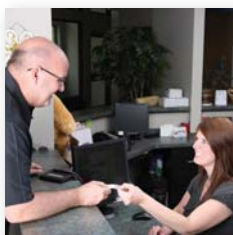
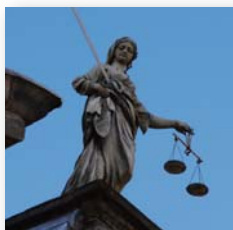




An Coimisinéir Teanga



## Tuarascáil Bhliantúil Annual Report



2014



# TUARASCÁIL BHLIANTÚIL ANNUAL REPORT

## 2014



### **Don Aire Ealaíon, Oidhreacht agus Gaeltachta:**

De réir alt 30 d'Acht na dTeangacha Oifigiúla, 2003, tá an Tuarascáil seo don bhliain 2014 á cur i láthair ag an gCoimisinéir Teanga.

**Rónán Ó Domhnaill**  
An Coimisinéir Teanga

Márta 2015

### **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 2014 is being presented by An Coimisinéir Teanga.

**Rónán Ó Domhnaill**  
An Coimisinéir Teanga

March 2015



## 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

Tá beagnach bliain imithe thart ó ceapadh i mo Choimisinéir Teanga mé, tráth ar bronnadh an onóir orm tabhairt faoin ról dúshlánach seo. Bliain thaitneamhach agus thairbheach a bhí inti ar go leor bealaí. Bliain thar a bheith gnóthach freisin.

Ba mhaith liom ar an gcéad dul síos mo bhuíochas a chur in iúl do mo réamhtheachtaí, Seán Ó Cuirreáin, as Oifig chomh héifeachtach agus Oifig a bhfuil meas ag lucht labhartha na Gaeilge uirthi a fhágáil agam mar oidhreacht. Is furasta a aithint go bhfuil an fheasacht atá ar chúrsaí cearta teanga in áit i bhfad níos folláine anois, ní amháin i measc an ghnáthphobail ach freisin i measc eagraíochtaí stáit, de thoradh obair na hOifige le deich mbliana anuas. Sa tréimhse atá amach romhamsa mar Choimisinéir Teanga tá sé mar chuspóir agam treisiú ar an méid a baineadh amach roimhe seo agus an meas atá tuillte ag an Oifig a chosaint agus a fhorbairt.

Is é an príomhchúram atá leagtha ag Tithe an Oireachtais ormsa mar Choimisinéir Teanga ná gach beart atá faoi dhlinse mo chumhachta a chur i gcrích chun a chinntiú go gcloíonn comhlachtaí poiblí leis na dualgais atá leagtha orthu faoi Acht na dTeangacha Oifigiúla. Tá sé i gceist agam leanúint den mhéid sin a dhéanamh gan scáth, gan leithscéal.

Tá sé i gceist agam freisin aird a tharraingt ar na laigí, mar a fheictear dom iad, a bhaineann leis an gcosaint reachtúil a thugtar do chearta teanga an tsaoaránaigh. Tá na cearta teanga sin, agus mo chumas iad a chosaint, ag brath ar an reachtaíocht atá daingnithe ag Tithe an Oireachtais. Tá deis stairiúil ann anois foghlaim ó na ceachtanna tar éis 10 mbliana d'fheidhmiú an Achta agus creat reachtaíochta a chur i bhfeidhm a thacóidh ar bhealach níos éifeachtaí le bunchearta teanga an tsaoaránaigh. Is ábhar é seo a bhfillfidh mé air sa Tuarascáil seo.

Rinneadh cinneadh Rialtais i mí an Aibreáin gan dul ar aghaidh leis an bplean a bhí ann an Oifig seo a chónascadh le hOifig an Ombudsman. Cinneadh ciallmhar agus praiticiúil a thug mé air sin ag an am agus sílim go bhfuil neamhspleáchas na hOifige neartaithe dá bharr. Ina theannta sin, ceadadh struchtúr nua foirne don Oifig; mar chuid de sin ceapadh Stiúrthóir Oifige ag leibhéal Príomhoifigigh sa Státseirbhís den chéad uair le os cionn dhá bhliain. Chomh maith leis sin, tháinig ardú os cionn €100,000 ar bhuiséad na hOifige don bhliain 2015 chun tacú leis an athrú struchtúir sin. Fáiltím roimh an dul chun cinn seo agus tacaíocht na Roinne Ealaíon, Oidhreacht agus Gaeltachta.

## ATHBHREITHNIÚ

I mí an Aibreáin i mbliana foilsíodh Athbhreithniú ar Acht na dTeangacha Oifigiúla, príomhfhórlacha Bhille na dTeangacha Oifigiúla (Leasú), 2014 san áireamh. Ar aon léamh tá bearnaí suntasacha idir na fórlacha sin agus an tráchttaireacht a d'fhoilsigh m'Oifig ar fheidhm phraiticiúil agus ar oibriú fhórlacha an Achta roimhe seo. Tá na laigí atá aitheanta maidir le cearta teanga an tsaoaránaigh fós le brath. Níl aon chur ina choinne agamsa go ndéanfaí athbhreithniú ar an Acht. Go deimhin, cuirim fáilte roimh a leithéid i gcás píosa reachtaíochta a bhí úrnua ag an am agus atá againn le os cionn deich mbliana anois. Is é mo bharúil, áfach, go bhfuil ceannteidil an Bhille úir easnamhach agus nach dtéann siad i ngleic mar ba chóir leis na deacrachtaí atá aitheanta. Ba chóir go bhforbrófaí tuilleadh na codanna sin den Acht a fheidhmíonn go maith, go leasófaí na réimsí sin nach bhfuil éifeachtach agus go ndéileáfaí leis na heasnamh a bhí ann ón tús.

## FOREWORD

Almost a year has passed since I had the honour of accepting the challenging role of An Coimisinéir Teanga. It has been an enjoyable and beneficial year in many ways. It has also been an extremely busy year.

I'd first like to thank my predecessor, Seán Ó Cuirreáin, for leaving me as his legacy such an effective Office and one which commands the respect of Irish speakers. It's easy to identify that there is a far more healthy awareness of language rights now, not only amongst the public but also amongst state agencies, as a result of the work of this Office over the past ten years. In my period ahead as An Coimisinéir Teanga it is my objective to copperfasten what has been achieved to date and to protect and develop the respect that this Office deserves.

The main duty bestowed upon me by the Houses of the Oireachtas is to utilise all powers under my jurisdiction to ensure that public bodies comply with their obligations under the Official Languages Act. I intend to continue doing that without fear or favour.

I also intend to draw attention to the weaknesses, as I see them, pertaining to the statutory protection offered to the language rights of citizens. These language rights, and my ability to protect them, depend on the legislation enacted by the Houses of the Oireachtas. There is a historic opportunity now to learn from the lessons of the past 10 years regarding the implementation of the Act and to establish a legislative framework which supports the basic language rights of citizens in a more effective way. This is a theme I will return to in this Report.

A Government decision was taken in April not to proceed with the plan to merge this Office with the Office of the Ombudsman. I described the decision at the time as a sensible and practical one and I believe that the independence of the Office is strengthened as a result. Also, a new staff structure was approved for the Office this year; as part of that an Office Director, at Principal Officer level in the Civil Service, was appointed for the first time in over two years. Also, the budget for the Office was increased by over €100,000 for 2015 to support the new staffing structure. I welcome the progress made to date and the support of the Department of Arts, Heritage & the Gaeltacht.

## REVIEW

In April of this year the Review of the Official Languages Act was published, including the main provisions of the Official Languages (Amendment) Bill 2014. On any reading there are substantial gaps between those provisions and a commentary on the practical implementation and the workings of the provisions of the Act previously published by this Office. The weaknesses identified regarding the language rights of citizens are still noticeable. I have no objection to a review of the Act. Indeed I welcome it for a piece of legislation that was new for its time and that has been with us now for over ten years. It is my opinion, however, that the heads of Bill are incomplete and don't tackle the difficulties identified. Those areas of the Act that work well should be developed, those that aren't effective should be amended and shortcomings that have been there from the beginning should be dealt with.

Is iad na scéimeanna teanga croílár na reachtaíochta, an príomhbhealach a leagtar dualgais ar chomhlachtaí poiblí faoin Acht lasmuigh de na forálacha díreacha. Aithním go bhfuil iarracht mhór déanta ag an Roinn Ealaíon, Oidhreacht agus Gaeltachta le hathnuachan a dhéanamh ar chóras na scéimeanna teanga le bliain anuas. In ainneoin na n-iarrachtaí ar fad agus an ardaithe atá tagtha ar líon na scéimeanna teanga a dhaingnigh an tAire Ealaíon, Oidhreacht agus Gaeltachta sa bhliain reatha, táim go mór in amhras faoi éifeacht an chórais seo. Táim den bharúil go bhfuil locht bunúsach i gcóras na scéimeanna teanga a fhágann go mbítear ag brath cuid mhaith ar an méid a bhíonn á thairiscint ag comhlachtaí poiblí de thuras na huair seachas a bheith ag oibriú i dtreo caighdeán aitheanta seirbhíse trí Ghaeilge. Tá raon na laige seo le brath i scéimeanna teanga a aontaíodh le linn na bliana 2014.

I gcás Roinn Rialtais amháin, mar shampla, gealltar go n-eiseofar 25% dá gcuid preasráiteas i nGaeilge, ach d'fhéadfadh gur tar éis ceithre huair fichead i ndiaidh don leagan Béarla a bheith eisithe a chuirfí an leagan Gaeilge ar fáil.

I scéim teanga eile dearbhaíonn comhlacht poiblí go bhfuil an suíomh gréasáin ar cheann de na príomh-mhodhanna cumarsáide atá in úsáid ag an gcomhlacht. Ó thaobh na Gaeilge de, áfach, níl geallta ag an gcomhlacht poiblí ina scéim teanga ach go bhfoilseofar doiciméid chorpóraideacha i nGaeilge ar an suíomh – doiciméid nach mór a fhoilsiú sa dá theanga oifigiúla ar aon bhealach.

Creidim go láidir go dteastaíonn córas na scéimeanna teanga a athrú ó bhonn. Molaim go dtabharfaí faoi chur chuige nua a leathnódh an réimse seirbhísí atá clúdaithe ag rialacháin agus dá réir go laghdófaí réimse feidhme na scéimeanna teanga. D'fhéadfaí é seo a dhéanamh go háirithe i gcás seirbhísí nach bhfuil ag brath chomh mór ar acmhainní daonna, leithéid suíomhanna gréasáin, seirbhísí ar líne, foirmeacha iarratais agus a leithéid. Trí rangú a bheith déanta ar chomhlachtaí poiblí, ag brath ar a dteagmháil leis an bpobal, d'éascófaí córas ina leagfaí dualgas ar chomhlachtaí poiblí réimsí seirbhísí a chur ar fáil mar cheart seachas a bheith ag aontú scéimeanna teanga ina gceann is ina gceann. An taithí atá agamsa agus ag m'Oifig ná gurb é seo an bealach is éifeachtaí le freastal ar chearta teanga an tsaoaráigh.

Ba chóir freisin foráil dhíreach a bheith déanta san Acht a chinnteodh go mbeadh Gaeilge ar a dtail ag fostaithe an Stáit atá lonnaithe sa Ghaeltacht nó ag cur seirbhísí ar fáil sna ceantair sin. Ní dhéanann sé aon chiall go mbeadh an Stát ag leagan dualgais ar na pobail Ghaeltachta pleananna teanga a ullmhú do limistéir aitheanta pleanála teanga ach ag an am céanna go bhfuil sé ag diúltú aitheantas a thabhairt dá gcuid freagrachtaí reachtúla féin.

## EARCAÍOCHT

Chuir sé an-díoma orm chomh maith a laghad post lena mbaineann riachtanas Gaeilge a aithníodh taobh istigh de Ranna Rialtais. Is minice ná a mhálairt a bhíonn deacrachtaí ag daoine teacht ar sheirbhísí trí Ghaeilge agus is beag rogha a bhíonn acu go praiticiúil ach tiontú ar an mBéarla más mian leo na seirbhísí sin a fháil. Ní bhaineann sé sin le heaspa éilimh, baineann sé le heaspa rogha.

Má theastaíonn uainn go mbeadh níos mó seirbhísí ar fáil i nGaeilge ón státchóras caithfear a chinntiú go bhfuil dóthain foirne le Gaeilge ann chun an méid sin a dhéanamh.

Language schemes are at the heart of the legislation, the primary means by which obligations are placed on public bodies under the Act outside of the direct provisions. I recognise that the Department of Arts, Heritage & the Gaeltacht has made a substantial effort to renew the system of language schemes over the past year. Despite all the effort, and the increase in the number of language schemes confirmed by the Minister for Arts, Heritage & the Gaeltacht in the current year, I am very dubious about the effectiveness of this system. I believe that there is a fundamental flaw in the language scheme system which means that it depends to a large degree on what the public body is offering at a particular point in time rather than working towards recognised standards of services through Irish. This flaw can be identified in language schemes that were agreed in 2014.

One Government Department, for example, promises to publish 25% of its press releases in Irish, but it could be up to 24 hours after the English version has been issued.

In another language scheme a public body identifies its website as one of its primary means of communication. However, in its language scheme the public body only commits to publishing corporate documents in Irish on its website, documents which must be published in both official languages in any event.

I am firmly of the view that the system of language schemes must be fundamentally altered. I strongly believe that a new approach is needed that would enhance the range of services covered by regulations and thus lessen the effect of language schemes. This could be done especially in the case of services that aren't primarily dependent on human resources, like websites, online services, application forms and so on. By categorising public bodies, depending on their interaction with the public, a system could be developed that would require public bodies to provide a range of services as a right rather than agreeing individual language schemes. It is my experience and the experience of this Office that this is the most effective way to address the language rights of citizens.


A direct provision should also be inserted in the Act that would ensure that State employees working in the Gaeltacht, or providing services in those areas, be fluent in Irish. It doesn't make any sense that the State requires Gaeltacht communities to prepare language schemes for recognised language planning areas but at the same time is unwilling to recognise its own statutory responsibilities.

## RECRUITMENT

I was also extremely disappointed by the lack of posts identified by Government Departments with an Irish language requirement. More often than not people have difficulties obtaining services through Irish and they have little choice in practice but to switch to English to avail of the service they need. This doesn't amount to a lack of demand but to a lack of choice.

If we want additional services through Irish to be made available from our state sector then it must be ensured that there are sufficient staff with competence in Irish to achieve that.





Feictear dom gur chóir do Ranna Rialtais a bheith ag taispeáint ceannaireachta ar an ábhar seo agus a bheith fadradharcach ina gcur chuige. Faraor, níl sé sin le feiceáil faoi láthair.

Ba cheart go mbeadh eagraíochtaí stáit in ann seirbhísí trí Ghaeilge a thairiscint go réamhghníomhach seachas a bheith de shíor ag tabhairt le fios gur beag éileamh a bhíonn ar sheirbhísí nuair is eol dúinn go maith nach bhfuil na seirbhísí sin ar fáil gan mórchuid dua. Go simplí, gan dóthain foirne le Gaeilge ní bheifear in ann na seirbhísí a bhíonn ag teastáil a chur ar fáil.

## CÁS CÚIRTE

In 2013 rinne Oifig na gCoimisinéirí Ioncaim achomharc chun na hArd-Chúirte ar phonc dlí i gcoinne cinneadh imscrúdaithe faoi réir alt 28 den Acht.

Éisteadh an cás san Ard-Chúirt i mí na Samhna, 2014.

Mar chúlra ar an gcás, léirigh imscrúdú a rinneadh le linn na bliana 2013 gur sháraigh Oifig na gCoimisinéirí Ioncaim na dualgais reachtúla teanga atá daingnithe i bhfo-alt 9(1) agus 9(3) d'Acht na dTeangacha Oifigiúla, 2003:

- i gcásanna inar eisíodh faisnéis i scríbhinn, i bhfoirm leabhrán eolais, i dtaca leis an gCáin Mhaoine Áitiúil (CMÁ) agus nach raibh an chumarsáid sin leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne i nGaeilge nó dátheangach (i mBéarla agus i nGaeilge);
- i gcásanna inar eisíodh litreacha chuig aicme den phobal i gcoitinne i dtaca leis an CMÁ agus gur i mBéarla amháin a eisíodh na litreacha sin;
- i gcásanna gur i mBéarla amháin a bhí na ceanteidil stáiseanáireachta ar litreacha arna seoladh amach ag na Coimisinéirí Ioncaim.

Ba é seasamh Oifig na gCoimisinéirí Ioncaim nár eisíodh an leabhrán mar chumarsáid laistigh de théarmaí fho-alt 9(3) den Acht, mar go raibh sé tánaisteach don litir agus don tuairisceán CMÁ a eisíodh chuig daoine aonair ainmnithe ina raibh faisnéis phearsanta shonrach maidir le dualgais CMÁ an duine aonair. Dúirt na Coimisinéirí Ioncaim gur cheart breathnú ar an gclúdach litreach agus a raibh istigh ann ina iomláine mar chomhfhreagras faoi rún le cáiníocóirí aonair; i bhfocail eile, gur ghnó príobháideach é nár bhain ach leis na cáiníocóirí a bhí i gceist agus nár chumarsáid é le haicme den phobal i gcoitinne.

Chonacthas don imscrúdú gurbh é an bhunfhaisnéis chéanna a bhí á dáileadh ar bheagnach 1.7 milliún duine ar fud an Stáit sa leabhrán faisnéise seo; ba dhaoine iad a raibh ceangal comónta eatarthu mar shealbhóirí maoine – daoine ar cheart faisnéis ar leith faoin gCáin Mhaoine Áitiúil a sheoladh chucu. Ní raibh aon amhras ar an imscrúdú ach gurbh “aicme den phobal i gcoitinne” iad na sealbhóirí maoine seo faoi réir na ngnáthchleachtas i dtaca le forléiriú reachtúil.

I mbreithiúnas a tugadh san Ard-Chúirt i mí Feabhra 2015 diúltaíodh d'achomharc Oifig na gCoimisinéirí Ioncaim i gcoinne chinneadh an imscrúdaithe.

Tá os cionn céad imscrúdú seolta ag an gCoimisinéir Teanga in imeacht na mblianta agus ba é seo an chéad uair a tugadh dúshlán Ard-Chúirte in aghaidh cinneadh imscrúdaithe a rinne an Coimisinéir.

I believe that Government Departments should show leadership in this regard and should be farsighted in their approach. Unfortunately, that isn't to be sensed at the moment.

State bodies should be able to offer services through Irish in a proactive manner instead of constantly stating that there is little demand for services through Irish when we are aware that those services aren't available without a great degree of effort. Put simply, without sufficient staff with competence in Irish it won't be possible to provide the services that are required.

## COURT CASE

In 2013, the Office of the Revenue Commissioners appealed the findings of an investigation to the High Court on a point of law as provided for by section 28 of the Act.

This case was heard in the High Court in November 2014.

As background to the case, an investigation conducted in 2013 found that the Office of the Revenue Commissioners failed to comply with the statutory language duties set out in subsections 9(1) and 9(3) of the Official Languages Act 2003 in the following instances:

- when information was issued in writing, in the form of an information booklet with regard to the Local Property Tax (LPT), and that communication with the public in general or with a class of the public in general was not in Irish or bilingual (in Irish and English);
- when letters in English only were issued to a class of the public in general with regard to the LPT;
- when headings of stationery were in English only on letters sent by the Revenue Commissioners.

The Office of the Revenue Commissioners maintained that the booklet did not come under the terms of subsection 9(3) of the Act because it was an adjunct to, or supplementary to, a letter and a LPT form sent to individually named people and containing specific personal information about the LPT obligations of these individuals. The Office of the Revenue Commissioners said that the envelope and all it contained should be seen as a single entity and as confidential correspondence with an individual taxpayer, in other words, as a private matter for the taxpayer in question and not as communication with the general public.

The investigation found that exactly the same information was being distributed to almost 1.7 million people throughout the State in this booklet; these were people who had a common bond, as property owners, who should receive certain information in relation to the LPT. The investigation was in no doubt that these property owners constituted “a class of the general public” under the usual terms of legal interpretation.

In a judgement made in the High Court in February 2015 the appeal by the Office of the Revenue Commissioners against the findings of the investigation was rejected.

An Coimisinéir Teanga has conducted over one hundred investigations over the years and this was the first occasion the finding of an investigation by An Coimisinéir Teanga was challenged in the High Court.



## GEARÁIN/IMSCRÚDITHE

Rinneadh líon suntasach gearán le m'Oifig anuraidh a bhain le comhlachtaí poiblí nach bhfuil faoi scáth na reachtaíochta – 115 san iomlán. Bhain a bhformhór mór le comhlachtaí poiblí a cuireadh ar bun ón uair a rinneadh an nuashonrú is déanaí ar sceideal na gcomhlachtaí poiblí in Acht na dTeangacha Oifigiúla siar i Meitheamh na bliana 2006. Ar na líon is suntasaí gearán a rinneadh bhí 40 gearán i dtaobh an Údaráis um Shábháilteacht ar Bhóithre agus 17 ngearán i dtaobh Uisce Éireann. Bhain 3 ghearán an ceann leis an tSeirbhís Tástála Náisiúnta Gluaisteán, an Chomhairle Mhúinteoireachta agus an tÚdarás Rialála Seirbhísí Maoinne.

Toisc nach raibh ar chumas m'Oifige na gearáin seo a fhiosrú, de bharr nár tháinig na comhlachtaí poiblí seo faoi scáth na reachtaíochta, ní féidir liom a rá an raibh sárú reachtúil i gceist in aon chás fiú dá mbeidís faoi scáth an Achta. Ach léiríonn líon na ngearán na deacrachtaí atá cruthaithe do shaoránaigh na tíre ar mian leo plé leis an státhóras trí Ghaeilge ach nach féidir mar nach bhfuil uasdátú rialta á dhéanamh ar sceideal na gcomhlachtaí poiblí. Tá sé molta ag m'Oifig i gcomhthéacs an athbheithnithe ar Acht na dTeangacha Oifigiúla go dtiocfadh gach comhlacht poiblí nuachruthaithe go huathoibríoch faoi scáth na reachtaíochta, mar a tharlaíonn i gcás reachtaíocht eile. Tá sin curtha san áireamh i gceannnteidil an Bhille leasaithe agus cuirim fáilte roimhe sin.

Bhain 9.9% de na gearáin le húsáid an leagain Gaeilge d'ainm agus seoladh le comhlachtaí poiblí. Bhí nós seanbhunaithe sa tír seo gur ceadmhach don saoránach ceachtar leagan – Gaeilge nó Béarla – dá n-ainm agus sloinne a úsáid leis an státhóras. Go stairiúil, ba mhinic leagan Béarla d'ainm agus sloinne a bheith ar theastas breithe ach leagan Gaeilge a bheith in úsáid ar bhonn laethúil ar phas, ceadúnas tiomána, do chúrsaí cánach agus leasa shóisialaigh &rl. De bharr cúrsaí slándála, tá athrú ag teacht ar an gcás seo anois, agus bítear ag súil le cruthúnas úsáide ar feadh tréimhse dhá bhliain den chuid is mó sula ceadmhach leagan eile seachas an leagan ar an teastas breithe a úsáid ar cháipéisí stáit. Ní mór a chinntiú go gcuirtear córas cuí in áit a chinntíonn gur ceadmhach don saoránach an leagan is rogha leis nó léi a úsáid leis an Stát, ach a chinntíonn nach bhfuil aon bhaol slándála ann.

Maidir le ceist na seoltaí, is minice ná a mhalairt a dhéantar clárú nó teagmháil leis an Stát trí chóras ar líne, agus go minic lorgaítear seoltaí trí chóras roghchláir, ar a bhfuil na seoltaí réamhshocrúithe i dteanga amháin. Ba cheart go dtabharfaí rogha don saoránach an leagan Gaeilge nó Béarla den seoladh a úsáid de réir a rogha féin. Caithfear a chinntiú go bhfuil ar chumas chórais ríomhairí an Stáit plé leis an gceist seo agus le sintí fada mar ba chóir, le cinntiú go bhfuil ainmneacha agus seoltaí cruinn.

I gcás amháin anuraidh, chuir údarás áitiúil in iúl do m'Oifig nach raibh i gceist aige an prótacal do chlárú ainmneacha a athrú, in ainneoin nach raibh ar a chumas spás a chur idir an dá eilimint de shloinne an ghearánaigh: 'ÓDomhnaill' a bhí á chlárú in ionad 'Ó Domhnaill' ar chártaí toghchánaíochta sa Chomhairle seo, mar shampla, agus 'NíShe' seachas 'Ní Shé'. Cé nach raibh a leithéid inghlactha don Oifig seo dhíultaihn an t-údarás áitiúil an scéal a chur ina cheart, toisc nach raibh aon dualgas reachtúil ina leith. Bheinn ag súil go réiteodh an leasú atá molta ar an reachtaíocht i dtaca le hainmneacha agus seoltaí na deacrachtaí seo atá ag eascairt ar bhonn laethúil.

## COMPLAINTS/INVESTIGATIONS


A substantial number of complaints were made to my Office last year relating to public bodies that don't come under the legislation – 115 in total. The vast majority of these related to public bodies that were established after the schedule relating to public bodies in the Official Languages Act was last updated in June 2006. Amongst the most significant complaints received were 40 complaints regarding the Road Safety Authority and 17 complaints regarding Irish Water. 3 complaints each were received about the National Car Testing Service, the Teaching Council and the Property Services Regulatory Authority.

As my Office couldn't investigate these complaints, because the public bodies concerned didn't come under the legislation, I can't say if a breach of legislation had occurred, even if they did come under the Act. But the number of complaints does show the difficulties created for citizens who wish to deal with the State system through Irish but can't as the schedule of public bodies isn't being updated regularly. My Office has recommended in the context of the review of the Official Languages Act that every newly-established public body would automatically come under the Act, as happens with other legislation. I welcome that that recommendation is included in the heads of the amending Bill.

9.9% of complaints related to the usage of the Irish version of a name and address with public bodies. There was a long-standing tradition in this country that citizens could use either version of their name – Irish or English – with the State. Historically, it was often the case that an English version of a name was on a birth certificate but an Irish version was used on a daily basis on a passport, driving licence, for tax and social welfare purposes etc. For security reasons this is changing now, and it is expected, for the most part, that there be proof of usage for two years before a different version of one's name may be used on state documents that is different to that on a birth certificate. It is important to ensure that an appropriate system is put in place which allows the citizen to use whichever version he/she prefers with the State, while also ensuring there are no security concerns.

As regards the issue of addresses, more often than not registration or contact is made with the State through an online system and very often an address is sought through a menu system where addresses are pre-set in one language only. Citizens should be entitled to use either the Irish or English version of their address depending on preference. It must be ensured that computer systems operated by the State can deal with this issue appropriately and with the *síneadh fada* to ensure that names and addresses are accurate.

In one instance last year a local authority informed my Office that it didn't intend to change its protocol for registration of names in spite of the fact it couldn't create a space between both elements of the surname of the complainant: 'ÓDomhnaill' was being registered rather than 'Ó Domhnaill' on the voting cards in this authority for example and 'NíShe' instead of 'Ní Shé'. Whilst this was unacceptable to this Office the local authority refused to rectify the situation as there was no statutory obligation relating to the matter. I would expect that the recommendation made to amend the legislation insofar as it relates to names and address should resolve these difficulties that are occurring on a daily basis.



Luadh sa Tuarascáil seo anuraidh an deacracht atá ag eascairt ar bhonn leanúnach i dtaca le húsáid córas meaisínáistriúcháin le haistriúcháin oifigiúla a sholáthar ar chomharthaíocht agus ar chomhfhreagras. Tá an fhadhb sin fós le brath in ainneoin ráitis na hOifige seo nach bhfuil na córais seo sách forbartha ná cruinn le tabhairt faoi obair oifigiúil mar seo.

## GÉILLIÚLACHT

Mar chuid de chlár iniúchta na hOifige don bhliain 2014, socraíodh iniúchadh a dhéanamh ar úsáid na dteangacha oifigiúla ar fhógairtí taifeadta atá in úsáid ag na húdaráis áitiúla. Bhí sé mar chuspóir ag an iniúchadh seo teacht ar thuairim ghinearálta maidir le leibhéal géilliúlachta na n-údarás áitiúil do na Rialacháin.

Ag amanna éagsúla, cuireadh glaonna teileafóin ar phríomhoifigí na n-údarás, le linn gnáthuaireanta oibre agus tar éis gnáthuaireanta oibre na n-oifigí, chomh maith le glaonna ar na Rannóga Tithíochta agus ar na Leabharlanna tar éis gnáthuaireanta oibre.

Ba iad Comhairlí Contae Dhún na nGall agus Laoise amháin a bhí ag baint úsáid as fógairtí taifeadta béil agus a bhí iomlán géilliúil do na Rialacháin. Táimid i mbun cumarsáide leis na húdaráis áitiúla nach raibh a gcuid fógairtí taifeadta béil géilliúil chun a chinntiú go mbeidh siad géilliúil taobh istigh d'achar réasúnach ama. Déanfar athbhreithniú ar an dul chun cinn sin i rith 2015.

## CUMARSÁID

Ceann de na nithe is mó ar bhain mé taitneamh as ó ceapadh mé sa ról seo ná an deis castáil le lucht labhartha na Gaeilge ó cheann ceann na tíre. Thug mé óráidí faoi chearta teanga an tsaoránaigh i nDún Chaoin, Caisleán an Bharraigh, an Spidéal agus ag Oireachtas na Gaeilge i gCill Airne i measc áiteanna eile. Rinne mé píosaí cainte go rialta le grúpaí mac léinn ag ócáidí a bhí eagraithe ag Conradh na Gaeilge agus ag Aontas Mac Léinn na hÉireann chomh maith. Tugann sé ardú meanman dom líon na ndaoine a tháinig chuig na hócáidí sin ar fad, an spéis agus an tuisceant a bhí ag daoine maidir lena gcuid cearta teanga agus an t-éileamh atá ann i measc an phobail go neartófaí na cearta sin.

Rinne mé na scórtha agallamh i nGaeilge agus i mBéarla leis na meáin chumarsáide ó thosaigh mé sa phost. Gabhaim buíochas le lucht na meán as a gcuid cúirtéise agus gairmiúlachta. Caithfidh mé a rá go bhfuil sé an-difriúil, agus fós beagán aisteach, a bheith ag freagairt ceistanna mar Choimisinéir Teanga seachas a bheith ag cur ceistanna i mo ról mar iriseoir roimhe seo!

Chuir mé tús chomh maith le sraith cruinnithe le hArd-Rúnaithe na Ranna Rialtais. An aidhm atá leis na cruinnithe sin ná léargas gonta a thabhairt ar na dualgaí atá ar chomhlachtaí poiblí faoi Acht na dTeangacha Oifigiúla, mé féin a chur in aithne go pearsanta mar Choimisinéir Teanga nuacheaptha agus chun a léargas siúd a fháil ar úsáid na Gaeilge sa státthóras.

## EILE

I mí an Mhárta 2014 d'fhreastail mé ar chomhdháil bhliantúil Chumann Idirnáisiúnta na gCoimisinéirí Teanga a bhí ar siúl in Barcelona. Bhain mé an-tairbhe as an gcomhdháil agus is léir go bhfuil go leor le foghlaim óna chéile ag na naoi n-eagraíocht atá mar chuid don Chumann. Ba chóir dom a lua chomh maith go raibh ról lárnach i mbunú Chumann Idirnáisiúnta na gCoimisinéirí Teanga ag mo réamhtheachtaí, Seán Ó Cuirreáin.

Last year's Annual Report made reference to the difficulty that arises quite regularly relating to the use of machine translation to provide an official translation on signage and correspondence. This problem still occurs in spite of this Office's statements that these systems are neither sufficiently developed nor accurate enough to undertake official work such as this.

## COMPLIANCE

As part of the audit programme undertaken by the Office in 2014 it was decided to investigate the usage of recorded announcements by local authorities. The aim of the audit was to reach a general opinion regarding the level of compliance with the Regulations by local authorities.

Phone calls were made at different times to the main offices of local authorities, during work hours and after work hours, as well as calls to Housing Departments and Libraries after normal work hours.

Donegal and Laois County Councils were the only authorities that were using recorded oral announcements which were in compliance with the Regulations. We are in contact with the local authorities whose recorded oral announcements weren't compliant to ensure that they are compliant within a reasonable period of time. Their progress will be reviewed during 2015.

## COMMUNICATIONS

One of the aspects I have enjoyed most since being appointed in the role is the opportunity to meet Irish speakers from all parts of the country. I have given orations about the language rights of citizens in Dún Chaoin, Castlebar, An Spidéal and at Oireachtas na Gaeilge in Killarney amongst other places. I spoke regularly to groups of students at events organised by Conradh na Gaeilge and the Union of Students in Ireland also. The number of people who attended these events raised my spirits, as did the interest and understanding people had regarding language rights and the demand that those rights be strengthened.

I did scores of interviews in Irish and in English with the media since beginning in this role. I'd like to thank the media for their courtesy and professionalism. I must say that it's very different, and still a bit strange, answering questions as Coimisinéir Teanga rather than asking the questions as a journalist as I once did!

I also began a series of meetings with the Secretaries General of Government Departments. The aim of these meetings is to give a brief synopsis of the obligations on public bodies under the Official Languages Act, to introduce myself personally as the newly appointed Coimisinéir Teanga and to get their view on the usage of Irish in the state system.

## OTHER

I attended the annual conference of the International Association of Language Commissioners which took place in Barcelona in March 2014. I benefited greatly from the conference and it is clear that the nine bodies that are members of the organisation have a lot to learn from each other. I should also mention that my predecessor, Seán Ó Cuirreáin, had a central role in the establishment of the International Association of Language Commissioners.

Tá mé i mo bhall de Chumann na nOmbudsman agus d'fhreastail mé ar chruinniú de chuid an Chumann i mBaile Átha Cliath. Is féidir le post Ombudsman a bheith aonarach go maith in amanna agus bhí an-tairbhe le baint as an gcruinniú sin agus as cruinnithe eile a bhí agam le hOmbudsmain i rith na bliana.

Cheap mé beirt bhall ar an gcoiste iniúchóireachta inmheánaí i mbliana chomh maith. Bhí an-áthas orm gur ghlac an t-iriseoir Áine Ní Chiaráin agus an saineolaí airgeadais Páidí Ó Dálaigh leis an gcuireadh a bheith ina mbail den choiste. Na príomhchúraimí atá orthu ná scrúdú a dhéanamh ar na cleachtais agus na nósmaireachtaí atá i bhfeidhm ag an Oifig i dtaca le cúrsaí airgeadais agus riaracháin agus is mór an chabhair domsa freisin iad a bheith ar fáil chun comhairle a chur ar fáil faoi ghnéithe éagsúla d'obair na hOifige.

Mar a luaigh mé níos luaithe ceadáíodh struchtúr nua foirne don Oifig in 2014. Is é Colm Ó Coisdealbha Stiúrthóir na hOifige anois agus táim faoi chomaoin mhór aige as an obair ar fad atá déanta aige ó thosaigh sé sa ról sin. Ba mhaith liom chomh maith aitheantas a thabhairt don chuidiú a fuair mé ónár mBainisteoir Imscrúduithe, Órla de Búrca, go mór agus mé ag tosú amach sa phost, in éindí le Damhnait Uí Mhaoldúin, an t-iar-Bhainisteoir Cumarsáide atá imithe ar scor anois. Tá Dualta Ó Broin tosaithe ag obair san Oifig mar Bhainisteoir Géilliúlachta ó shamhradh 2014 agus cuirim fáilte roimhe. Thosaigh Nóirín Seoighe ag obair leis an Oifig mar Oifigeach Feidhmiúcháin i mí Eanáir 2014 agus táim thar a bheith buíoch di, d'Éamonn Ó Bróithe agus de Dheirdre Nic Dhonncha as a saineolas agus a ngairmiúlacht.

Tugaim aghaidh ar an dara bliain sa ról seo le dóchas ach ag an am céanna le tuisceant go bhfuil dúshlán mhóra amach romhainn.

I am a member of the Ombudsman Association and I attended a meeting of the Association in Dublin. The role of Ombudsman can be quite solitary at times and I found that meeting as well as other meetings I had with Ombudsmen on an individual basis throughout the year to be very beneficial.

I also appointed two members to the internal audit committee during the year. I was delighted that journalist Áine Ní Chiaráin and financial expert Páidí Ó Dálaigh accepted invitations to become members of the committee. Their primary duties are to examine the practices and procedures that are in place in the Office regarding financial and administrative matters and their advice on different matters relating to the workings of the Office has been a huge help to me.

As I mentioned earlier a new staff structure was permitted for the Office in 2014. Colm Ó Coisdealbha is the Office Director now and I'm grateful to him for all the work he has done since commencing in that role. I'd also like to recognise the assistance provided by our Investigations Manager Órla de Búrca, especially when I took up this position, along with our former Communications Manager Damhnait Uí Mhaoldúin who has now retired. I'd also like to welcome Dualta Ó Broin who has joined the Office as Compliance Manager since summer 2014. Nóirín Seoighe joined as Executive Officer in January 2014 and I'm very grateful to her, Éamonn Ó Bróithe and Deirdre Nic Dhonncha for their expertise and professionalism.

I look forward to my second year in this role with hope, but also recognise the significant challenges that lie ahead.



Uachtarán na hÉireann ag bronnadh an tSéala Oifigiúil ar an gCoimisinéir Teanga.

Uachtarán na hÉireann presenting the Official Seal to An Coimisinéir Teanga.



## CÚLRA

Rinne Uachtarán na hÉireann mé a cheapadh i mo Choimisinéir Teanga go foirmiúil ar an 12 Márta 2014 ar chomhairle an Rialtais tar éis do Thithe an Oireachtais rún a rith ag moladh an cheapacháin. Fuair an ceapachán sin do théarma 6 bliana tacaíocht ó na páirtithe uile sa Dáil agus sa Seanad. Tháinig mé i gcomharbacht ar an gcéad Choimisinéir Teanga, Seán Ó Cuirreáin, a d'éirigh as oifig ar an 23 Feabhra 2014.

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

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

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

Cuireann an Oifig comhairle ar fáil don phobal maidir lena gcearta teanga agus comhairle ar chomhlachtaí poiblí maidir lena ndualgais teanga faoin Acht. Tá sé mar phríomhchuspóir ag an Acht a chinntiú go soláthraíonn an Státseirbhís agus an tSeirbhís Phoiblí seirbhísí Gaeilge ar bhonn níos líomhaire agus ar chaighdeán níos airde in imeacht tréimhse ama.

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. Faoi na Rialacháin, tá dualgas ar chomhlachtaí poiblí a chinntiú go bhfuil a gcuid stáiseanóireachta, a gcuid comharthaíochta agus a gcuid fógartí taifeadta béil á soláthar i nGaeilge amháin, nó i nGaeilge agus i mBéarla, de réir critéir ar leith atá daingnithe sna Rialacháin. Ní raibh aon Rialachán déanta faoi dheireadh na bliana 2014 maidir le fógraí ná maidir le fógartí beo béil.

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

Rinneadh leasú eile in alt 48 den Acht Comhshaoil (Forálacha Ilghnéitheacha), 2011 ar fhoráil d'Ionstraim Reachtúil Uimh. 872 de 2004 – an tOrdú Logainmneacha (Ceantair Ghaeltachta), 2004 – fad is a bhaineann sé leis an logainm, 'An Daingean'. Daingnítear sa leasú sin gurb

## BACKGROUND

The President formally appointed me as Coimisinéir Teanga on 12 March 2014 on the advice of the Government following a resolution passed by both Houses of the Oireachtas recommending the appointment. The appointment for a 6 year period received the support of all the parties in the Dáil and Seanad. I replaced the first Coimisinéir Teanga, Seán Ó Cuirreáin, who resigned on 23 February 2014.

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

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

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

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

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

On 1 October 2008, the Minister for Community, Rural and Gaeltacht Affairs signed the Official Languages Act 2003 (Section 9) Regulations 2008 (S.I. No. 391 of 2008). Under the Regulations, public bodies are obliged to ensure that their stationery, their signage and their recorded oral announcements are provided in Irish only, or in Irish and English, in accordance with certain provisions set out in the Regulations. No Regulations had been made by the end of 2014 regarding advertisements or live oral announcements.

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

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



iad ‘Daingean Uí Chúis’ i nGaeilge agus ‘Dingle’ i mBéarla na hainmneacha oifigiúla anois san áit a raibh ‘An Daingean’ roimhe sin.

Fógraíodh athbhreithniú foirmiúil ar Acht na dTeangacha Oifigiúla mar ghné amháin de chlár oibre an Rialtais nua a tháinig i gcumhacht in 2011. I mí Iúil 2011, d’fhoilsigh m’Oifig tráchtairacht mar thuairisc speisialta faoi alt 29 d’Acht na dTeangacha Oifigiúla ar fheidhm phraiticiúil agus ar oibriú fhorálacha an Achta. Ar an 31 Eanáir 2012, tháinig deireadh le tréimhse comhairliúcháin phoiblí a d’eagraigh an Roinn Ealaíon, Oidhreacht agus Gaeltachta maidir leis an athbhreithniú.

I mí an Aibreáin 2014, d’fhoilsigh an Roinn Ealaíon, Oidhreacht agus Gaeltachta an tAthbhreithniú ar Acht na dTeangacha Oifigiúla, 2003, a raibh príomhfhórála Bhill na dTeangacha Oifigiúla (Leasú) mar chuid de. Fógraíodh, tar éis an cónascadh a bhí beartaithe idir Oifig an Choimisinéara Teanga agus Oifig an Ombudsman a bhreithniú tuilleadh, agus ag tabhairt san áireamh thorthaí an phróisis comhairliúcháin phoiblí a léirigh tacaíocht láidir d’Oifig an Choimisinéara Teanga a choinneáil mar eintiteas iomlán neamhspleách, go raibh cinneadh déanta ag an Rialtas gan dul ar aghaidh leis an gcónascadh beartaithe.

English are now the official placenames where ‘An Daingean’ was used previously.

A formal review of the Official Languages Act formed part of the programme for government of the new administration that came to power in 2011. In July 2011, my Office published a commentary, as a special report, under section 29 of the Official Languages Act on the practical application and operation of the Act. A public consultation period organised by the Department of Arts, Heritage and the Gaeltacht in relation to a review of the Official Languages Act ended on 31 January 2012.

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



Rónán Ó Domhnaill agus Seán Ó Cuirreáin ag ócáid a d’eagraigh Uachtarán na hÉireann chun aitheantas a thabhairt d’obair an chéad Choimisinéara Teanga.

Rónán Ó Domhnaill and Seán Ó Cuirreáin at an event organised by Uachtarán na hÉireann to recognise the work of the first Coimisinéir Teanga.



Damhnait Uí Mhaoldúin, a d’éirigh as a cuid cúraim le linn na bliana. Bhí Damhnait ar dhuine de chéad bhaill foirne na hOifige.

Damhnait Uí Mhaoldúin who retired from her role during the year. Damhnait was one of the Office’s original members of staff.

## SEIRBHÍSÍ EOLAIS & CUMARSÁIDE

Le linn na bliana 2014, lean Oifig an Choimisinéara Teanga le heolas a scaipeadh ar an bpobal agus ar chomhlachtaí poiblí faoi Acht na dTeangacha Oifigiúla agus faoi obair na hOifige féin.

### Comhairle do Chomhlachtaí Poiblí

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

Le linn na bliana 2014, rinne oifigigh ó chomhlachtaí poiblí teagmháil le hOifig an Choimisinéara Teanga ar 105 ócáid éagsúil le ceisteanna sonracha nó le comhairle a fháil maidir le dualgais teanga faoin Acht. Bhain thart ar 57% de na fiosrúcháin sin leis na dualgais atá ar chomhlachtaí poiblí maidir le húsáid na Gaeilge agus an Bhéarla ar chomharthaíocht, i stáiseanóireacht agus i bhfógairtí taifeadta béil, 10% le ceisteanna maidir le scéimeanna teanga, 6% le ceisteanna maidir le foilsiú doiciméad go dátheangach de réir alt 10 den Acht, agus 27% le ceisteanna eile i dtaca le hAcht na dTeangacha Oifigiúla.

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

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

### Ócáidí Poiblí

Le linn na bliana reatha ghlac an Coimisinéir Teanga le cuireadh ó eagraíochtaí pobail agus forais eile freastal ar ócáidí poiblí. Is deis a bhí sna hócáidí léargas a thabhairt ar obair na hOifige agus plé poiblí a dhéanamh ar fheidhmiú an Achta, cearta teanga an tsaoránaigh agus ábhair ghaolmhara eile. I measc na n-imeachtaí ag ar thug an Coimisinéir Teanga cur i láthair bhí:

- Oireachtas na Samhna i gCill Airne
- Cruinniú poiblí a d'eagraigh Comharchumann Dhún Chaoin
- Cruinniú poiblí a d'eagraigh Craobh Chonradh na Gaeilge i gCathair na Mart
- Ócáid phoiblí mar chuid d'Oireachtas Chois Fharraige
- Seisiún eolais a d'eagraigh Acadamh na hOllscolaíochta Gaeilge ar an gCeathrú Rua
- Ócáid do mhic léinn tríú leibhéal a d'eagraigh Conradh an Gaeilge agus Aontas na Mac Léinn i mBaile Átha Cliath

## INFORMATION & COMMUNICATION SERVICES

During 2014, the Office of An Coimisinéir Teanga continued to provide information to the public and to public bodies about the Official Languages Act and about the Office itself.

### Advice to Public Bodies

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

During 2014, officials from public bodies contacted the Office of An Coimisinéir Teanga on 105 separate occasions either with specific questions or seeking advice about their obligations under the Act. Approximately 57% of these queries concerned advice on the duties of public bodies with regard to the use of the Irish and English languages on signage, stationery and recorded oral announcements, 10% concerned language schemes, 6% the publication of documents bilingually under section 10 of the Act and 27% concerned other matters to do with the Act.

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

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

### Public Events

During the year An Coimisinéir Teanga accepted invitations from community organisations and other bodies to attend public events. These events were an opportunity to provide an insight into the work undertaken by the Office, the language rights of citizens and other related matters. An Coimisinéir Teanga made a presentation at the following events, amongst others:

- Oireachtas na Samhna in Killarney
- Public meeting organised by Comharchumann Dhún Chaoin
- Public meeting organised by Craobh Chonradh na Gaeilge, Westport
- Public event organised as part of Oireachtas Chois Fharraige
- An information session organised by Acadamh na hOllscolaíochta Gaeilge, An Cheathrú Rua
- An event for third level students organised by Conradh na Gaeilge and the Students' Union in Dublin

## Suíomh Gréasáin

Feidhmíonn an suíomh gréasáin <http://www.coimisineir.ie> mar fhoinsé eolais faoi gach a mbaineann le hOifig an Choimisinéara Teanga agus le hAcht na dTeangacha Oifigiúla. Tá Treoirleabhar d'Acht na dTeangacha Oifigiúla le fáil ar an suíomh gréasáin chun cúnamh a thabhairt don phobal maidir lena gcearta teanga agus go háirithe chun comhairle a chur ar chomhlachtaí poiblí maidir lena ndualgais faoin Acht, agus tá cóip ar an suíomh gréasáin de gach scéim teanga atá aontaithe go dtí seo.

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

I gcomhréir le clár oibre r-sheirbhísí an rialtais, tá fáil ar an suíomh gréasáin trí [www.gov.ie](http://www.gov.ie) and tá nasc ar fáil anois faoin rogha 'seirbhísí ar líne/gearáin'. Baineann leibhéal inrochtaineachta AA ar a laghad le gach leathanach den suíomh.

## Na Meáin Chumarsáide

Le linn na bliana 2014 lean an Coimisinéir Teanga d'agallaimh a dhéanamh leis na meáin chumarsáide le léargas a thabhairt ar obair na hOifige, ar fheidhmiú an Achta agus ar cheisteanna gaolmhara. Glactar buíochas leis na hiriseoirí ar fad a chuir an oiread sin suime in obair na hOifige le linn na bliana agus a chabhraigh le cur chun cinn na hoibre sin trína gcuid tuairisceoireachta i mBéarla agus i nGaeilge.

## Website

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. In addition, the website provides a copy of every language scheme agreed to date.

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

In accordance with the eGovernment agenda, the website is included in [www.gov.ie](http://www.gov.ie) and a link is available under 'online services/complain'. All pages of the website are, at a minimum, AA accessible.

## Media

During 2014, An Coimisinéir Teanga continued to undertake media interviews in order to provide an insight into the work of the Office, the implementation of the Act, and related matters. The efforts of journalists who showed such an interest in the work of the Office during the year and who helped to progress that work through their reports, both in English and in Irish, are much appreciated.





## CUMANN IDIRNÁISIÚNTA NA gCOIMISINÉIRÍ TEANGA

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

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

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

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

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

## INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS

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

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

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

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

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



Tá ról tábhachtach ag Cumann Idirnáisiúnta na gCoimisinéirí Teanga i gcothú comhthuiscintí idir Coimisinéirí Teanga ó dhlínsí éagsúla. Glacann an Coimisinéir Teanga ról gníomhach sa chumann agus freastalaítear ar na cruinnithe rialta a bhíonn ar siúl. Baintear úsáid as córas físchomhdhála ar líne nó as glaonna comhdhála chun na cruinnithe a reáchtáil.

Is in Barcelona na Spáinne a tionóladh cruinniú bliantúil an Chumainn i mí an Mhárta, 2014. Eagraíodh comhdháil idirnáisiúnta ar chearta teanga an tráth sin freisin. Rinne an Oifig seo cur i láthair ag an gcomhdháil sin maidir leis an imscrúdú a rinneadh ar an nGarda Síochána faoin easpa Gardaí le hinniúlacht sa Ghaeilge a bhí lonnaithe i stáisiún Gaeltachta an Bhuna Bhig. Thug ionadaí ón nGarda Síochána léargas ar na céimeanna a bhí an eagraíocht sin tar éis a ghlacadh chun feidhm a thabhairt do na moltaí a rinneadh mar chuid den imscrúdú. Thug ionadaithe ó Oifigí na gCoimisinéirí Teanga i dtíortha eile cur i láthair ar chásanna a bhain lena ndlínsí féin agus na modhanna a d'úsáid siad chun réiteach sásúil a fháil.

Tionólfar an chéad chruinniú bliantúil eile ag an gCumann i gCeanada i mí na Bealtaine, 2015.

The International Association of Language Commissioners has an important role in fostering mutual understandings between Language Commissioners from different jurisdictions. An Coimisinéir Teanga takes an active part in the association and attends its regular meetings. Meetings are held using online video conferencing or conference call facilities.

The annual meeting of the Association was held in Barcelona, Spain in March 2014. An international conference on language rights was also held at that time. This Office gave a presentation at the conference regarding the investigation on An Garda Síochána in respect of the lack of Gardaí with competence in Irish stationed in the Gaeltacht area of An Bun Beag. A representative of An Garda Síochána provided an insight on the actions taken by that organisation to give effect to the recommendations made as part of the investigation. Representatives from Language Commissioners' Offices in other countries gave presentations on cases relating to their own jurisdictions and the methods adopted to ensure a satisfactory outcome.

The next annual meeting of the Association will be held in Canada in May 2015.



Cruinniú de Chumann Idirnáisiúnta na gCoimisinéirí Teanga.

A meeting of the International Association of Language Commissioners.

## FAIREACHÁN

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

Ullmhaíodh plean iniúchta don bhliain inar cuireadh san áireamh trí mhóiréimse faireacháin agus a chuir san áireamh an teorainn a bhain leis an acmhainn faireacháin atá ar fáil don Oifig. Is ar na réimsí oibre seo a leanas a dhírigh obair faireacháin na bliana:

- Faireachán ar chur i bhfeidhm scéimeanna teanga
- Iniúchadh ar úsáid na dteangacha oifigiúla i bhfógairtí taifeadta béal de chuid na n-údarás áitiúil
- Faireachán ar chur i bhfeidhm moltaí imscrúdaithe

### Faireachán ar scéimeanna teanga

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

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

Le linn na bliana 2014, rinne an Oifig monatóireacht ar chur i bhfeidhm 22 scéim teanga. Is mar seo a leanas a comhlíonadh na hiniúchtaí sin:

Cineál scéime	Tréimhse scéim i bhfeidhm	Líon iniúchtaí
<b>An chéad scéim teanga</b>	Bliain amháin	3
	Trí bliana	5
<b>An dara scéim teanga</b>	Bliain amháin	9
	Trí bliana	5

## MONITORING

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

An audit plan was prepared for the year that focused on three compliance objectives whilst also taking account of the monitoring resources available to the Office. The monitoring work for the year concentrated on the following compliance areas:

- Monitoring the implementation of language schemes
- An audit on the use of official languages in recorded oral announcements by local authorities
- Monitoring the implementation of recommendations made in investigative reports

### Monitoring of language schemes

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

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

During 2014, the Office monitored the implementation of 22 language schemes. The table below sets out the nature of the audits completed:

Type of scheme	Period scheme in operation	Total audits
<b>First language scheme</b>	One year	3
	Three years	5
<b>Second language scheme</b>	One year	9
	Three years	5

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

Uair amháin eile, is é an easpa foirne le Gaeilge agus easpa acmhainní airgeadais na deacrachtaí is mó a bhí ag comhlachtaí poiblí le linn na bliana 2014 chomh fada agus a bhain sé le feidhmiú na ngealltanais a bhí tugtha ina scéimeanna teanga. Is minic a chiallaigh sé seo gur bhain moill le comhlíonadh gealltanais áirithe a raibh mar chuspóir acu cur le raon agus caighdeán na seirbhísí a bhí le cur ar fáil trí Ghaeilge.

### Iníúchadh ar fhógairtí taifeadta chórais teileafóin na n-údarás áitiúil

Sna Rialacháin (I.R. 391 de 2008) atá déanta faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003, leagtar dualgais áirithe ar gach comhlacht poiblí a thagann faoi scáth an Achta maidir le húsáid na dteangacha oifigiúla i dtaca le stáiseanóireacht, comharthaíocht agus fógairtí taifeadta béil.

Ceann d'fheidhmeanna an Choimisinéara Teanga, faoi réir fho-alt 21(a) den Acht, is ea faireachán a dhéanamh ar chomhlíonadh fhorálacha an Achta.

Níl sé de dhualgas ar chomhlachtaí poiblí, údarais áitiúla san áireamh, teachtaireachtaí taifeadta béil a úsáid ag uimhreacha poiblí ar a gcórais teileafóin, ach sa chás go bhfuiltear á n-úsáid, tá dualgas orthu déanamh cinnte de go bhfuil na fógairtí sin ag cloí leis na Rialacháin i.e. caithfidh na fógairtí taifeadta a bheith i nGaeilge nó i nGaeilge agus i mBéarla agus an teachtaireacht a bheith comhionann sa dá theanga oifigiúla.

Mar chuid de chlár iniúchta na hOifige don bhliain 2014, socraíodh iniúchadh a dhéanamh ar úsáid na dteangacha oifigiúla ar fhógairtí taifeadta béil atá in úsáid ag na húdarais áitiúla. Bhí sé mar chuspóir ag an iniúchadh seo teacht ar thuairim ghinearálta maidir le leibhéal géilliúlachta na n-údarás áitiúil do na Rialacháin.

Ag amanna éagsúla, cuireadh glaonna teileafóin ar phríomhoifigí na n-údarás, le linn ghnáthuaireanta oibre agus tar éis ghnáthuaireanta oibre na n-oifigí, chomh maith le glaonna ar na Rannóga Tithíochta agus ar na Leabharlanna tar éis gnáthuaireanta oibre.

Cuireadh tuairisc i dtaobh an eolais a fuarthas ar aghaidh chuig na húdarais áitiúla. Tugadh tréimhse ama dóibh siúd nach raibh ag cloí leis na Rialacháin le hathbhreithniú a dhéanamh ar an tseirbhís taifeadta a bhíodhas a chur ar fáil, mura raibh sé sin déanta acu san idirlinn, agus iarradh orthu a chinntiú go gcloíff leis na Rialacháin san achar is giorra ama ab fhéidir. Iarradh go gcuirfí amchlár ar fáil le go mbeadh ar chumas na hOifige seo an dul chun cinn a mheas an athuair.

The monitoring process found that very few public bodies manage to satisfactorily implement all the commitments given in the language scheme within the agreed timelines. In the majority of cases, this Office manages to reach a satisfactory agreement with most public bodies to ensure that statutory commitments are implemented in due course. In accordance with the provisions of the legislation, this Office does not have the power nor the authority to amend commitments given by a public body that have been confirmed in a language scheme by the Minister. This Office is left with little alternative other than to initiate an official investigation in instances where it cannot come to a satisfactory agreement with a public body in relation to outstanding commitments.

Once more, the greatest obstacles faced by public bodies in implementing the commitments they had made in their language schemes during 2014 were the availability of staff with competency in Irish and the lack of financial resources. This often led to a delay in the fulfilling of commitments aimed at increasing the range and quality of services in Irish.

### Audit of recorded oral announcements in use by local authorities in telephone systems

The Regulations (S.I. 391 of 2008) which have been made under subsection 9(1) of the Official Languages Act 2003 set out obligations regarding the use of official languages on stationery, signage and recorded oral announcements for all public bodies under the remit of the Act.

One of the functions of An Coimisinéir Teanga, under subsection 21(a) of the Act, is to monitor the implementation of and compliance with the provisions of the Act.

Public bodies including local authorities are not obliged to use recorded oral announcements at public telephone numbers on their systems, but if they are in use, they are obliged to ensure that those announcements are adhering to the Regulations, i.e. the announcement must be in Irish or in Irish and English and must convey the same message in both official languages.

As part of the Office's audit plan for 2014, it was decided to audit the use of official languages on recorded oral announcements in use by local authorities. The aim of the audit was to develop an overall view of the level of compliance by local authorities with the Regulations.

At different times, a call was made to the main number of each local authority, both during and after normal working hours, as well as a call to the Housing Section and the Library outside of normal working hours.

A report on what the audit revealed was sent to each local authority. A period of time was given to those authorities who were not in compliance with the Regulations to review their systems, unless they had already done so, and they were asked to ensure compliance in as short a timeframe as possible. They were requested to provide a timeframe by which they would be compliant so that this Office could re-check compliance levels. They were requested to provide a timetable to enable this Office to evaluate the progress made.

Bhí 34 údarás áitiúil sa Stát ag an am ar tosaíodh ar an iniúchadh seo. Ba léir nach raibh a bhformhór ag cloí go sásúil leis na Rialacháin. Díobh siúd a raibh teachtaireachtaí taifeadta in úsáid acu, ba iad Comhairlí Contae Dhún na nGall agus Laoise amháin a raibh a gcuid fógairtí taifeadta béil ag cloí go hiomlán leis na Rialacháin. Ní raibh fógairtí taifeadta béil in úsáid ag Comhairlí Contae an Chabháin ná Comhairle Contae Chorcaigh ag na huimhreacha a tástáladh.

Bhí teachtaireachtaí taifeadta ag príomhuimhreacha na n-eagraíochtaí á n-úsáid ag 14 údarás i rith gnáthuaireanta oibre agus astu sin bhí 12 theachtairacht nach raibh ag cloí leis na Rialacháin.

I gcás teachtaireachtaí ag príomhuimhreacha na gcomhairlí tar éis gnáthuaireanta oibre, bhí siad in úsáid ag 31 comhairle. Bhí 27 nach raibh ag cloí leis na Rialacháin.

I gcás na dteachtairachtaí ag an Rannóg Tithíochta agus ag an Leabharlann tar éis gnáthuaireanta oibre, bhí 20 as 23 agus 12 as 13 de na teachtaireachtaí nach raibh géilliúil, faoi seach.

Ón aiseolas a fuarthas ó na húdaráis áitiúla agus leis an gcomhoibriú idir iad agus an Oifig maidir leis an iniúchadh seo, ghníomhaigh formhór na n-eagraíochtaí taobh istigh den sprioc ama a bhí leagtha amach. Chuir formhór na n-údarás áitiúil clár ama sásúil ar fáil don Oifig seo ina gcinnteofaí go mbeifí ag cloí le riachtanais na Rialachán. Bhí údarás áitiúil amháin nár thug freagra sásúil ar an iniúchadh, ba é seo Comhairle Contae an Longfoirt.

Déanfar atástáil ar na fógairtí taifeadta béil atá in úsáid ag na húdaráis uile i rith na bliana 2015, agus mura mbeidh leasú déanta mar is cuí d'fhéadfadh go mbeadh gá le próisis imscrúdaithe a thionscaml. De bharr an Achta um Athchóiriú Rialtais Áitiúil, 2014, tá líon na n-údarás áitiúil laghdaithe go 31.

There were 34 local authorities in the State at the commencement of this audit. It was clear that the majority were not compliant with the Regulations. Of the authorities that were using recorded oral announcements on their telephone systems, only Donegal County Council and Laois County Council were found to be fully compliant. Cavan and Cork County Councils were not using recorded messages at the numbers that were tested.

14 local authorities made use of a recorded message during normal working hours and of this total 12 were not compliant.

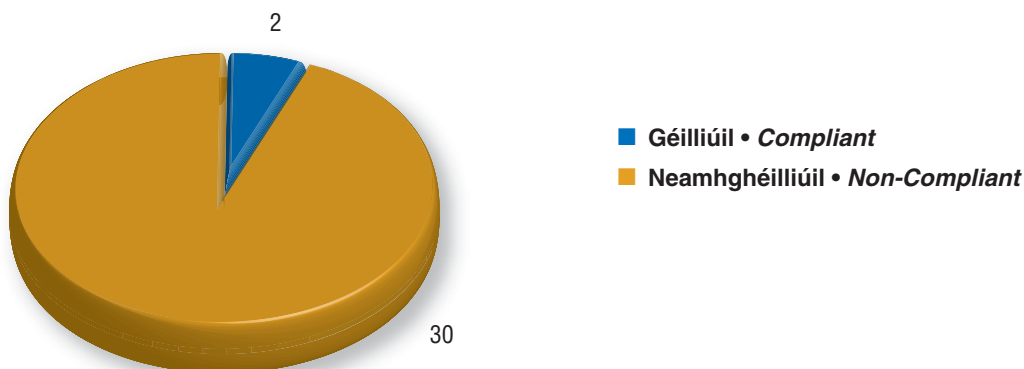
31 local authorities made use of recorded oral announcements after normal working hours and 27 were not compliant.

In the case of messages in use by Housing Sections and Libraries, 20 out of 23 and 12 out of 13 respectively of these messages were not compliant.

From the feedback received from local authorities and the cooperation with this Office's audit, the majority of organisations responded within the time frame set out. The majority of local authorities provided this Office with a satisfactory timeframe to ensure compliance with the Regulations. One local authority did not give a satisfactory answer to the audit – Longford County Council.

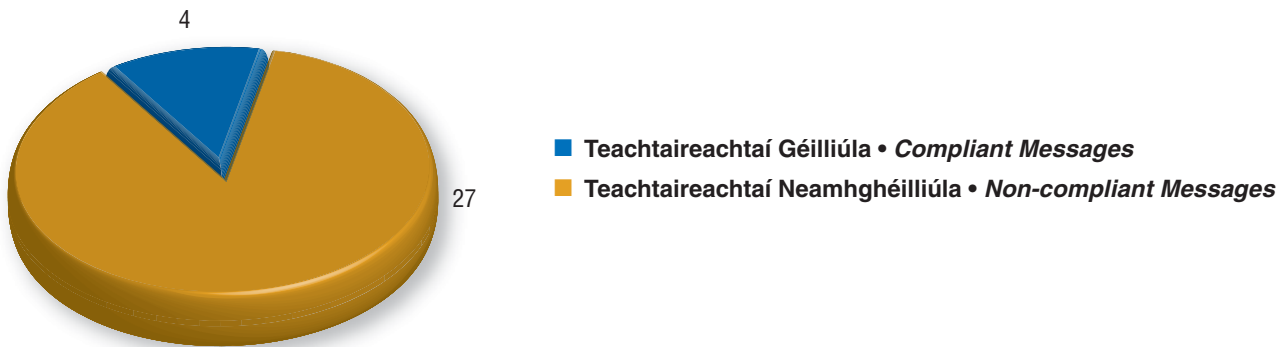
During 2015 the messages will be retested, and unless non-compliance has been rectified it may be necessary to initiate a formal investigative process. As a result of the Local Government Reform Act 2014, the number of local authorities has reduced to 31.

## Fógairtí Taifeadta Béil • Recorded Oral Announcements

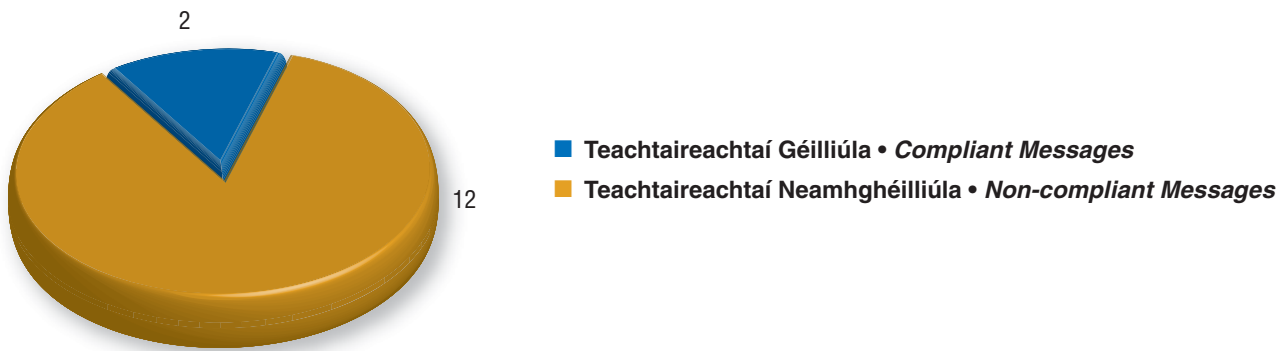




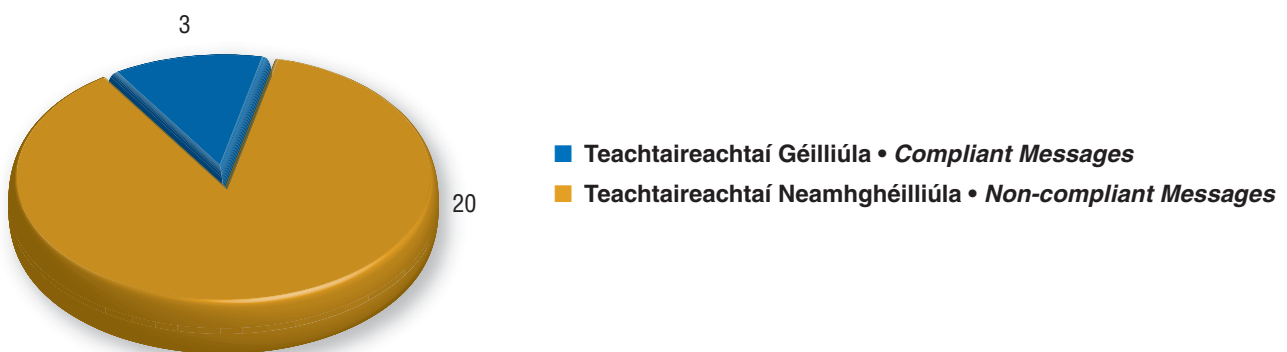
**Príomhuimhir tar éis gnáthuaireanta oibre • Main number after normal working hours**



**Príomhuimhir le linn gnáthuaireanta oibre • Main number during normal working hours**



**Rannóg Tithíochta tar éis gnáthuaireanta oibre • Housing Section after normal working hours**



**Leabharlann tar éis gnáthuaireanta oibre • Library After Normal Working Hours**



## SCÉIMEANNA TEANGA

### Scéimeanna daingnithe

Dhaingnigh an tAire Ealaíon, Oidhreacht agus Gaeltachta sé chéadscéim teanga, naoi dara scéim teanga agus sé tríú scéim teanga le linn na bliana 2014. San iomlán, dhaingnigh an tAire 21 scéim teanga le comhlachtaí poiblí in 2014.

Le linn na bliana reatha, scoireadh cúig chomhlacht poiblí a raibh scéim teanga daingnithe ag an Aire leo.

Bhí 99 scéim teanga, a chuimsigh móriomlán 113 comhlacht poiblí, daingnithe faoi dheireadh 2014.

### Scéimeanna in éag

Bhí 53 de na 99 scéim teanga thuasluaite imithe in éag faoi dheireadh na bliana 2014. In éagmais an dara scéim teanga nó an tríú 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. Cé gur tháinig méadú ar líon na scéimeanna teanga a d'aontaigh an tAire, tháinig ardú chomh maith ar an meántréimhse a bhfuil scéimeanna in éag, ó 32 mí go 50 mí.

### Dréachtscéimeanna

Ag deireadh na bliana, bhí 44 céad-dréachtscéim fós le daingniú ag an Aire Ealaíon, Oidhreacht agus Gaeltachta. Ina theannta seo, bhí iarrtha ag an Aire ar 48 comhlacht poiblí an dara dréachtscéim a ullmhú agus ar 7 gcomhlacht poiblí an tríú dréachtscéim a ullmhú. Fágann sé seo go raibh iarrtha ar 99 comhlacht poiblí scéim teanga a ullmhú faoi dheireadh na bliana.

## LANGUAGE SCHEMES

### Schemes confirmed

The Minister for Arts, Heritage and the Gaeltacht confirmed six new language schemes, nine second language schemes and six third language schemes during 2014. In total, the Minister confirmed 21 language schemes with public bodies during 2014.

During the current year 5 public bodies, who had agreed language schemes with the Minister, were dissolved.

There were 99 language schemes, covering a total of 113 public bodies confirmed by the end of 2014.

### Schemes expired

Of the 99 language schemes, 53 had expired by year end 2014. This meant that, in the absence of a second or third language scheme, no additional commitments in relation to improved services in Irish were required of those public bodies. While the number of language schemes being confirmed by the Minister increased during the year, the average period that schemes had expired also increased, from 32 months to 50 months.

### Draft schemes

By the end of 2014, 44 first draft schemes remained to be confirmed by the Minister for Arts, Heritage and the Gaeltacht. In addition, the Minister had requested 48 public bodies to prepare a second draft scheme and 7 public bodies to prepare a third draft scheme. As a result, 99 public bodies had been requested to prepare a language scheme by the end of the year.

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

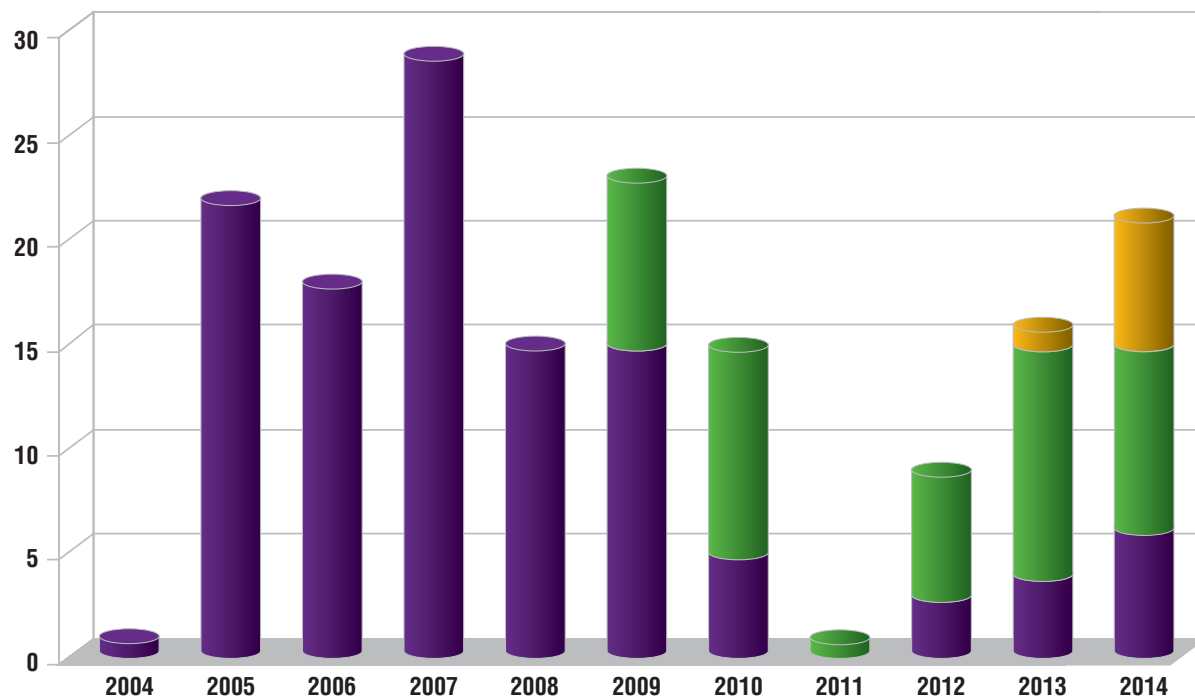
Bliain • Year	Scéimeanna • Schemes
2004	1
2005	22
2006	18
2007	29
2008	15
2009	15
2010	5
2011	0
2012	3
2013	4
2014	6
	<b>118</b>
<b>Scéimeanna dímholtá • Schemes superseded</b>	<b>2</b>
<b>Scéimeanna as feidhm • Lapsed schemes</b>	<b>17</b>
<b>Iomlán • Total</b>	<b>99</b>



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

Bliain • Year	Scéimeanna • Schemes
2006	9
2007	25
2008	42
2009	39
2010	33
2011	29
2012	21
2013	15
2014	22
Iomlán / Total	235

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



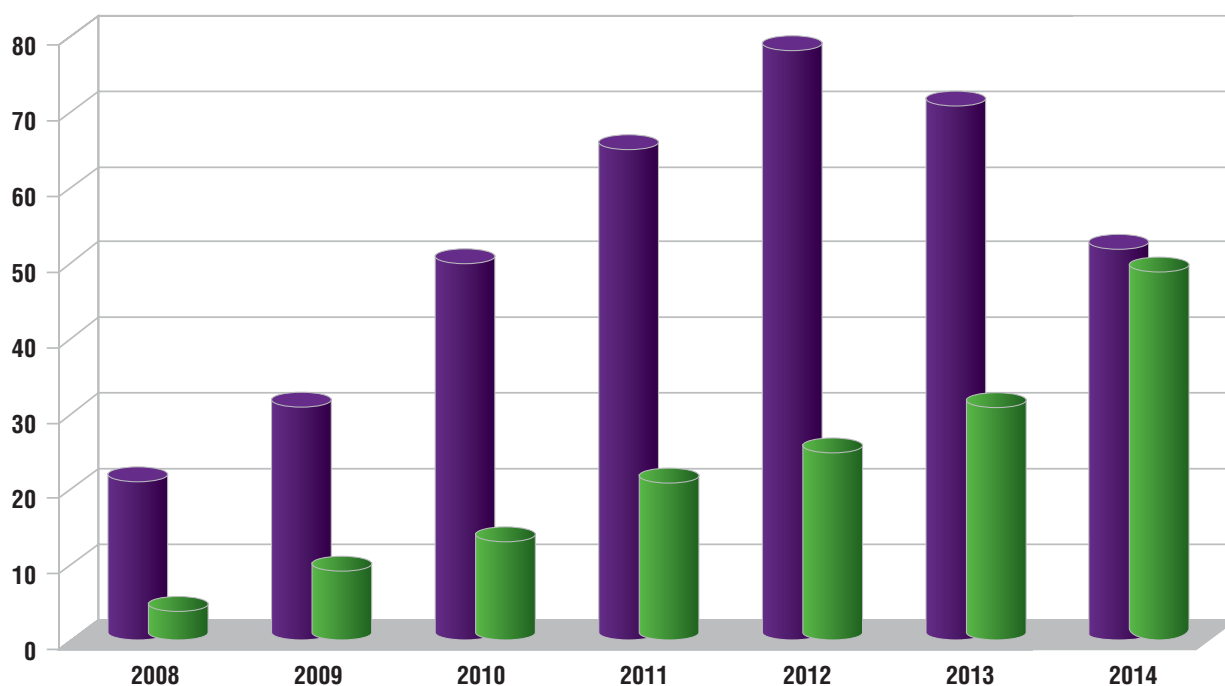
■ An Chéad Scéim Daingnithe • First Scheme Confirmed

■ An Dara Scéim Daingnithe • Second Scheme Confirmed

■ An Tríú Scéim Daingnithe • Third Scheme Confirmed



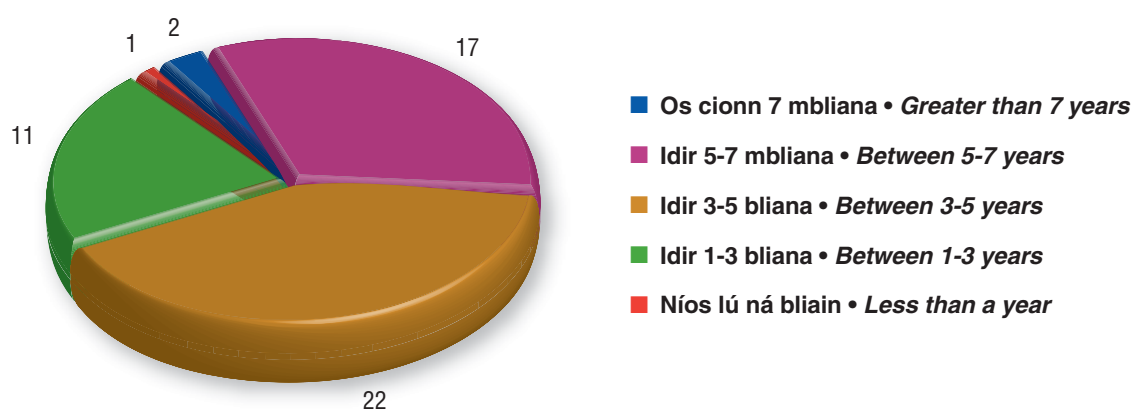
### Scéimeanna imithe in éag • Schemes expired



■ Scéimeanna imithe in éag • Schemes expired

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

### Tréimhse scéimeanna in éag • Period schemes expired



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

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

## GEARÁIN

Tháinig méadú ar líon na gcásanna nua – ó 702 sa bhliain 2013 go dtí 709 sa bhliain 2014 (+1%) – 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. Is mór agam an comhoibriú a fuair m'Óifig le déileáil le cásanna ar an mbealach sin. Tá réimse na ngearán fairsing agus ilghnéitheach, agus braitheann an cur chuige atá de dhíth go mór ar dhearcadh an chomhlachta phoiblí lena mbaineann sé. Bíonn comhoibriú maith le fáil go hiondúil ó fhorhmór na gcomhlachtaí poiblí. Tá achomre ar na cásanna nár réitíodh tríd an gcóras neamhfhoirmiúil réitithe gearán agus inar críochnaíodh imscrúduithe foirmiúla ina leith sa chaibidil den Tuarascáil dar teideal "Imscrúduithe". Tá cur síos ar roinnt gearáin eile ag deireadh na caibidle seo.

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

Ó thaobh na tíreolaíochta de, is ó Chontae Bhaile Átha Cliath is mó a tháinig na gearáin i mbliana arís, 37% de na gearáin, laghdú beag ón mbliain roimhe sin. Ón nGaeltacht a tháinig 24% de na gearáin agus tháinig an 76% eile ó cheantair lasmuigh den Ghaeltacht, mar a bhí amhlaidh anuraidh. Tháinig líon suntasach gearán arís ó Chontae na Gaillimhe (14%), Contae Chiarraí (6%), Contae na Mí (6%), Contae an Chláir (4.5%), Contae Dhún na nGall (4%), Contae Chill Chainnigh (4%), Contae Chill Mhantáin (2%), Contae Phort Láirge (2%), Contae Chill Dara (2%) agus Contae Chorcaí (2%).

## COMPLAINTS

There was an increase in the number of new cases – from 702 in 2013 to 709 in 2014 (+1%) – which were brought to my attention in which members of the public considered they had reason to complain because of difficulties or problems associated with obtaining services through Irish from public bodies.

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

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.

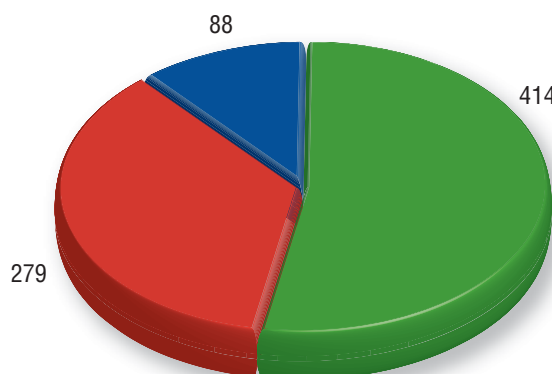
From a geographical perspective, the majority of the complaints once more came from County Dublin, 37% of complaints, a small reduction on last year. 24% of complaints came from within the Gaeltacht with the remaining 76% from areas outside the Gaeltacht, as was the case last year. A substantial number came from County Galway once more (14%), from County Kerry (6%), County Meath (6%), County Clare (4.5%), County Donegal (4%), County Kilkenny (4%), County Wicklow (2%), County Waterford (2%), County Kildare (2%) and County Cork (2%).

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

#### Gearáin le linn 2014 • Complaints during 2014

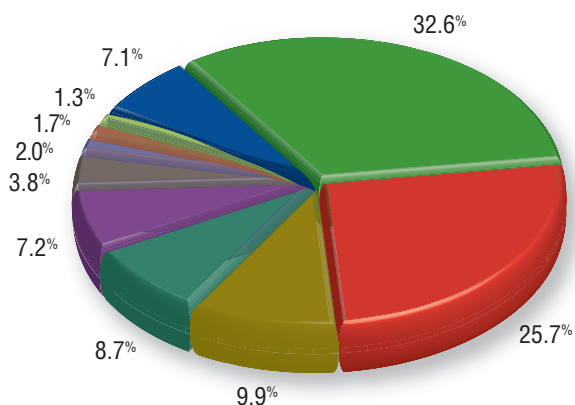
Gearáin nua, 2014 • New complaints, 2014	709
Gearáin tugtha ar aghaidh ó 2013 • Complaints brought forward from 2013	72
<b>Móiriomlán na ngearán – deacrachtaí agus fadhbanna • Total complaints – difficulties and problems</b>	<b>781</b>

	2013	2014
Comhairle tugtha maidir le gearáin Advice given in respect of complaints	350	414
Gearáin fiosraithe agus críochnaithe Complaints investigated and finalised	353	279
Gearáin oscailte ag deireadh na bliana Complaints open at year end	72	88



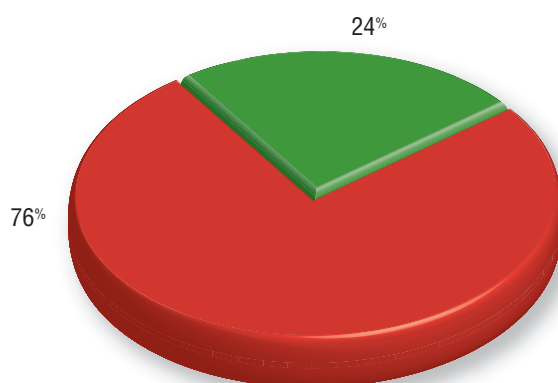
## Céatadán na ngearán de réir cineáil • Percentage of complaints by type

	2013	2014
■ Foráil de scéim teanga (san áireamh: cártaí aitheantais, suíomhanna gréasáin agus foirmeacha) <i>Provision of a language scheme (including identity cards, websites and forms)</i>	29.5%	32.6%
■ Easpa Gaeilge ar chomharthaíocht & stáiseanóireacht • <i>Lack of Irish on signage and stationery</i>	21.4%	25.7%
■ Fadhb le hainm agus/nó seoladh i nGaeilge • <i>Problem with use of name and/or address in Irish</i>	7.8%	9.9%
■ Freagraí i mBéarla ar chumarsáid i nGaeilge • <i>Replies in English to correspondence in Irish</i>	7.0%	8.7%
■ Easpa Gaeilge ar chomharthaí bóthair • <i>Lack of Irish on road signs</i>	15.8%	7.2%
■ Achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge • <i>Other enactments relating to the use or status of Irish</i>	5.7%	3.8%
■ Alt 32/33 – Logainmneacha Gaeltachta • <i>Section 32/33 – Gaeltacht Placenames</i>	0.9%	2.0%
■ Foilsiú doiciméad áirithe • <i>Publication of certain documents</i>	0.4%	1.7%
■ Bileoga nó ciorcláin i mBéarla amháin • <i>Leaflets or circulars in English only</i>	3.3%	1.3%
■ Eile (cúiseanna aonair) • <i>Other (individual issues)</i>	8.2%	7.1%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>



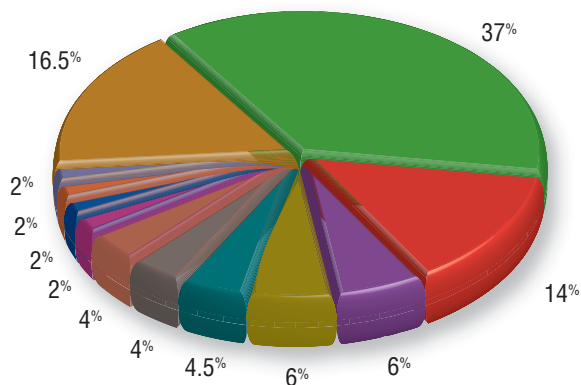
## Gearáin: An Ghaeltacht agus lasmuigh den Ghaeltacht • Complaints: Gaeltacht and non-Gaeltacht

	2013	2014
■ An Ghaeltacht • <i>Gaeltacht</i>	24%	24%
■ Lasmuigh den Ghaeltacht • <i>Non-Gaeltacht</i>	76%	76%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>

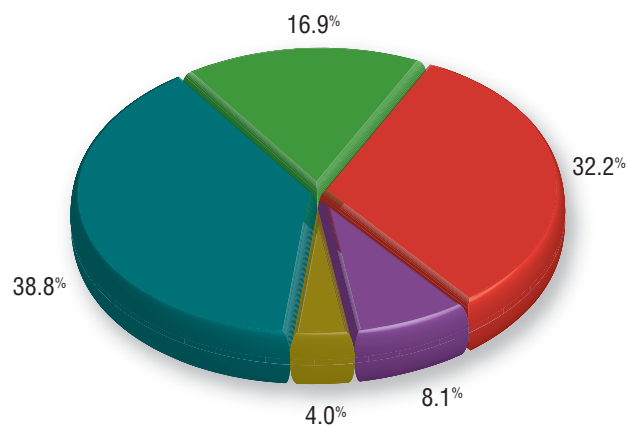


Gearáin de réir contae • *Complaints by county*

	2013	2014
Baile Átha Cliath • <i>Dublin</i>	37.7%	37%
Gaillimh • <i>Galway</i>	13.8%	14%
Ciarraí • <i>Kerry</i>	8.8%	6%
An Mhí • <i>Meath</i>	2.4%	6%
Co. an Chláir • <i>Clare</i>	4.3%	4.5%
Dún na nGall • <i>Donegal</i>	5.3%	4%
Cill Chainnigh • <i>Kilkenny</i>	2.7%	4%
Cill Mhantáin • <i>Wicklow</i>	1.9%	2%
Port Láirge • <i>Waterford</i>	1.6%	2%
Cill Dara • <i>Kildare</i>	2.3%	2%
Corcaigh • <i>Cork</i>	3.4%	2%
Eile • <i>Other</i>	15.8%	16.5%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>

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

	2013	2014
Ranna & oifigí rialtais • <i>Government departments &amp; offices</i>	27.2%	16.9%
Údaráis áitiúla • <i>Local authorities</i>	36.7%	32.2%
Údaráis sláinte • <i>Health authorities</i>	5.4%	8.1%
Údaráis oideachais • <i>Education authorities</i>	2.3%	4.0%
Eagraíochtaí eile stáit • <i>Other state organisations</i>	28.4%	38.8%
<b>IOMLÁN • TOTAL</b>	<b>100%</b>	<b>100%</b>



## Staitisticí

Mar a léiríonn na staitisticí thuas, i measc na nithe a ndearnadh gearán fúthu, bhain an chuid ba líonmhaire díobh (32.6%) le cur i bhfeidhm gealltanais a thug comhlachtaí poiblí faoi scéimeanna reachtúla teanga a aontaíodh faoi alt 11 den Acht. Bhí ardú ó 21.4% go 25.7% 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 ísliú ar chéatadán na ngearán a bhain le sárú forálacha d'achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge, ó 5.7% go 3.8%. Ar ndóigh, baineann na gearáin maidir le húsáid na Gaeilge ar chomharthaí tráchta leis an réimse seo chomh maith, ach léirítear an figiúr sin go hiondúil mar fhigiúr neamhspleách: 7.2% de na gearáin a bhain le húsáid na Gaeilge ar chomharthaí tráchta – laghdú maith ar líon na bliana seo caite (15.8%). Sa *Lámhleabhar do Chomharthaí Tráchta* a leagtar síos na dualgaí atá ar na húdaráis bóithre i leith úsáid na Gaeilge ar chomharthaí tráchta.

Bhí ardú, go 9.9%, in 2014 ar chéatadán na ngearán maidir le deacrachtaí a bhain le hainm agus seoladh i nGaeilge. Bhain siad sin le hainmneacha agus seoltaí a bheith litrithe go míchruinn i nGaeilge, nó litrithe i mBéarla, le córas ríomhaireachta gan a bheith in oiriúint don síneadh fada nó le seoltaí a bheith á gclárú i mBéarla go huathoibríoch ar chlár ríomhaireachta, gan rogha Gaeilge. Tá sé molta ag an Oifig seo, mar chuid den athbhreithniú ar Acht na dTeangacha Oifigiúla, go gcuirfí mír leis an reachtaíocht i dtaca leis an ábhar seo.

Tháinig ardú ar chéatadán na ngearán i dtaca le freagraí i mBéarla ar chomhfhreagras i nGaeilge, ó 7.0% in 2013 go 8.7% in 2014, ábhar díomá i bhfianaise an fhoráil seo a bheith i bhfeidhm ó 2004. Ábhar imní eile dom, go háirithe, is ea líon na gcomhlachtaí poiblí atá ag baint úsáid as córais mheaisínáistiúcháin le freagra i nGaeilge a eisiúint, mar a luadh i dtuarascáil na bliana seo caite. Níos minice ná a mhalairt, bíonn na freagraí sin doléite agus dothuigthe. Níl córas dá leithéid sách foirfe ná forbartha ag an bpointe seo ama do chomhfhreagras oifigiúil ó chomhlacht stáit.

## Statistics

As the above statistics show, the largest number of complaints (32.6%) related to the implementation of commitments made by public bodies in statutory language schemes agreed under section 11 of the Act. There was an increase from 21.4% to 25.7% in the percentage of the complaints relating to the use of Irish on public bodies' signage and stationery, in accordance with the Regulations under subsection 9(1) of the Act. There was a decrease in the percentage of complaints relating to a breach of the provisions of other enactments concerning the status or use of Irish, from 5.7% to 3.8%. 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: 7.2% of complaints related to the use of Irish on traffic signs, a substantial reduction on last year's figure (15.8%). The obligations on roads authorities in respect of road traffic signage are set out in the *Traffic Signs Manual*.

There was an increase in 2014, to 9.9%, in the percentage of complaints regarding problems with the use of names and addresses in Irish. These concerned names and addresses that were spelt incorrectly in Irish, or spelt in English, where computer systems could not handle the *síneadh fada* or with the registration of addresses in English automatically on computer systems, without an Irish language option. It has been recommended by this Office, as part of the review of the Official Languages Act, that a section be added to the legislation in respect of this issue.

There was an increase in complaints regarding replies in English to correspondence in Irish, from 7.0% in 2013 to 8.7% in 2014, a matter of some disappointment in light of the fact that this provision has been in place since 2004. The increase in the use of machine translation systems by public bodies to reply in Irish to official correspondence is a further matter of concern to me, as was mentioned in last year's annual report. These responses are invariably illegible and incomprehensible. These systems are not yet sufficiently developed or perfected for official correspondence from state bodies.

## 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 freisin le haon fhoráil d'aon achtachán eile a bhaineann le stádas nó le húsáid na Gaeilge.

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

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

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

Déantar foráil san Acht d'fhinéil 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 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 ghearráin 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 seacht n-imscrúdú nua le linn 2014. Bhí imscrúdú neamhchríochnaithe amháin ann a tugadh ar aghaidh ó 2013. Mar sin, bhí ocht n-imscrúdú idir lámha le linn na bliana 2014 agus críochnaíodh trí cinn acu sin faoi dheireadh na bliana. Dá bhrí sin, tá achoimre ar thrí imscrúdú sa Tuarascáil seo.

## INVESTIGATIONS

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

An investigation may be conducted based on a complaint from an individual, 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, 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 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 may be made to the High Court on a point of law against the decision within a period of four weeks.

A total of seven new investigations were commenced in 2014. One uncompleted investigation was carried forward from 2013. Consequently, there were eight investigations in hand during 2014 and three of those investigations had been completed by the end of the year. Therefore, summaries are provided in this Report of three investigations.





Líon na himscrúduithe	2013	2014
Tugtha ar aghaidh ón mbliain roimhe	3	1
Imscrúduithe seolta	11	7
<b>Iomlán idir lámha</b>	<b>14</b>	<b>8</b>
Tugtha ar aghaidh go dtí an chéad bhliain eile	1	5
<b>Iomlán críochnaithe / scortha</b>	<b>13</b>	<b>3</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. Achoimrí atá iontu ar na tuarascálacha oifigiúla a eisíodh i nGaeilge de réir alt 26 den Acht chuig na páirtithe cuí de thoradh na himscrúduithe.

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

Number of Investigations	2013	2014
Brought forward from previous year	3	1
Investigations launched	11	7
<b>Total in hand</b>	<b>14</b>	<b>8</b>
Brought forward to next year	1	5
<b>Total completed / discontinued</b>	<b>13</b>	<b>3</b>

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

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

## ACHOIMRÍ AR IMSCRÚDUIH 2014

### An Ghníomhaireacht um Fháil Iarnróid

Léirigh imscrúdú nach raibh an Ghníomhaireacht um Fháil Iarnróid ag sárú na ndualgas reachtúil teanga atá daingnithe sna rialacháin agus sna hordacháin atá déanta faoi fho-alt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961 ach go raibh sí ag sárú na ndualgas reachtúil teanga atá daingnithe sna rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 i gcás comharthaí i mBéarla amháin a bhí curtha in airde ag Stáisiún Uí Chonghaile.

Rinneadh gearán le m'Oifig i mí Eanáir 2013 maidir le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomharthaí de chuid na Gníomhaireachta um Fháil Iarnróid a bhí curtha in airde ag Stáisiún Uí Chonghaile, Baile Átha Cliath.

Ba chás leis an ngearánach gur i mBéarla amháin a bhí dhá chomhartha, dírithe ar thiománaithe LUAS, a bhí curtha in airde ag an stáisiún – ceann amháin leis an téacs “**Stop!** check your route” agus an ceann eile leis an téacs “One tram **only** in the marked area”.

In ainneoin an cheist a bheith á plé go leanúnach leis an nGníomhaireacht, trí chóras neamhfhoirmiúil réitithe gearán na hOifige, agus in ainneoin an chomhoibrithe iomláin a fuair m'Oifig ar an ábhar ón nGníomhaireacht, níorbh fhéidir an cheist a réiteach ar an mbonn seo. Toisc nár éirigh leis na hiarrachtaí neamhfhoirmiúla sin an cheist a réiteach, beartaíodh tabhairt faoi imscrúdú sa chás, le teacht ar fhionnachtana agus le moltaí a dhéanamh ina leith, dá mba ghá, mar go raibh sin dlite don té a rinne gearán báilí de réir na reachtaíochta.

Tá dualgais reachtúla i bhfeidhm faoi úsáid na Gaeilge ar chomharthaí bóthair atá déanta faoi rialacháin agus ordacháin faoi fho-alt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961. Tá na dualgais sin daingnithe sa *Lámhleabhar do Chomharthaí Trácht* agus is achtacháin iad na rialacháin agus na hordacháin thuasluaite chun críche fho-alt 21(f) d'Acht na dTeangacha Oifigiúla 2003. Caithfidh údarais bóithre na tíre cloí leis na dualgais sin. Tá dualgais reachtúla eile i bhfeidhm faoi úsáid na Gaeilge agus an Bhéarla ar chomharthaí nach comharthaí trácht iad faoi na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003.

Cuireadh an t-eolas, faisnéis agus eile ar fad a bhí iarrtha san imscrúdú ar fáil go críochnúil agus go gairmiúil do m'Oifig. Ba mhór agam an comhoibriú a thug an Ghníomhaireacht um Fháil Iarnróid (GFI) le linn an phróisis imscrúdaithe.

Chuir an Ghníomhaireacht cás cuimsitheach i láthair an imscrúdaithe i dtaca lena háiteamh nach raibh an reachtaíocht á sárú sa chás seo mar gur chomhlíon na comharthaí ag Stáisiún Uí Chonghaile dualgais reachtúla GFI faoin Acht um Shábháilteacht Iarnróid, 2005. D'áitigh GFI go raibh tús áite ag a dualgais faoin Acht sin sa mhéid is a tháinig na dualgais faoi Acht na dTeangacha Oifigiúla salach orthu.

Mar chúlra, rinne an Ghníomhaireacht cur síos ar a feidhmeanna sábháilteachta, agus dúirt sí gur thug alt 66 den Acht Iompair (Bonneagar Iarnróid), 2001, an tAcht faoina bunaíodh an Ghníomhaireacht, cumhacht

## SUMMARIES OF 2014 INVESTIGATIONS

### Railway Procurement Agency

An investigation found that the Railway Procurement Agency was not in breach of the statutory language obligations enshrined in the regulations and orders made under subsections 95(2) and 95(16) of the Road Traffic Act 1961 but that it was in breach of the statutory language obligations confirmed in the Regulations issued under subsection 9(1) of the Official Languages Act 2003 in respect of signs which had been erected in English only at Connolly Station.

A complaint was made to my Office in January 2013 in respect of the use of the official languages, Irish and English, on signs belonging to the Railway Procurement Agency which had been erected at Connolly Station in Dublin.

It was of concern to the complainant that two signs, directed at Luas drivers, had been erected at the station in English only – one with the text “**Stop!** check your route” and the other with the text “One tram **only** in the marked area”.


Despite ongoing discussions with the Agency on the issue through the informal complaints resolution system operated by the Office, and despite complete cooperation on the part of the Agency, it proved impossible to resolve the issue in this manner. As the informal attempts failed to resolve the issue, it was decided to launch an investigation in the case to make findings and recommendations, if required, as the person who made a valid complaint was entitled to.

There are statutory obligations in effect in respect of the use of Irish on road signs which are made under the regulations and orders under subsections 95(2) and 95(16) of the Road Traffic Act 1961. Those obligations are confirmed in the *Traffic Signs Manual* and the above-mentioned regulations and orders are enactments for the purposes of subsection 21(f) of the Official Languages Act 2003. The country's roads authorities must adhere to those obligations. There are other legal obligations in effect with regard to the use of Irish and English on signs which are not road signs under the Regulations issued under subsection 9(1) of the Official Languages Act 2003.

All the information and documentation which was requested by the investigation was provided in a complete and professional manner. I greatly appreciate the cooperation of the Railway Procurement Agency (RPA) in the conduct of the investigation.

The Agency put a comprehensive case to the investigation in respect of its claim that the legislation was not being breached in this instance as the signs at Connolly Station fulfilled the RPA's statutory obligations under the Railway Safety Act 2005. The RPA claimed those obligations took precedence in so much as they were in conflict with the obligations under the Official Languages Act.

As background, the Agency described its safety functions, and stated that section 66 of the Transport (Railway Infrastructure) Act 2001, the Act under which the Agency was established, empowered the Minister and



don Aire agus do GFI fodhlíthe a cheapadh chun an t-iarnród a bhainistiú, a riaradh, a rith agus a rialú, ar a n-áirítear, faoi alt 66(1)(d), cosc a chur ar úsáid feithicle nó rud ar líne traenach nó ábhar a bhaint anuas má shíltear go bhféadfadh sé a bheith ina chontúirt do bheatha, nó sláinte nó ina bhac d'fheidhmiú nó cothabháil an iarnróid.

Thug sí le fios gur athraíodh an reachtaíocht tríd an Acht Sábháilteachta Iarnróid, 2005 (Acht 2005) – gur aisghaireadh alt 11(1)(b) leis an Acht sin agus gur leagadh dualgais sábháilteachta ar GFI faoi ailt 36 & 37 den Acht nua mar seo a leanas:

*“Section 36: ‘It shall be the general duty of a railway undertaking to ensure, in so far as is reasonably practicable, the safety of persons in the operation of its railway.’*

*Section 37: (1) ‘It shall be the general duty of a person working in the course of the operation of a railway undertaking, and of any person being on a railway or railway premises or railway land or on a train, to conduct himself or herself in such a way as to ensure in so far as is reasonably practicable that no person (including himself or herself) is exposed to danger as a consequence of any act or omission of his or hers.’*

*(2) ‘It shall be the general duty of a person working in the course of the operation of a railway undertaking, while on duty, not to be under the influence of an intoxicant to such an extent as to expose a person (including himself or herself) to danger or risk of danger as a consequence of being under such influence.’*

*(3) ‘It shall be the general duty of every person, in carrying out any activity on or near a railway or railway premises or railway land, to ensure in so far as is reasonably practicable that no person who is involved in the operation of a railway or who is being carried on a railway is exposed to danger as a consequence of any act or omission on the part of such person.’”*

Thug GFI le fios go bhfuil freagracht ar an gCoimisiún Sábháilteachta Iarnróid, a bunaíodh faoi Acht 2005, as forfheidhmiú Acht 2005, agus go bhfuil cumhachtaí an-leathan tugtha don Choimisiún, ar a n-áirítear an chumhacht chun dúnadh iarnróid a iarraidh faoi alt 79.

Dhearbhaigh GFI gur caomhnáíodh cumhacht GFI chun fodhlíthe a bhaineann le hiarnród a dhéanamh sna leasuithe a rinneadh ar alt 66 d'Acht 2001 in alt 134 d'Acht 2005, go háirithe fodhlíthe a dhéanamh a bhaineann le *“the removal from or the prohibition of the use on a railway of any vehicle or thing which is or may become a danger to life, health, the operation or maintenance of a railway or would otherwise interfere with the proper operation of a railway.”*

Dúirt GFI go ndearna sí na fodhlíthe Light Railway (Regulation of Travel Use) Bye-Laws 2012 (I.R. 44 de 2012) faoi réir na bhforálacha sin, agus go n-áirítear an soláthar seo a leanas sna fodhlíthe sin *“10. An operator may take any reasonable steps to remove any vehicle or article which is or may become a danger to life, health, the operation and maintenance of a light railway or would otherwise interfere with the proper operation of a light railway.”*

the RPA to formulate bye-laws to manage, administer, run and regulate the railway, including, under section 66(1)(d), the removal or prohibition of the use on a railway line of any vehicle or thing which is or may become a danger to life, health, the operation or maintenance of a railway or would otherwise interfere with the proper operation of a railway.

The Agency advised that the legislation changed under the Railway Safety Act 2005 (2005 Act) – that section 11(1)(b) of that Act was rescinded and that safety obligations were placed on the RPA under sections 36 & 37 of the new Act as follows:

*“Section 36: ‘It shall be the general duty of a railway undertaking to ensure, in so far as is reasonably practicable, the safety of persons in the operation of its railway.’*

*Section 37: (1) ‘It shall be the general duty of a person working in the course of the operation of a railway undertaking, and of any person being on a railway or railway premises or railway land or on a train, to conduct himself or herself in such a way as to ensure in so far as is reasonably practicable that no person (including himself or herself) is exposed to danger as a consequence of any act or omission of his or hers.’*

*(2) ‘It shall be the general duty of a person working in the course of the operation of a railway undertaking, while on duty, not to be under the influence of an intoxicant to such an extent as to expose a person (including himself or herself) to danger or risk of danger as a consequence of being under such influence.’*

*(3) ‘It shall be the general duty of every person, in carrying out any activity on or near a railway or railway premises or railway land, to ensure in so far as is reasonably practicable that no person who is involved in the operation of a railway or who is being carried on a railway is exposed to danger as a consequence of any act or omission on the part of such person.’”*

The RPA informed the investigation that the Railway Safety Commission, which was established under the 2005 Act, has responsibility for the enforcement of that Act, and that wide-ranging powers have been bestowed on the Commission, including the power to request a railway closure under paragraph 79.

The RPA confirmed that the power of the RPA to formulate bye-laws in respect of railways was preserved in the amendments made to section 66 of the 2001 Act in section 134 of the 2005 Act, especially to make bye-laws which pertain to *“the removal from or the prohibition of the use on a railway of any vehicle or thing which is or may become a danger to life, health, the operation or maintenance of a railway or would otherwise interfere with the proper operation of a railway.”*

The RPA stated that it made the Light Railway (Regulation of Travel Use) Bye-Laws 2012 (S.I. 44 of 2012) under those provisions, and that the following provision is included in those bye-laws: *“10. An operator may take any reasonable steps to remove any vehicle or article which is or may become a danger to life, health, the operation and maintenance of a light railway or would otherwise interfere with the proper operation of a light railway.”*

Mar shoiléiríú ar an mír seo, dúirt GFI: *“In ainneoin go ndéantar tagairt do ‘bhaint’ sna hailt seo, ceadaiónn Alt 66(1) (iv) d’Acht 2001, mar a leasaíodh é in Acht 2005, cosc a chur ar nithe mar seo má éilíonn na cúinsí, faoinar deineadh na fodhlithe, a leithéid.*

*Is léir ón dul chun cinn le forálacha reachtúla, mar atá leagtha amach thuas, go bhfuil ceist sábháilteachta iarnróid agus chosaint phaisinéirí, fhostaithe agus an phobail ar bhagairt thromchúiseach fhéideartha de dheasca oibríochtaí fabhtacha iarnróid, mar phríomhábhar imní ag an Oireachtas agus go bhfuiltear ag súil le hardchaighdeán cúraim ón GFI agus í i mbun an gnóthaí iarnróid. Éilíonn sé seo monatóireacht leanúnach ar cheisteanna sábháilteachta agus gníomhartha cuí mar fhreagra orthu má aithnítear baol. Maidir leis seo baineann dhá thoisc leis an ábhar atá faoi chaibidil: (1) dea-ghnás idirnáisiúnta agus an teoiric a bhaineann le ‘héifeacht tranglaim’ agus (2) taithí oibríochta na GFI.”*

Rinne GFI cur síos breise ar an ábhar faoin dá cheannteideal sin. I gcás ‘Éifeacht an Tranglaim’, dúirt GFI go n-aithnítear tranglam físiúil mar chúis le comharthaíocht a bheith neamhéifeachtach agus gur cruthú é go bhfuil glactha go forleathan leis an teoiric seo go bhfuil caighdeánú déanta ar chomharthaí sábháilteachta in ionaid oibre, chun baol sábháilteachta a d’fhéadfadh eascairt as teachtaireachtaí neamhshoiléire nó contrártha a sheachaint.

Thagair GFI chomh maith do mhír sa *Lámhleabhar do Chomharthaí Tráchtá (Traffic Signs Manual)* atá eisithe ag an Roinn Iompair ina ndeirtear: *“Signs should only be erected where there is a demonstrable need, because unnecessary, incorrect or inconsistent signs detract from the effectiveness of those that are required and tend to lead to disrespect for all signs.”*

Chuir GFI cóipeanna ar fáil de bhileog agus de thuairisc ar thranglaim chomharthaíochta (*Reducing Sign Clutter – Traffic Advisory leaflet 01/13* agus *Reducing traffic sign clutter*), a bhí curtha i dtoll a chéile ag an Roinn Iompair sa Ríocht Aontaithe agus ag an Transport Research Laboratory don Roinn chéanna. Chuir GFI na míreanna ar leith seo ón dá fhoilseachán sin faoi bhráid an imscrúdaithe mar thacaíocht lena seasamh:

*“While reducing the number of signs and posts is generally desirable, in the case of traffic signals the risk of driver confusion and distraction caused by too many signs on the signal posts should be borne in mind”. Reducing Sign Clutter pg 6*

*‘As well as having a negative effect on the general appearance of the streetscape, sign clutter can cause a number of other problems. Safety critical signing, such as warning of height restrictions for low bridges, can get lost within an environment of a large number of signs in very close proximity. Too many signs can distract drivers from the primary task of driving safely. Previous research has shown that the addition of information to a sign generally increases driver response times (Cooper et al, 1998 and Agg 1993). The overprovision of signs can reduce the likelihood of drivers taking notice of them.’ Deir an Traffic Signs Manual Caibidil 4 (Warning Signs) (DfT, 2004):*

*‘Appropriate warning signs can greatly assist road safety. To be most effective, however, they should be used sparingly. Their frequent use*

As clarification of this element, the RPA said: *“Despite the fact that reference is made to ‘removal’ in these paragraphs, section 66 (1) (iv) of the 2001 Act, as amended by the 2005 Act, allows for the prohibition of items of this nature if the circumstances under which the bye-laws were made so dictate.” (trans.)*

*“It is apparent from the progress with statutory provisions, as set out above, that the question of railway safety and protection of passengers, employees and the public from potential serious threat as a result of faulty railroad operations are of major concern to the Oireachtas, and a high standard of care is expected of the RPA in the execution of railway business. This requires constant monitoring of safety issues and appropriate actions in response if a risk is identified. As regards this, there are two factors relating to the subject in question: (1) good international practice and the theory behind ‘clutter effect’ and (2) the RPA’s operational experience.” (trans.)*

The RPA gave an additional account on the subject under those two headings. In the case of ‘the clutter effect’, the RPA stated that physical clutter is recognised as a cause of making signs ineffective and that the proof that this theory is widely accepted is apparent in the standardisation of safety signs in the workplace, to avoid safety risks that could arise from ambiguous or conflicting messages.

The RPA also referred to a section in the *Traffic Signs Manual* issued by the Department of Transport which states: *“Signs should only be erected where there is a demonstrable need, because unnecessary, incorrect or inconsistent signs detract from the effectiveness of those that are required and tend to lead to disrespect for all signs.”*

The RPA supplied copies of a leaflet and a report on sign clutter (*Reducing Sign Clutter – Traffic Advisory leaflet 01/13* and *Reducing traffic sign clutter*), which had been issued by the Department of Transport in the United Kingdom and by the Transport Research Laboratory for the same Department. The RPA put the following sections of these two publications before the investigation in support of its position:

*“While reducing the number of signs and posts is generally desirable, in the case of traffic signals the risk of driver confusion and distraction caused by too many signs on the signal posts should be borne in mind’. Reducing Sign Clutter pg 6*

*‘As well as having a negative effect on the general appearance of the streetscape, sign clutter can cause a number of other problems. Safety critical signing, such as warning of height restrictions for low bridges, can get lost within an environment of a large number of signs in very close proximity. Too many signs can distract drivers from the primary task of driving safely. Previous research has shown that the addition of information to a sign generally increases driver response times (Cooper et al, 1998 and Agg 1993). The overprovision of signs can reduce the likelihood of drivers taking notice of them.’ Chapter 4 (Warning Signs) of the Traffic Signs Manual (DfT, 2004) states: (trans.)*

*‘Appropriate warning signs can greatly assist road safety. To be most effective, however, they should be used sparingly. Their frequent use*



*to warn of conditions which are readily apparent tends to bring them into disrepute and detracts from their effectiveness.’ Transport Laboratory Report – Introduction leathanach 1.”*

D’áitigh GFI gur thacaigh an méid seo lena tuairim gurb é *“an tslí is fearr chun éifeacht chomharthaí sábháilteachtacha criticiúla don tiománaí ná líon na gcomharthaí a choinneáil chomh híseal agus is féidir agus an t-eolas ar aon cheann díobh a theorannú go dtí an íosmhéid is gá chun an teachtairacht sábháilteachta a thabhairt.”*

Faoi dara ceann, *“Taithí oibríochta na GFI”*, thug GFI le fios gur cuireadh na comharthaí atá faoi chaibidil san imscrúdú seo in airde de thoradh drochthimpiste nuair a bhuail dhá thram in éadan a chéile agus a tharla gar don trasnasc ar an tslí isteach chuig stad Fhaiche Stiabhna i Meán Fómhair 2004 – timpiste inar gortaíodh an-chuid paisinéirí – mar gur cinneadh i ndiaidh an fhiosraithe oifigiúil nach gceadófaí ach do thram amháin ag an am dul isteach i gceantar an trasnaisc. Ag tagairt di don chinneadh seo, dúirt GFI gur bhraith sí go raibh an baol ann go mbuailfeadh dhá thram in aghaidh a chéile chomh hard, nó níos airde, sa cheantar seo (Stáisiún Uí Chonghaile) is a bhí ag Faiche Stiabhna mar ar tharla tuairt cheana féin. Toisc leibhéal ard trácht coisithe a bheith sa cheantar braitheadh go raibh baol mór ann go ngortófaí daoine den phobal. Ba ar na cúiseanna seo a glacadh céimeanna slándála den chineál céanna ag Stáisiún Uí Chonghaile, a dúirt GFI.

Sa bhreis ar na hargóintí sin, rinne GFI cur síos ar sheasamh an Choimisiúin Sábháilteachta Iarnróid (CSI), a bhí curtha ar fáil di i litir ó Choimisinéir CSI, Gerard Beesley, mar seo a leanas:

*“Aontaíonn Mr. Beesley le tuairim na GFI nach mar eolas don phobal iad na comharthaí seo ach mar eolas do fhoireann oibríochta, agus gur chóir go mbeadh na comharthaí seo soiléir, agus nach measfaí iad le haon chomhartha nó póstaer in aice láimhe, faoi réir oibleagáidí na GFI faoi Acht 2005.”*

Tugadh le fios gur thagair an tUasal Beesley do na ‘tosca daonna’ ba chóir a mheá agus gur thagair sé do thuarascáil fiosrúcháin an Railway Accident Investigation Unit (RAIU) faoi *“Car strike at Murrough Level Crossing XG173, County Galway, 14th February 2011.”* Cuireadh cóip den tuarascáil sin ar fáil don imscrúdú agus dúradh:

*“D’aithin an tuarascáil fabht comharthaíochta, ag cur san áireamh cúinsí an cháis, chun a chur in iúl do tiománaí go raibh sé ag teannadh le crosaire comhréidh agus/nó contúirtí a bhaineann le crosairí comhréidh. Bhí go leor comharthaí ann ag láthair na timpiste; mar sin féin ní raibh aon cheann díobh éifeachtach a dóthain, mar a bhí i gceist, chun a leithéid de thaisme a chosc.*

*Agus iad ag moladh don chomhlacht (Iarnród Éireann) go ndéanfaí oiriúnacht na comharthaíochta a athbhreithniú agus a chinntiú go n-aithneofaí is go dtabharfaí aghaidh ar ‘cheisteanna thosca daonna’ is fiú a nótáil go raibh sé tugtha faoi deara ag an RAIU go raibh na comharthaí ag láthair na timpiste i nGaeilge is i mBéarla agus ‘nach raibh eolas ag an tiománaí ná ag an bpaisinéir ar an teanga Ghaeilge’.*

*Siúd is nach bhfuil an GFI ag maíomh nach bhféadfaí ábhar an fhiosraithe seo bheith i nGaeilge i ngeall ar leibhéal eolais ár*

*to warn of conditions which are readily apparent tends to bring them into disrepute and detracts from their effectiveness.’ Transport Laboratory Report – Introduction page 1.” (trans.)*

The RPA claimed that this supported its contention that the *“best way to make critical safety signs effective to the driver was to keep the volume of signs as low as possible and to keep the information on each one of them to the minimum amount required to provide the safety message.”* (trans.)

Under the second heading, *“The RPA’s operational experience”*, the RPA informed the investigation that the signs which were the subject of the investigation were erected as a result of a serious accident in which many passengers were injured where two trams collided near to the crossover at the Stephen’s Green stop in September 2004, because it was decided after the official investigation that no more than one tram at a time would be allowed into the crossover area. Referring to that decision, the RPA said that it felt that the threat that two trams would collide was as high, or higher, in this area (Connolly Station) as at Stephen’s Green, where a crash had already occurred. Due to the high level of pedestrian traffic in the area it was felt that there was a high level of possibility that a member of the public could be injured. It was for these reasons that safety precautions of the same nature were adopted at Connolly Station, according to the RPA.

In addition to those arguments, the RPA gave an account of the stance of the Railway Safety Commission (RSC), which had been provided to the RPA in a letter from the RSC Commissioner, Gerard Beesley, as follows:

*“Mr. Beesley agrees with the opinion of the RPA that these signs are not provided as information for the public but as information for the operative staff, and that these signs should be clear, and that they should not be mixed with any sign or poster in the vicinity, under the RPA’s obligations under the 2005 Act.” (trans.)*

It was advised that Mr. Beesley had referred to the ‘human factors’ that should be weighed and that he referred to the investigation report of the Railway Accident Investigation Unit (RAIU) in respect of the *“Car strike at Murrough Level Crossing XG173, County Galway, 14th February 2011.”* A copy of this report was provided to the investigation and it was said:

*“The investigation identified a signage problem, taking into account the circumstances of the case, in advising the driver that he was approaching a railway crossing and/or dangers relating to a railway crossing. There were a lot of signs at the accident location; however, not one of them was sufficiently effective, as was the intent, to prevent this type of accident.*

*Whilst making recommendations to the company (Iarnród Éireann) that the suitability of the signage be reviewed and that it be ensured that ‘human factor issues’ would be identified and dealt with, it is worth noting that the RAIU had noticed that the signs at the accident location were in Irish and in English and that ‘both the driver and the passenger were not familiar with the Irish language.’*

*Although the RPA is not claiming that the information which is the subject of this investigation could not be in Irish due to the level of*

*dtiománaithe, agus in ainneoin go bhfuil ár n-aighneacht bunaithe ar ár n-ínní faoi 'éifeacht an trangleaim' agus ar ár dtaithí oibríochta, creidimid go léiríonn an tuarascáil seo go dtógfadh an CSI agus an RAIU san áireamh tuiscint thiománaithe i gcomhthéacs fhiosraithe ar aon thimpiste a fhéadfadh tarlú.*

*Tá an chuma ar an scéal agus 'tosca daonna' a bhaineann le comharthaíocht ag aon láthair go gcaithfeadh an GFI a thabhairt san áireamh cumas thiománaithe chun aon chomhartha a thabhairt faoi deara, a léamh is a thuiscint, agus gníomhú dá réir d'aon chomhartha dá shórt. In ainneoin go dtuigeann an GFI go hiomlán nach bhfuil aon díolúine den chineál seo in Acht 2003, caithfidh a rá go mbeimis ár bhfágáil féin oscailte do chinneadh nach raibh aghaidh tugtha againn ar ghné na 'dtosca daonna', ar chóir go mbeimis ar an eolas faoi, dá ndéanfaimis neamhaird ar cheisteanna tuisceana."*

Mar chonclúid, dúirt GFI gurb í a haighneacht gur dearadh agus gur cuireadh in airde na comharthaí chun baol ceapáiríthe a chosc agus nach dtig léi aon chomhartha breise ná aon chomhartha le téacs breise a chur in airde sna háiteanna seo, agus dúirt:

*"Tá sé rísholéir don GFI nach raibh sé i gceist go dtiocfadh comharthaí den chineál seo faoi réir Acht 2003. Bheadh sé doshamhlta go gcuirfeadh acht, a bhfuil mar aidhm leis an Ghaeilge a chur chun cinn ar mhaithe leis an bpobal, an GFI sa riocht go raibh an pobal á chur i mbaoil aici.*

*Iarrfaimid ar an gCoimisinéir teacht ar chinneadh nach bhfuil aon dualgas ar an GFI a thuilleadh comharthaí a chur in airde de bharr a cuid dualgas faoin Acht Sábháilteachta Iarnróid 2005 agus a cumhachtaí faoi Alt 66 (1) (b) (iv) d'Acht 2001."*

Sheol an fhoireann imscrúdaithe an dara litir chuig GFI ag fiafraí di an raibh aon fhianaise le tairiscint aici don imscrúdú ón dlínse seo nó ó thíortha dátheangacha eile go raibh comhartha dátheangach a bhí curtha in airde i gcomhréir leis na dualgais reachtúla cuí ina chúis timpiste. Mar fhreagra ar an litir sin, dúirt GFI nár mhaígh sí go mbíonn comharthaí dátheangacha ina n-ábhar timpiste, agus nár bh eol di aon fhianaise chuige sin a bheith sa dlínse seo ná in aon dlínse eile, siúd is go bhféadfadh a leithéid d'fhianaise a bheith ann.

Bhain an t-imscrúdú seo le húsáid na dteangacha oifigiúla, Gaeilge agus Béarla, ar chomharthaí de chuid na Gníomhaireachta um Fháil Iarnród.

Chonacthas don imscrúdú go bhféadfaí talamh slán a dhéanamh de nár chomharthaí iad na comharthaí a bhí faoi chaibidil san imscrúdú a thagann faoi scáth na rialachán agus na n-ordachán atá déanta faoi fho-ailt 95(2) agus 95(16) den Acht um Thrácht ar Bhóithre, 1961, mar nach raibh na comharthaí seo suite ar bhóithre poiblí agus nach údarás bóithre é GFI chun críche na nAchtanna um Thrácht ar Bhóithre.

Thagair GFI, áfach, do chomharthaí bóithre agus don *Lámhleabhar do Chomharthaí Bóithre* ina fhreagra chuig an imscrúdú agus thug sí le fios go n-aithníonn an Roinn Iompair trangleam comharthaí mar cheist in alt 1.1.10 den *Lámhleabhar*.

*knowledge of our drivers, and despite the fact that our submission is based on our concern with regard to the 'clutter effect' and our operational knowledge, we believe that this report shows that the RSC and the RAIU will take account of the driver's understanding in the context of an investigation of any accident which may happen.*

*It would appear with the 'human factor' which pertains to signs at any location that the RPA would have to take into account the ability of drivers to notice, read and understand any sign and to act accordingly in respect of any sign of that kind. Despite the fact that the RPA understands that there is no exemption of this nature in the 2003 Act, we have to say that we would be leaving ourselves open to a decision that we had not taken account of the 'human factor', about which we should be aware, if we ignored the question of understanding."* (trans.)

In conclusion, the RPA submitted that the signs were designed and erected to prevent a particular threat and that they could not erect any other signs or any signs with additional text in these areas, and stated:

*"It is crystal clear to the RPA that it was not intended that signs of this nature would be included under the 2003 Act. It is unimaginable that an Act, whose aim is to promote Irish to the benefit of the public, would put the RPA in such a position as to endanger the public.*

*We ask the Coimisinéir to arrive at a decision that the RPA is not obliged to erect any more signs due to its obligations under the Railway Safety Act 2005 and its powers under section 66(1) (b) (iv) of the 2001 Act."* (trans.)

The investigation team sent a second letter to the RPA asking had it any evidence to offer the investigation from this or any other bilingual jurisdiction that bilingual signs that were erected in accordance with appropriate statutory obligations were the cause of an accident. In response to that letter, the RPA stated that it had not claimed that bilingual signs are a cause of accidents, and that they were not aware of any such evidence in this jurisdiction or in any other, although such evidence might exist.

This investigation concerned the use of the official languages, Irish and English, on signs belonging to the Railway Procurement Agency.

It was apparent to the investigation that it could be safely assumed that the signs which were the subject of the investigation were not signs that come under the regulations and orders made under subsections 95(2) and 95(16) of the Road Traffic Act 1961, as the signs were not situated on a public road and because the RPA is not a roads authority for the purposes of the Road Traffic Acts.

The RPA, however, referred to traffic signs and to the *Traffic Signs Manual* in its response to the investigation and it pointed out that the Department of Transport recognises sign clutter as an issue in section 1.1.10 of the *Manual*.



Ach in ailt 1.1.48, 1.1.50 agus 1.1.51 den *Lámhleabhar* céanna, dearbhaítear an dualgas reachtúil atá ann comharthaí dátheangacha a úsáid:

*1.1.48 It is a statutory requirement that place names on information signs be in both Irish and English, except:*

- *For names of destinations in Gaeltacht areas, where the names of places in such areas are in Irish only; and*
- *Where the spelling of a place name is similar in both languages, in which case only the Irish form of the name should be shown.*

*1.1.50 All other fixed information and warning signs, including supplementary plates, containing text shall be bilingual.*

*1.1.51 Where a considerable amount of text is required, such that there is a danger that the impact of the message may be diluted, separate Irish and English signs should be used.*

Ba léir ón méid seo nach gcreideann an Roinn Iompair go bhfuil comharthaí Gaeilge nó dátheangach ina gcúis ‘tranglainm’.

Maidir le fianaise go raibh comharthaí dátheangacha a bhí curtha in airde i gcomhréir le dualgais reachtúla ina gcúis timpiste, thug GFI le fios nár mhaígh sí go mbíonn comharthaí dátheangacha ina n-ábhar timpiste, agus nach raibh aon eolas aici ar aon fhianaise chuige sin, sa dlínse seo ná in aon dlínse eile, siúd is go bhféadfadh a leithéid d’fhianaise a bheith ann.

A mhalairt d’fhianaise, áfach, a bhí ar fáil don imscrúdú, i gcomhthéacs anailís a bhí déanta ar éifeacht comharthaí dátheangacha ar shábháilteacht ar bhóithre in Albain. I dtuarascáil chríochnúil ar an ábhar seo, *Analyses of the effects of bilingual signs on road safety in Scotland* (Kinneir, Helman, Buttress, Smith, Delmonte, Lloyd and Sexton, 2012), thángthas ar an bhfionnachtain nach raibh aon fhianaise ann a thabharfadh le fios gur ardaigh nó gur ísligh líon na dtimpistí de thoradh suiteáil comharthaí dátheangacha, agus bhí an méid seo le rá mar chonclúid:

*It is concluded that while there is evidence that bilingual signs may have increased the demand of the driving task, this increase can be absorbed, and managed, by the driver and therefore does not result in a significant increase in crash risk and accident involvement.*

*Analysis of accident data in Scotland concurred with this conclusion, finding no evidence that accidents increased or decreased as a result of bilingual sign installation.*

Rinneadh an taighde fairsing seo, a bhí bunaithe ar léirmheas ar an litríocht idirnáisiúnta, staitisticí i dtaca le timpistí bóthair agus agallaimh le húsáideoirí na mbóithre agus roinnt údaráis áitiúla, thar ceann ‘Transport Scotland’.

Cé go ndúirt GFI nár mhaígh sí aon uair go mbíonn comharthaí dátheangacha ina n-ábhar timpiste, ba léir ó na hargóintí a cuireadh i láthair an imscrúdaithe i dtaca le ceist na Gaeilge ar chomharthaí ag láthair timpiste iarnróid i gCo. na Gaillimhe, agus ón ábhar a cuireadh ar fáil don imscrúdú ó dhlínsí aonteangacha, gur a mhalairt ar fad a bhí fíor. Ba é an argóint a bhí á déanamh ná go mbeadh éifeacht ‘tranglainm’ ann dá gcuirfí in airde leagan Gaeilge de na comharthaí a bhí faoi chaibidil, nó dá gcuirfí leagan dátheangach de na comharthaí sin in áit na gcomharthaí a bhí ann.

But in sections 1.1.48, 1.1.50 agus 1.1.51 of the same *Manual*, the statutory obligation to use bilingual signage is confirmed:

*1.1.48 It is a statutory requirement that place names on information signs be in both Irish and English, except:*

- *For names of destinations in Gaeltacht areas, where the names of places in such areas are in Irish only; and*
- *Where the spelling of a place name is similar in both languages, in which case only the Irish form of the name should be shown.*

*1.1.50 All other fixed information and warning signs, including supplementary plates, containing text shall be bilingual.*

*1.1.51 Where a considerable amount of text is required, such that there is a danger that the impact of the message may be diluted, separate Irish and English signs should be used.*

It was apparent from this that the Department of Transport was not of the opinion that Irish or bilingual signs were a cause of ‘clutter’.

As regards evidence that bilingual signage erected in accordance with statutory obligations are a cause of accidents, the RPA denied that it had ever claimed that bilingual signage caused accidents and that it had no evidence to that effect, from either this jurisdiction or any other, although such evidence may exist.

The investigation, however, had access to evidence of the opposite nature, in the context of an analysis which had been carried out on the effect of bilingual signage on road safety on roads in Scotland. In their final report on this subject, *Analyses of the effects of bilingual signs on road safety in Scotland* (Kinneir, Helman, Buttress, Smith, Delmonte, Lloyd and Sexton, 2012), it was concluded that there was no evidence to suggest that the number of accidents increased or decreased as a result of the siting of bilingual signs, and the following was said in conclusion:

*It is concluded that while there is evidence that bilingual signs may have increased the demand of the driving task, this increase can be absorbed, and managed, by the driver and therefore does not result in a significant increase in crash risk and accident involvement.*

*Analysis of accident data in Scotland concurred with this conclusion, finding no evidence that accidents increased or decreased as a result of bilingual sign installation.*

This extensive research, which was based on a review of international literature, statistics in relation to road accidents and interviews with road users and some local authorities, was carried out on behalf of ‘Transport Scotland’.

Although the RPA said that it had never claimed that bilingual signs were a cause of accidents, it was apparent from the arguments put before the investigation in respect of the issue of Irish on signs at the site of a railway accident in Co. Galway, and from the material supplied to the investigation from monolingual jurisdictions, that the opposite was the case. The argument being made was that the erection of Irish language versions of the signs in question or of bilingual signs in place of the current signs would cause a ‘clutter’ effect.



Ba léir go raibh GFI ag iarraidh talamh slán a dhéanamh de go raibh baint ag na comharthaí Gaeilge leis an timpiste iarnróid a tharla i gCo. na Gaillimhe. Ba léir, áfach, ó léamh na tuarascála, gurbh é fionnachtain an fhiosrúcháin nach raibh na comharthaí ag cloí leis an reachtaíocht chuí i dtaca le comharthaíocht den chineál sin, agus nach raibh siad curtha in airde i gceart. Ní raibh aon bhaint ag an dátheangachas leis an bhfionnachtain.

Rinne GFI tagairt ina hargóintí do na fodhlíthe a bhí déanta aici féin in I.R. 44 de 2012, faoi réir a cumhachtaí faoi alt 66 den Acht Iompair (Bonneagar Iarnróid), 2001 agus don mhír 'removal of obstructions' sna fodhlíthe sin. Thug sí le fios gurbh fhéidir leis an oibrítheoir ar an gcóras, faoi na fodhlíthe sin, aon chéimeanna cuí a thógáil le feithicil nó rud atá nó a d'fhéadfadh a bheith ina bhaol do bheatha nó sláinte nó d'oibriú nó cothabháil iarnróid éadroim a bhaint. Ach thabharfadh sin le fios go bhfuil sé de chead ag GFI ábhar den chineál sin atá curtha in áit ag duine eile a bhaint den iarnród éadrom – ní chuireann sé aon bhac ná cosc ar GFI comharthaíocht reachtúil bhailí a chur in airde.

Ba dheacair a shamhlú go mbeadh leagan dátheangach den chomhartha reatha, atá i mBéarla amháin, ina chúis bhreise le timpiste. Agus cé go raibh argóint déanta i dtaca le timpiste a tharla ar an líne Luas i bhFaiche Stiabhna, tharla seo ag tráth nach raibh aon chomhartha curtha in airde san áit.

Ba é seasamh GFI sa chás go raibh díolúine ag na comharthaí seo de bharr na gcúraimí sábháilteachta atá ar an eagraíocht. Tugann na Rialacháin faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 díolúine i dtaca le comharthaí a thagann faoi scáth na Rialachán um Shábháilteacht, Sláinte agus Leas ag an Obair, 2007 (I.R. Uimh. 299 de 2007). Ach ní comharthaí chun críche na Rialachán um Shábháilteacht, Sláinte agus Leas ag an Obair, 2007 iad na comharthaí seo.

Cé go ndearnadh tagairt rialta i bhfreagra GFI ar an imscrúdú don Acht um Shábháilteacht Iarnróid, 2005 agus do na cúraimí sábháilteachta tromchúiseacha a leagann an reachtaíocht sin ar GFI, ba léir nach raibh aon treoir tugtha sa reachtaíocht sin i dtaca le comharthaíocht, seachas sa mhéid go ndúradh gur chóir go mbainfí leas as an gcomharthaíocht chuí iompair. D'éiligh GFI go dtagann a cúraimí faoin Acht seo salach ar na Rialacháin faoi Acht na dTeangacha Oifigiúla, 2003 agus go bhfeictear di go bhfuil tús áite ag an Acht um Shábháilteacht Iarnróid sna cúinsí sin. Ní fhacthas don imscrúdú go raibh aon chás le déanamh ina thaobh sin ná go raibh aon choimhlint idir dualgais GFI faoin Acht um Shábháilteacht Iarnróid agus a cúraimí faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003.

Mhaigh GFI ina freagra ar an imscrúdú go raibh sé *“rí-shoiléir nach raibh sé i gceist go dtiocfadh comharthaí den chineál seo faoi réir Acht 2003.”* Ach chonacthas don imscrúdú nach raibh aon bhunús leis an léargas sin i bhfianaise na díolúine soiléire atá leagtha síos sna Rialacháin faoin Acht in I.R. Uimh. 391 de 2008: ní chuirtear díolúine ar fáil go sonrach i gcás na comharthaíochta ba bhun leis an imscrúdú seo.

Ba léir ón reachtaíocht fairsing i dtaca le comharthaí tráchta, iompair agus eile na tíre gurbh é mian sheasta an Oireachtas go mbeadh

It was apparent that the RPA was making an assumption that the Irish language signage was connected to the cause of the railway accident which occurred in Co. Galway. It was apparent, however, from reading the report, that the findings of the investigation were that the signage at the accident location was not in accordance with the relevant legislation in respect of signage, and that it was incorrectly erected. Bilingualism had no connection with the findings.

The RPA referred in its arguments to bye-laws it had made in S.I. 44 of 2012, in accordance with its powers under section 66 of the Transport (Railway Infrastructure) Act 2001 and to the provision 'removal of obstructions'. It advised that the operator of the system is entitled to take any appropriate steps to remove a vehicle or thing which is or may become a danger to life, health, the operation or maintenance of a railway under those bye-laws. But that would give one to understand that the RPA is permitted to remove any material of that nature which is erected by a third party on the light railway – it does not prevent or prohibit the RPA from erecting valid statutory signs.

It was difficult to imagine that a bilingual version of the current English only sign would be an additional cause of accidents. And although it was argued that an accident occurred on the Luas line at Stephen's Green, that accident occurred when there were no signs erected.

It was the RPA's contention in this case that these signs had an exemption due to the safety obligations of the organisation. The Regulations under subsection 9(1) of the Official Languages Act 2003 grant an exemption in respect of signs to which the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) apply. But these signs are not signs for the purposes of the Safety, Health and Welfare at Work (General Application) Regulations 2007.

Although frequent reference was made to the Railway Safety Act 2005, and to the serious safety responsibilities which that legislation places on the RPA, in the organisation's responses throughout the investigation, it was apparent that no direction was given in that legislation in respect of signage, except where it was stated that the appropriate transport signage should be utilised. The RPA claimed that its responsibilities under this Act were in conflict with its responsibilities under the Official Languages Act and that it was apparent to it that the obligations under the Railway Safety Act took precedence in those circumstances. The investigation did not find that there was any case to be made in that respect nor did it find any evidence of conflict between the RPA's responsibilities under the Railway Safety Act and its responsibilities under subsection 9(1) of the Official Languages Act 2003.

The RPA claimed in its response to the investigation that it was *“crystal clear to the RPA that it was not intended that signs of this nature would be included under the 2003 Act.”* (trans.) But it was clear to the investigation that there was no basis to this claim in light of the clear exemptions set down in the Regulations under the Act in S.I. No. 391 of 2008: no exemption is granted in respect of the signage which is the basis of this investigation.

It was apparent from the extensive legislation in respect of traffic, transport and other national signs that it is the constant wish of the Oireachtas that



comharthaíocht phoiblí na tíre den uile chineál dátheangach, bíodh sin dírithe ar an bpobal nó ná bíodh – ón Acht Iompair, 1950 agus an tAcht um Thrácht ar Bhóithre, 1961 go dtí na Rialacháin faoi fho-alt 9(1) d’Acht na dTeangacha Oifigiúla, 2003. Agus d’admhaigh GFI ina freagra ar an imscrúdú gur thuig sí go hiomlán *“nach bhfuil aon díolúine den chineál seo in Acht 2003”*.

Thug GFI litir ó Choimisinéir an Choimisiúin Sábháilteachta Iarnróid (CSI) ar láimh don imscrúdú mar thaca lena seasamh go raibh cúinsí sábháilteachta i gceist le leagan Gaeilge nó dátheangach de na comharthaí seo a chur in airde. Rinne sí an cás gur aontaigh CSI le tuairim GFI nach mar eolas don phobal a bhí na comharthaí seo ann, ach mar eolas don fhoireann oibre, agus gur chóir go mbeadh na comharthaí seo soiléir agus nach meascaí iad le haon chomhartha nó póstaer in aice láimhe.

Ach níl na Rialacháin faoi fho-alt 9(1) d’Acht na dTeangacha Oifigiúla, 2003 teoranta do chomharthaí poiblí amháin, agus ní rabhthas ag moladh go gcuirfí comhartha nó póstaer eile in airde in aice láimhe – ba é an t-eolas céanna a bhí le cur in airde, de réir na reachtaíochta, in dhá theanga oifigiúla an Stáit. Treisiú seachas lagú ar an teachtaireacht oifigiúil a bheadh anseo.

Ba iad seo a leanas na moltaí a rinne mé mar Choimisinéir Teanga:

- Go ndéanfaí comharthaí nua dátheangacha nó cinn ar leith Gaeilge agus Béarla a dhearadh agus a chur in airde láithreach ag an láthair a ndearnadh gearán ina leith.
- Gan dochar don dualgas láithreach atá ann i dtaca leis an ábhar seo, go ndéanfaí cinnte go dtabharfar an moladh thuas chun críche ar a dhéanaí laistigh de thréimhse 3 mhí ó dháta na tuarascála seo.

**Imscrúdú seolta: 27 Meán Fómhair 2013**

**Tuarascáil eisithe: 2 Bealtaine 2014**

## Bus Átha Cliath

Léirigh imscrúdú nach raibh an fhoráil in alt 57(2) den Acht Iompair, 1950 – ar foráil í a bhaineann le stádas nó le húsáid teanga oifigiúla – á comhlíonadh i dtaca le ticéid taistil áirithe de chuid Bhus Átha Cliath.

Rinneadh gearán le m’Oifig sa bhliain 2011 gur i mBéarla amháin a bhí ticéid taistil áirithe de chuid Bhus Átha Cliath á n-eisiúint, in ainneoin an riachtanais reachtúil teanga atá daingnithe in alt 57(2) den Acht Iompair, 1950, mar atá:

*“Ní foláir na cárta-thicéidí paisnéara uile a eiseos an Bord i gcóir turasanna laistigh den Stát a bheith clóbhuailte i nGaeilge ach is cead iad a bheith clóbhuailte i nGaeilge agus i mBéarla.”*

Ba léir ó chóip den ticéad taistil cuí a seoladh chugam gur i mBéarla amháin a bhí na ticéid á gclóbhuailt.

Rinne m’Oifig iarracht an gearán seo a réiteach le Bus Átha Cliath tríd an bpróiseas neamhfhoirmiúil réitithe gearán a fheidhmíonn an Oifig.

all public signage in the country be bilingual, whether or not it is directed at the public – from the Transport Act 1950 and the Road Traffic Act 1961 to the Regulations under subsection 9(1) of the Official Languages Act 2003. And the RPA admitted in its response to the investigation that it understood completely *“that there is no such exemption in the 2003 Act”*. (trans.)

The RPA presented a letter from the Commissioner of the Railway Safety Commission (RSC) to the investigation in support of its stance that there were safety issues surrounding the erection of an Irish or bilingual version of these signs. It made the case that the RSC agreed with its opinion that these signs were not erected for the public’s information, but as information for the staff, and that the signs should be clear and not mixed with other signs or posters in the vicinity.

But the Regulations under subsection 9(1) of the Official Languages Act 2003 are not restricted to public signs only, and it was not being recommended that another sign or poster be erected in the vicinity – it was the same information which was to be provided, in accordance with the legislation, in both official languages of the State. This would reinforce rather than dilute the official message.

I made the following recommendations as Coimisinéir Teanga:

- That new bilingual or individual Irish and English language signs be designed and erected immediately at the location about which the complaint was made.
- Without prejudice to the immediate obligation in place in respect of this matter, that it is ensured that the above recommendation be implemented within 3 months of the date of this report.

**Investigation launched: 27 September 2013**

**Report issued: 2 May 2014**

## Bus Átha Cliath

An investigation found that the provision in section 57(2) of the Transport Act 1950 – which is a provision relating to the status or use of an official language – was not being implemented in respect of certain travel tickets issued by Bus Átha Cliath.

A complaint was made to my Office in 2011 that certain travel tickets being issued by Bus Átha Cliath were in English only, despite the statutory language requirement which is confirmed in section 57(2) of the Transport Act 1950, as follows:

*“All passenger card tickets issued by the Board for journeys within the State shall be printed in the Irish language but may be printed in both the Irish and English languages.”*

It was apparent from the copy of the ticket which was sent to me that these tickets were being printed in English only.

My Office attempted to resolve the complaint with Bus Átha Cliath through the informal complaints resolution process which it operates. It was

Dearbhaíodh don Oifig i ríomhphost dar dáta an 6 Feabhra 2013 go mbeadh na ticéid dátheangach go hiomlán go luath sa bhliain 2014. Ghlac m'Oifig leis an dearbhú sin.

I Márta agus Aibreán na bliana 2014, fuair m'Oifig gearáin eile a thug le fios gur i mBéarla amháin a bhí na ticéid taistil seo á n-eisiúint go fóill, in ainneoin an dearbhaithe a bhí tugtha. Tharraing m'Oifig an cheist anuas le Bus Átha Cliath, agus tugadh le fios nach bhféadfaí, ag an bpointe ama sin, spriocdháta a chur leis an tionscnamh.

Ó tharla gearáin a bheith déanta ag daoine den phobal liom i dtaobh na ceiste seo agus ó tharla nár éirigh le Bus Átha Cliath an sprioc a bhí deimhnithe acu dúinn a bhaint amach ná aon sprioc nua a leagan síos, bheartaigh mé go raibh sé de cheart ag na gearánaithe go ndéanfainn imscrúdú a sheoladh i dtaca leis an méid a líomhnaíodh sna gearáin.

Ina chéad fhreagra ar an imscrúdú, dhearbhaigh Bus Átha Cliath gur ghlac sé leis nár chloígh a chóras ticéadaithe reatha leis an bhforáil in alt 57(2) den Acht Iompair, 1950 agus gur sárú a bhí ansin ar an dualgas reachtúil teanga a bhí air faoin Acht.

Mar chúlra, thug Bus Átha Cliath le fios gur tugadh isteach an córas reatha ticéadaithe sa bhliain 2006, nár thacaigh na struchtúir ná na formáidí a forbraíodh mar chuid den chóras seo le fad na gcarachtar atá riachtanach chun an Ghaeilge agus an Béarla araon a phriontáil ar na ticéid, agus gur *“(r)oghnaíodh an Béarla mar phríomhtheanga ar ár dticéid toisc nach bhféadfaí an dá theanga a chur orthu.”*

Thug Bus Átha Cliath le fios go raibh sé gafa i mbun oibre ó 2011 i leith chun bunachar sonraí dátheangach i dtaca le stadanna bus a sheachadadh agus go raibh, mar thoradh air sin, tionscadail curtha i gcrích ar nós na dtaispeántaí dátheangacha um Fhaisnéis Fíor-ama do Phaisinéirí agus fógraí faime agus amhairc dátheangacha faoin gcéad stad eile ar bord a fhliú, rud a chiallaigh go bhféadfadh sé na bogearraí a bhí de dhíth chun a thicéid a dhéanamh dátheangach a fhorbairt. Thug sé le fios go raibh sé i mbun cainte le soláthraí a chórais ticéadaithe i dtaca leis na bogearraí riachtanacha a fhorbairt ó mhí Feabhra 2013, agus go raibh sé tar éis sonraíocht agus meastachán a fháil uathu siúd agus tar éis obair ar an tionscadal seo a choimisiúnú.

Thug Bus Átha Cliath le fios go raibh saincheisteanna aitheanta ag an bhfoireann tionscadail i gcaitheamh an phróisis seo a chuir isteach ar na hamhlínte a soláthraíodh don Oifig, ach go raibh sé tar éis oibriú go comhsheasmhach lena sholáthraí chun réitigh theicneolaíochta a sholáthar ar na saincheisteanna seo.

Chuir Bus Átha Cliath meastachán ar an gcostas chun an tionscadal a chur i gcrích faoinár mbráid agus thug sé le fios gur chuir sé an tionscadal san áireamh san iarratas ar mhaoiniú caipitil ón Údarás Náisiúnta Iompair (ÚNI) don bhliain 2014.

D'aithin Bus Átha Cliath a chuid dualgas faoin Acht Iompair, 1950 agus an tiomantas a tugadh do m'Oifig sa bhliain 2013 agus dúirt go raibh sé ag brú an tionscadail seo chun cinn agus go n-áireofaí é ina iarratas chuig ÚNI ar mhaoiniú caipitil don bhliain 2015. Chuir an comhlacht roinnt cáipéisí tacaíochta ar fáil don imscrúdú inar léiríodh an teagmháil leanúnach a bhí aige leis na conraitheoirí i dtaca leis an ábhar seo.

confirmed to the Office in an e-mail of 6 February 2013 that the tickets would be completely bilingual by early 2014. My Office accepted that assurance.

In March and April 2014, my Office received further complaints which gave us to understand that these travel tickets were still being issued in English only, despite the assurances given. My Office raised the matter with Bus Áth Cliath and was advised that a deadline could not be given for implementation of the project at that point in time.

As complaints had been made to me on this matter by members of the public and as Bus Átha Cliath had not adhered to the deadline it had set out, nor was it prepared to provide a new deadline, I decided that an investigation into the allegations was necessary to vindicate the rights of the complainants.

In its first response to the investigation, Bus Átha Cliath confirmed that it accepted that its current ticketing system did not comply with the provision in section 57(2) of the Transport Act 1950 and that this was a breach of its obligations under the Act.

As background, Bus Átha Cliath advised that the current ticketing system was introduced in 2006, that the structures and formats which were developed as part of this system did not support the length of characters required to print in both Irish and English on the tickets, and that *“English was selected as the main language on our tickets as both languages could not be used on them.”* (trans.)

Bus Átha Cliath advised that it had been working since 2011 to deliver a bilingual database of bus stops and that it had, as a result, implemented projects such as bilingual displays of Real-time Passenger Information and bilingual oral and visual announcements about the next stop onboard its fleet, which meant that it could develop the software required to make the tickets bilingual. It advised that it was in talks with the supplier of the ticketing system in respect of developing the necessary software since February 2013, that it had got the necessary specifications and estimates from the supplier and that work on this project had been commissioned.

Bus Átha Cliath informed us that the project team had identified certain issues during the process which interfered with the timelines that had been provided to the Office, but that it had worked consistently with the supplier to achieve a technological resolution to these issues.

Bus Átha Cliath provided us with an estimate of the cost of completing the project and advised us that it had included the project in its application to the National Transport Authority (NTA) for capital funding for 2014.

Bus Átha Cliath recognised its obligations under the Transport Act 1950 and the commitment given to my Office in 2013 and stated that the organisation was progressing this project and that it would be included in the application to the NTA for capital funding for the company for 2015. The organisation provided some supporting documentation to the investigation, demonstrating the continual contact with the contractor on the matter.



Dhúisigh an freagra seo ó Bhus Átha Cliath roinnt ceisteanna eile don imscrúdú a cuireadh faoi bhráid Bhus Átha Cliath. Mar fhreagra ar na ceisteanna sin, thug Bus Átha Cliath le fios gur soláthraíodh €23.5 milliún i maoiniú caipitil do Bhus Átha Cliath in 2014 agus go soláthraíonn Bus Átha Cliath sciar beag caipitil óna chuid acmhainní féin.

Dhearbhaigh an comhlacht go n-áiríonn a iarratas ar chaipiteal mionsonraí na dtionscadal a bhfuil i gceist ag an gcuideachta tabhairt fúthu, lena n-áirítear an costas a bheidh i gceist le gach tionscadal, agus go sonraíonn ÚNI ina fhreagra na tionscadail a bhfuil maoiniú bronnta aige ina leith.

I dtaca le tionscadal na gcóras ticéadaithe, dhearbhaigh Bus Átha Cliath go bhféadfadh ÚNI tionscadail na gcóras ticéadaithe a mhaoiniú faoin gconradh Oibreora Seirbhíse Poiblí (PSO) reatha, ach gur dhiúltaigh sé sin a dhéanamh ina fhreagra ar iarratas maoinithe 2014.

Thug Bus Átha Cliath le fios go raibh sé beartaithe aige an tionscadal a mhaoiniú ó acmhainní Bhus Átha Cliath féin agus go raibh sé curtha san áireamh i mbuiséad an chaiteachais caipitil don bhliain 2015.

Maidir le ceist faoin dualgas reachtúil a bhí ar Bhus Átha Cliath i dtaca leis an gcóras fógraí amhairc agus fuaime a thug sé isteach, a raibh costas €943,300 luaite leis, dúirt Bus Átha Cliath go raibh dualgas reachtúil ar ÚNI faoin Acht um Údarás Iompair Bhaile Átha Cliath, 2008 (arna leasú) córas iompair dea-fheidhmithe, mealltach, comhtháite agus sábháilte a sholáthar do chách agus rochtain fheabhsaithe a sholáthar ar an gcóras iompair, go háirithe ar sheirbhísí iompair phoiblí do dhaoine faoi mhíchumas. Ba de bhun na ndualgas sin a chinn ÚNI go raibh gá leis an gcóras fógraí amhairc agus fuaime dátheangacha a thabhairt isteach agus dúradh go raibh dualgas reachtúil ar Bhus Átha Cliath, faoina Chonradh Seirbhíse Poiblí agus faoina dhualgais go ginearálta, cabhrú le ÚNI dualgais reachtúla dá leithéid a chomhlíonadh.

Ghlac Bus Átha Cliath leis go neamhbhalbh ón tús go raibh sárú reachtúil i gceist sa chás seo, agus d'fháiltigh mé roimhe sin. Ach in ainneoin an dualgas reachtúil sin a bheith orthu, ní dhearna Bus Átha Cliath aon tairiscint don imscrúdú ina chéad fhreagra a thabharfadh le fios go gcomhlíonfaí an dualgas reachtúil sin in achar réasúnta ama.

Thairg Bus Átha Cliath go n-áireofaí an tionscadal ina iarratas chuig an Údarás Náisiúnta Iompair ar mhaoiniú caipitil don bhliain 2015. Ach mar a tugadh le fios don imscrúdú i gcás iarratas na bliana 2014, ní gá go mbeadh rath ar an iarratas sin, agus go deimhin, nuair a fiosraíodh an cheist leis a thuilleadh, tugadh le fios gur dhiúltaigh an tÚdarás Náisiúnta Iompair d'iarratas ó Bhus Átha Cliath ar an ábhar siar sa bhliain 2013, gur thug sé le fios nach mbeadh sé sásta deontas a thabhairt don tionscnamh, agus gur áitigh sé gur thit géilliúlacht le hAcht na dTeangacha Oifigiúla agus leis na hlonstraimí Reachtúla agus na Rialacháin a bhaineann leis faoi dhlínse Bhus Átha Cliath agus go n-áirítear san fhóirdheontas a íocann an tÚdarás le Bus Átha Cliath géilliúlacht le dualgais reachtúla.

Tugadh le fios sa dara litir ó Bhus Átha Cliath, áfach, go raibh sé beartaithe anois go ndéanfaí an tionscadal a mhaoiniú as acmhainní Bhus Átha Cliath féin agus go raibh sé curtha san áireamh i mbuiséad an chaiteachais caipitil don bhliain 2015.

This response from Bus Átha Cliath raised a number of other questions for the investigation which were put to Bus Átha Cliath. In response to those questions, Bus Átha Cliath informed the investigation that it had received €23.5 million in capital funding in 2014, and that Bus Átha Cliath provides some small amount of capital funding from its own resources.

The company confirmed that its application for capital funding includes the details of all projects which the company intends to undertake, including the cost of every project, and that the NTA specifies in its response what projects the funding is being allocated for.

In respect of the ticketing system project, Bus Átha Cliath confirmed that it was possible for the NTA to fund such a project under the current Public Service Operator (PSO) contract, but that it had refused to do so in its response to the 2014 application for capital funding.

We were advised by Bus Átha Cliath that it proposed funding the project from its own resources and that it was included in the capital expenditure budget for 2015.

As regards the question of what legal obligation was on Bus Átha Cliath to provide the oral and visual system it had introduced, at a cost of €943,300, Bus Átha Cliath stated that the NTA was legally obliged under the Dublin Transport Authority Act 2008 (as amended) to supply a well operating, cohesive, enticing and safe transport system for all and to provide improved access to the transport system, especially on public transport services for the disabled. It was on the basis of those obligations that the NTA decided to introduce the bilingual oral and visual announcement system and Bus Átha Cliath stated that it was legally obliged, under its Public Service Contract and under its obligations generally to assist the NTA with the implementation of legal obligations of that nature.

It was accepted without question by Bus Átha Cliath from the start that there was a breach of legislation in this case, and I welcomed that. But despite that legal obligation, Bus Átha Cliath did not make any offer in its first response to the investigation that would lead one to believe that the matter would be addressed in any reasonable length of time.

Bus Átha Cliath offered to include the project in its application to the NTA for capital funding for 2015. But as was advised to the investigation in respect of the 2014 capital funding application, it was not in any way certain that that application would be successful, and in fact, when the question was investigated further, it came to light that the NTA had refused the funding request back in 2013, that it had advised Bus Átha Cliath that it would not be prepared to provide funding for the project and that the NTA had claimed that compliance with the Official Languages Act and the relevant Statutory Instruments and Regulations was a matter for Bus Átha Cliath and that the subvention paid by the NTA to Bus Átha Cliath included compliance with legal obligations.

In the second letter to the investigation from Bus Átha Cliath, however, we were advised that it had now been decided that the project would be funded from Bus Átha Cliath's own resources and that it had been included in the capital expenditure budget for 2015.



Níor mhiste liom a rá, cé gur tuigeadh dúinn go bhfuil riachtanais eile i gceist as an maoiniú caipitil a chuirtear ar fáil do Bhus Átha Cliath, gur léir go raibh tosaíocht á leagan amach ag Bus Átha Cliath don mhaoiniú caipitil sin, agus nach raibh ardtosaíocht á tabhairt don obair seo, a raibh dualgas reachtúil sainiúil ar Bhus Átha Cliath ina leith.

Chonacthas dúinn go raibh tús áite tugtha, mar shampla, don chóras taispeána dátheangaí um Fhaisnéis Fíor-Ama do Phaisinéirí thar an gcóras ticéadaithe dhátheangaigh. Cé gur maith ann don chóras seo, ní fhacthas dúinn go raibh aon dualgas reachtúil ar Bhus Átha Cliath a leithéid de chóras a sholáthar.

Níor léir ar chor ar bith gur leor fadhbanna le córais ticéadaithe mar leithscéal le mianta an Oireachtais atá daingnithe i ndlí a mhaolú, a mhoilliú nó a chur go leataobh. Bhí an riachtanas i leith an dátheangachais in alt 57(2) den Acht Iompair i bhfeidhm sula raibh coimisiúnú á dhéanamh ar aon chóras don obair seo agus ba cheart an riachtanas sin a bheith tugtha san áireamh nuair a bhí córas ticéadaithe á roghnú sa bhliain 2006.

Ba léir go ndearna Bus Átha Cliath cinneadh comhfhiúchach siar sa bhliain 2006 dul chun cinn le córas ticéadaithe nach raibh i gcomhréir leis an reachtaíocht, ainneoin an reachtaíocht sin a bheith ar an bhfód ón mbliain 1950. Níorbh fhéidir, mar sin, glacadh le hargóintí an chomhlachta maidir le ganntanas airgid leis an scéal a chur ina cheart.

Is léir go n-éilíonn Bus Átha Cliath go ginearálta go gcomhlíonadh paisinéirí a ndualgais agus iad ag taisteal ar thurais bhus, ach go háirithe an dualgas táille chuí a íoc mar chúiteamh ar chearta taistil. Caitheadh Bus Átha Cliath a dhualgais féin a chomhlíonadh, go háirithe iad siúd atá daingnithe sa dlí ag an Oireachtas, alt 57(2) den Acht Iompair, 1950 ina measc.

Ghlac mé leis an dearbhú a thug Bus Átha Cliath go n-áireofaí tionscadal an chórais ticéadaithe i gClár Caipitil 2015. Ar an mbonn sin, mhol mé, gan dochar don dualgas iomlán a mheas mé a bheith i gceist, go gcinnteodh Bus Átha Cliath go dtógfaí na céimeanna cuí a luaithe agus is féidir chun go gcloífeadh an comhlacht feasta leis an dualgas reachtúil teanga atá daingnithe in alt 57(2) den Acht Iompair, 1950 trí chinntiú go mbeidh na ticéid phaisinéara ab ábhar don imscrúdú seo clóbhuailte i nGaeilge go hiomlán nó dátheangach (i nGaeilge agus i mBéarla) go hiomlán. Mhol mé gur chóir plean réalaíoch le spriocanna cinnte ama a ullmhú agus a chur i bhfeidhm leis an méid seo a bhaint amach agus go leagfaí cóip den plean céimnithe sin faoi bhráid na hOifige seo a luaithe agus is féidir, ach ar a dhéanaí laistigh de dhá mhí ó dháta na tuarascála seo.

Mhol mé chomh maith go mbeadh dualgais reachtúla teanga áirithe in aon chinntí atá á ndéanamh faoi chaiteachas caipitil i mBus Átha Cliath feasta.

Ní miste liom buíochas a ghlacadh le Bus Átha Cliath as an gcomhoibriú iomlán a chuir sé ar fáil don imscrúdú; is mór agam an comhoibriú sin.

**Imscrúdú seolta: 18 Meitheamh 2014**

**Tuarascáil eisithe: 21 Deireadh Fómhair 2014**

I would like to note that although we appreciate that there are other calls on the capital funding which is provided to Bus Átha Cliath, that it was apparent that priorities were being set out for that expenditure, and that a high priority was not being given to this work, despite the specific legal obligation on Bus Átha Cliath in its respect.

We noted, for example, that priority was given to the bilingual system of Real-time Information for Passengers, over the provision of bilingual tickets. Although we welcome the Real-time Information system, we were not aware of any specific legal obligation on Bus Átha Cliath to provide such a system.

It was not in any way apparent that difficulties with the ticketing system were any way sufficient as an excuse to reduce, delay or set aside the wishes of the Oireachtas, as specified in legislation. The bilingual requirement in section 57(2) was in effect long before any work was commissioned on this project and that requirement should have been included when a ticketing system was being selected in 2006.

It was apparent that Bus Átha Cliath made an informed decision in 2006 to proceed with a ticketing system that was not in compliance with the legislation, despite that legislation being in place since 1950. The company's arguments in respect of money shortages could not, therefore, be accepted.

Bus Átha Cliath seeks in general that passengers comply with their obligations when travelling on buses, specifically the obligation to pay the correct sum in respect of the right to travel. Bus Átha Cliath must comply with its own obligations, especially those confirmed in law by the Oireachtas, including section 57(2) of the Transport Act 1950.

I accepted the assertion given by Bus Átha Cliath that the ticketing system project would be included in the Capital Programme for 2015. On that basis I recommended, without prejudice to the full obligation, that Bus Átha Cliath take appropriate steps as soon as possible so that the company adheres henceforth to the statutory language obligation enshrined in section 57(2) of the Transport Act 1950 by ensuring that the passenger tickets which were the subject of this investigation are printed wholly in Irish or wholly bilingually (in Irish and English). I recommended that a realistic plan with definite deadlines to achieve this target should be prepared and implemented and that a copy of that graduated plan would be laid before this Office as soon as possible, but at the latest within two months of the date of this report.

I also recommended that statutory language obligations be taken into account in future when decisions are being made by Bus Átha Cliath in respect of capital expenditure.

I would like to thank Bus Átha Cliath for its cooperation with the investigation, which was much appreciated.

**Investigation launched: 18 June 2014**

**Report issued: 21 October 2014**





## Feidhmeannacht na Seirbhíse Sláinte

Léirigh imscrúdú a rinneadh ar Fheidhmeannacht na Seirbhíse Sláinte gur sháraigh an Fheidhmeannacht na dualgais reachtúla teanga atá daingnithe i bhfo-ailt 9(1) & 9(3) d'Acht na dTeangacha Oifigiúla, 2003 agus í i mbun cumarsáide le tuismitheoirí agus caomhnóirí daltaí bunscoile i gceantar Gaeltachta Dhún na nGall i dtaca le seirbhísí fiacloireachta.

Rinne tuismitheoir dalta i scoil Ghaeltachta i nDún na nGall gearán le m'Oifig i nDeireadh Fómhair 2014 gur i mBéarla amháin a eisíodh litir chuig tuismitheoirí/caomhnóirí gach dalta i rang a haon, rang a ceathair agus rang a sé sa scoil sin, chun faisnéis a thabhairt i dtaca le scrúdú fiacloireachta a bhí le cur ar na daltaí. Ba chás leis an ngearánach chomh maith gur i mBéarla amháin a bhí na ceanteidil stáiseanóireachta ar an litir sin. Dhearbhaigh an gearánach dúinn, áfach, go raibh foirm dhátheangach in éineacht leis an gcumarsáid.

Bhí an cheist seo tarraingthe anuas cheana ag an Oifig seo leis an bhFeidhmeannacht i mí Dheireadh Fómhair na bliana 2013. Tugadh le fios do m'Oifig mar fhreagra ar an ngearán sin go n-eiseofaí an téacs i nGaeilge agus i mBéarla ar gach litir chaighdeánach maidir le coinní agus chuig na scoileanna, agus go n-athrófaí na ceanteidil ar an stáiseanóireacht. Anuas air sin, tugadh le fios don Oifig go raibh na litreacha á n-eisiúint go huathoibríoch ón gcóras 'Exact' i nDún na nGall agus i Sligeach/Liatroim, agus nár leagadh an clár seo amach ag an tús le tacú le téacs i nGaeilge. Cuireadh in iúl don Oifig go mbeadh leagan náisiúnta den chlár 'Exact', 'Software of Excellence Health' (SoEL Health), á chur i bhfeidhm ar fud na heagraíochta go luath agus go raibh an Fheidhmeannacht ag iarraidh a fháil amach an bhféadfadh an leagan náisiúnta tacú leis an nGaeilge.

D'fhillamar ar an bhFeidhmeannacht i mí Feabhra 2014 nuair a eisíodh litir choinne i mBéarla amháin ar stáiseanóireacht le ceanteidil i mBéarla ó na seirbhísí fiacloireachta, in ainneoin a raibh geallta. Cuireadh in iúl do m'Oifig ar an 5 Márta gur eisíodh an litir choinne i nGaeilge a luaithe is a fuair an Fheidhmeannacht an chasaid, go raibh na litreacha coinne á n-eisiúint i mBéarla de bharr an chórais teicneolaíochta faisnéise (TF) agus go raibh an Príomh-Fhiacloir tar éis treoir a thabhairt don fhoireann páipéir le ceanteidil dhátheangacha a chur isteach sa phrintéir. Cuireadh in iúl dúinn chomh maith gur tugadh treoir don fhoireann foirmeacha toilithe dátheangacha a sheoladh chuig tuismitheoirí na spriocranganna i ngach bunscoil i nDún na nGall agus gur chóir litir choinne a eisiúint i nGaeilge agus i mBéarla sa chás go líonfadh an tuismitheoir an leagan Gaeilge. D'iarr m'Oifig soiléiriú ar an bhfreagra seo ar an 6 Márta agus arís ar an 2 Iúil agus ar an 19 Lúnasa, i bhfianaise an fhreagra a cuireadh ar fáil ar an ngearán deireanach go n-eiseofaí an téacs i nGaeilge agus i mBéarla ar gach litir chaighdeánach maidir le coinní agus chuig na scoileanna, agus go n-athrófaí na ceanteidil ar an stáiseanóireacht agus mar nach raibh sé soiléir ón bhfreagra an raibh na litreacha le heisiúint tríd an gcóras nua 'SoEL Health', agus má bhí, an raibh ar chumas an chórais sin litreacha dátheangacha a eisiúint. I bhfreagra dar dáta an 14 Deireadh Fómhair 2014, seoladh cóip de mheamram chugainn a d'eisigh an Stiúrthóir Cúnta Náisiúnta chuig baill foirne ar an 3 Meitheamh 2014, ag tabhairt treorach go gcaithfí cloí leis na dualgais reachtúla faoin Acht. D'fhillamar ar an bhFeidhmeannacht ar an 15 Deireadh Fómhair ag lorg soiléiriú faoin gcóras EXACT. Níor cuireadh an soiléiriú sin ar fáil dúinn.

## Health Service Executive

An investigation found that the Health Service Executive failed to comply with the statutory language obligations which are set out in subsections 9(1) and 9(3) of the Official Languages Act 2003 whilst communicating with parents and guardians of primary school pupils in the Donegal Gaeltacht in respect of dental services.

The parent of a pupil in a Gaeltacht school in Donegal complained to the Office in October 2014 that a letter which issued to the parents/guardians of every pupil in first class, fourth class and sixth class in that school, to furnish information about a dental examination which was to be provided for pupils, was in English only. The parent also noted that the headings of stationery on the letter were in English only. The complainant confirmed, however, that a bilingual form had issued with the communication.

This question had been raised previously by the Office with the Executive in October 2013. The Office had been advised in response to this complaint that the text would be in Irish and English in every standard letter to do with appointments and in every standard letter issued to the schools, and that the headings would be amended on the stationery. The Office was also advised that letters were issuing automatically from the 'Exact' system in Donegal and in Sligo/Leitrim, and that the programme had not been designed to accommodate text in Irish from the start. The Office was informed that the national version of the 'Exact' programme, 'Software of Excellence Health' (SoEL Health) was to be implemented shortly throughout the organisation and that the Executive was trying to find out whether the national version could support Irish text.

We reverted to the Executive in February 2014 when an appointment letter issued from the dental services in English only on stationery with English only headings, despite previous commitments received. The Office was advised on 5 March that the appointment letter was issued in Irish as soon as the complaint was received by the Executive, that the appointment letters were issued in English only because of the IT system and that the Chief Dentist had given an instruction to staff to ensure that paper with bilingual headings should be inserted into the printer. We were also informed that an instruction was given to staff to issue bilingual permission forms to all primary schools in Donegal and that appointment letters should issue in Irish and English where the parents completed the permission slip in Irish. My Office requested clarification on 6 March, and again on 2 July and 19 August, in light of the response to the previous complaint that the text would be in Irish and English in every standard letter regarding appointments and to the schools, and that the headings would be amended on the stationery, as it was not clear if the letters were to be issued through the new system 'SoEL Health' and if so, had that system the ability to issue bilingual letters. In a response dated 14 October 2014, we were sent a copy of a memorandum which the Deputy National Director had issued to staff members on 3 June 2014, giving an instruction that statutory obligations under the Act must be adhered to. We reverted to the Executive on 15 October seeking clarification about the 'EXACT' system. No such clarification was provided.

Ar an 30 Deireadh Fómhair 2014, fuair m'Óifig gearán nua go raibh litir i mBéarla ar stáiseanóireacht le ceannteidil Bhéarla amháin eisithe athuair ag an bhFeidhmeannacht i dtaca le scrúdú fiaclóra chuig tuismitheoirí /caomhnóirí daltaí scoile Gaeltachta – an litir chéanna ab ábhar gearáin i nDeireadh Fómhair 2013.

Tá Rialacháin eisithe i dtaca le húsáid na dteangacha oifigiúla ar cheannteidil stáiseanóireachta ón mbliain 2008 (IR 391 de 2008), faoi fho-alt 9(1) den Acht. Faoi na Rialacháin sin, ní mór do cheannteideal stáiseanóireachta a bheith i nGaeilge nó i nGaeilge agus i mBéarla.

Seo mar atá daingnithe i bhfo-alt 9(3) den Acht i dtaca le cumarsáid leis an bpobal i gcoitinne:

*"I gcás ina ndéanfaidh comhlacht poiblí cumarsáid i scríbhinn nó leis an bpost leictreonach leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne le faisnéis a thabhairt don phobal nó don aicme, cinnteoidh an comhlacht gur i nGaeilge, nó i mBéarla agus i nGaeilge, a bheidh an chumarsáid."*

Chinn mé, i bhfianaise an méid seo, gur ghá dom tabhairt faoi imscrúdú ar an ábhar chun teacht ar fhionnachtana sa chás agus moltaí a dhéanamh ina leith, dá mba chúil.

Sa fhreagra ó Fheidhmeannacht na Seirbhíse Sláinte, ghlac an Fheidhmeannacht leis gur sháraigh sí fo-alt 9(1) agus 9(3) d'Acht na dTeangacha Oifigiúla sa chás seo.

Mar mhíniú agus mar leithscéal, thug an Fheidhmeannacht le fios go seoltar réimse cáipéisí chuig an bpobal i staideanna éagsúla ón tSeirbhís Fiaclóireachta chun a chinntiú go bhfaigheann an pobal na seirbhísí fiaclóireachta a bhfuil siad ina dteideal, agus dúradh go ndearnadh go leor oibre le cinntiú go mbeidís ar fáil go dátheangach agus nuair ba chúil i nGaeilge agus i mBéarla araon. Thug an Fheidhmeannacht le fios, áfach, gur fágadh litir chlúdaigh faoi athruithe ar an gcóras cigireachta scoile a tugadh isteach bliain go leith ó shin as an áireamh, trí dhearmad, ón bpróiseas aistriúcháin seo. Dhearbhaigh sí, áfach, go raibh seo curtha ina cheart anois agus chuir sí cóip ar fáil don imscrúdú.

Thug an Fheidhmeannacht le fios chomh maith gur pléadh prótacail atá bainteach le foilsiú cáipéisíochta dátheangaí leis an bhfoireann uile ag cruinnithe de chuid Limistéar Seirbhíse Dhún na nGall i mí na Samhna 2013 agus arís i mí Mheán Fómhair 2014 agus dúradh go raibh sí sásta de bharr a fiosrúcháin agus an athbhreithnithe ar an gcáipéisíocht go raibh dualgais an Achta á gcomhlíonadh aici. Chuir an Fheidhmeannacht cóip de chlár cruinnithe foirne agus cur i láthair 'Powerpoint' ar fáil don imscrúdú mar chruthúnas ar an bplé a rinneadh ar an bprótacal sin.

Maidir leis an gcóras 'Exact', dúirt an Fheidhmeannacht go bhfuil ar chumas chóras SoEL Health tacú le téacs i nGaeilge agus freagairt do na dualgais reachtúla a leagann Acht na dTeangacha Oifigiúla ar Fheidhmeannacht na Seirbhíse Sláinte. Dúradh gurb iad na príomhcháipéisí is féidir a fhoilsiú as SoEL Health ná na teimpléid chaighdeánaithe do litreacha agus cártaí coinne agus gur féidir leis an gcóras tacú leis an síneadh fada freisin.

On 30 October 2014, my Office received a new complaint that the Executive had once again issued a letter in English only to parents/guardians of primary school pupils in a Gaeltacht school, on stationery with headings in English only – the same letter which was subject to a complaint in October 2013.

Regulations have been issued in respect of the use of the official languages on headings of stationery from 2008 (S.I. 391 of 2008), under subsection 9(1) of the Act. Headings of stationery must be in Irish or in Irish and in English according to those Regulations.

The following is specified in subsection 9(3) of the Act in respect of communication with the public in general:

*"Where a public body communicates in writing or by electronic mail with the general public or a class of the general public for the purpose of furnishing information to the public or the class, the body shall ensure that the communication is in the Irish language or in the English and Irish languages."*

I decided, in light of the above, that an investigation was warranted to enable me to make findings in the case and to make recommendations on the matter, if appropriate.

The Health Service Executive accepted in its response to the investigation that it had breached both subsection 9(1) and subsection 9(3) in this particular case.

By way of explanation and excuse, the Executive explained that a range of documents issue to the public at different stages from the Dental Services to ensure that the public get the dental services to which they are entitled, and it was said that a lot of work was undertaken to ensure they would be available bilingually or, where appropriate, in both Irish and in English. The Executive advised, however, that a covering letter about changes to the school inspection system which were introduced a year and a half ago was omitted, by mistake, from this translation process. They confirmed, however, that this had now been rectified and a copy of the translated letter was provided to the investigation.

The Executive also advised that protocols for publishing bilingual documents were discussed with all the staff at meetings for the Donegal Service Area in November 2013 and again in September 2014 and stated that they were satisfied, as a result of their enquiries and the review of documentation, that they were complying with the obligations of the Act. The Executive provided the investigation with a copy of the agendas from the staff meetings and with a copy of the 'powerpoint' presentation as proof of the discussions held on the protocol.

As regards the 'Exact' system, the Executive confirmed that the SoEL Health system can support text in Irish and respond to the statutory obligations placed on the Health Service Executive by the Official Languages Act. It was stated that the main documentation which can be published from SoEL Health are the standard templates for appointment letters and cards, and that the system can support the 'síneadh fada' also.





Cuireadh in iúl don imscrúdú go bhfuil an córas náisiúnta TF ar fáil i roinnt contaetha agus go mbeidh sé á chur ar fáil sa chuid eile den Stát ar bhonn céimnithe sa dá bhliain seo romhainn. Dúradh go bhfuil oiliúint á cur ar fáil sna háiteanna sin ina bhfuil SoEL Health agus go bhfuiltear ag súil go mbeidh na ceantair seo ag eisiúint litreacha teimpléadacha agus cártaí coinne dátheangacha. Dearbhaíodh go mbeifí ábalta gach litir agus cárta coinne teimpléadach a chur ar fáil go dátheangach nuair a bheidh SoEL Health i bhfeidhm go hiomlán ar fud na seirbhíse.

Thug an Fheidhmeannacht le fios gur sheol an Stiúrthóir Cúnta Náisiúnta (Sláinte Béal) meamram chuig gach Príomhlia Fiaclóireachta ar an 4 Meitheamh 2014 ag tabhairt treorach don fhoireann uile cloí leis an reachtaíocht. Ina theannta sin, dúradh linn go raibh iniúchadh á dhéanamh ag FSS faoi láthair ar na seirbhísí fiaclóireachta uile chun a chinntiú go bhfuiltear ag cloí go hiomlán leis an Acht.

Thug FSS le fios go ndíreofaí ar na nithe a leanas go háirithe le linn an iniúchta:

- An bhfuil an stáiseanóireacht uile ag cloí le rialachán 9(1)?
- An bhfuil gach cumarsáid – 9(3) – (litreacha/foirmeacha/foirmeacha toilithe agus araile) a sheoltar chuig gach scoil ar fáil go dátheangach?
- An bhfuil gach duine a roghnaíonn an leagan Gaeilge den fhoirm toilithe ag fáil gach comhfhreagrais leantaigh ón tSeirbhís Fiaclóireachta i nGaeilge?

Dúradh go raibh iniúchadh á dhéanamh freisin ar réimsí cuí eile den Acht ag an am céanna, go mbeadh toradh an iniúchta seo ar fáil i mí Eanáir 2015 agus go dtabharfaí aird ar aon ní a d'éireodh as.

Mar fhocal scoir, dhearbhaigh an Fheidhmeannacht go raibh Seirbhís Fiaclóireachta FSS sásta go raibh na bearta cuí curtha i gcrích chun go mbeadh seirbhís Dhún na nGall ag cloí leis an Acht. Thug sí le fios go raibh áifeála uirthi gur sáraíodh an tAcht nuair a eisíodh litir i mBéarla agus go bhfuil sí ag iarraidh a chinntiú go gcomhlíonfaidh sí Acht na dTeangacha Oifigiúla, 2003.

Is comhlacht poiblí í Feidhmeannacht na Seirbhíse Sláinte chun críche Acht na dTeangacha Oifigiúla agus dá réir sin tá dualgas uirthi cloí le forálacha reachtúla an Aichta.

Chonacthas don imscrúdú ón gcás a bhí curtha ina láthair ag an bhFeidhmeannacht nach raibh córas críochnúil curtha i bhfeidhm a chinnteodh gur i nGaeilge nó go dátheangach a bheadh ceannteideal stáiseanóireachta agus gur i nGaeilge nó go dátheangach a d'eiseofaí cumarsáid chuig aicme den phobal i gcoitinne le faisnéis a thabhairt. Cé go ndearnadh iarrachtaí macánta an fhoireann a chur ar an eolas faoina ndualgais, is léir gur lean na sárúithe ar aghaidh toisc (1) nach raibh iniúchadh cuí déanta ar an stáiseanóireacht agus (2) nár cinntíodh go raibh gach ábhar a thagann faoi fho-alt 9(3) den Acht curtha ar fáil sa dá theanga oifigiúla. Tuigeadh ón bhfreagra a cuireadh ar fáil don imscrúdú go raibh an t-iniúchadh sin idir lámha ag an bpointe sin, mar aon le hiniúchadh ar réimsí cuí eile den Acht agus go raibh súil go mbeadh toradh an iniúchta sin ar fáil in Eanáir 2015.

The investigation was advised that the national IT system is available in some counties and that it would be rolled out to the rest of the State on an incremental basis in the next two years. It was stated that training is being provided in those areas in which SoEL Health is available and that it is hoped that these areas will be issuing template letters and appointment cards bilingually. It was confirmed that it will be possible to provide all template letters and appointment cards bilingually when SoEL Health is fully implemented throughout the service.

The Executive advised that the Deputy National Director (Oral Health) issued a memo to every Principal Dental Surgeon on 4 June 2014 giving an instruction to all staff to adhere to the legislation. We were also advised that the Executive is currently conducting an audit of all Dental Services to ensure that they are adhering fully to the Act.

The Executive advised that the following matters will be specifically targeted during the audit:

- Is all stationery compliant with the Regulations under 9(1)?
- Are all communications – 9(3) (letters/forms/permission forms etc.) which are sent to each school – available bilingually?
- Is everybody who selects the Irish version of the permission form receiving all subsequent correspondence from the Dental Service in Irish?

It was stated that an audit was also taking place in relation to other relevant areas of the Act at the same time, that the result of that audit would be available in January 2015 and that any matters arising from the audit would be addressed.

In conclusion, the Executive confirmed that its Dental Services were satisfied that they had taken the appropriate steps to ensure that the Donegal service is complying with the Act. It expressed regret that the Act was breached when the letter issued in English and advised that it was attempting to ensure that it fulfilled the Official Languages Act 2003.

The Health Service Executive is a public body for the purposes of the Official Languages Act and it is therefore obliged to adhere to the statutory provisions of the Act.

It was apparent to the investigation from the case that was presented by the Executive that an appropriate system had not been implemented to ensure that headings of stationery would be in Irish or bilingual and to also ensure that communication with the public in general to furnish information would issue in Irish or bilingually. Although honest efforts were made to inform staff of their obligations, it is clear that the breaches continued due to (1) the fact that no appropriate audit was made of stationery, and (2) that it was not ensured that all matters covered by subsection 9(3) of the Act were made available in both official languages. It was understood from the response that was provided to the investigation that this audit was being undertaken, as well as an audit on other relevant sections of the Act, and that it was expected that the results of this audit would be available in January 2015.

Ghlac an Oifig seo leis gur féidir linn ar fad dearmaid agus botúin dhaonna a dhéanamh ó am go chéile. Ní raibh aon chúis againn a chreidiúint gur d'aon ghnó a tharla na sárúithe sa chás seo. Ach fós féin, ba léir go raibh cumarsáid i mBéarla amháin á déanamh le tuismitheoirí páistí i scoil náisiúnta Ghaeltachta ar bhonn leanúnach. Is léir gur teip chórasach a bhí i gceist anseo.

Ar chomhlachtaí poiblí féin amháin atá an dualgas a chinntiú go bhfuil siad ar an eolas agus cothrom le dáta faoina ndualgais reachtúla faoin dlí agus go bhfuil a mbaill foirne ag cloí go cuí leis na dualgais sin. Cé gur mhaígh an Fheidhmeannacht i mí Dheireadh Fómhair 2014 go raibh an scéal réitithe sa cheantar seo, is léir nach mar sin a bhí.

Tá na forálacha reachtúla seo den Acht i bhfeidhm ó 2008 agus 2006, faoi seach. Dá thoradh sin bheifí ag súil go mbeadh na dualgais a ghabhann leo daingnithe go maith faoin am seo i nósanna agus i gcleachtais bhaill foirne na gcomhlachtaí poiblí, Feidhmeannacht na Seirbhíse Sláinte san áireamh. Mhaígh an Fheidhmeannacht gur de thoradh réimse na gcáipéisí a sheoltar chuig an bpobal chun cinntiú go bhfaigheann siad na seirbhísí a bhfuil siad ina dteideal a d'eascair an sárú seo. Is léir nach ndearnadh iniúchadh cuí ag aon phointe ar na cáipéisí uile atá á n-eisiúint chun a chinntiú go raibh siad i gcomhréir leis an reachtaíocht.

Mar sin féin, ba léir don imscrúdú go raibh céimeanna glactha ag an bhFeidhmeannacht leis an scéal a chur ina cheart. Bheifí ag súil, de thoradh an imscrúdaithe seo agus de bharr chur i bhfeidhm na mbeartas sonraithe, go ndaingneofaí faisnéis faoi na dualgais reachtúla seo i gcleachtais oibre na foirne ar fad agus go laghdófaí nó go gcuirfí ar ceal ar fad gearáin faoi shárú na bhforálacha seo.

Mhol mé go gcinnteodh Feidhmeannacht na Seirbhíse Sláinte go gcloífeadh sí feasta lena dualgais reachtúla faoi Acht na dTeangacha Oifigiúla, 2003, ach go háirithe mar a bhaineann sé le fo-ailt 9(1) & 9(3) den Acht agus go gcuirfí i bhfeidhm go cuí an t-iniúchadh ar gach ceann de na beartais a bhí leagtha amach ag an bhFeidhmeannacht ina litir.

Anuas air sin, mhol mé go gcuirfí próiseas i bhfeidhm a chinnteodh go n-áireofaí na dualgais reachtúla teanga in aon stáiseanóireacht nó cáipéisíocht nua atá á mbeartú ag an tSeirbhís Fiaclóireachta.

Cuireadh an t-eolas, faisnéis agus eile ar fad a bhí iarrtha san imscrúdú ar fáil go críochnúil agus go gairmiúil dom. Is mór agam an comhoibriú a thug Feidhmeannacht na Seirbhíse Sláinte dom le linn an phróisis imscrúdaithe.

**Imscrúdú seolta: 5 Samhain 2014**

**Tuarascáil eisithe: 11 Nollaig 2014**

This Office accepted that we can all make mistakes and human errors from time to time. We had no reason to believe that the breaches in this case were deliberate. However, it was apparent that the parents of Gaeltacht primary school children were being communicated with in English on a continual basis. It was clear that this was a systemic failure.

The onus is on public bodies themselves to ensure that they are informed and up to date in respect of their statutory obligations and that their staff members are adhering to those obligations. Although the Executive assured us in October 2014 that the matter was resolved in this area, it is apparent that this was not the case.

These statutory provisions of the Act have been in force from 2008 and 2006, respectively. As a result of that, one would expect that the obligations which attach to them would be ingrained in the procedures and practices of staff members of the public bodies, including the Health Service Executive. The Executive claimed that it was as a result of the range of documentation which is sent to the public to ensure they receive the services to which they are entitled that this breach occurred. It was apparent that the appropriate audit of all documentation was not undertaken at any point to ensure that all documentation was in compliance with the legislation.

It was apparent, however, to the investigation that the HSE had taken steps to ensure the matter was resolved. One would expect as a result of this investigation and due to the implementation of the specified policies that knowledge of these statutory obligations would be embedded in the work practices of all the staff and that complaints relating to the breach of these provisions would be reduced or indeed extinguished entirely.

I recommended that the Health Service Executive ensure that it adheres in future to its statutory obligations under the Official Languages Act 2003, especially in respect of subsections 9(1) and 9(3) of the Act, and that the audit of all the policy initiatives which were specified by the Executive in its letter to the investigation be implemented fully.

I also recommended that a process be put in place which would ensure that statutory language obligations would be taken into account in any new stationery or documentation which was being considered by the Dental Services.

All the information and documentation which was requested by the investigation was provided in a complete and professional manner. I appreciate the cooperation of the Health Service Executive with the investigation.

**Investigation launched: 5 November 2014**

**Report issued: 11 December 2014**





## CÁSANNA SAMPLACHA

Réitítear formhór na ngearán a chuirtear i láthair Oifig an Choimisinéara Teanga trí chóras neamhfhoirmiúil réitithe gearán a fheidhmiúnn an Oifig. Tugtar léargas anseo ar shamplaí de roinnt bheag de na hábhair a réitíodh ar an mbealach seo. Bhain roinnt de na gearáin seo le hábhair nach raibh aon dualgas ina leith, agus fiú, i gcás amháin, le comhlacht poiblí nach dtagann faoi scáth na reachtaíochta, ach a dhearbhaigh go raibh sé den tuairim gur dea-chleachtas a bhí i gceist agus a réitigh an gearán ar an mbonn sin.

- Ní raibh an gearánach in ann seic ó Roinn Stáit a bhriseadh faoi dhó mar go raibh carachtair Shínise ar an seic in áit aon chuid dá hainm ina raibh síneadh fada. Eisíodh seiceanna nua, cuireadh an printéir cuí in oiriúint do shíntí fada agus cuireadh prótacal úr in áit do chlóbhualadh na seiceanna.
- D'eisigh údarás sláinte foirmeacha athnuachana i mBéarla amháin chuig baill den phobal in ainneoin é a bheith curtha in iúl acu don údarás gur mhian leo a ngnó a dhéanamh trí Ghaeilge. Cuireadh síneadh ama ar fáil do na hiarratasóirí ach thóg sé os cionn 6 mhí an scéal a chur ina cheart agus a chinntiú go raibh foirmeacha i nGaeilge á soláthar.
- Iarratas déanta ag gearánach ar Roinn Stáit go n-athrófaí a ainm go Gaeilge ar a córas. Ráite leis nach raibh ar a cumas ná nach raibh an fhoireann aici chun a leithéid a dhéanamh. Ghéill an Roinn Stáit ar iarratas ón Oifig seo agus nuair a cuireadh cruthúnas ar fáil i dtaca le gnáthúsáid an leagain Gaeilge den ainm.
- Foirmeacha eisithe ag údarás sláinte chuig Gaelscoil, agus treoir tugtha nach bhféadfaí seirbhísí a sholáthar do pháistí gan síniú tuismitheoirí ar leagan Béarla den fhoirm. Foireann gan Ghaeilge curtha i mbun dualgais sa scoil. Aontaíodh go nglacfaí leis an leagan Gaeilge sínithe in aon chás agus go ndéanadh an fhoireann a bhí ar dualgas sa scoil gach iarracht úsáid a bhaint as cúpla nath i nGaeilge, bunbheannachtaí &rl, i gcomhréir le héiteas na scoile.
- Litir i mBéarla amháin eisithe ag comhlacht poiblí chuig ball den phobal ag tabhairt tuairisc dó faoin dul chun cinn ina chás, tar éis dó ráiteas i nGaeilge a chur ar fáil don chomhlacht poiblí sin. Glacadh leithscéal leis an ngearánach agus eisíodh leagan Gaeilge den litir chuige.
- Rinneadh leasú ar chleachtas i gcomhlacht poiblí nuair a eisíodh comhfhreagras oifigiúil Gaeilge ar stáiseanóireacht Bhéarla trí thimpiste trí huaire as a chéile.
- Aontaíodh nach raibh sárú reachtúil i gceist sa chás go raibh foirmeacha i mBéarla amháin á n-eisiúint ag Roinn Stáit chuig daoine aonaracha nach raibh cláraithe le comhfhreagras i nGaeilge a fháil, ach rinneadh socruithe an fhoirm a eisiúint i nGaeilge agus an duine a chlárú mar chás Gaeilge sa chás go gcuirfí in iúl don Roinn gurb é sin ba mhian leis an duine.
- Tugadh gealltanais go gcuirfí córas ar líne nua dátheangach ar fáil faoi dheireadh na bliana dár gcionn sa chás go raibh córas ar líne ar fáil don phobal agus nárbh ann do leagan Gaeilge, in ainneoin gealltanais scéime.

## 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. Some of these complaints referred to matters where there was no legal obligation and even, in one case, to a public body which does not come under the auspices of the Act but which confirmed that the issue was seen as good practice and which resolved the complaint on that basis.

- The complainant was unable to cash a cheque issued by a Government Department twice because there was a Chinese character in place of any part of her name where there was a *síneadh fada* over a vowel. New cheques were issued, the relevant printer was reset to accommodate the *síneadh fada* and a new protocol was put in place for the printing of cheques.
- A health authority issued renewal forms in English only to members of the public despite those clients having advised the authority that they wished to conduct their business with them through the medium of Irish. An extension of time was granted to the complainants, but it took over 6 months to provide an Irish version of the relevant forms.
- A complainant requested that a Government Department change his name to the Irish language version on their system, but was told that they had neither the staff nor the ability to do same. The Department yielded to the request from this Office when evidence was provided of the common usage of the Irish version of the name by the complainant.
- Forms were issued by a health authority to a Gaelscoil, with an instruction that services could not be provided to the children unless the English version of the form was signed by a parent. Staff with no Irish were to provide services in the school. It was agreed that the signed Irish version of the form would be accepted and that the staff on duty in the school would make every effort to use everyday Irish phrases, greetings etc. in accordance with the school's ethos.
- A letter in English was issued by a public body to a member of the public updating him on his case, despite the fact that a statement in Irish had been given by him to the public body. The public body apologised to the individual and issued an Irish version of the letter to him.
- Practices were changed in a public body when it came to light that official correspondence in Irish had issued in error on English only stationery three times.
- It was agreed that there was no breach of legislation where forms in English only were issued by a Government Department to individuals who were not registered to receive correspondence in Irish. Arrangements were put in place, however, to issue the Irish version of the form and to register individuals as Irish language cases where the Department was so notified.
- An assurance was given that a new bilingual online system would be provided by the end of the following year in an instance where no Irish version existed of an online system available to the public, despite a provision in the language scheme.



- Bhí lúb ar lár i bpróiseas comhlachta phoiblí de bharr athrú ar ról na heagraíochta a d'fhág nach raibh an leagan Gaeilge den suíomh gréasáin cothrom le dáta. Rinneadh iniúchadh ar an suíomh, tugadh an leagan Gaeilge cothrom le dáta agus cuireadh socruithe cuí i bhfeidhm lena choinneáil cothrom le dáta de thoradh gearán ó bhall den phobal.
- Cuireadh socruithe cuí i bhfeidhm le cinntiú go mbeadh seirbhís i nGaeilge ar fáil agus go gcloíff mar is cuí le forálacha díreacha an Achta i dtaca le córas acmhainní daonna nua a bhí á chur ar fáil don státhchóras de thoradh gearán ó bhall den phobal.
- Ceartaíodh preasráiteas a d'eisigh Roinn Stáit le logainmneacha Gaeltachta i mBéarla amháin, agus cuireadh liosta de na logainmneacha oifigiúla Gaeltachta ar fáil i nGaeilge, de réir na forála i scéim teanga na Roinne.
- D'earcaigh údarás sláinte foireann bhreise le Gaeilge líofa le dul i mbun oibre i lárionad glaonna nuair a rinneadh gearán nach raibh seirbhís i nGaeilge ar fáil go rialta ón ionad.
- Tugadh gealltanais go gceartófaí botúin i dtaobh logainmneacha i mBéarla agus i nGaeilge ar léarscáil oifigiúil de thoradh gearán ó bhall den phobal.
- Socraíodh go gceartófaí comharthaí leictreonacha a raibh logainmneacha i mBéarla amháin á dtaispeáint mar cheann scribe orthu.
- Cuireadh naisc i bhfeidhm chuig leagan Gaeilge de phríomhshuíomh gréasáin comhlachta phoiblí ionas go mbeadh fáil éasca ar ábhar i nGaeilge ó shuíomhanna seachtracha an chomhlachta.
- Dhearbhaigh Roinn Stáit go gcuirfí soláthar de leaganacha Gaeilge d'fhoirmeacha dá cuid ar fáil do chonraitheoirí seachtracha agus go n-eiseofaí ciorclán tréimhsiúil chuig na conraitheoirí sin ag meabhrú dóibh an riachtanas atá ann stoc de na leaganacha Gaeilge a choinneáil ar láimh.
- Atheisíodh nótaí eolais go dátheangach chuig tuismitheoirí páistí bunscoile nuair a tháinig sé chun solais de thoradh gearáin gur i mBéarla amháin a eisíodh na nótaí eolais seo an chéad lá.
- Cinntíodh go raibh freagra dátheangach uathoibríoch á ghiniúint mar fhreagra ar ríomhphost chuig seoladh teagmhála ríomhphoist a bhí á sholáthar don phobal i gcoitinne.
- Rinneadh iniúchadh ar chomharthaíocht i leabharlann ar champas institiúide oideachais tríú leibhéal agus cuireadh socruithe cuí in áit le haon chomharthaíocht nach raibh i gcomhréir leis an reachtaíocht a cheartú.
- Ceartaíodh téacs míchruinn Gaeilge ar veain de chuid comhlacht poiblí.
- Dhearbhaigh Roinn Stáit go mbeadh a suíomh gréasáin dátheangach go hiomlán faoi dheireadh na bliana nuair a rinne ball den phobal gearán nach raibh an suíomh i gcomhréir lena gealltanais sa scéim teanga. Cuireadh an leagan Gaeilge ar fáil de réir mar a dearbhaíodh.
- Cuireadh leagan Gaeilge d'áis frithbhulaíochta do dhaltáí scoile ar fáil nuair a rinneadh gearán nach raibh fáil ar an áis ach i mBéarla amháin.
- D'atheisigh comhlacht poiblí litir i nGaeilge chuig a chustaiméirí nuair a díríodh a aird ar mhíchruinneas an téacs sa bhunlitir a eisíodh, a raibh an chosúlacht air gur meaisínaitríúchán a bhí ann ar an téacs i mBéarla.
- A deficiency was created in the process of a public body due to a change in the role of the organisation which resulted in the Irish version of the website not being updated. An audit was carried out of the website, the Irish version was brought up to date and appropriate arrangements were put in place to keep it up to date as a result of a complaint from a member of the public.
- Appropriate arrangements were put in place to ensure that services through Irish would be available and that the direct provisions of the Official Languages Act would be adhered to as a result of a complaint made by a member of the public when a new human resources system was put in place for the public service.
- A press release issued by a Government Department with Gaeltacht placenames in English only was corrected and a list of the official Irish language placenames was provided, in accordance with a provision of that Department's statutory language scheme.
- A health authority recruited additional staff with proficiency in the Irish language to work in a call centre when a complaint was made that Irish language services were not readily available from the centre.
- A commitment was given to correct placenames in Irish and in English on an official map as a result of a complaint from a member of the public.
- It was arranged that electronic signs showing destinations in English only would be corrected.
- Links to the Irish version of the main website of a public body were put in place so that information would be readily available to the users of the external websites of the organisation.
- A Government Department confirmed that a supply of the Irish language version of its forms would be provided to external contractors and that periodic circulars would issue to the contractors reminding them of their obligation to keep a stock of Irish forms in hand.
- An information note was reissued bilingually to parents of primary school pupils when it came to light as a result of a complaint that this information note had initially been issued in English only.
- It was ensured that a bilingual automated response was being generated in response to e-mails sent to an e-mail address which was supplied for the public in general.
- An audit of signage was carried out in the library of a third level institute and arrangements were put in place to correct any signage which was not in accordance with the legislation.
- Incorrect text in Irish on a sign on a van belonging to a public body was corrected.
- A Government Department confirmed that its website would be completely bilingual by the end of the year when a member of the public complained that the site was not in accordance with the provisions of the language scheme. The Irish version was provided as promised.
- An Irish version of an anti-bullying aid for schoolchildren was provided when a complaint was made that the aid was available in English only.
- A public body re-issued a letter in Irish that had been sent to customers when its attention was drawn to the errors in the text of the original letter, which appeared to have been machine-translated.



- D'aontaigh Roinn Stáit glacadh le foirm dearbhaithe chrua i gcásanna ar mhian le tuismitheoirí plé leis an Stát i nGaeilge go dtí go mbeadh fáil ar leagan foirfe Gaeilge den chóras ar líne a bhí á chur i bhfeidhm.
- Glacadh leithscéal as an mainneachtain agus tugadh le fios go nglacfaí gach beart le cinntiú nach dtarlódh a leithéid d'earráid arís nuair a eisíodh litir i mBéarla amháin chuig gach custaiméir de chuid oifig áitiúil de Roinn Stáit.
- Eisíodh leagan Gaeilge de bhileog eolais de chuid Roinn Stáit nuair a cuireadh ar a súile di go raibh dualgas uirthi sin a dhéanamh faoi fhoráil ina scéim teanga. Bhí leagan Gaeilge den bhileog diúltaithe don ghearánach roimh dó teagmháil a dhéanamh leis an Oifig seo.
- Cuireadh leagan leasaithe d'fhoirm iarratais Roinne Stáit ar fáil nuair a tharraing m'Oifig gearán a rinneadh léi anuas leis an Roinn sin, ag tabhairt le fios go raibh an leagan den fhoirm a bhí ar an suíomh gréasáin ag an Roinn míchuinn agus nach raibh an Roinn ag tabhairt aon aird ar theagmhálacha éagsúla ón ngearánach.
- I mBéarla amháin a bhí foirmeacha ar shuíomh gréasáin arbh éigean úsáid a bhaint astu chun clárú do ghairm áirithe tar éis na hollscoile. D'aontaigh an comhlacht poiblí leagan Gaeilge de na foirmeacha cuí a sholáthar nuair a cuireadh ar a súile dó é, in ainneoin nach raibh dualgas reachtúil air ina leith.

- A Government Department agreed to accept hard copies of confirmation forms until such time as the Irish version of an online system which was being implemented was made available, in cases where parents wished to conduct their business with the State in Irish.
- An apology was offered for the failure and an assurance was given that every possible effort would be made to ensure such an error did not reoccur when a local office of a Government Department sent a circular letter in English only to all of its clients.
- A Government Department provided an Irish language version of an information leaflet when its attention was drawn to the fact that it was obliged to do so by a provision in its language scheme. The complainant had been refused an Irish version before contacting this Office.
- A revised version of a Government Department's application form was issued when my Office raised a complaint with the Department on the matter, explaining that the version of the form that appeared on the Department's website was incorrect and that the Department was not paying any heed to various contacts from the complainant.
- Registration forms which were required to register for certain occupations after university were available in English only. The public body in question agreed to provide an Irish language version of each of the forms when this was pointed out to it, despite not being under legal obligation to do so.

## CÚRSAÍ AIRGEADAIS

Cuireadh buiséad €567,000 ar fáil don Oifig don bhliain 2014 agus tarraingíodh anuas €566,389 den airgead sin.

Tá ráitis airgeadais na hOifige don bhliain 2014 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 luaithé 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-íofaí 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.

## FINANCIAL MATTERS

A budget of €567,000 was provided for my Office for 2014 and €566,389 of that money was drawn down.

The financial statements of the Office for 2014 have been prepared for audit by the Comptroller and Auditor General in accordance with subsection 8(2) of the Second Schedule of the Official Languages Act 2003.

As soon as possible after the audit, a copy of those accounts or of such extracts from those accounts as the Minister for Arts, Heritage and the Gaeltacht may specify shall be presented to the Minister together with the report of the Comptroller and Auditor General on the accounts.

Copies of those documents shall be laid before the Houses of the Oireachtas by the Minister. They will also be published on this Office's website.

### Prompt Payments

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

### Tuairisc ar Íocaíochtaí Prasa • Prompt Payments Report

Tréimhse Clúdaithe: 1 Eanáir – 31 Nollaig 2014 • Period Covered: 1 January – 31 December 2014

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	183	159,434	95%
Líon na n-íocaíochtaí a rinneadh laistigh de thréimhse idir 16 lá agus 30 lá Number of payments made within 16 days to 30 days	10	3,214	5%
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 in the period</b>	<b>193</b>	<b>162,648</b>	<b>100%</b>
<sup>1</sup> Sonraisc faoi dhíospóid <sup>1</sup> Disputed Invoices			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.

## ÚSÁID FUINNIMH

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

### Forbhreathnú ar úsáid fuinnimh sa bhliain 2014

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 2014, d'úsáid Oifig an Choimisinéara Teanga 59.28 MWh leictreachais. Is ionann sin agus laghdú 6.4% ar úsáid na bliana 2013 (63.35 MWh).

### Gníomhartha a rinneadh in 2014

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

### Gníomhartha atá beartaithe do 2015

Leanfar de na beartais sábhála fuinnimh atá tionscanta cheana féin agus déanfar monatóireacht rialta ar úsáid leictreachais i gcaitheamh na bliana 2015.

## ENERGY USAGE

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

### Overview of Energy Usage in 2014

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 2014, the Office of An Coimisinéir Teanga consumed 59.28 MWh of electricity. This constituted a decrease of 6.4% in comparison to 2013 (63.35 MWh).

### Actions Taken in 2014

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

### Actions Planned for 2015

The Office will continue the energy-saving policies already initiated and it is intended to monitor electricity consumption on a regular basis during 2015.

## FOIREANN AGUS SONRAÍ TEAGMHÁLA • STAFF AND CONTACT DETAILS

### FOIREANN • STAFF

An Coimisinéir Teanga	Rónán Ó Domhnaill
Stiúrthóir • <i>Director</i>	Colm Ó Coisdealbha
Bainisteoir Imscrúduithe • <i>Investigations Manager</i>	Órla de Búrca
Bainisteoir Géilliúlachta • <i>Compliance Manager</i>	Dualta Ó Broin
Riarthóir Oifige • <i>Office Administrator</i>	Éamonn Ó Bróithe
Oifigeach Feidhmiúcháin • <i>Executive Officer</i>	Nóirín Seoighe
Oifigeach Cléireachais • <i>Clerical Officer</i>	Deirdre Nic Dhonncha

Ar an 12 Márta 2014, cheap Uachtarán na hÉireann, Michael D. Higgins, Rónán Ó Domhnaill mar Choimisinéir Teanga.

*On 12 March 2014, the President of Ireland, Michael D. Higgins, appointed Rónán Ó Domhnaill as Coimisinéir Teanga.*

### SONRAÍ TEAGMHÁLA • CONTACT DETAILS

Is féidir teagmháil a dhéanamh leis an Oifig tríd an bpost, 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, Gaillimh, Éire.
FÓN • <i>PHONE:</i>	091-504 006
GLAO ÁITIÚIL • <i>LO-CALL:</i>	1890-504 006
FACS • <i>FAX:</i>	091-504 036
RÍOMHPOST • <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.*





## AGUISÍN • APPENDIX

### Scéimeanna daingnithe faoi dheireadh 2014 • Schemes confirmed by the end of 2014

Ainm an Chomhlachta Phoiblí	Name of Public Body	Tosach feidhme na scéime teanga is deireanaí Commencement date of most recent language scheme
Scéim 1	Scheme 1	
An Chomhairle Ealaíon	The Arts Council	01/07/05
Feidhmeannacht na Seirbhíse Sláinte, Limistéar an Iarthair	Health Service Executive, Western Area	01/09/05
Ollscoil Chathair Bhaile Átha Cliath	Dublin City University	03/04/06
An Roinn Talmhaíochta, Bia agus Mara	Department of Agriculture, Food and the Marine	01/06/06
An Roinn Dlí agus Cirt agus Comhionannais	Department of Justice and Equality	30/06/06
Comhairle Cathrach Bhaile Átha Cliath	Dublin City Council	13/07/06
Údaráis Áitiúla na Mí	Meath Local Authorities	01/09/06
Údaráis Áitiúla Fhine Gall	Fingal Local Authorities	01/10/06
An Roinn Gnóthaí Eachtracha agus Trádála	Department of Foreign Affairs and Trade	01/12/06
Banc Ceannais na hÉireann	Central Bank of Ireland	01/12/06
Coláiste na hOllscoile, Corcaigh	University College Cork	01/12/06
Údaráis Áitiúla Mhaigh Eo	Mayo Local Authorities	22/12/06
Comhairle Contae Liatroma	Leitrim County Council	01/01/07
An tÚdarás Clárúcháin Maoine	Property Registration Authority	02/04/07
An Foras Riaracháin	Institute of Public Administration	10/04/07
Coimisiún Forbartha an Iarthair	Western Development Commission	10/04/07
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	30/04/07
An Roinn Coimirce Sóisialaí	Department of Social Protection	01/06/07
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	01/07/07
Údaráis Áitiúla an Chláir	Clare Local Authorities	20/08/07
Údaráis Áitiúla Chorcaí	Cork Local Authorities	01/10/07
Údaráis Áitiúla Ros Comáin	Roscommon Local Authorities	01/10/07
Údaráis Áitiúla na hIarmhí	Westmeath Local Authorities	01/10/07
Comhairle Cathrach Chorcaí	Cork City Council	31/10/07
An Phríomh-Oifig Staidrimh	Central Statistics Office	05/11/07
Údaráis Áitiúla Lú	Louth Local Authorities	20/11/07
Teagasc	Teagasc	01/01/08
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/08
Údaráis Áitiúla Chontae Mhuineacháin	Monaghan Local Authorities	01/06/08
Údaráis Áitiúla an Longfoirt	Longford Local Authorities	01/07/08
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	07/07/08
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/08
Údaráis Áitiúla Chontae Chill Dara	Kildare Local Authorities	08/09/08
Údaráis Áitiúla Cheatharlach	Carlow Local Authorities	01/10/08
Oifig an Ard-Reachtair Cuntas & Ciste	Office of the Comptroller & Auditor General	19/01/09
An Binse Comhionannais	The Equality Tribunal	01/02/09
Bord Scannán na hÉireann	Irish Film Board	27/04/09
Údaráis Áitiúla Chill Mhantáin	Wicklow Local Authorities	25/05/09
An Oifig um Chláirú Cuideachtaí & Clárlann na gCara-Chumann	Companies Registration Office & Registry of Friendly Societies	26/05/09

## Scéimeanna daingnithe faoi dheireadh 2014 • Schemes confirmed by the end of 2014

Ainm an Chomhlachta Phoiblí	Name of Public Body	Tosach feidhme na scéime teanga is deireanaí Commencement date of most recent language scheme
An Garda Síochána	An Garda Síochána	28/05/09
Údaráis Áitiúla Chontae an Chabháin	Cavan Local Authorities	20/07/09
Údaráis Áitiúla Laoise	Laois Local Authorities	01/12/09
An Roinn Sláinte	Department of Health	15/12/09
Údaráis Áitiúla Loch Garman	Wexford Local Authorities	11/01/10
Údaráis Áitiúla Shligigh	Sligo Local Authorities	28/07/10
Institiúid Teicneolaíochta Thrá Lí	Institute of Technology, Tralee	18/10/10
An Roinn Post, Fiontar agus Nuálaíochta*	Department of Jobs, Enterprise & Innovation	25/10/10
An Roinn Ealaíon, Oidhreacht & Gaeltachta	Department of Arts, Heritage & the Gaeltacht	01/05/12
Institiúid Teicneolaíochta Bhaile Átha Cliath	Dublin Institute of Technology	22/05/12
Oifig Thithe an Oireachtais	Office of the Houses of the Oireachtas	31/07/12
Údarás Aerfort Bhaile Átha Cliath	Dublin Airport Authority	26/08/13
Údarás Craolacháin na hÉireann	Broadcasting Authority of Ireland	16/09/13
Institiúid Teicneolaíochta Bhaile Átha Luain	Athlone Institute of Technology	11/10/13
An Roinn Leanaí agus Gnóthaí Óige	Department of Children and Youth Affairs	14/10/13
An Bord Bia	An Bord Bia	27/01/14
Údarás Aerfort na Sionainne	Shannon Airport Authority	28/04/14
An Ghníomhaireacht Bainistíochta Rialtais Áitiúil	Local Government Management Agency	07/07/14
An tÚdarás um Bóithre Náisiúnta	National Roads Authority	14/07/14
Institiúid Teicneolaíochta Phort Láirge	Institute of Technology, Waterford	06/10/14
Suirbhéireacht Ordanáis Éireann	Ordinance Survey Ireland	08/12/14
<b>Scéim 2</b>	<b>Scheme 2</b>	
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	11/05/09
Roinn an Taoiseach	Department of the Taoiseach	21/12/09
Comhairle Cathrach na Gaillimhe	Galway City Council	23/12/09
Ollscoil Luimnigh	University of Limerick	29/12/09
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	18/10/10
An Bord Pleanála	An Bord Pleanála	29/08/11
Institiúid Teicneolaíochta Leitir Ceanainn	Letterkenny Institute of Technology	20/06/12
Comhairle Contae Bhaile Átha Cliath Theas	South Dublin County Council	30/07/12
Coláiste Oideachais Eaglais na hÉireann	Church of Ireland College of Education	07/08/12
An Crannchur Náisiúnta	The National Lottery	20/08/12
Ollscoil na hÉireann, Gaillimh	National University of Ireland, Galway	23/10/12
Oifig an Ombudsman & Oifig an Choimisinéara Faisnéise	Office of the Ombudsman & Office of the Information Commissioner	27/11/12
Oifig an Uachtaráin	Office of the President	28/01/13
Institiúid Teicneolaíochta na Gaillimhe-Maigh Eo	Galway-Mayo Institute of Technology	22/04/13
An Roinn Oideachais & Scileanna	Department of Education & Skills	22/04/13
Oifig na gCoimisinéirí Ioncaim	Office of the Revenue Commissioners	04/06/13
An tSeirbhís um Cheapacháin Phoiblí	Public Appointments Service	22/07/13
Bord Soláthair an Leictreachais	Electricity Supply Board	26/08/13
Gailearaí Náisiúnta na hÉireann	National Gallery of Ireland	16/09/13



Scéimeanna daingnithe faoi dheireadh 2014 • Schemes confirmed by the end of 2014

Ainm an Chomhlachta Phoiblí	Name of Public Body	Tosach feidhme na scéime teanga is deireanaí Commencement date of most recent language scheme
An Coimisiún Reifrinn	The Referendum Commission	11/10/13
Comhairlí Contae & Cathrach Chill Chainnigh	Kilkenny County & City Councils	08/11/13
Coláiste na Tríonóide, Baile Átha Cliath	Trinity College Dublin	18/11/13
An tSeirbhís Chúirteanna	The Courts Service	31/12/13
An Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha	Department of Communications, Energy and Natural Resources	05/03/14
Oifig na nOibreacha Poiblí	Office of Public Works	05/03/14
Comhairle Contae na Gaillimhe	Galway County Council	06/05/14
Leabharlann Chester Beatty	Chester Beatty Library	16/06/14
Ollscoil na hÉireann, Maigh Nuad	National University of Ireland, Maynooth	23/06/14
Institiúid Teicneolaíochta Dhún Dealgan	Dundalk Institute of Technology	08/08/14
An Bord um Chúnamh Dlithiúil	Legal Aid Board	11/08/14
Foras na Mara	Marine Institute	06/10/14
An Roinn Airgeadais	Department of Finance	27/10/14
Scéim 3	Scheme 3	
An Roinn Comhshaoil, Pobail & Rialtais Áitiúil	Department of the Environment, Community & Local Government	18/09/13
Oifig an Stiúrthóra Ionchúiseamh Poiblí	Office of the Director of Public Prosecutions	20/01/14
Comhairle Contae Dhún na nGall	Donegal County Council	24/02/14
An Roinn Cosanta	Department of Defence	03/03/14
Óglaigh na hÉireann	The Defence Forces	21/04/14
Comhairle Contae Chiarraí	Kerry County Council	09/06/14
Oifig an Choimisinéara Cosanta Sonraí	Office of the Data Protection Commissioner	06/10/14

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

\* On 26 August 2011, the Minister for Arts, Heritage and the Gaeltacht asked this public body to propose amendments to the confirmed language schemes in accordance with section 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)
An Ceoláras Náisiúnta	National Concert Hall	21/09/06	99
Amharclann na Mainistreach (An Chuideachta Amharclann Náisiúnta Teoranta)	Abbey Theatre (National Theatre Society Ltd.)	21/09/06	99
An tÚdarás Comhionannais	Equality Authority	21/09/06	99
An Coimisiún um Scrúduithe Stáit	State Examinations Commission	21/09/06	99
Institiúid Teicneolaíochta Thamhlachta	Institute of Technology, Tallaght	21/09/06	99
Leabharlann Náisiúnta na hÉireann	National Library of Ireland	27/09/06	99
Ard-Mhúsaem na hÉireann	National Museum of Ireland	27/09/06	99
An Chomhairle Oidhreachta	Heritage Council	27/09/06	99
Údaráis Áitiúla Uíbh Fhailí	Offaly Local Authorities	10/06/07	91
Feidhmeannacht na Seirbhíse Sláinte	Health Service Executive	10/06/07	91
An Post	An Post	10/02/09	71
Coláiste na hOllscoile, Baile Átha Cliath	University College Dublin	10/02/09	71
Institiúid Teicneolaíochta Chorcaí	Institute of Technology, Cork	10/02/09	71
Institiúid Teicneolaíochta Shligigh	Institute of Technology, Sligo	05/10/09	63
Raidió Teilifís Éireann	Raidió Teilifís Éireann	05/10/09	63
An Roinn Caiteachais Phoiblí agus Athchóirithe	Department of Public Expenditure and Reform	26/08/11	40
Grúpa Chóras Iompair Éireann	CIE Group	14/09/12	28
Údarás Aerfort Chorcaí	Cork Airport Authority	14/09/12	28
Bord na Móna	Bord na Móna	14/09/12	28
Ervia	Ervia	14/09/12	28
Bord Iascaigh Mhara	Bord Iascaigh Mhara	14/09/12	28
Fiontraíocht Éireann	Enterprise Ireland	14/09/12	28
GFT Éireann	IDA Ireland	14/09/12	28
Coillte	Coillte	14/09/12	28
Fáilte Ireland – an tÚdarás Náisiúnta Forbartha Turasóireachta	Fáilte Ireland – National Tourism Development Authority	14/09/12	28
Bord Oideachais agus Oiliúna an Chabháin agus Mhuineacháin	Cavan and Monaghan Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna an Longfoirt agus na hIarmhí	Longford and Westmeath Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Bhaile Átha Cliath agus Dhún Laoghaire	Dublin and Dún Laoghaire Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Chathair Bhaile Átha Cliath	City of Dublin Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Chiarraí	Kerry Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Chill Dara agus Chill Mhantáin	Kildare and Wicklow Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Chorcaí	Cork Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Chill Chainnigh agus Cheatharlach	Kilkenny and Carlow Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Dhún na nGall	Donegal Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Laoise agus Uíbh Fhailí	Laois and Offaly Education and Training Board	22/08/13	16



**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)
Bord Oideachais agus Oiliúna Lú agus na Mí	Louth and Meath Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Luimnigh agus an Chláir	Limerick and Clare Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Mhaigh Eo, Shligigh agus Liatroma	Mayo, Sligo and Leitrim Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna na Gaillimhe agus Ros Comáin	Galway and Roscommon Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Phort Láirge agus Loch Garman	Waterford and Wexford Education and Training Board	22/08/13	16
Bord Oideachais agus Oiliúna Thiobraid Árann	Tipperary Education and Training Board	22/08/13	16
Comhairle Cathrach agus Contae Luimnigh	Limerick City and County Council	03/11/14	2
Comhairle Contae Thiobraid Árann	Tipperary County Council	03/11/14	2
Comhairle Cathrach agus Contae Phort Láirge	Waterford City and County Council	03/11/14	2

**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 Expired*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
An Chomhairle Ealaíon	The Arts Council	30/06/08	78
Ollscoil Chathair Bhaile Átha Cliath	Dublin City University	02/04/09	69
An Roinn Talmhaíochta, Bia agus Mara	Department of Agriculture, Food and the Marine	31/05/09	67
An Roinn Dlí agus Cirt agus Comhionannais	Department of Justice and Equality	29/06/09	66
Comhairle Cathrach Bhaile Átha Cliath	Dublin City Council	12/07/09	66
Údaráis Áitiúla na Mí	Meath Local Authorities	31/08/09	64
Údaráis Áitiúla Fhine Gall	Fingal Local Authorities	30/09/09	63
Banc Ceannais na hÉireann	Central Bank of Ireland	30/11/09	61
An Roinn Gnóthaí Eachtracha agus Trádála	Department of Foreign Affairs and Trade	30/11/09	61
Ollscoil na hÉireann, Corcaigh	University College Cork	30/11/09	61
Údaráis Áitiúla Mhaigh Eo	Mayo Local Authorities	21/12/09	60
Comhairle Contae Liatroma	Leitrim County Council	31/12/09	60
An tÚdarás Clárúcháin Maoine	Property Registration Authority	01/04/10	57
An Foras Riaracháin	Institute of Public Administration	09/04/10	57
Coimisiún Forbartha an Iarthair	Western Development Commission	09/04/10	57
An Roinn Iompair, Turasóireachta agus Spóirt	Department of Transport, Tourism and Sport	29/04/10	56
An Roinn Coimirce Sóisialaí	Department of Social Protection	31/05/10	55
Comhairle Contae Dhún Laoghaire-Ráth an Dúin	Dún Laoghaire-Rathdown County Council	30/06/10	54
Údaráis Áitiúla an Chláir	Clare Local Authorities	19/08/10	52
Údaráis Áitiúla Chorcaí	Cork Local Authorities	30/09/10	51
Údaráis Áitiúla Ros Comáin	Roscommon Local Authorities	30/09/10	51
Údaráis Áitiúla na hIarmhí	Westmeath Local Authorities	30/09/10	51
Comhairle Cathrach Chorcaí	Cork City Council	30/10/10	50
An Phríomh-Oifig Staidrimh	Central Statistics Office	04/11/10	50
Údaráis Áitiúla Lú	Louth Local Authorities	19/11/10	49



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 Expired*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
Teagasc	Teagasc	31/12/10	48
An tÚdarás um Ard-Oideachas	Higher Education Authority	01/06/11	43
Údaráis Áitiúla Chontae Mhuineacháin	Monaghan Local Authorities	01/06/11	43
Údaráis Áitiúla an Longfoirt	Longford Local Authorities	01/07/11	42
An Bord um Fhaisnéis do Shaoránaigh	Citizens Information Board	07/07/11	42
Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach	Office of the Director of Corporate Enforcement	14/07/11	42
Údaráis Áitiúla Chontae Chill Dara	Kildare Local Authorities	08/09/11	40
Údaráis Áitiúla Cheatharlach	Carlow Local Authorities	01/10/11	39
Oifig an Ard-Reachtaire Cuntas & Ciste	Office of the Comptroller & Auditor General	19/01/12	35
An Binse Comhionannais	The Equality Tribunal	01/02/12	35
Bord Scannán na hÉireann	Irish Film Board	27/04/12	32
An Garda Síochána	An Garda Síochána	28/05/12	31
Údaráis Áitiúla Chill Mhantáin	Wicklow Local Authorities	25/05/12	31
An Oifig um Chlárú Cuideachtaí & Clárlann na gCara-Chumann	Companies Registration Office & Registry of Friendly Societies	26/05/12	31
Údaráis Áitiúla Chontae an Chabháin	Cavan Local Authorities	20/07/12	29
Údaráis Áitiúla Laoise	Laois Local Authorities	01/12/12	25
An Roinn Sláinte	Department of Health	15/12/12	24
Údaráis Áitiúla Loch Garman	Wexford Local Authorities	11/01/13	24
Údaráis Áitiúla Shligigh	Sligo Local Authorities	27/07/13	17
Institiúid Teicneolaíochta Thrá Lí	Institute of Technology, Tralee	17/10/13	14
An Roinn Post, Fiontar agus Nuálaíochta	Department of Jobs, Enterprise & Innovation	24/10/13	14
Institiúid Teicneolaíochta Bhaile Átha Cliath	Dublin Institute of Technology	21/05/15	0
An Roinn Ealaíon, Oidhreacht agus Gaeltachta	Department of Arts, Heritage and the Gaeltacht	30/04/15	0

Dréachtscéimeanna le daingniú • *Draft Schemes to be confirmed*An Tríú Scéim • *Third Scheme*

Ainm an Chomhlachta Phoiblí	Name of Public Body	Dáta Scéim in Éag* Date Scheme Expired*	Tréimhse (míonna) ón Dáta Éaga Period (months) from Date Expired
Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí	Office of the Commission for Public Service Appointments	11/05/12	32
Roinn an Taoisigh	Department of the Taoiseach	21/12/12	24
Comhairle Cathrach na Gaillimhe	Galway City Council	23/12/12	24
Ollscoil Luimnigh	University of Limerick	29/12/12	24
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	17/10/13	14
An Bord Pleanála	An Bord Pleanála	28/08/14	4
Institiúid Teicneolaíochta Leitir Ceanainn	Letterkenny Institute of Technology	19/06/15	0

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

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

## Scéimeanna teanga dímholtá • *Superseded language schemes*

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

## Scéimeanna as feidhm • *Schemes lapsed*

Ainm an Chomhlachta Phoiblí	Name of Public Body	Cúis • Reason
An Bord Seirbhísí Ríomhaire Rialtais Áitiúil	Local Government Computer Services Board	Na comhlachtaí poiblí scortha – an tAcht Rialtais Áitiúil (Forálacha Ilghnéitheacha), 2012 <i>Public bodies dissolved – Local Government (Miscellaneous Provisions) Act 2012</i>
An Bord Seirbhísí Bainistíochta Rialtais Áitiúil	Local Government Management Services Board	
Coiste Gairmoideachais Chontae Dhún na nGall	County Donegal Vocational Educational Committee	Na comhlachtaí poiblí scortha – an tAcht um Boird Oideachais agus Oiliúna, 2013 <i>Public bodies dissolved – Education and Training Boards Act 2013</i>
Coiste Gairmoideachais Chontae na Gaillimhe	County Galway Vocational Education Committee	
Seirbhís Oideachais Chontae Chiarraí	Kerry Education Service	
Coiste Gairmoideachais Chathair Chorcaí	Cork City Vocational Education Committee	
Coiste Gairmoideachais Chathair na Gaillimhe	Galway City Vocational Education Committee	
Coiste Gairmoideachais Chontae Chorcaí	County Cork Vocational Education Committee	
Coiste Gairmoideachais Chontae an Chláir	County Clare Vocational Education Committee	
Coiste Gairmoideachais Chontae Bhaile Átha Cliath	County Dublin Vocational Education Committee	
Coiste Gairmoideachais Chathair Bhaile Átha Cliath	City of Dublin Vocational Education Committee	
An Foras Áiseanna Saothair (FÁS)	The Training and Employment Authority (FÁS)	An comhlacht poiblí scortha – an tAcht Breisoideachais agus Oiliúna, 2013 <i>Public body dissolved – Further Education and Training Act 2013</i>
Comhairle Contae Luimnigh	Limerick County Council	An tAcht um Athchóiriú Rialtais Áitiúil, 2014 <i>Local Government Reform Act 2014</i>
Comhairle Cathrach Luimnigh	Limerick City Council	
Comhairle Contae Phort Láirge	Waterford County Council	
Comhairle Cathrach Phort Láirge	Waterford City Council	
Comhairle Contae Tiobraid Árann Thuaidh	North Tipperary County Council	



