) 2004 chun críocha oifigiúla, i gcás bhunachar sonraí Celtic Anglian Water atá á úsáid le billí uisce a eisiúint.

Mhol an Coimisinéir Teanga go rachadh an Chomhairle chun cinn le leasú a dhéanamh ar an mbunachar sonraí cuí le deimhin a dhéanamh de gur i nGaeilge a bheidh na logainmneacha Gaeltachta á n-úsáid mar réamhshocrú i gcás Celtic Anglian Water. Mhol sé freisin go mbeadh na socruithe sin curtha i bhfeidhm go hiomlán ag an gComhairle Contae ar a dhéanaí laistigh de thréimhse trí mhí ó dháta na tuarascála.

**Imscrúdú seolta: 23 Samhain 2011**

**Tuarascáil eisiithe: 28 Nollaig 2011**

## Comhairle Contae na hIarmhí

Léirigh imscrúdú gur sháraigh Comhairle Contae na hIarmhí dualgas reachtúil teanga nuair nár chuir sí i bhfeidhm go cuí in am trátha na gealltanais a bhí daingnithe ina scéim teanga maidir le húsáid na Gaeilge ar fhoirmeacha iarratais, ar bhróisiúir agus ar bhileoga eolais agus an láithreán gréasáin.

Tháinig scéim teanga na Comhairle i bhfeidhm ar an 1 Deireadh Fómhair 2007 agus fanann sí i bhfeidhm ar feadh tréimhse trí bliana ón dáta ar daingníodh í nó go dtí go mbeidh scéim nua daingnithe ag an Aire Ealaíon, Oidhreacht agus Gaeltachta, cibé acu is déanaí.

Mar chuid d'fheidhm faireacháin Oifig an Choimisinéara Teanga, rinneadh iniúchadh ar chomhlíonadh na ndualgas ag deireadh na tréimhse trí bliana den scéim. Tháinig sé chun solais go raibh gealltanais ar leith sa scéim nár chosúil iad a bheith curtha i bhfeidhm go cuí.

Ghlac an Chomhairle leis nár chomhlíon sí cuspóirí 3.1.1, 3.13, 3.42 ná 3.43 dá scéim agus thug sí le fios gur de bharr na timpeallachta eacnamaíche reatha a tharla an teip sin. Maidir leis an ngealltanas go bhfoilseofaí gach ábhar ar an láithreán gréasáin go comhuaineach i nGaeilge agus i mBéarla, bhí an méid seo le rá ag an gComhairle: *"Iarraid ort a thabhairt ar aird nach bhfuil sé d'acmhainn ag an gComhairle, laistigh dá hacmhainní daonna, codanna mór faisnéis nó doiciméid shuntasacha a aistriú go Gaeilge ar chaighdeán sásúil. Mar sin, ní mór di acmhainní a chaitheamh ar sheirbhísí aistriúcháin ar conradh leis an bhfeidhm seo a chomhlíonadh."*

Mar réiteach ar an bhfadhb, dúirt an Chomhairle gur smaoinigh sí *"ar úsáid a bhaint as Google Translate le foilseachán an láithreán ghréasáin go léir i nGaeilge a éascú."* Fós féin, ghlac an Chomhairle leis *"go mbaineann míchruinnis ghramadaí le Google Translate"*. Mhol an Chomhairle chomh maith dá n-éireadh léi iarcheimí le cáilíochtaí oiriúnacha a earcú faoi scéim de chuid FÁS, go ndíreofaí ar aistriúcháin ar fhoirmeacha, ar bhileoga agus ar aistriúcháin a dhéanamh ar *"an láithreán gréasáin ar bhonn céimnithe."*

The investigation found that the Council breached the statutory language obligations set out in subsection 18(1) of the Official Languages Act 2003 with regard to the implementation of a language scheme, in so far as it relates to paragraph 3.11.18 of the scheme. The breach concerned the failure to use the Placenames Order (Gaeltacht Districts) 2004 for official purposes where Celtic Anglian Water's database was used to issue bills for water charges.

An Coimisinéir Teanga recommended that the Council proceed with the amendment of the database in question to ensure that the Irish versions of Gaeltacht placenames are used as the default by Celtic Anglian Water. He also recommended that those arrangements be implemented fully by the County Council at the latest within a period of three months from the date of the report.

**Investigation launched: 23 November 2011**

**Report issued: 28 December 2011**

## Westmeath County Council

An investigation found that Westmeath County Council was in breach of its statutory language obligations as it had not appropriately implemented the commitments it gave in its language scheme in relation to the use of Irish in its application forms, brochures, information booklets and website in a timely manner.

The Council's language scheme came into effect on October 1st 2007 and remains in force for a period of three years from the date it is confirmed or until a new scheme is confirmed by the Minister for Arts, Heritage and the Gaeltacht, whichever is later.

As part of the monitoring function of the Office of An Coimisinéir Teanga, a compliance audit took place at the end of the three years of the scheme. It emerged that specific commitments in the scheme did not appear to have been properly implemented.

The Council accepted that it had not met objectives 3.1.1, 3.13, 3.42 and 3.43 of its scheme and indicated that the failure was a consequence of the current economic climate. As regards its commitment that all material would be published simultaneously in Irish and English on its website, the Council said: *"I ask you to note that the Council does not have the capacity within its own staff to translate large portions of information or substantial documents into Irish to a satisfactory standard and therefore it is obliged to spend financial resources contracting translation services to fulfil this function."* (trans.)

As a solution to the problem, the Council said that it considered using *"Google Translate to facilitate the publication of the entire website in Irish."* (trans.) However, the Council accepted that there were *"grammatical inaccuracies with Google Translate."* (trans.) The Council also suggested that if it succeeded in recruiting a suitably qualified graduate under a FÁS scheme, it would then focus on the translation of forms and leaflets and the translation *"on a phased basis of the website."* (trans.)



Níor ghlac an t-imscrúdú leis gur feabhas suntasach a bheadh in úsáid Google Translate le leagan Gaeilge den láithreán gréasáin a chruthú. Níl cumas an chórais sin maith a dhóthain ag an bpointe seo le heolas oifigiúil a aistriú go Gaeilge – go deimhin féin, de bharr easnaimh an chórais sin i láthair na huaire, d'fhéadfadh gur masla a bheadh ann dóibh siúd a bheadh ag lorg seirbhíse trí Ghaeilge seachas a mhalairt. Ní féidir glacadh leis, ach an oiread, gur socrú réadúil a bheadh ann a bheith ag brath go hiomlán ar an seans go mbeadh iarchéimí ar fáil ag a mbeadh na cáilíochtaí cuí faoi scéim Socrúchán Oibre FÁS le tabhairt faoin obair ar na foirmeacha nó ar an láithreán gréasáin.

Tá deacrachtaí ann don Chomhairle faoi láthair ó thaobh srianta airgeadais agus acmhainní foirne, ach ní fhágann sin gur féidir neamhaird iomlán a dhéanamh ar dhualgais reachtúla teanga.

Chinn an t-imscrúdú gur theip ar an gComhairle a dualgais faoi fho-alt 18(1) d'Acht na dTeangacha Oifigiúla 2003 a chomhlíonadh go sásúil. Moladh go leagfaí amach plean céimnithe le cinntiú go mbeadh foirmeacha iarratais, bróisiúir agus bileoga eolais ar fáil go dátheangach laistigh d'achar réasúnach ama. Ar mhaithe le laghdú a dhéanamh ar an gcostas, moladh go rachfaí i dteagmháil le húdaráis áitiúla eile a bhfuil a leithéid de dhoiciméid ullmhaithe i nGaeilge nó go dátheangach acu cheana féin lena gcead a fháil tarraingt ar a gcuid oibre siúd.

Moladh freisin plean le cinntiú go dtabharfaí faoin obair a bhí de dhíth le láithreán gréasáin dátheangach a chruthú agus go gcuirfí an plean sin i bhfeidhm in imeacht tréimhse ama.

**Imscrúdú seolta:** 11 Aibreán 2011

**Tuarascáil eisithe:** 28 Meitheamh 2011

## Comhairle Contae Laoise

Léirigh imscrúdú gur sháraigh Comhairle Contae Laoise an dualgas reachtúil teanga atá daingnithe i bhfo-alt 10(a) d'Acht na dTeangacha Oifigiúla nuair a d'fhoilsigh sí Dréachtphlean Forbartha Contae Laoise 2012-2018 i mBéarla amháin. Tháinig sé seo chun solais i mí an Mhárta 2011 le linn phróiseas faireacháin Oifig an Choimisinéara Teanga.

I mí Mheán Fómhair 2010, seoladh litir chuig na húdaráis áitiúla inar leagadh amach an dualgais a bhí orthu i dtaca le foilsiú comhuaineach an dréachtphlean contae i nGaeilge agus i mBéarla. Bhí an t-eolas seo ag an gComhairle nuair a chinn sí gan leagan Gaeilge den dréachtphlean a fhoilsiú.

Is próiseas reachtúil é ullmhú dréachtphlean forbartha, agus éilítear go reachtúil go mbeadh an dréachtphlean foilsithe go comhuaineach i nGaeilge agus i mBéarla, agus é sin “d’ainneoin aon achtachán eile...” Ní féidir cás a dhéanamh gur leanadh den phróiseas reachtúil ina iomláine sa chás seo agus, dá bhrí sin, ní féidir barántais a thabhairt faoi bhaillíocht an dréachtphlean a raibh costas beagnach €400,000 luaite leis. Tá an baol ann go bhféadfadh go n-éireodh le dúshlán dlíthiúil mar gur leanadh go feasach de phróiseas a tuigeadh a bheith ag teacht salach ar dhlí na tíre.

The investigation did not accept that it would be a significant improvement to use Google Translate to create an Irish version of the website. This system is not yet sufficiently advanced to allow accurate translation of official information into Irish – indeed because of its deficiencies, it might add insult to injury to those seeking service through Irish. Neither would it be realistic to rely solely on the possibility that the FÁS Work Placement scheme would provide a graduate with the necessary qualifications to undertake this work.

The Council undoubtedly had difficulties in relation to financial and staffing constraints, but this did not leave it in a position where it could simply disregard its statutory language obligations as if they did not exist.

The investigation found that the Council failed to comply in a satisfactory manner with its obligations under subsection 18(1) of the Official Languages Act 2003. It recommended that a phased plan be set out to ensure that application forms, brochures and information leaflets would be bilingual within a reasonable timeframe. In order to reduce costs, it suggested that the Council consult other local authorities, who already had such documents in Irish or bilingually, and that permission be sought to draw on their work.

It was also recommended that a work plan be prepared for making the website bilingual and that this plan should be executed on a phased basis.

**Investigation launched:** 11 April 2011

**Report issued:** 28 June 2011

## Laois County Council

An investigation found that Laois County Council was in breach of its statutory language obligations under subsection 10(a) of the Official Languages Act when it published its draft County Development Plan 2012-2018 in English only. The issue arose in March 2011 in the course of a monitoring exercise carried out by the Office of An Coimisinéir Teanga.

In September 2010, a letter was sent to all local authorities setting out their obligations in relation to the simultaneous publication in Irish and English of draft county development plans. The Council had this information when it decided not to publish an Irish version of its draft plan.

The preparation of draft development plans is a statutory process and legislation requires that the draft plan be published simultaneously in both Irish and English “notwithstanding any other enactment ...” In this case, the precise statutory process was not fully complied with and therefore no guarantee can be given as to validity of the draft plan, which cost almost €400,000. There could be a risk that a legal challenge to the plan could be mounted since the Council persevered with a process that it knew to be at odds with the law.

Seachas an dréachtphlean a fhoilsiú go comhuaineach i nGaeilge agus i mBéarla, bheartaigh an Chomhairle ar €390,000 a sholáthar d'ullmhú an phlean i mBéarla agus dúirt nárbh acmhainn di leagan Gaeilge a fhoilsiú. Is ceart a lua gur cuireadh airgead an cháinócóra ar fáil d'fhoilsiú leaganacha dátheangacha den dréachtphlean de réir dualgas reachtúil, seachas leaganacha i mBéarla amháin.

Ghlac an Chomhairle leis ón tús go raibh sárú déanta aici ar dhualgais reachtúla. Thug sí le fios go raibh spriocdháta an-teann leis an dréachtphlean deiridh a fhoilsiú, a phriontáil agus a dháileadh, díreach coicís i ndiaidh di treoir a fháil ó na comhaltaí tofa an dréachtphlean a fhoilsiú agus a chur ar taispeáint go poiblí. Dúirt an Chomhairle go bhfuair sí meastacháin de thart ar €40,000 agus 125 lá oibre don aistriúchán.

Ba léir ón eolas a cuireadh ar fáil go raibh míthuiscint ar an gComhairle faoin méid a bhí le haistriú, ach gur ar údaráis áitiúla eile seachas ar Oifig an Choimisinéara Teanga a lorg sí soiléiriú ar an gceist. Níor ghá ach doiciméid ina bhfuil *“tograí beartais phoiblí”* a fhoilsiú go comhuaineach i nGaeilge agus i mBéarla. D'fhágfadh sin gur dócha gur idir €12,000 agus €15,000 a bheadh an costas aistriúcháin, beagán le cois 3% de chostas iomlán an tionscadail.

Bheartaigh an Chomhairle leagan Gaeilge den dréachtphlean a chur ar fáil le linn an imscrúdaithe ach tráth a raibh sé rómhall lena dualgais reachtúla a chomhlíonadh go cuí agus tráth ar lú tairbhe a bhí ann d'aon chuid den phobal a mbeadh an Ghaeilge mar rogha teanga acu.

Mhol an Coimisinéir Teanga go gcinnteodh Comhairle Contae Laoise go gcloífeadh sí feasta lena dualgais reachtúla maidir le foilsiú comhuaineach doiciméad ina bhfuil tograí beartais phoiblí agus go mbeadh ullmhú leaganacha Gaeilge de dhoiciméid mar chuid thráthúil, lárnach den phróiseas pleanála tionscadail agus nach gcaithfí leo mar rud imeallach nó mar rud roghnach breise.

Mhol sé freisin go lorgódh an Chomhairle Contae comhairle óna comhairleoirí dlí féin maidir le haon bhearta a bheadh inmholtá di a dhéanamh i ndáil le bailíocht an dréachtphlean forbartha reatha a dhainiú i bhfianaise an chinnidh dul chun cinn lena fhoilsiú i mBéarla amháin, tráth ar tuigeadh go raibh sárú reachtúil i gceist leis seo.

**Imscrúdú seolta:** 11 Aibreán 2011

**Tuarascáil eisithe:** 19 Bealtaine 2011

## An tÚdarás Náisiúnta Iompair

### Imscrúdú scortha

Rinneadh cinneadh scor d'imscrúdú nuair a tugadh dearbhuithe ar leith a chinníodh go mbeadh an dualgas teanga a bhí ina ábhar amhrais á chomhlíonadh go cuí ag an Údarás Náisiúnta Iompair.

D'eascair an t-imscrúdú as gearáin maidir le comharthaí leictreonacha i dtaca le ham sroichte bus a bhí curtha in airde le linn tréimhse tástála agus comhairliúcháin phoiblí, i mBéarla amháin, i mBaile Átha Cliath ag an

Rather than publishing the draft plan simultaneously in Irish and English, the Council provided c. €390,000 for the preparation of an English version and said that it could not afford to publish an Irish version. It should be noted that taxpayer's money was made available for the publication of bilingual versions of the draft, as required by law, not for English only versions.

The Council accepted from the outset that it had breached its statutory obligations. It indicated that it had a very tight deadline to publish, print and distribute the final draft; that it had just two weeks after receiving guidance from the elected members to publish the draft and put it on public display. The Council said it received estimates of c. €40,000 and 125 working days for the translation.

From the information provided, it was clear that the Council was under a misapprehension as to what was required to be translated, but that it had sought clarification from other Councils rather than from the Office of An Coimisinéir Teanga. Only documents containing a *“public policy proposal”* are required to be to be published simultaneously in Irish and English. This would most likely mean that the cost of translation would have been between €12,000 and €15,000 or just over 3% of total cost of the project.

The Council decided to provide the Irish version of the draft plan during the investigation, but at a time when it was too late to fully comply with its statutory obligations and also when it was no longer of much benefit to those in the community who would have chosen the Irish version.

An Coimisinéir Teanga recommended that, in future, Laois County Council should comply with its statutory duties in regard to the simultaneous bilingual publication of documents containing public policy proposals and that the preparation of an Irish language version should be a central and scheduled part of the project planning process and not treated as an optional extra.

He also urged the Council to seek advice from its own legal advisers with regard to any steps that should be taken to ensure the validity of the current draft development plan in light of its decision to publish the document in English only when the Council knew that this was in breach of legislation.

**Investigation launched:** 11 April 2011

**Report issued:** 19 May 2011

## National Transport Authority

### Investigation discontinued

It was decided to discontinue an investigation when specific assurances were given that the statutory language obligations that were a cause for concern would be appropriately complied with by the National Transport Authority (NTA).

The investigation arose from complaints received about electronic signs showing bus arrival times in English only which were erected in Dublin by

Údarás Náisiúnta Iompair. Tá na dualgais reachtúla maidir le húsáid na dteangacha oifigiúla ar chomharthaíocht daingnithe sna Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla 2003, in I.R. 391 de 2008.

Dhearbhaigh an tÚdarás Náisiúnta Iompair, i litir don imscrúdú, go raibh céimeanna á nglacadh aige le cinntiú go mbeadh na comharthaí leictreonacha seo ag feidhmiú go dátheangach. Bhí cumas an chórais leictreonaigh feidhmiú go dátheangach san áireamh cheana féin sna mionsonraí do na bogearraí nuair a lorgaíodh iarratais ar thairiscintí don obair. I bhfianaise an dearbhaithe sin, chinn an Coimisinéir Teanga an t-imscrúdú a scor.

Faoi dheireadh 2011, bhí na comharthaí leictreonacha d'amhlár an chórais bhus ag feidhmiú go dátheangach agus is cosúil gur ar bhonn dátheangach atá sé i gceist comharthaíocht den chineál seo a fhorbairt ar fud na tíre as seo amach.

**Imscrúdú seolta:** 11 Márta 2011

**Imscrúdú scortha:** 6 Aibreán 2011

## Comhairle Contae Chill Chainnigh

### Imscrúdú scortha

Rinne an Coimisinéir Teanga cinneadh scor d'imscrúdú i gcás a bhain le Comhairle Contae Chill Chainnigh nuair a tugadh dearbhuithe go gcuirfí i bhfeidhm go cuí na dualgais reachtúla teanga maidir le comharthaí tráchtá bóthair. Rinneadh gearán go raibh comharthaí tráchtá ar a raibh logainmneacha i mBéarla amháin curtha in airde ag an gComhairle.

Rinne Oifig an Choimisinéara Teanga iarracht comhréiteach a aimsiú leis an gComhairle Contae trí phróiseas neamhfhoirmiúil réitithe gearán na hOifige ach ní raibh toradh air sin agus seoladh imscrúdú foirmiúil.

Léirítear sa *Lámhleabhar do Chomharthaí Tráchtá* na dualgais reachtúla maidir le húsáid na Gaeilge ar chomharthaí tráchtá bóthair. I dtaca le logainmneacha, deirtear, i bhfo-alt 1.1.48. den *Lámhleabhar*, go mbeidh logainmneacha ar chomharthaí eolais dátheangach ach amháin sa Ghaeltacht, áit a gcaithfidh siad a bheith i nGaeilge amháin.

Dúirt an Chomhairle leis an imscrúdú nár léi cuid de na comharthaí a bhí faoi chaibidil ar chor ar bith agus *“go gcuireann daoine príobháideacha suas comharthaí agus ainmchláir amanna i ngan fhios do Chomhairle Contae Chill Chainnigh.”* Dúradh go gcuirtear in airde iad gan chead agus gur i mBéarla amháin a chuirtear in airde iad, den chuid is mó.

Dúirt an Chomhairle go mbeadh na comharthaí eile a bhí lochtach á gceartú nó á mbaint anuas agus go raibh de nós imeachta *“go ndéanann an t-Innealtóir cuí nó an pearsanra cuí in ár nOifig um Dhearadh Bóithre an uile comhartha a dheimhniú sula ndéantar iad a ordú agus iad a dhéanamh.”*

**Imscrúdú seolta:** 3 Deireadh Fómhair 2011

**Imscrúdú scortha:** 20 Deireadh Fómhair 2011

the NTA during a period of public consultation and testing. The language obligations in relation to signage are contained in the Regulations made under subsection 9(1) of the Official Languages Act 2003 and are set out in S.I. 391 of 2008.

The NTA confirmed, in a letter to the investigation, that they were taking steps to ensure that these electronic signs would function bilingually. The requirement that the electronic system would have the capacity to function bilingually had already been taken into account in the software specifications when tenders were sought for the work.

By the end of 2011, the electronic signs showing bus arrival times were functioning bilingually and it appears that similar signage will be developed nationally on a bilingual basis in the future.

**Investigation launched:** 11 March 2011

**Investigation discontinued:** 6 April 2011

## Kilkenny County Council

### Investigation discontinued

An Coimisinéir Teanga decided to discontinue an investigation in a case involving Kilkenny County Council when assurances were given that language legislation in relation to road traffic signs would be properly implemented. A complaint had been made that the Council had erected traffic signs with placenames in English only.

The Office of An Coimisinéir Teanga tried to reach a resolution with the County Council through the informal complaints resolution procedure operated by the Office but without success, and therefore an investigation was launched.

The statutory obligations in relation to the use of Irish on road traffic signs are set out in the *Traffic Signs Manual*. In relation to placenames, subsection 1.1.48 of the *Manual* states that placenames on information signs must be bilingual except in the case of destinations in Gaeltacht areas where the names of places in such areas must be in Irish only.

The Council explained that it was not responsible for some of the signs in question and that *“on occasion sign posts and name plates are erected by private persons without the knowledge or authority of Kilkenny County Council”*. It said that it was *“generally the case that English only signs were erected in such circumstances”*.

The Council gave assurances that the defective signs would be corrected or removed and said that it was procedure and policy to ensure that all signs were *“certified by the relevant Area Engineer or personnel in our Road Design Office prior to ordering and production”*.

**Investigation launched:** 3 October 2011

**Investigation discontinued:** 20 October 2011

## CÚRSAÍ AIRGEADAIS

Cuireadh buiséad €670,000 ar fáil don Oifig don bhliain 2011 ach níor tarraingíodh anuas ach €629,285 den airgead sin.

Tá cuntais na hOifige don bhliain 2011 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-íocaí 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. Tháinig na socruithe seo i bhfeidhm ar an 1 Iúil 2011.

## FINANCIAL MATTERS

A budget of €670,000 was provided for my Office for 2011 and €629,285 of that money was drawn down.

The accounts of the Office for 2011 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. These arrangements came into force on July 1st 2011.

### Tuairisc ar Íocaíochtaí Prasa • Prompt Payments Report

Tréimhse Clúdaithe: 1 Iúil – 31 Nollaig 2011 • Period Covered: 1 July 2011 – 31 December 2011

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	129	120,853	99%
Líon na n-íocaíochtaí a rinneadh laistigh de 16 lá agus 30 lá Number of payments made within 16 days to 30 days	2	831	1%
Líon na n-íocaíochtaí a rinneadh sa bhreis ar 30 lá Number of payments made in excess of 30 days	0	0	0%
<b>Líon na n-íocaíochtaí sa tréimhse Total payments made</b>	<b>131</b>	<b>121,684</b>	<b>100%</b>
<sup>1</sup> Sonraisc faoi dhíospóid <sup>1</sup> Disputed Invoices		0	Ní bhaineann N/A

<sup>1</sup> Sonraisc a fuarthas i rith na tréimhse agus a bhí fós faoi dhíospóid ag deireadh na tréimhse tuairiscithe.

<sup>1</sup> Invoices received during the period and still under dispute at the end of the reporting period.

## FUINNEAMH

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

### Forbhreathnú ar Úsáid Fuinnimh sa Bhliain 2011

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 2011, d'úsáid Oifig an Choimisinéara Teanga 57.23 MWh leictreachais. Is ionann sin agus laghdú 22% ar úsáid na bliana 2010.

### Gníomhartha a rinneadh in 2011

Sa bhliain 2011, deisíodh an príomhchóras teasa agus aeraithe i bhfoirgneamh na hOifige agus laghdaíodh, dá bharr sin, an méid fuinnimh a úsáideadh chun an foirgneamh a théamh. Anuas air sin, leanadh de na beartais a bunaíodh in 2010: 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.

### Gníomhartha atá beartaithe do 2012

Leanfar de na beartais sábhála fuinnimh atá tionscanta cheana féin agus déanfar monatóireacht rialta ar úsáid leictreachais i gcaitheamh na bliana 2012.

## ENERGY

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

### Overview of Energy Usage in 2011

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 2011, the Office of An Coimisinéir Teanga consumed 57.23 MWh of electricity. This constituted a reduction of 22% in comparison to 2010.

### Actions Taken in 2011

In 2011, the main heating and aeration system in the office building was repaired and consequently there was a reduction in energy consumption on heating. The energy-saving practices established in 2010 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.

### Actions Planned for 2012

The Office will continue the energy-saving policies already initiated and it is intended to monitor electricity consumption on a regular basis during 2012.



## FOIREANN AGUS SONRAÍ TEAGMHÁLA • STAFF AND CONTACT DETAILS

### FOIREANN • STAFF

An Coimisinéir Teanga	Seán Ó Cuirreáin
Stiúrthóir • <i>Director</i>	folúntas • <i>vacancy</i>
Bainisteoir Cumarsáide • <i>Communications Manager</i>	Damhnait Uí Mhaoldúin
Bainisteoir Imscrúduithe • <i>Investigations Manager</i>	Órla de Búrca
Bainisteoir Géilliúlachta • <i>Compliance Manager</i>	Colm Ó Coisdealbha
Riarthóir Oifige • <i>Office Administrator</i>	Éamonn Ó Bróithe
Oifigeach Feidhmiúcháin • <i>Executive Officer</i>	Máire Ní Chuláin
Oifigeach Cléireachais • <i>Clerical Officer</i>	Deirdre Nic Dhonncha
Oifigeach Cléireachais • <i>Clerical Officer</i>	folúntas • <i>vacancy</i>

### SONRAÍ TEAGMHÁLA • CONTACT DETAILS

Is féidir teagmháil a dhéanamh leis an Oifig tríd an bpost, ar facs, le ríomhphost nó ar an teileafón ar chostas glao áitiúil, mar seo a leanas:

*This Office may be contacted by post, fax, email or telephone, at the cost of a local call, as follows:*

POST • <i>POST:</i>	An Coimisinéir Teanga, An Spidéal, Co. na Gaillimhe, Éire.
FÓN • <i>PHONE:</i>	091-504 006
GLAO ÁITIÚIL • <i>LO-CALL:</i>	1890-504 006
FACS • <i>FAX:</i>	091-504 036
RÍOMHPHOST • <i>EMAIL:</i>	eolas@coimisineir.ie
SUÍOMH GRÉASÁIN • <i>WEBSITE:</i>	www.coimisineir.ie

Is é an leagan Gaeilge buntéacs na Tuarascála seo.

*The Irish language version is the original text of this Report.*





