



An Coimisinéir Teanga



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NA dTEANGACHA OIFIGIÚLA 2003  
OFFICIAL LANGUAGES ACT 2003

TUARASCÁIL TIONSCNAIMH – 2004  
INAUGURAL REPORT – 2004

# Tuarascáil Tionscnaimh – Earrach-Nollaig 2004

## Inaugural Report – Spring-December 2004

### Don Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta

De réir Alt 30 d'Acht na dTeangacha Oifigiúla 2003 tá an tuarascáil seo don bhliain 2004 á tiolacadh ag An Coimisinéir Teanga.

### To the Minister for Community, Rural and Gaeltacht Affairs

In accordance with Section 30 of the *Official Languages Act 2003*, this report for the year 2004 is being presented by An Coimisinéir Teanga.



*Seán Ó Cuirreáin*

Seán Ó Cuirreáin  
An Coimisinéir Teanga  
Márta / March 2005



**Foireann Oifig an Choimisinéara Teanga**

**Staff of the Office of An Choimisinéir Teanga**

Ó chlé / From left: Damhnait Uí Mhaoldúin, Cáit Uí Mhaoilríain,  
Ciarán Ó Ráighne, Laura Pathe, Seán Ó Cuirreáin, Órla de Búrca.

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## Ráiteas Misin

### Mission Statement

#### "Ag cosaint cearta teanga"

Seirbhís neamhspleách d'ardchaighdeán a chur ar fáil i gcomhlíonadh ár ndualgais 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 neamhchlaonta.

Eolas soiléir, cruinn a chur ar fáil:

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

#### "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 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.

*“Leagann an Stát nua-aimseartha iliomad dualgas trom ar shaoránaigh i dtaca le gnéithe éagsúla den saol ó ghéilliúlacht i gcúrsaí cánach go dlí pleanála. Dualgais thuirsiúla a ghlacann am agus atá costasach a chomhlíonadh cuid mhór de na dualgais seo, ach is cúí é a bheith riachtanach iad a chomhlíonadh.*

*Mar an gcéanna, caithfidh an Stát féin a dhualgais a chomhlíonadh, go háirithe iad siúd atá cumhdaithe sa Bhunrecht, agus ní féidir é a chloisteáil ag gearán ach chomh beag leis an saoránach aonair gur dualgais thuirsiúla, throma iad sin. Go háirithe, ní féidir an Stát a chloisteáil ag gearán gur de bharr nár chomhlíon sé a dhualgais le scór bliain anuas is breis atá deacracht níos mó aige na dualgais sin a chomhlíonadh anois.”*

**(An Breitheamh Adrian Hardiman – Athbhreithniú Breithiúna [Tag: 100/98JR, An Chúirt Uachtarach])**

*“Fad agus a labhraíonn daoine teanga ar leith, caomhnóidh siad a n-ionannas ar leith. Mura labhraíonn, beidh buaine an ionannais sin in amhras, ar an gcuid is fearr de...Daoine a bhfuil breis agus teanga amháin acu, tuigean siad go bhfuil focail agus frásaí i ngach teanga acu nach féidir a aistriú, agus lena chois sin, coincheapanna iomlána a bhaineann leis an teanga sin amháin...Má chailltear teanga, cailltear an t-eolas ba dhual leis an teanga sin a chur ar fáil.”*

**(An Dr Michael Krauss, Ollscoil Alasca, Fairbanks)**

*“The modern State necessarily imposes many onerous duties on citizens in relation to various aspects of life, from tax compliance to planning law. Many of these duties are irksome, time-consuming and expensive to comply with, but compliance is properly required.*

*Equally the State itself must comply with its obligations, particularly those enshrined in the Constitution, and can no more be heard to complain that such compliance is irksome or onerous than can the individual citizen. In particular, the State cannot be heard to complain that its non-compliance over a period of decades have now rendered present compliance even more difficult.”*

**(Mr Justice Adrian Hardiman – Judicial Review (Ref: 100/98JR, The Supreme Court)**

*“As long as a people speak a language apart, they will maintain their identity apart. If they do not, long-term survival of that identity is at best in question...Anyone who speaks more than one language knows that each language contains not only words and phrases that are untranslatable, but entire concepts that are unique to that tongue...Lose a language and you lose the knowledge that that language was invented to express.”*

**(Dr Michael Krauss – University of Alaska, Fairbanks)**

## RÉAMHRÁ

Uachtarán na hÉireann a cheapann An Coimisinéir Teanga go foirmiúil ar chomhairle an Rialtais tar éis do Dháil Éireann agus do Sheanad Éireann rún a rith ag moladh an cheapacháin.

Ar an 23 Feabhra 2004 a ceapadh mé mar chéad Choimisinéir Teanga de réir Cuid 4 d'Acht na dTeangacha Oifigiúla 2003.

Bunaíodh Oifig an Choimisinéara Teanga (Oifig Choimisinéir na dTeangacha Oifigiúla) mar oifig nua neamhspleách stáit in earrach na bliana 2004 le monatóireacht a dhéanamh ar an mbealach a bhfuil forálacha Acht na dTeangacha Oifigiúla 2003 á gcomhlíonadh ag comhlachtaí poiblí an Stáit, agus le gach beart riachtanach a dhéanamh chun a chinntiú go gcomhlíonfaidh comhlachtaí poiblí a ndualgais faoin Acht.

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 2003 nó faoi aon achtachán eile a bhaineann le stádas nó le húsáid na Gaeilge.

Cuireann an Oifig comhairle ar fáil don phobal maidir lena gcearta teanga agus comhairle ar na comhlachtaí poiblí maidir lena ndualgais teanga faoin Acht.

Baineann an tuarascáil tionscnaimh seo leis an tréimhse idir earrach 2004 agus deireadh na bliana 2004.

Leagadh an bhéim sa tréimhse bhunaidh ar oifig nua a fhorbairt, foireann a cheapadh, agus an bunstruchtúr riachtanach a chur le chéile le go mbeidh dúshraith láidir, neamhspleách, faoi na seirbhísí a chuirfidh an Oifig ar fáil in imeacht na mblianta.

Ba phróiseas foghlamtha a bhí ann freisin, le tuiscint chuimsitheach a fhorbairt ar an reachtaíocht nua agus ar fheidhmiú oifig neamhspleách Stáit le modhanna oibre a bheadh éifeachtach, gairmiúil agus neamhchlaonta.

D'fheidhmigh an Oifig de réir na gcaighdeán is airde agus na gcód cleachtais is fearr maidir le gach gné den obair sna réimsí airgeadais, tairisceana, ceannacháin agus eile.

## FOREWORD

The appointment of An Coimisinéir Teanga is formally made by the President of Ireland on the advice of the Government following a resolution passed by Dáil Éireann and Seanad Éireann recommending the appointment.

I was appointed the first Coimisinéir Teanga on 23 February 2004 in accordance with Part 4 of the *Official Languages Act 2003*.

The Office of An Coimisinéir Teanga (Oifig Choimisinéir na dTeangacha Oifigiúla) was established as a new independent state Office in the spring of 2004 to monitor the manner in which public bodies comply with the provisions of the *Official Languages Act 2003*, and to take all necessary measures to ensure that public bodies fulfil their obligations under the Act.

The Office is charged with investigating 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 2003* or under any other enactment which deals with the status or use of Irish.

The Office provides advice to the public about their language rights and to public bodies about their obligations under the Act.

This inaugural report covers the period from spring 2004 to the end of the year 2004.

In this initial period emphasis was placed on developing a new office, on appointing staff, and on establishing the necessary infrastructure for the future provision of services in an effective, efficient and independent manner.

This period was also important as part of a learning process which allowed my Office to develop a comprehensive understanding of the new legislation and to establish best practice in the operation of an independent state Office with professional and impartial procedures.

The Office has performed in accordance with the highest standards and best codes of practice in all aspects of its operations in matters relating to finance, tendering, purchasing, etc.



# DUALGAIS, DEISEANNA agus DUSHLÁIN

## OBLIGATIONS, OPPORTUNITIES and CHALLENGES

Nuair a bheidh *Acht na dTeangacha Oifigiúla 2003* i bhfeidhm go hiomlán, leagfar dualgais teanga ar thrí bhealach éagsúla ar chomhlachtaí poiblí atá ainmnithe san Acht – dualgais reachtúla, dualgais de réir rialacháin agus dualgais de réir “scéime” comhaontaithe.

Ach is léir go dtabharfaidh an tAcht deiseanna nua do chomhlachtaí poiblí freisin forbairt agus eagair nua a chur ar na seirbhísí trí mheán na Gaeilge a chuirtear ar fáil don phobal ar bhonn ordúil, ciallmhar, céimnithe.

Thar thréimhse ama, tabharfaidh an tAcht deiseanna nua don chuid sin den phobal atá inniúil agus ar mhian leo an teanga a úsáid ina gcuid cumarsáide, é sin a dhéanamh mar cheart agus iad i mbun gnóthaí leis an státchóras.

Cothóidh an tAcht dúshlán freisin do chomhlachtaí poiblí. Is beag amhras atá ann ach go bhfuil an leibhéal reatha de sheirbhísí trí Ghaeilge atá á tairiscint ag cuid mhór den státchóras fíoriseal ar fad. Beidh an córas eagraithe, pleanáilte, atá i gcroílár an Achta ag teastáil leis an scéal a fheabhsú ach caithfear glacadh leis nach leasófar teipeanna na mblianta thar oíche nó gan dua.

Tá tuairimíocht cloiste agam le linn na bliana ó chomhlachtaí poiblí éagsúla faoi imní a bheith orthu go bhfuil easpa cumais nó easpa líofachta sa Ghaeilge i measc a mball foime. Is cinnte gur dúshlán é do na comhlachtaí poiblí sin a ndóthain foime a chumasú le freastal ar a ndualgais teanga don phobal faoin Acht.

### Gá le hathbhreithniú cuimsitheach

Cúis imní dom a leithéid de thuairiscí faoi easpa cumais nó easpa líofachta sa teanga a bheith buanaithe san oiread sin d'fhostaithe an státchórais, go háirithe i bhfianaise na hinfheistíochta atá déanta i múineadh na Gaeilge i gcóras oideachais na tíre.

Tá na céadta milliún euro á n-infheistiú – d'fhéadfadh €500m a bheith i gceist gach bliain – i múineadh na Gaeilge sa chóras oideachais (ar aon dul le múineadh an Bhéarla agus ábhair eile), nuair a chuirtear sa chuntas céatadán d'amchlár na scoileanna a thugtar don teanga ó naíonáin bheaga sa bhunscoil go leibhéal na hArdteistiméireachta.

When the *Official Languages Act 2003* is fully in force, public bodies named in that Act will have a duty to provide for services to the public through Irish in three different ways – by directly applicable statutory obligations, by obligations in accordance with regulations, and by obligations in accordance with agreed “schemes”.

It is clear, however, that the Act will also afford fresh opportunities to public bodies to restructure and enhance, in an orderly, practical and phased manner, the services through Irish which they provide to the public.

Over a period of time, the Act will allow members of the public who are capable and desirous of using Irish when conducting their business with the public bodies named in the Act to do so as of right.

The Act will also present state bodies with challenges. There is little doubt that the current level of service through Irish offered by many state bodies is very low. However, the orderly and planned approach enshrined in this Act will improve this situation, but it must be accepted that the failure of years will not be righted overnight or without effort.

During the past year various public bodies have expressed their concerns to me about the lack of competency in Irish among their staff. Obviously, there is a challenge here for those public bodies to ensure that they have a sufficient number of staff who achieve a level of competence in Irish that will allow their organisations to fulfil their language obligations to the public in accordance with the Act.

### Need for a comprehensive review

The fact that such a lack of ability or fluency in the language is widespread among so many employees in the public sector is a matter of no little concern to me, especially in the light of the investment which has been made in the teaching of Irish, in the educational system of the country.

Hundreds of millions of euro are being invested – perhaps as much as €500m annually – in the teaching of Irish in the educational system (in line with the teaching of English and other subjects), when one takes into account the percentage of the school time-table devoted to the language from the infants in primary school to the school leavers at Leaving Cert level.

## DUALGAIS, DEISEANNA agus DUSHLÁIN

### OBLIGATIONS, OPPORTUNITIES and CHALLENGES

Is fíor nach bhfuil sa chaiteachas seo ach “costas deise” seachas costas breise, ach léiríonn sé toil an Stáit go mbeadh saibhriú déanta ar shaol daoine trína gcumasú sa teanga náisiúnta agus sa phríomhtheanga oifigiúil atá ina cuid luachmhar lárnach dár n-oidhreacht chultúrtha.

Áirítear go bhféadfadh beagnach 1,500 uair a chloig d’oiliúint sa teanga a bheith á gcur ar fáil do dhaltáí scoile thar tréimhse 13 bliana ón gcéad lá ar bhunscoil go lá fágtha na scoile ag an dara leibhéal.

Is léir gur gá an cheist a chur an bhfuil an Stát ag fáil luach a chuid airgid ar an infheistíocht seo más fíor go bhfuil easpa cumais agus easpa líofachta sa teanga ag an oiread sin daoine a chuaigh tríd an gcóras oideachais, fiú ina gcás siúd ar éirigh leo grád maith a fháil sa Ghaeilge ina gcuid scrúduithe cinn cúrsa?

Creidim go bhfuil géarghá le hathbhreithniú cuimsitheach, fuarchúiseach ar gach gné d’fhoghlaim agus de mhúineadh na Gaeilge sa chóras oideachais, le cinntiú go mbeidh sé mar thoradh ar mhór-infheistíocht leanúnach an Stáit sa teanga go mbeidh ardchumas agus líofacht sa teanga ag daltaí ar fhágáil scoile dóibh tar éis 13 bliana a chaitheamh ag foghlaim na teanga, má táimid dáiríre faoin teanga a chur chun cinn i ngach gné de shaol na tíre – an riarachán poiblí san áireamh.

Creidim go láidir nár chóir an locht ar fad maidir le heaspa líofachta sa teanga ag oiread daoine a tháinig tríd an gcóras oideachais a chur ar mhúinteoirí na tíre astu féin. Ní chreidim gur chóir an locht a chur ar an teanga ach an oiread – ní chuirfí an locht ar choincheap na matamaitice mar ábhar dá mbeadh an fhadhb chéanna ag baint le sealbhú cumais san ábhar sin, tar éis infheistíocht mhór a dhéanamh ina teagasc.

Creidim gur gá breathnú go grinn ar gach gné d’fhoghlaim na teanga – oiliúint múinteoirí, an curaclam, téacsleabhair agus áiseanna teagaisc, seirbhísí tacaíochta, an mhúinteoireacht, córais chigireachta, agus scrúduithe san áireamh – agus córas comhtháite, forásach a fhorbairt a chinnteoidh go mbeidh líofacht sa teanga mar thoradh ar mhór-infheistíocht an stáit sa réimse seo den oideachas.

Admittedly, this constitutes “opportunity cost” rather than additional cost, but it demonstrates the desire of the State to enrich the life of the individual by providing the opportunity to learn Irish, the national language, which is also the first official language, and a valuable and central part of our identity and cultural heritage.

It is estimated that almost 1,500 hours of tuition in the Irish language is provided to school pupils over a period of 13 years, from their first day at primary school to the end of secondary level.

This clearly raises the question: is the State getting value for money from this investment, if it is true that so many are going through the educational system without achieving a reasonable command of the language – even in the case of students who succeed in getting a high grade in Irish in their final examinations?

I believe that there is an urgent need for a comprehensive and impartial review of every aspect of the learning and teaching of Irish in the educational system, so as to ensure that the continuous and substantial State investment in Irish will ensure that students, having spent thirteen years learning the language, acquire a reasonable fluency or command of the language by the time they complete their schooling. This is essential if we are serious about promoting Irish in every aspect of national life, including public administration.

I firmly believe that teachers should not carry all the blame for the absence of fluency in the language on the part of so many people who have come through the educational system. I don’t believe either that the blame can be attached to the language itself – any more than one would blame the concept of mathematics as a subject if a similar difficulty were to be encountered in acquiring an ability in maths after considerable investment in the teaching of the subject.

Instead, I believe that it is necessary to look closely at every aspect of language learning – taking into account such matters as; teacher training, curriculum, textbooks, teaching methods, teaching aids, support services, inspection systems, and examinations. The aim should be to develop an integrated and progressive system which will



# DUALGAIS, DEISEANNA agus DUSHLÁIN

## OBLIGATIONS, OPPORTUNITIES and CHALLENGES

Creidim go bhfuil sé thar am an cheist a chur – céard iad na hathruithe chun feabhais is féidir a thabhairt i bhfeidhm sa chóras a d'fhágfadh toradh níos fearr i dtaca le máistreacht na ndaltaí ar an teanga mar luach saothair ar chaiteachas an Stáit?

Tá géarghá le díospóireacht phoiblí ar an ngné fhíor-thábhachtach seo de shaol na tíre.

Is ceart a mheabhrú nár chóir go mbainfeadh an Ghaeilge le haon chuid amháin de phobal na tíre seo ach le gach cuid di. Ba thrua é dá gceilfi cumas sa teanga agus na deiseanna saoil a théann leis sin ar aon chuid den phobal sin.

Ag tráth go bhfuil an tAontas Eorpach ag moladh an ilteangachais agus ag treisiú ar an mbéim ar éagsúlacht teanga, ní miste cuimhneamh go gcreideann teangeolaithe go bhféadfadh 90% de líon na dteangacha atá in úsáid ar fud an domhain anois a bheith cailte faoi cheann 100 bliain. Faoi phobal na hÉireann ar fad atá sé a chinntiú nach mbeidh an Ghaeilge i measc na dteangacha sin a chaillfear.

### Dúshlán don Phobal

Sa bhreis ar na dúshláin a thabharfaidh an tAcht do chomhlachtaí poiblí na tíre, tabharfaidh sé dúshlán freisin don phobal – úsáid rialta a bhaint as na seirbhísí breise trí mheán na Gaeilge a bheidh ar fáil ón státchóras in imeacht ama de bharr na reachtaíochta nua.

Is fíor gur mhinic gur dheacair don duine aonair a ghnó a dhéanamh go furasta leis an stát trí Ghaeilge san am atá caite – ach de réir mar a thiocfaidh méadú ar chumas an Stáit seirbhísí a chur ar fáil trí Ghaeilge, beidh dúshlán ann don phobal atá inniúil ar an nGaeilge an teanga sin a roghnú agus iad i mbun cumarsáide leis an Stát.

ensure competency in the language in return for the substantial state investment in this area of education.

Accordingly, now is the time to ask what changes for the better can be made in the system which will allow this fluency in the language to be achieved by students and repay the State's investment?

A public debate on this very important aspect of Irish life is essential.

It should always be borne in mind that the Irish language does not belong exclusively to any one section of the people, but to everyone. It would be a matter of regret if anyone were to be prevented from acquiring an ability in the language and the life advantages which go with it.

At a time when the European Union is encouraging multilingualism and emphasising the value of language diversity, it should not be forgotten that linguistic experts believe that as many as 90% of the languages in use in the world today may be dead in a hundred years time. The responsibility for ensuring Irish is not one of those that will perish rests with all of the Irish people.

### A Challenge to the Public

In addition to the challenges which it presents to public bodies in general, the Act also offers a challenge to the general public – to make regular use of the extra services through Irish which will become available over time from state bodies as a result of this new legislation.

There is no doubt that it has often proven difficult in the past for an individual to conduct their business with the state in Irish. But as the State's ability to provide its services in Irish improves, there will be a challenge for those members of the public who are competent in Irish to choose to use that language in their communications with state bodies.

## CÚLRA NA REACHTAÍOCHTA

### BACKGROUND TO THE LEGISLATION

Cuireadh deireadh leis an riachtanas Gaeilge a bheith ag duine le post a fháil sa tseirbhís phoiblí sa bhliain 1974. Shocraigh Rialtas an lae go mbeadh an Ghaeilge agus an Béarla ar chomhchéim as sin amach i gcomórtais iontrála na státseirbhíse, go mbeadh ar chumas iarrthóirí an Ghaeilge nó an Béarla, nó an dá theanga sin, a thairiscint i gcomórtais agus go dtabharfaí creidiúint d'iarrthóirí a bheadh oilte sa dá theanga.

Sna blianta a lean an socrú sin laghdaigh cumas na státseirbhíse le soláthar fóna a dhéanamh dóibh siúd ar mhian leo gnó a dhéanamh trí Ghaeilge.

Chuir gluaiseacht na Gaeilge tús le feachtas ag lorg Bille Cearta Teanga nó Acht Teanga i ndeireadh na seachtóidí agus mhair díospóireacht faoin gceist ar feadh breis agus scór bliain.

D'fhoilsigh an Rialtas treoirlínte a d'ullmhaigh Bord na Gaeilge sa bhliain 1993 maidir leis na seirbhísí trí Ghaeilge a chuirfeadh an tseirbhís phoiblí ar fáil. Ní raibh bonn reachtúil leis na treoirlínte sin ná aon chóras foirfe monatóireachta le cinntiú go gcuirfí i bhfeidhm iad. Ba bheag den státchóras a d'fheidhmigh de réir na dtreoirlínte sin.

Sa bhliain 2002 d'fhoilsigh an comhrialtas idir Fianna Fáil agus an Páirtí Daonlathach an chéad dréacht de Bhille a raibh sé mar chuspóir aige soláthar níos mó de sheirbhísí i nGaeilge a chur ar fáil sa tseirbhís phoiblí ar chaighdeán níos airde.

Rinneadh plé, forbairt agus leasuithe éagsúla ar an mBille sin ina dhiaidh sin, go dtí gur glacadh leis sa Dáil agus sa Seanad d'aonghuth i Samhradh na bliana 2003.

An tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta, Éamon Ó Cuív T.D., a threoraigh an leagan deireanach den Bhille tríd an Oireachtas.

Shínigh Uachtarán na hÉireann, Máire Mhic Ghiolla Íosa, Acht na dTeangacha Oifigiúla 2003 ina dhlí ar 14 Iúil 2003.

Tá sé mar chuspóir ag an Acht soláthar níos mó de sheirbhísí i nGaeilge a chur ar fáil ón tseirbhís phoiblí ar chaighdeán níos airde. Bheadh súil go mbeadh sé mar thoradh ar fheidhmiú an Achta go gcruthófaí spás nua don Ghaeilge i gcóras

In 1974 knowledge of Irish ceased to be a requirement for anyone applying for a position in the public service. The government of the day decided that Irish and English would henceforth be treated equally in the entrance examinations for the civil service. That meant that candidates could offer Irish or English, or both languages, in the competitions, and credit would be given to those who qualified in both.

The years following this arrangement saw a decline in the ability of the public service to provide an effective service to people who wished to transact their business through Irish.

By the end of the seventies, Irish language organisations had started to campaign for a Language Rights Bill or Language Act. The debate on this issue continued for more than twenty years.

In 1993 the Government issued guidelines prepared by Bord na Gaeilge in respect of the services through Irish to be provided by the public service. These non-statutory guidelines had no legal basis, nor was any effective monitoring system put in place to ensure compliance. Few in the state system operated in accordance with the guidelines.

In 2002 the coalition government of Fianna Fáil and the Progressive Democrats published the first draft of a bill which was aimed at increasing the quality and quantity of public services through Irish.

The bill was debated and developed, and various amendments were made as a result. Finally, in the Summer of 2003, it was passed unanimously by both Dáil and Seanad.

The Minister for Community, Rural and Gaeltacht Affairs, Éamon Ó Cuív TD, steered the Bill in its final form through the Oireachtas.

The President of Ireland, Mary McAleese, signed the Official Languages Act into law on 14th July 2003.

The primary objective of the Act is to ensure the provision of more and better services through Irish by the public service. It is hoped that implementation of the Act will create new space for the language within the public administration of the

## CÚLRA NA REACHTAÍOCHTA

### BACKGROUND TO THE LEGISLATION

riaracháin phoiblí na tíre. Cuireann an tAcht struchtúr nua reachtúil maidir le seirbhísí Stáit trí Ghaeilge in áit na socruithe éagsúla a bhí ann roimhe sin – ina measc, treoirlínte deonacha Bhord na Gaeilge (1993) nó Ciorclán 10/48 na Roinne Airgeadais (1948).

Tá an tAcht á thabhairt i bhfeidhm de réir a chéile, thar thréimhse ama. Is léiriú é ar chuid amháin d'aidhm teanga an Stáit mar thaca leis na hiarrachtaí eile an teanga a chur chun cinn san oideachas, sa chraoltóireacht, sna healaíona, i saol na Gaeltachta agus i gcúrsaí an tsaoil go ginearálta.

country. The Act replaces previous efforts and arrangements including the voluntary guidelines of Bord na Gaeilge (1993) and Department of Finance Circular 10/48 (1948) with new statutory structures.

The Act is being implemented on a phased basis. It forms one element of the State's support of the language, the main thrust of which is to promote Irish in education, broadcasting, the arts, Gaeltacht life and in public life generally.

## OIFIG

### OFFICE

**Shocraigh an Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta i gcomhar le hOifig na nOibreacha Poiblí go bhforbrófaí spás don oifig nua i gcuid d'fhoirgneamh a thógfaí ar léas ó Údarás na Gaeltachta sa Spidéal, Co. na Gaillimhe.**

Cuireadh spás ar fáil go sealadach dúinn in Ionad Gnó na bhForbacha, Co. na Gaillimhe, go dtí Samhain 2004, go dtí go raibh an chuid sin den fhoirgneamh nua a bheadh á sealbhú againn curtha in ord agus in eagar.

Is mór agam an comhoibriú a fuair muid le linn dúinn a bheith ag feidhmiú go sealadach sna Forbacha fad is a bhí socruithe á ndéanamh lenár lonnú ar bhonn níos buaine sa Spidéal, Co. na Gaillimhe.

**The Department of Community, Rural and Gaeltacht Affairs arranged, in conjunction with the Office of Public Works, that accommodation would be provided for this new Office within a new premises leased from Údarás na Gaeltachta in An Spidéal, Co. Galway.**

Temporary office space was made available in Ionad Gnó na bhForbacha, Co. Galway, up to November 2004, while development work was being undertaken on the new premises.

We greatly appreciate the cooperation which we received while we were temporarily based in Na Forbacha, pending the completion of the arrangements for our more permanent home in An Spidéal, Co. Galway.

## OBAIR WORK

**Mar a bheifí ag súil leis, tá cuntas cuimsitheach sa tuarascáil tionscnaimh seo ar obair na hOifige go deireadh na bliana 2004.**

Is ceart a shoiléiriú, áfach, nach raibh i bhfeidhm ach cuid d'Acht na dTeangacha Oifigiúla 2003 sa tréimhse sin – rud a chuir teorainn le réimse na hoibre agus le húdaráis na hOifige.

Bhí sé i gceist ón tús gur de réir a chéile a thabharfaí forálacha an Achta i bhfeidhm, ach is ceart a mheabhú go mbeidh gach foráil den Acht nach bhfuil i ngníomh roimhe sin i bhfeidhm ar an 14 Iúil 2006 – 3 bliana tar éis don Uachtarán a séala a chur leis.

Baineann croílár an Achta le scéimeanna teanga a chomhaontóidh an Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta le comhlachtaí poiblí éagsúla an Stáit. Má chomhaontaítear “scéim” le gach comhlacht poiblí in imeacht ama, d’fhéadfadh suas le 650 scéim teanga a bheith faoi bhráid na hOifige seo le monatóireacht a dhéanamh orthu. Ach sa tréimhse bhunaidh go deireadh 2004, an tréimhse is ábhar don tuarascáil seo, ní raibh ach aon scéim amháin daingnithe faoin Acht – scéim na Roinne Gnóthaí Pobail, Tuaithe agus Gaeltachta féin, cé go raibh an obair ullmhúcháin ar 25 “dréachtscéim” eile idir lámha ag deireadh na bliana sin.

Ó tharla, mar sin, gan ach cuid den Acht a bheith i bhfeidhm agus gan ach tús curtha le próiseas na scéimeanna faoin Acht, is cinnte nach raibh an chumhacht ag an Oifig nua déileáil go húdaráisach le gach gearán, fadhb agus deacracht maidir le seirbhísí stáit trí Ghaeilge a cuireadh inár láthair. San áit nach raibh údaráis iomlán againn chuige fós de dheasca cuid den Acht gan a bheith feidhmithe nó de bharr gan “scéim” a bheith comhaontaithe, bheartaíomar oiread cabhrach agus ab fhéidir a sholáthar de réir “spiorad na reachtaíochta”.

Ba mhór agam an comhoibriú chuige sin a fuair m’Oifig ó iliomad comhlachtaí poiblí ar fud na tíre le fadhbanna, deacrachtaí agus gearáin a réiteach, fiú i gcásanna nuair nach raibh dualgas iomlán dlíthiúil orthu é sin a dhéanamh de réir an Achta.

**As is to be expected, this inaugural report contains a comprehensive account of the work of the Office up to the end of 2004.**

It is right to point out, however, that only part of the *Official Languages Act 2003* was in force during that period. This consequently limited the authority of the Office and the range of activities undertaken.

It was intended from the outset that the provisions of the Act would be introduced on a phased basis. It should be remembered, however, that all the provisions of the Act not previously in force will take effect on the 14th July 2006, that is, three years from the date the President signed the Act into law.

Language schemes are central to the Act. These are schemes which are to be agreed by the Department of Community, Rural and Gaeltacht Affairs with a variety of public bodies. As “schemes” are agreed over time with every public body, it is possible that this Office will be responsible for monitoring as many as 650 language schemes. In the initial period, however, to the end of 2004, which is the subject of this report, only one such scheme had been confirmed under the Act – the scheme of the Department of Community, Rural and Gaeltacht Affairs itself. By year’s end, work was in progress on the preparation of twenty-five other draft schemes.

Since, in the event, only part of the Act was in force, and since the preparation of schemes had only commenced, it is not surprising that this new Office was not in a position to deal authoritatively with every complaint, problem and difficulty which came our way concerning state services through Irish. Nevertheless, in situations where we did not yet have full authority either because the Act was still not fully in force or because schemes were not yet agreed, we sought to give as much help as possible in resolving complaints under “the spirit of the legislation”.

I greatly appreciate the cooperation which we received in that same spirit from so many public bodies throughout the country when we approached them to seek their help in resolving problems, difficulties and complaints. This was the case even when there was, as yet, no legal obligation in these matters on those bodies under the Act.

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

Bhí sé fíorthábhachtach, le linn tréimhse bhunaidh na hOifige nua seo, go dtabharfaí faoi mhodhanna éagsúla le heolas a scaipeadh faoi ról agus faoi fheidhmeanna na hOifige.

Rinneamar é sin go deireadh 2004 ar sé bhealach dhifriúla:

- trí léachtanna, óráidí agus seimineáir éagsúla ar fud na tíre
- trí chuairteanna réigiúnacha
- trí agallaimh sna meáin chumarsáide éagsúla
- trí fhorbairt suíomh gréasáin dátheangach: [www.coimisineir.ie](http://www.coimisineir.ie)
- trí fhoilsiú agus scaipeadh pacáiste eolais
- trí fhógraíocht theoranta sna meáin Ghaeilge.

### ÓRÁIDÍ, LÉACHTAÍ AGUS SEIMINEÁIR

Le linn na bliana bhí mé páirteach i 38 ócáid phoiblí a bhain le cúram na hoifige. Thug mé 29 léacht / óráid ar théamaí éagsúla a bhain le cearta teanga an phobail agus le dualgaí teanga an Stáit ag ócáidí ar leith ar fud na tíre. Ghlac mé páirt i 9 seimineár eile ina raibh óráidí chomh maith le seisiúin ceisteanna agus freagraí leis an lucht éisteachta i gceist.

#### Óráidí agus Léachtaí

*Eochairchaint – 27 Feabhra 2004*

Tóstal na Gaeilge 2004 – Bóthar na Trá, Gaillimh

*Óráid Oscailte – 05 Márta 2004*

Éigse Uladh 2004 – Gaoth Dobhair,  
Co. Dhún na nGall

*Óráid – 15 Márta 2004*

Bronnadh duaiseanna Ghlór na nGael 2004,  
Teach Farmleigh, Baile Átha Cliath

*Óráid Oscailte – 18 Márta 2004*

Éigse an Spidéil 2004, An Spidéal, Co. na Gaillimhe

*Óráid – 25 Márta 2004*

Ócáid seolta áiseanna foghlama teanga –  
Muintearas, Tír an Fhia, Co. na Gaillimhe

*Óráid – 26 Márta 2004*

Craobh na hÉireann, Díospóireachtaí Ghael Linn  
2004, Maigh Nuad, Co. Chill Dara

During the initial phase of setting up the new Office, it was vitally important to undertake various methods of disseminating information about our role and functions.

We did this, up to the end of 2004, in six different ways:

- by addresses, lectures and seminars of various kinds throughout the country
- by way of regional visits
- by media interviews
- by developing a bilingual website: [www.coimisineir.ie](http://www.coimisineir.ie)
- by publishing and distributing/information pack
- by limited Irish language media advertising.

### ADDRESSES, LECTURES AND SEMINARS

During the year I participated in thirty-eight public events concerning the work of the Office. I gave twenty-nine lectures and talks throughout the country on specific occasions. These dealt with various aspects of the public's language rights and the State's language obligations. I also participated in nine seminars which involved addresses as well as "question and answer sessions" with the audience.

#### Addresses and Lectures

*Keynote Speech – 27 February 2004*

Tóstal na Gaeilge – Salthill, Galway

*Opening address – 05 March 2004*

Éigse Uladh – Gaoth Dobhair, Co. Donegal

*Address – 15 March 2004*

Presentation of awards, Glór na nGael 2004,  
Farmleigh House. Dublin

*Opening address – 18 March 2004*

Éigse an Spidéil 2004, An Spidéal, Co. Galway

*Address – 25 March 2004*

Occasion to mark launch of language teaching aids  
– Muintearas, Tír an Fhia, Co. Galway

*Address – 26 March 2004*

All Ireland Final Gael Linn Debates 2004,  
Maynooth, Co. Kildare

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

### Óráidí agus Léachtaí

*Óráid Oscailte – 02 Aibreán 2004*

Ard-Fheis Chonradh na Gaeilge 2004,  
Inis, Co. an Chláir

*Léacht – 06 Aibreán 2004*

Tionól eagraithe ag Pobal, Béal Feirste,  
Co Aontroma

*Léacht – 20 Aibreán 2004*

Comhdháil ag Cigirí de chuid na Roinne Oideachais  
agus Eolaíochta, An Tulach Mhór, Co Uíbh Fhailí

*Óráid – 22 Aibreán 2004*

Ócáid seolta clár ríomhaireachta Gaeilge  
– Foras na Gaeilge, Baile Átha Cliath

*Óráid – 27 Aibreán 2004*

Ócáid seolta (le Coimisinéir Teanga Cheanada)  
cúrsa nua iarchéime i staidéar an dátheangachais  
ag Fiontar DCU, Baile Átha Cliath

*Óráid – 07 Bealtaine 2004*

Ócáid seolta féile litríochta don óige – Pléaráca,  
An Cheathrú Rua, Co na Gaillimhe

*Eochairchaint – 14 Bealtaine 2004*

Comhdháil ar chúrsaí teanga in Éirinn agus san  
Fhionlainn ag an mBiúró Eorpach do Theangacha  
Neamhfhorleathana i gColáiste na Tríonóide,  
Baile Átha Cliath

*Eochairchaint – 19 Bealtaine 2004*

Cruinniú cinn bliana Chumann na Teangeolaíochta  
Feidhmí i gColáiste na Tríonóide, Baile Átha Cliath

*Óráid – 21 Bealtaine 2004*

Ócáid seolta seisiúin eolais ar sheirbhísí teanga ag  
Glór na nGael agus ag an gCoiste Pobail i  
Ros a' Mhíl, Co. na Gaillimhe

*Óráid – 19 Meitheamh 2004*

Cruinniú chinn bhliana Chomhaltas Uladh,  
Béal Feirste, Co. Aontroma

*Óráid – 22 Meitheamh 2004*

Ócáid seolta bailiúchán foclóirí  
– Foras na Gaeilge, Baile Átha Cliath

*Léacht – 28 Iúil 2004*

Cúrsa Gaeilge ag Oideas Gael  
– Gleann Cholm Cille, Co. Dhún na nGall

*Léacht – 27 Lúnasa 2004*

Daonscoil na Mumhan 2004 – An Rinn,  
Co. Phort Láirge

### Addresses and Lectures

*Opening address – 02 April 2004*

Ard-Fheis Chonradh na Gaeilge 2004,  
Ennis, Co. Clare

*Lecture – 06 April 2004*

Conference organised by Pobal, Belfast

*Lecture – 20 April 2004*

Inspectors' Conference, Department of Education  
and Science, Tullamore, Co. Offaly

*Address – 22 April 2004*

Occasion to mark launch of Irish language  
computer programme – Foras na Gaeilge, Dublin

*Address – 27 April 2004*

Occasion to mark launch (with the Language  
Commissioner, Canada) of new post-graduate  
course in bilingual studies – Fiontar, Dublin City  
University, Dublin

*Address – 07 May 2004*

Occasion marking launch of youth literary festival –  
Pléaráca, An Cheathrú Rua, Co. Galway

*Keynote Speech – 14 May 2004*

Conference on language developments in Ireland  
and Finland, under the aegis of the Bureau for  
Lesser-Used Languages – Trinity College Dublin

*Keynote Speech – 19 May 2004*

Annual General Meeting, Irish Association of Applied  
Linguistics – Trinity College Dublin

*Opening address – 21 May 2004*

Occasion to mark launch of informational session  
on language services – Glór na nGael and  
An Coiste Pobail in Ros a' Mhíl, Co. Galway

*Address – 19 June 2004*

Annual General Meeting, Comhaltas Uladh, Belfast

*Address – 22 June 2004*

Occasion marking launch of compendium of  
dictionaries- Foras na Gaeilge, Dublin

*Lecture – 28 July 2004*

Irish Language Course organised by Oideas Gael,  
Gleann Cholm Cille, Co. Donegal

*Lecture – 27 August 2004*

Daonscoil na Mumhan 2004 – An Rinn,  
Co. Waterford



## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

### Óráidí agus Léachtaí

*Léacht – 16 Meán Fómhair 2004*

An cúigiú siompóisiam idimáisiúnta ar “Teanga agus Polaitíocht” Ollscoil na Ríona, Béal Feirste, Co. Aontroma

*Óráid / Preasagallamh – 30 Meán Fómhair 2004*

Ócáid seolta na chéad scéime teanga (scéim na Roinne Gnóthaí Pobail, Tuaithe agus Gaeltachta) – Lárionad Preas an Rialtais, Baile Átha Cliath

*Óráid – 12 Deireadh Fómhair 2004*

Ócáid seolta leabhair ar shráidainmneacha na cathrach ag Comhairle Cathrach Bhaile Átha Cliath – Baile Átha Cliath

*Eochairchaint – 14 Deireadh Fómhair 2004*

Ócáid seolta Fhéile an Fhómhair 2004 ag Glór na nGael agus Comhairle Contae Cheatharlach, Ceatharlach

*Óráid – 11 Samhain 2004*

Óráid (tugtha thar cheann an Choimisinéara Teanga ag Bainisteoir na hOifige) ag comhdháil de phríomhfheidhmeannaigh na gCoistí Gairm-Oideachais i gCaisleán an Bharraigh, Co. Mhaigh Eo

*Óráid – 20 Deireadh Fómhair 2004*

Cruinniú de Choiste Cúram Leanaí Mhaigh Eo – Caisleán an Bharraigh, Co Mhaigh Eo

*Óráid – 30 Deireadh Fómhair 2004*

Ócáid seolta suíomh idirlíon na hoifige, [www.coimisineir.ie](http://www.coimisineir.ie) le linn Fhéile an Oireachtais 2004, Leitir Ceanainn, Co. Dhún na nGall

*Léacht – 20 Samhain 2004*

Comhdháil eagraithe ag Coiste Cúram Leanaí Chontae na Gaillimhe, Gaillimh

*Óráid Fáiltithe- 22 Samhain 2004*

Ócáid fáiltithe do léachtóir idimáisiúnta ar Chearta Teanga agus an Dlí ag Fiontar DCU – Baile Átha Cliath

*Léacht – 25 Samhain 2004*

Comhdháil ag Príomhoidí agus Leas-Phríomhoidí – scoileanna cuimsitheacha agus pobalscoileanna – Ceatharlach

### Addresses and Lectures

*Lecture – 16 September 2004*

Fifth International Symposium on “Language and Politics” Queen’s University, Belfast

*Address / Press Conference – 30 September 2004*

Occasion marking launch of the first Language Scheme (Scheme of the Department of Community, Rural and Gaeltacht Affairs) – Government Press Centre, Dublin

*Address – 12 October*

Occasion to mark launch of new bilingual book on Dublin city street names by Dublin City Council, Dublin

*Keynote Speech – 14 October 2004*

Occasion to launch Féile an Fhómhair by Glór na nGael and Carlow County Council – Carlow

*Address – 11 November 2004*

Talk (given on behalf of the Coimisinéir Teanga by the Office Manager) at Conference of Chief Executives of the Vocational Education Committees in Castlebar, Co. Mayo

*Address – 20 October 2004*

Meeting of Coiste Cúram Leanaí Mhaigh Eo/Mayo Childcare Committee – Castlebar, Co. Mayo

*Address – 30 October 2004*

Occasion to mark the launch of the Office website, [www.coimisineir.ie](http://www.coimisineir.ie) during Féile an Oireachtais 2004, Letterkenny, Co. Donegal

*Address – 20 November 2004*

Conference organised by Coiste Cúram Leanaí Chontae na Gaillimhe/County Galway Childcare Committee – Galway

*Introductory Remarks – 22 November 2004*

Comments as introduction to lecture by international expert on Language Rights and Law arranged by Fiontar, DCU – Dublin

*Lecture – 25 November 2004*

Conference of Principals and Vice-Principals of Comprehensive and Community Schools – Carlow

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

### Seimineáir

*Seimineár – 27 Bealtaine 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag Gael Taca, Cathair Chorcaí

*Seimineár – 29 Meitheamh 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag Glór na nGael agus Comhairle Contae Ros Comáin, Ros Comáin

*Seimineár – 08 Meán Fómhair 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár le linn cúrsa eagraithe ag Gaelagras na Seirbhíse Poiblí, An Cheathrú Rua, Co. na Gaillimhe

*Seimineár – 24 Meán Fómhair 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár le linn cúrsa eagraithe ag Gaelagras na Seirbhíse Poiblí, An Cheathrú Rua, Co. na Gaillimhe

*Seimineár – 06 Deireadh Fómhair 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag Glór na nGael sa tSionainn, Co. an Chláir

*Seimineár – 09 Samhain 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag Údarás na Gaeltachta – Baile Bhuirne, Co. Chorcaí

*Seimineár – 10 Samhain 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag Comhairle Contae Phort Láirge agus Údarás na Gaeltachta – Dún Garbhán, Co. Phort Láirge

*Seimineár – 16 Samhain 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag An Foras Riaracháin – Baile Átha Cliath

*Seimineár – 10 Nollaig 2004*

Óráid agus seisiún ceisteanna / freagraí ag seimineár poiblí eagraithe ag An Foras Riaracháin – Luimneach

### Seminars

*Seminar – 27 May 2004*

Address followed by question and answer session at public seminar organised by Gael Taca, Cork City

*Seminar – 29 June 2004*

Address followed by question and answer session at public seminar organised by Glór na nGael and Roscommon County Council, Roscommon

*Seminar – 08 September 2004*

Address followed by question and answer session at seminar organised by Gaelagras na Seirbhíse Poiblí (Public Service), An Cheathrú Rua, Co. Galway

*Seminar – 24 September 2004*

Address followed by question and answer session at seminar during course organised by Gaelagras na Seirbhíse Poiblí, An Cheathrú Rua, Co. Galway

*Seminar – 06 October 2004*

Address followed by question and answer session at public seminar organised by Glór na nGael, Shannon, Co. Clare

*Seminar – 09 November 2004*

Address followed by question and answer session at public seminar organised by Údarás na Gaeltachta – Baile Bhuirne, Co. Cork

*Seminar – 10 November 2004*

Address followed by question and answer session at public seminar organised by Waterford County Council and Údarás na Gaeltachta, Dungarvan, Co. Waterford

*Seminar – 16 November 2004*

Address followed by question and answer session at public seminar organised by the Institute of Public Administration – Dublin

*Seminar – 10 December 2004*

Address followed by question and answer session at public seminar organised by the Institute of Public Administration – Limerick

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

### CUAIRTEANNA RÉIGIÚNACHA

Ó tharla ár nOifig a bheith lonnaithe i nGaeltacht na Gaillimhe, mheas mé go raibh sé tábhachtach go mbeadh fáil ar bhaill den fhoireann i gceantair Ghaeltachta eile agus i gcuid de mhórchathracha na tíre ó am go chéile le casadh leis an bpobal.

Chuiqe sin, sa chéad bhliain d'eagraíomar ceithre chuairt réigiúnacha le deis a thabhairt don phobal ceisteanna a tharraingt anuas linn faoi chearta teanga, nó gearáin a dhéanamh linn faoi dheacrachtaí le seirbhísí i nGaeilge. Thug ionadaithe foirme cuairt ar na háiteanna seo a leanas:

#### **Co. Dhún na nGall – Gaith Dobhair**

Dé Céadaoin 1 Nollaig 2004

#### **Cathair Bhaile Átha Cliath**

Déardaoin 2 Nollaig 2004

#### **Co. Chiarraí – An Daingean**

Dé Luain 6 Nollaig 2004

#### **Cathair Chorcaí**

Dé Máirt 7 Nollaig 2004.

Tugadh poiblíocht do na cuairteanna réigiúnacha seo sna meáin éagsúla agus ag gach seisiún tháinig baill den phobal i láthair le heolas a fháil faoi *Acht na dTeangacha Oifigiúla 2003*, le comhairle a fháil faoina gcearta teanga agus le gearáin a chur inár láthair.

Bhí seastán eolais ag an oifig ag Féile an Oireachtais 2004 i **Leitir Ceannainn, Co. Dhún na nGall**.

### NA MEÁIN CHUMARSÁIDE

Ó fógraíodh go raibh mé le ceapadh mar Choimisinéir Teanga go deireadh na bliana 2004 rinne mé 80 agallamh éagsúil sna meáin chumarsáide inar pléadh gnéithe difriúla de chúraimí na hOifige, an reachtaíocht nua teanga, agus mo dhearcadh ar cheisteanna ar leith a bhain le cúrsaí teanga i gcóras poiblí na tíre.

Ba leis na meán cumarsáide Ghaeilge a bhí formhór na n-agallamh sin. Bhain péire de na hagallaimh le meáin idimáisiúnta (ón bhFionlainn agus ó Phoblacht na Seice).

### REGIONAL VISITS

Our Office is located in the Galway Gaeltacht. I considered it important that members of staff should be available in other Gaeltacht areas, and in some of the principal cities of the country, from time to time, in order to meet the public.

Accordingly, in our first year we organised four regional visits to give members of the public an opportunity to raise issues about language rights or to discuss complaints about difficulties in obtaining service through Irish. Members of staff from the Office visited to the following places:

#### **Co. Donegal – Gaith Dobhair**

Wednesday, 1 December 2004

#### **Co. Dublin – City Centre**

Thursday, 2 December 2004

#### **Co. Kerry – An Daingean**

Monday, 6 December 2004

#### **Cork City – City Centre**

Tuesday, 7 December 2004.

These regional visits were publicised in the various media, and at every session members of the public attended to obtain information about the *Official Languages Act 2003*, to obtain advice about language rights, and to make complaints.

The Office also had an information stand at Féile an Oireachtais 2004 in **Letterkenny, Co. Donegal**.

### THE MEDIA

From the announcement of my appointment as Coimisinéir Teanga until the end of 2004, I have given 80 interviews to the media in which various aspects of the remit of the Office were discussed, as well as the new language legislation, and my views on particular issues relating to language matters in the public administration of the country.

Most of those interviews were conducted with Irish language media. Two of them were with international media (from Finland and the Czech Republic).

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

I measc na meáin chumarsáide a ndearna mé agallaimh leo bhí –

RTÉ Raidió na Gaeltachta, Nuacht TG4, Cláir TG4 (Ardán, 7 Lá, An Tuath Nua), Foinse, Lá, Nuacht RTÉ, BBC Raidió Uladh, RTE Radio 1, Tuarascáil, *The Irish Times*, *The Irish Examiner*, *Irish Independent*, Today FM, Sky News Ireland, *Donegal News and Derry People*, Raidió na Life, *Connacht Tribune*, *Galway Advertiser*, Clare FM, Deise AM, LMFM, KCLR, *Phoenix*, *Saol*, *Public Affairs Ireland*, Radio Kerry.

Ba mhaith liom buíochas a ghabháil leis na hiriseoirí sin ar fad a chuir suim in obair na hOifige seo le linn na bliana, agus a thacaigh le cur chun cinn na hoibre sin trína gcuid tuairisceoireachta i mBéarla agus i nGaeilge.

Is ceart a lua go raibh, dar liom, roinnt den tuairisceoireacht a rinneadh ar *Acht na dTeangacha Oifigiúla 2003* – go háirithe cuid de na tuairiscí i gcuid de na meáin Bhéarla – bunaithe ar mhíthuiscintí agus ar áibhéil faoin reachtaíocht nua agus faoin gcostas a bhainfeadh lena chur i bhfeidhm.

Cúis imní é go bhfuil an chosúlacht ar an scéal go bhfuil dhá dhíospóireacht an-éagsúil faoi chúrsaí teanga ar siúl beag beann ar a chéile – i mBéarla agus i nGaeilge – i meáin na tíre.

Tríd is tríd, tá an díospóireacht faoi chúrsaí teanga sna meáin Ghaeilge cuimsitheach, leathan agus leanúnach, ach is minice ná a mhalairt gur go hannamh, go himeallach nó fiú go diúltach, a phléitear cás na Gaeilge i meáin Bhéarla na tíre.

Tá, ar ndóigh, géarghá le diananailís, sainscrúdú, agus ceistiúchán rialta, criticiúil ar gach gné de pholasaí teanga an Stáit sna meáin sa dá theanga, ach creidim gur léir go bhfuil sé ríthábhachtach go mbeadh an díospóireacht sin bunaithe ar fhíricí agus ar fhírinne seachas ar thuairimíocht.

The media outlets which conducted interviews included –

RTÉ Raidió na Gaeltachta, Nuacht TG4, TG 4 Programmes (Ardán, 7 Lá, An Tuath Nua), *Foinse*, *Lá*, Nuacht RTÉ, BBC Radio Ulster, RTÉ Radio 1, Tuarascáil, *The Irish Times*, *The Irish Examiner*, *Irish Independent*, Today FM, Sky News Ireland, *Donegal News and Derry People*, Raidió na Life, *Connacht Tribune*, *Galway Advertiser*, Clare FM, Deise FM, LMFM, KCLR, *Phoenix*, *Saol*, *Public Affairs Ireland*, Radio Kerry.

I would like to thank all the journalists who showed interest in the work of this Office during the year, and who helped to further that work through their reportage in both English and Irish.

I think it only right to mention, however, that some reporting on the *Official Languages Act 2003* – particularly some reports in some of the English language media – seemed to be based on misunderstandings and exaggerated perceptions of the new legislation and the costs associated with its implementation.

It is a matter of some concern to me that there appears to be two considerably different debates about language matters which bear no relation to each other in the media of the country, one in English and the other in Irish.

By and large, the discussion on language issues in the Irish language media is comprehensive, broad and on-going while, more often than not, the subject of Irish in the English language media is dealt with in a more sporadic, peripheral and, often, negative way.

There is, of course, a continuous need for in-depth analysis, critical examination and regular questioning of every aspect of the language policy of the State in the media in both languages. But I believe it is self-evident that such debate should be founded on fact and truth rather than speculation and guesswork.

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

### SUÍOMH GRÉASÁIN

Rinneadh forbairt le linn na bliana ar shuíomh gréasáin dátheangach, [www.coimisineir.ie](http://www.coimisineir.ie), a fheidhmíonn mar ionad ilfhreastail, nó mar ionad lárnach eolais do gach a mbaineann le hAcht na dTeangacha Oifigiúla 2003 agus le hOifig an Choimisinéara Teanga.

Is féidir teacht ar chóip den Acht, chomh maith leis na hIonstraimí Reachtúla, na rialacháin agus na treoirlínte a bhaineann leis an Acht, ar an suíomh seo, chomh maith le heolas faoi chearta teanga an phobail agus faoi dhualgais teanga na gcomhlachtaí poiblí.

An tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta a sheol an suíomh gréasáin nua go hoifigiúil le linn Fhéile an Oireachtais i Leitir Ceanainn, Co. Dhún na nGall.

### PACÁISTE EOLAIS

Cuireadh pacáiste eolais clóite dátheangach ar fáil le linn na bliana, ina bhfuil cur síos ar chearta teanga an phobail faoin Acht, ar dhualgais teanga na gcomhlachtaí poiblí faoin Acht, agus ar ról Oifig an Choimisinéara Teanga. Scaipeadh cóipeanna den phacáiste eolais ar gach comhlacht poiblí a thagann faoi scáth na reachtaíochta, ar bhaill den phobal agus i measc eagraíochtaí Gaeilge agus Gaeltachta.

### FÓGRAÍOCHT

Thug an oifig faoi fheachtas fógraíochta teoranta sna meáin Ghaeilge le sonraí teagmhála na hoifige a scaipeadh i measc an phobail.

### WEBSITE

A bilingual website was developed during the year, [www.coimisineir.ie](http://www.coimisineir.ie), which operates as a “one stop shop” or as a central information point, in relation to everything that pertains to the *Official Languages Act 2003*, and to the Office of An Coimisinéir Teanga.



On this site it is possible to access a copy of the Act, as well as the Statutory Instruments, and the regulations and guidelines relating to the Act. It is also possible to get information there about the language rights of the public and the language obligations of public bodies.

The Minister for Community, Rural and Gaeltacht Affairs officially launched the new website during Féile an Oireachtais in Letterkenny, Co. Donegal.



Seoladh Pacáiste Eolais:  
Seán Ó Cuirreáin agus Éamon Ó Cuív, T.D.,  
Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta.

Launch of Information Pack:  
Seán Ó Cuirreáin and Éamon Ó Cuív, T.D.,  
Minister for Community, Rural and Gaeltacht Affairs.

### INFORMATION PACK

A bilingual information pack in print form which sets out the language rights of the public under the Act, the obligations of public bodies under the Act, and the role of the Office of An Coimisinéir Teanga was also published during the year. Copies of this information pack have already been distributed to all public bodies which come within the scope of the legislation, to members of the public, and to Irish language and Gaeltacht organisations.

### ADVERTISING

The Office undertook a limited campaign of advertising in the Irish language media in order to provide the contact information details of the Office.

## AG SCAIPEADH AN SCÉIL SPREADING THE WORD

### COMHAIRLE MAIDIR LE DUALGAIS

Tugann Alt 21(e) d'Acht na dTeangacha Oifigiúla 2003 mar cheann d'fheidhmeanna Oifig an Choimisinéara Teanga comhairle nó cúnamh eile a sholáthar do chomhlachtaí poiblí a thagann faoi scáth na reachtaíochta maidir lena ndualgais faoin Acht.

Rinneadh é sin trí léachtanna agus seimineáir éagsúla, trí na meáin chumarsáide, trí fhorbairt an tsuimh ghréasáin dhátheangaigh [www.coimisineir.ie](http://www.coimisineir.ie), agus trí fhoilsiú agus scaipeadh pacáiste eolais.

Sa bhreis air sin, rinne an Oifig teagmháil tríd an bpost le gach comhlacht poiblí roinnt uaireanta le linn na bliana. Tairgeadh comhairle dóibh maidir lena ndualgais agus dá thoradh sin rinne ionadaithe ó chomhlachtaí poiblí teagmháil leis an oifig 113 uair le linn na bliana ar thóir eolais agus comhairle. I gcásanna áirithe ba cheisteanna sonracha ar leith a bhí i gceist; i gcásanna eile theastaigh léargas cuimsitheach ar a ndualgais ar fad faoin Acht.

Bhí na teagmhálacha seo sa bhreis ar iliomad ceisteanna a cuireadh agus comhairle a lorgaíodh ag na seimineáir phoiblí le linn na bliana.

Líon na gcásanna le linn na bliana inár lorg comhlacht poiblí comhairle maidir lena ndualgais teanga faoi fhorálacha an Ahta
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113
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Creidim go bhfuil fíorthábhacht leis an réimse seo d'obair na hOifige. Dá mhéad comhairle agus eolais shoiléir chruinn a chuirtear ar fáil do chomhlachtaí poiblí faoina ndualgais faoin Acht, is ea is fearr is féidir a chinntiú go gcloífear le forálacha an Ahta. Ar an mbealach sin is féidir cúis ghearáin an phobail a laghdú.

Cabhróidh a leithéid de straitéis le leibhéal na ngearán a choinneáil íseal agus inláimhsithe.

### ADVICE ON RESPONSIBILITIES

One of the functions of the Office of An Coimisinéir Teanga, as listed in Section 21(e) of the *Official Languages Act 2003*, is to provide advice and other assistance to public bodies who come within the scope of the Act regarding their duties under the Act.

This function was performed by means of lectures and seminars, through media work, by developing the bilingual website [www.coimisineir.ie](http://www.coimisineir.ie), and by publishing and distributing copies of the information pack.

In addition to that, my Office wrote to all public bodies on a number of occasions during the year. Advice was offered to them with regard to their obligations and, as a result of this, representatives of public bodies contacted my Office on 113 occasions during the year to seek information and advice. In some instances, information on specific issues was requested; in others, a comprehensive overview of all obligations under the Act was sought.

These contacts were additional to the numerous questions asked, and the advice sought, at the public seminars held in the course of the year.

Number of cases during the year when public bodies requested advice about their obligations under the Act
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113
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I believe that this aspect of the work of the Office is of particular importance. The provision of clear and accurate advice and information to public bodies in relation to their obligations under the Act will ease the process of ensuring compliance with the provisions of the legislation. In this way the causes of complaints can be reduced.

This kind of strategy will help to keep complaints to a low and manageable level.



## COMHOIBRIÚ agus CAIDREAMH COOPERATION and LIAISON

**Le linn na bliana bhunaigh m'Oifig caidreamh dearfach le hiliomad eagraíochtaí eile, ina measc eagraíochtaí stáit agus eagraíochtaí teanga.**

Ba mhór agam an tacaíocht leanúnach a fuair m'Oifig ón Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta le linn na bliana.

Bhí eagraíochtaí stáit eile fial flaithiúil lena gcomhairle agus lena gcúnamh – go háirithe oifig an Ombudsman – agus táim buíoch dóibh.

Thug eagraíochtaí Gaeilge agus Gaeltachta gach cúnamh dúinn – ina measc, Comhdháil Náisiúnta na Gaeilge, Údarás na Gaeltachta, Glór na nGael, Conradh na Gaeilge, Foras na Gaeilge, Gaeleagras na Seirbhíse Poiblí, an tOireachtas, Gaeltaca agus tuilleadh nach iad.

**During the year my Office developed positive relations with many other organisations, including public bodies and language associations.**

I greatly appreciate the sustained support given by the Department of Community, Rural and Gaeltacht Affairs throughout the year.

Other state organisations were generous with advice and assistance – particularly the Office of the Ombudsman – and I am grateful to them.

Irish language and Gaeltacht organisations gave us every encouragement. Among them were Comhdháil Náisiúnta na Gaeilge, Údarás na Gaeltachta, Glór na nGael, Conradh na Gaeilge, Foras na Gaeilge, Gaeleagras na Seirbhíse Poiblí, An tOireachtas, Gael Taca and others.

*Seán Ó Cuirreáin leis an Dr. Dyane Adam agus an Dr Peadar Ó Flatharta, FIONTAR DCU.*



*Seán Ó Cuirreáin with Dr. Dyane Adam and Dr Peadar Ó Flatharta, FIONTAR DCU.*

Bhunaigh m'Oifig caidreamh dearfach le hOifig Choimisinéir na dTeangacha Oifigiúla i gCeanada, agus ba chúis áthais dom casadh le Coimisinéir Teanga Cheanada, an Dr Dyane Adam, i mBaile Átha Cliath le linn na bliana. Tá Acht Teanga agus Oifig Coimisinéara Teanga i gCeanada le breis agus 30 bliain agus taitní mhór acu sa réimse seo ar fiú tarraingt air.

Tá comhoibriú bunaithe againn freisin leis an Oifig i Roinn Dlí agus Cirt na Fionlainne atá freagrach as cur chun cinn Acht Teanga na tíre sin, a thugann cearta do lucht labhartha na Sualainnise ansin. Chas mé le linn na bliana i mBaile Átha Cliath leis an té atá freagrach as monatóireacht a dhéanamh ar fheidhmiú an Achta sin, an Dr. Paulina Talroth, agus bhí ionadaíocht ag m'Oifig ar thoscaireacht Éireannach a chuaigh ar cuairt oideachais chuig institiúid Rialtais agus teanga san Fhionlainn le linn na bliana. Le linn na cuairte sin thug bainisteoir na hOifige, Damhnait Uí Mhaoldúin, léacht i dTithe na Parlaiminte i Helsinki ar bhunú agus ar fheidhmiú na hoifige seo.

My Office established positive contacts with the Office of the Official Languages Commissioner in Canada. I had the pleasure of meeting the Canadian Language Commissioner, Dr Dyane Adam, in Dublin during the year. Canada has had a Language Act and a Language

Commissioner's Office for more than thirty years, and has acquired a valuable amount of worthwhile experience in this area.

We have also established cooperative links with the Office in the Department of Justice in Finland, which has responsibility for promoting the Language Act in that country and which caters for the language rights of the Swedish-speaking part of the population there. During the year I had the pleasure of meeting, in Dublin, with Dr Paulina Talroth, who is responsible for monitoring the operation of that Act. My Office was also represented on a Irish delegation which paid an educational visit to Government and language institutes in Finland in the course of the year. During that visit, our Office Manager, Damhnait Uí Mhaoldúin, delivered an address in the Houses of Parliament in Helsinki on the establishment and operation of our Office.

## COMHOIBRIÚ agus CAIDREAMH COOPERATION and LIAISON

Chas mé freisin le linn na bliana leis an saineolaí idimáisiúnta ar dhlí teanga, an Dr. Fernand de Varennes as Ollscoil Murdoch san Astráil, le linn dó a bheith ar cuairt chun na tíre seo mar aoi ag Fiontar in Ollscoil Chathair Bhaile Átha Cliath.

I gcaitheamh na bliana freisin thug mé roinnt cuairteanna ar Thuaisceart Éireann ar chuireadh ó ghrúpaí teanga ansin.

Lasmuigh de na heagraíochtaí sin a chabhraigh le bunú na hOifige nua seo, bhí cuid mhór daoine aonair nár staon ina n-iarrachtaí le comhairle nó cúnamh eile a sholáthar dúinn. Glacaim buíochas leo ar fad.

During the year I also met Dr Fernand de Varennes of Murdoch University in Australia, an international authority on language law who visited Ireland as a guest of Fiontar in Dublin City University.

In the course of the year I paid a number of visits to Northern Ireland at the invitation of local language groups.

Apart from those organisations which helped us in establishing the new Office, there were very many individuals who were unstinting in their efforts to provide us with advice or assistance. I offer my thanks to all of them.

## AN GHAEILGE I dTITHE AN OIREACHTAIS IRISH IN THE HOUSES OF THE OIREACHTAS

**Dheimhnigh Alt 6 den Acht – a tugadh i bhfeidhm ar an 19 Eanáir 2004 – ceart an duine a bheadh ag láithriú os comhair ceachtar Teach den Oireachtas nó os comhair coiste, comhchoiste, nó fochoiste de Thithe an Oireachtais, ceachtar de na teangacha oifigiúla a úsáid.**

Bhí an ceart seo aitheanta in orduithe seasta Thithe an Oireachtais roimhe seo, ach tugadh stádas dlíthiúil don cheart sin leis an alt seo den Acht.

Tá córas aistriúcháin comhuainigh curtha ar fáil i dTithe an Oireachtais le cinntiú nach mbeadh an té nach bhfuil Gaeilge aige faoi mhíbhuntáiste de bharr an tsocraithe seo: tá aistriúchán i mBéarla ar fáil dóibh i gcluasáin don mhéid a deirtear trí Ghaeilge.

Ach is léir nach ionann ceart a bheith ar fáil agus úsáid a bheith á baint as an gceart sin.

Dhearbhaigh Oifig na nDíospóireachtaí i dTithe an Oireachtais do m'Oifige le linn na bliana go raibh níos lú na 1% de na díospóireachtaí sa Dáil agus sa Seanad trí Ghaeilge sa bhliain roimhe sin.

Ciallaíonn sin, gur geall le hinstiúid aonteangach Béarla iad Tithe an Oireachtais, le breis agus 99% de na díospóireachtaí trí Bhéarla iontu. Is follasach

**Section 6 of the Act – which came into force on 19th January 2004 – confirms the right of anyone appearing before either House of the Oireachtas, or before any committee, joint committee, or subcommittee of the Houses of the Oireachtas, to use either of the official languages.**

This right was already recognised in the Standing Orders of the Houses of the Oireachtas, but has now been given legal status on foot of this section of the Act.

A simultaneous translation system is operational in the Houses of the Oireachtas to ensure that any person who does not understand Irish will not be put at a disadvantage; an English translation of anything said in Irish is available on headphones.

But it is obvious that the mere availability of a right does not necessarily mean that widespread use will be made of that right.

The Debates Office in the Houses of the Oireachtas confirmed to my Office in the course of the year that less than 1% of the Dáil and Seanad debates in the previous year were conducted through Irish.

This means that the Houses of the Oireachtas are in effect virtually monolingual institutions, where

## AN TEANGA I dTITHE AN OIREACHTAIS IRISH IN THE HOUSES OF THE OIREACHTAS

óna bpáirtíocht i ndíospóireachtaí ar na meáin Ghaeilge, idir raidió agus theilifís, nach léargas firinneach ar bith é an figiúr seo ar líon na dTeachtaí Dála agus Seanadóirí a bhfuil cumas díospóireachta trí Ghaeilge iontu.

Bíonn súil le ceannasaíocht ó ionadaithe tofa. Caitheann an cheist a chur, cén chúis atá lena laghad Gaeilge a bheith á úsáid i ndíospóireachtaí i dTithe an Oireachtais?

Dá leanfaí d'imeallú na teanga agus dá fágáil ar lár ar an mbealach seo sna hinstiúidí is tábhachtaí i saol na tíre, ba dheacair a chreidiúint nach mbeadh impleachtaí móra aige d'inmharthanacht na teanga.

Tháinig an t-eolas faoi laghad na ndíospóireachtaí trí Ghaeilge chun solais de bharr gearán a rinneadh le m'Oifige go raibh Tuairisceoirí Parlaiminte á lorg do Thithe an Oireachtais agus, cé go raibh "sáreolas ar an mBéarla" riachtanach do na ceapacháin, nach raibh aon tagairt d'eolas ar an nGaeilge. Dheimhnigh Oifig na ndíospóireachtaí go raibh a leordhóthain foirme acu cheana féin a bhí inniúil ar an nGaeilge i bhfianaise a laghad díospóireachtaí a bhí le tuairisciú acu sa teanga sin. Ba dheacair argóint a dhéanamh ina choinne sin i bhfianaise na bhfigiúirí seo.

more than 99% of the debates are conducted in English. It is clear, however, from their participation in debates in the Irish language media, both on radio and television, that this figure is by no means a true reflection of the number of TDs and Senators who are capable of debating in Irish.

One expects leadership from elected representatives. The question must therefore be asked, why is so little Irish used in debates in the Houses of the Oireachtas?

If the language continues to be marginalised and sidelined like this in the most important institutions in the life of the country, it is difficult to imagine that it will not have grave implications for the future viability of the language.

This information about the infrequency of debates in Irish came to light as a result of a complaint made to my Office when Parliamentary Reporters were being sought for the Houses of the Oireachtas. While "competence in English" was considered essential for appointment, no mention was made in the recruitment advertisements of a requirement for competency in Irish. The Debates Office confirmed that a sufficient number of staff with competency in Irish was already available, in view of the fact that there were so few debates in Irish to be reported. It would be hard to dispute this argument in the light of these figures.

## FREAGRAÍ AR CHUMARSÁID SA TEANGA CHÉANNA REPLYING TO COMMUNICATIONS IN THE SAME LANGUAGE

**Leagan Alt 9(2) d'Acht na dTeangacha Oifigiúla 2003 an dualgas ar chomhlachtaí poiblí freagraí i nGaeilge a thabhairt ar chumarsáid i scríbhinn nó leis an bpost leictreonach sa teanga chéanna sin. Tháinig an t-alt sin den Acht i bhfeidhm ar an 19 Eanáir 2004.**

Bhain 13% de na gearáin a rinneadh le m'Oifig le linn na bliana le cásanna inár dúradh gur thug chomhlachtaí poiblí freagraí i mBéarla ar chumarsáid leo i nGaeilge i scríbhinn nó le ríomhphost.

**Section 9 (2) of the Official Languages Act 2003 requires public bodies to reply in Irish to communications in writing or by electronic mail received in that language. This section of the Act came into force on 19th January 2004.**

Thirteen per cent of the complaints received by my Office during the year related to cases where it was alleged that public bodies issued replies in English to correspondence in Irish by post or e-mail.

## FREAGRAÍ AR CHUMARSÁID SA TEANGA CHÉANNA

### REPLYING TO COMMUNICATIONS IN THE SAME LANGUAGE

Nuair a chuir m'Oifig na gearáin seo i láthair na gcomhlachtaí poiblí cuí, ghlacadar ar fad leis i ngach cás go rabhadar as bealach. (Bhí roinnt bheag de na gearáin seo fós idir lámha ag deireadh na bliana agus súil lena réiteach go luath in 2005). I bhformhór na gcásanna glacadh leithscéal leis an té nár freagraíodh i nGaeilge, cuireadh freagra ar fáil dóibh i nGaeilge agus go minic tugadh míniú ar an gcúis gur tharla an deacracht. I bhformhór na gcásanna ba de bharr míthuisceana nó botúin dhaonna a tharla na fadhbanna a bhí gceist.

Ba chúis sásaimh dom a chlos ón oiread sin comhlachtaí poiblí ar ndeamadh gearán leo sa chás seo go raibh córais deimhnithe acu le cinntiú nach dtarlódh an deacracht chéanna arís.

Cé nach bhfuilimid fós ach i dtús an tionscnaimh seo, creidim thar thréimhse ama go mbuanófar an coincheap i dtuiscint agus i meon chomhlachtaí poiblí na tíre go n-éilíonn litir nó ríomhphost i nGaeilge freagra sa teanga chéanna i gcónaí. Má cinntítear go bhfuil córais ann le déileáil le cumarsáid trí Ghaeilge agus daoine ann atá inniúil sa ghnó seo, bheifí ag súil gur chóir go rachadh líon na ngearán ar an ábhar seo i laghad dá réir sin.

Beidh sé tábhachtach a chinntiú nach bhfuil aon mhoill bhreise i gceist le déileáil le cumarsáid de bharr í a bheith i nGaeilge. Dá dtarlódh a mhalairt, agus dá mbeadh moill bhreise i gceist de bharr úsáid na Gaeilge, b'fhánach an ní é tabhairt ar aon duine muinín a bheith acu go mbeadh cothrom na féinne á fháil acu agus iad i mbun cumarsáide scríofa trí Ghaeilge le comhlachtaí poiblí.

When my Office presented these complaints to the public bodies concerned, they acknowledged in all cases that they were at fault. (At year's end there remained a small number of cases in hand, but these were expected to be finalised early in 2005). In most of the cases brought to my attention an apology was issued by the public body to the correspondent who had not received an answer in Irish, a reply in Irish was sent, and in many cases an explanation was offered as to the reason for the problem. In the majority of cases the difficulty arose as a result of misunderstanding or human error.

It was a source of satisfaction to me to hear from so many of the public bodies who had been contacted by this Office in relation to such complaints, that they had put in place arrangements to ensure that problems of this kind would not happen again.

While our endeavours are still at an early stage, I believe that over a period of time a new understanding and a new mind-set will be established in the public bodies of the country to the effect that a letter or e-mail in Irish always requires a response in the same language. If organisations ensure that systems are in place to deal with correspondence in Irish, and have ensured that adequate staff have acquired the necessary skills to deal with the matter, it is reasonable to expect that the volume of complaints on this subject will decrease.

It will be important to ensure that dealing with correspondence is not delayed simply because it is in Irish. If such were to happen, and if the use of Irish were to create any additional delay, it would be unrealistic to expect anyone to have confidence that communicating in Irish with public bodies would mean that matters would be dealt with as efficiently and as effectively as if the communications were in English.

## FOILSIÚ COMHUAINÉACH AR DHOICIMÉID ÁIRITHE

### SIMULTANEOUS PUBLICATION OF CERTAIN DOCUMENTS

**Cuireann Alt 10 den Acht dualgas ar chomhlachtaí poiblí doiciméid áirithe a fhoilsiú go comhuaineach i ngach ceann de na teangacha oifigiúla. Tháinig an t-alt seo den Acht i bhfeidhm ar an 1 Bealtaine 2004.**

Ceithre chineál doiciméid a thagann faoin bhforáil seo den Acht faoi láthair – aon doiciméad ina leagtar amach tograí beartais phoiblí, aon tuarascáil bhliantúil, aon chuntas iniúchta nó ráiteas airgeadais agus aon ráiteas straitéise a cheanglaítear a ullmhú faoi Alt 5 den Acht um Bainistíocht na Seirbhíse Poiblí 1997.

Rinne m'Óifig monatóireacht leanúnach ar fhoilsiú doiciméad faoi Alt 10 le linn na bliana, agus tosaíodh ar staidéar ar leith ar thionchar an ailt sin sa chéad tréimhse sé mhí ina raibh sé i bhfeidhm, idir tús Bhealtaine agus deireadh Mhí Dheireadh Fómhair 2004 le béim ar leith ar thuarascálacha bliantúla.

Is ceart a mheabhú nach raibh dualgais foilsithe go comhuaineach sa dá theanga ar na doiciméid áirithe seo ar chuid mhór comhlachtaí poiblí sa bhliain 2004 mar go raibh na doiciméid chúil foilsithe acu roimh 1 Bealtaine 2004 – an dáta ar ar tháinig an fhoráil seo i bhfeidhm. Ní thagann gach doiciméad a fhoilsíonn comhlacht poiblí faoi scáth na reachtaíochta ach an oiread; doiciméid den aicme atá sonraithe in Alt 10 den Acht amháin atá i gceist.

Ón eolas a bhí ar fáil dom ag deireadh na bliana 2004, ag tráth nach bhféadfaí a bheith ag súil go mbeadh pictiúr iomlán ar fáil agus go raibh ár dtaighde céaduaire ag leanúint ar aghaidh, is féidir suntas a thabhairt do roinnt treonna agus ceannlínte:

- D'éirigh le formhór mór na gcomhlachtaí poiblí ar a raibh dualgas a dtuarascálacha bliantúla a fhoilsiú go comhuaineach sa dá theanga oifigiúla an dualgas sin a chomhlíonadh.
- I gcuid mhaith de na cásanna nár foilsíodh na doiciméid seo go comhuaineach sa dá theanga, foilsíodh an leagan i nGaeilge gan mhoill tar éis an leagain i mBéarla, agus dearbhaíodh i ngach cás go mbeadh an foilsiú go comhuaineach as seo amach.

**Section 10 of the Act requires public bodies to publish certain documents simultaneously in each of the official languages. This section came into effect on 1st May 2004.**

At present there are four types of document covered by this requirement in the Act: any document which sets out public policy proposals, any annual reports, any audited accounts or financial statements, and any statements of strategy which are required to be prepared under section 5 of the Public Service Management Act 1997.

In the course of the year my Office continuously monitored the publication of documents under Section 10 of the Act. We began a specific study of the implementation of this section over the first six months of its operation, between the beginning of May and the end of October 2004 with particular emphasis on the publication of annual reports.

It should be borne in mind that in 2004 in the case of a large number of public bodies there was no legal obligation to publish these documents simultaneously in both languages since the documents in question were published before 1st May 2004 – the commencement date of this provision of the Act.

Furthermore, not every document published by a public body comes within the ambit of this section of the legislation: the only documents which are required to be published simultaneously in both languages are those specifically listed in Section 10.

From the information available to me at the end of the year 2004, at a stage when it would not have been reasonable to expect a full picture to have emerged, and when our own initial research was still in progress, it was still possible to identify a number of trends and headlines:

- The great majority of public bodies which were required to publish their annual reports simultaneously in the two official languages complied with their obligations.
- In many of the cases, where the documents were not published simultaneously in both languages, the Irish version was published subsequent to the English version, and assurances were given that publication would be simultaneous from now on.

## FOILSIÚ COMHUAINÉACH AR DHOICIMÉID ÁIRITHE

### SIMULTANEOUS PUBLICATION OF CERTAIN DOCUMENTS

- I measc na míniúchán a tugadh i gcásanna nár foilsíodh doiciméid éagsúla go comhuaineach sa dá theanga bhí;
  - míthuiscint faoin dualgas reachtúil
  - fadhb le haistriúchán
  - fadhb le buiséid airgid
  - míthuiscint faoi thúsdata na forála seo.

Scrúdaigh m'Oifig 144\* tuarascáil bhliantúil ón tréimhse 1 Bealtaine 2004 go dtí 31 Deireadh Fómhair 2004. Foilsíodh 124 acu sin go comhuaineach sa dá theanga oifigiúla.

Cé nach raibh ár dtaighde críochnaithe go hiomlán ag deireadh na bliana, is féidir a thuairisciú nár chomhlíon an fiche comhlacht poiblí (20) seo a leanas a ndualgas reachtúil faoin alt amháin seo den Acht, mar nár fhoilsigh siad go comhuaineach i ngach ceann de na teangacha oifigiúla tuarascáil bhliantúil dá gcuid don bhliain 2003 tar éis 1 Bealtaine 2004, cé gur fhoilsigh cuid acu leagan i nGaeilge den tuarascáil níos déanaí ná an leagan Béarla:

- Aer Rianta
- An Bord Seirbhísí Liachta Ginearálta (íocaíochtaí)
- An Coimisiún um Athchóiriú an Dlí
- An Foras Riaracháin
- An tÚdarás Sláinte agus Sábháilteachta
- An tÚdarás um Bóithre Náisiúnta
- Bord Sláinte an Oir-Dheiscirt
- Coillte Teoranta
- Coiste Gairmoideachais Chontae Laoise
- Coláiste Mhuire gan Smál Luimneach
- Comhairle Cathrach Luimnigh
- Comhairle Chontae Mhuineacháin
- Comhairle Chontae Shligigh
- Comhlacht Forbartha Tuaithe Laoise Teo
- Cuideachta Cuain Phort Láirge
- Muintir na Tíre
- Ospidéal Ollscoile Naomh Uinsinn
- Páirtnéireacht Thamhlachta
- Údarás Réigiúnach an Mheán-Oirthir
- Údarás Réigiúnach an Mheán-Iarthair

- Among the explanations given in cases where various documents were not published simultaneously in both languages were:
  - misunderstanding about the statutory obligations
  - problems with translation
  - budgetary problems
  - misunderstanding about the commencement date of this provision.

My Office examined 144\* annual reports published in the period from 1st May to 31st October 2004. Of these, 124 were published simultaneously in both official languages.

Although our researches were not completed at the end of the year, it is possible to report that the following 20 public bodies had not complied with their statutory obligations under this particular section of the Act, having failed to publish annual reports for the year 2003 simultaneously in each of the official languages, when publication occurred after 1st May 2004 (although some did publish an Irish language version after the English language version):

- Aer Rianta
- General Medical Services (Payments) Board
- The Law Reform Commission
- Institute of Public Administration
- Health and Safety Authority
- The National Roads Authority
- South-Eastern Health Board
- Coillte Teoranta
- Laois Vocational Education Committee
- Mary Immaculate College Limerick
- Limerick City Council
- Monaghan County Council
- Sligo County Council
- Laois Rural Development Company Ltd
- Port of Waterford Company
- Muintir na Tíre
- St. Vincent's University Hospital
- Tallaght Partnership
- Mid-East Regional Authority
- Mid-West Regional Authority



## FOILSIÚ COMHUAINÉACH AR DHOICIMÉID ÁIRITHE

### SIMULTANEOUS PUBLICATION OF CERTAIN DOCUMENTS

Níor chomhlíon na 3 cinn de Ranna Rialtais seo a leanas a ndualgais faoin fhoráil seo den Acht sna cúinsí ar leith seo :

Dhearbhaigh An Roinn Dlí, Comhionannais agus Athchóirithe Dlí gur foilsíodh 19 Tuarascáil Bhliantúil éagsúla faoi údarás na Roinne sin. Foilsíodh trí cinn acu sin go comhuaineach sa dá theanga oifigiúla agus i gcás na 16 cinn eile bhí an leagan i mBéarla foilsithe roimh an leagan i nGaeilge.

Foilsíodh tuarascáil bhliantúil na Roinne Cumarsáide, Mara agus Acmhainní Nádurtha go leictreonach agus i bhfoirm cloíte i mBéarla ach níor foilsíodh ag an am céanna an leagan i nGaeilge ach go leictreonach.

Foilsíodh tuarascáil bhliantúil amháin faoi údarás na Roinne Sláinte agus Leanaí i mBéarla ach níor foilsíodh go comhuaineach i nGaeilge ach cuid den tuarascáil áirithe sin.

*\*Níl na cásanna seo san áireamh sa 144 tuarascáil bhliantúil a ndéantar tagairt dóibh níos luaithe.*

I gcás comhlachta poiblí amháin – eagraíocht tráchtála leathstáit – a d'fhoilsigh go comhuaineach sa dá theanga a dtuarascáil bhliantúil, ba léir gur leagan saorga den doiciméid a foilsíodh i nGaeilge i gcomparáid leis an leagan lándaite, snasta a cuireadh ar fáil i mBéarla. Ghlac an comhlacht poiblí leis nach raibh comhionannas i gceist san iarracht seo; thug fadhbanna ar leith mar leithscéal; agus dúirt go mbeadh an dá leagan ar chomhchéim feasta, bíodh sin saorga nó snasta.

Dhearbhaigh aon chomhlacht poiblí déag (11) gur fhoilsigh siad ráitis straitéise de bharr ceangal a bheith orthu chuige sin faoi Alt 5 den Acht um Bainistíocht na Seirbhíse Poiblí 1997 sa tréimhse sé mhí tar éis 1 Bealtaine 2004. Foilsíodh gach ceann acu seo go comhuaineach sa dá theanga oifigiúla.

Líon an-bheag comhlachtaí poiblí a dhearbhaigh go raibh “doiciméid ina leagtar amach tograí beartais poiblí” foilsithe acu i mBéarla nó i nGaeilge le linn na tréimhse 6 mhí tar éis 1 Bealtaine 2004. Creidim go bhféadfadh amhras nó míthuiscint a bheith ar chomhlachtaí poiblí áirithe faoi bhrí na míre seo den Acht agus gur

The following 3 Government Departments did not comply with this provision of the Act in the following specific circumstances:

The Department of Justice, Equality and Law Reform confirmed that 19 different Annual Reports had been published under the direct authority of that Department. Three of those reports were published simultaneously in each of the official languages, while in the case of the remaining 16, the English version was published before the Irish version.

The annual report of the Department of Communications, Marine and Natural Resources was published both electronically and in print format in English but was initially published only electronically in Irish.

One of the annual reports published under the authority of the Department of Health and Children was published in English with only part of that report published simultaneously in Irish.

*\*These specific cases are not included in the 144 annual reports referred to earlier.*

In the case of one public body – a commercial semi-state organisation – which did issue its annual report simultaneously in each of the official languages, the document published in Irish was clearly an inferior product by comparison with the well-finished edition, in full colour, presented in English. The body acknowledged the inequality in this attempt; explained the specific difficulties that had arisen and suggested that in future both versions would be of comparable quality, whether economical or glossy.

Eleven public bodies confirmed that they had published strategy statements under Section 5 of the Public Service Management Act 1997 in the first six month period after the commencement of section 10 of the Official Languages Act. Each of these was published simultaneously in both official languages.

Only a very small number of public bodies confirmed that they had published “documents setting out public policy proposals”, in either English or Irish, in the first six-months period following the commencement of section 10 of the Act. I feel that a certain number of public bodies

## FOILSIÚ COMHUAINÉACH AR DHOICIMÉID ÁIRITHE

### SIMULTANEOUS PUBLICATION OF CERTAIN DOCUMENTS

ábhar é a mbeidh orainn filleadh air lá níos faide anonn.

Ní haon ábhar iontais é go mbeadh roinnt bheag fadhbanna i dtús thréimhse na bhforálacha seo den reachtaíocht, ach creidim go bhfuil sé i bhfad róluath fós a mheas an bhfuil nó nach bhfuil an bunphictiúr folláin. Bheinn dóchasach, áfach, gur féidir thar thréimhse ghairid ama an coincheap a bhuanú i meon comhlachtaí poiblí go n-éilíonn *Acht na dTeangacha Oifigiúla 2003* go bhfoilseofaí na doiciméid thábhachtacha áirithe sin atá sonraithe sa reachtaíocht go comhuaineach i ngach ceann de na teangacha oifigiúla.

Aithním gur thuairisc roinnt bheag comhlachtaí poiblí gur bhraitheadar go raibh deacrachtaí acu socruithe cuí a dhéanamh maidir le haistriúcháin a eagrú. Creidim go bhfuil sé soiléir go bhfuil gá le straitéis forbartha don eamail aistriúcháin, le gur féidir an próiseas foilsitheoireachta comhuainí a éascú do chomhlachtaí poiblí. Tá gá ach go háirithe aghaidh a thabhairt ar cheisteanna oideachais agus oiliúna, acmhainní, agus deimhniú cáilíochtaí. Tá forbairt ar chóras foirfe creidiúnaithe d'aistritheoirí ina bhunriachtanas le muinín na gcomhlachtaí poiblí san eamail aistriúcháin a threisiú.

may be unsure or under a misapprehension regarding the meaning of this section of the Act. It is an issue we may have to revisit at a later date.

It is not surprising that there should have been a number of problems in the early stages of the implementation of these provisions of the legislation. It is, however much too soon to provide a definitive analysis. I would, nevertheless, be hopeful that within a short period of time the concept will become established and embedded in the thinking of public bodies that the *Official Languages Act 2003* requires certain important documents as specified in the legislation to be published simultaneously in each of the official languages.

I note that a small number of public bodies reported difficulties in making appropriate arrangements for translations. I believe that it is clear that a development strategy is required for the translation sector so that potential problems in accessing translations services can be eased. There is need especially to address issues such as education and training, resources and the certification of qualifications. The development of a proper system of accreditation for translators is a basic requirement so that the confidence of public bodies in the translation sector can be enhanced.

# SCÉIMEANNA TEANGA FAOIN ACHT

## LANGUAGE SCHEMES UNDER THE ACT

### Beidh na scéimeanna teanga a ullmhóidh eagrais Stáit na tíre mar chroílár ag an Acht.

Beidh dualgas ar gach comhlacht poiblí "scéim" a ullmhú nuair a iarrann an tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta é sin air, agus beidh ar an gcomhlacht poiblí an scéim sin a chur i bhfeidhm.

Beidh cur síos sa scéim sin ar na seirbhísí a bheartaíonn an comhlacht poiblí a sholáthar trí Ghaeilge amháin, trí Bhéarla amháin nó go dátheangach, agus na céimeanna a bheartaíonn an comhlacht a ghlacadh chun a chinntiú go gcuirfear ar fáil trí Ghaeilge na seirbhísí sin nach bhfuil á soláthar trí Ghaeilge.

Scéim amháin a daingníodh le linn na bliana 2004 – Scéim na Roinne Gnóthaí Pobail, Tuaithe agus Gaeltachta. Foilsíodh an scéim sin – a mhairfidh ar feadh trí bliana – ar an 30 Meán Fómhair 2004.

Le linn na bliana freisin, thug an tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta treoir go ndrúchtódh na comhlachtaí poiblí seo a leanas "drúchtscéim" faoi Alt 11 den Acht roimh dheireadh Mhárta 2005:

#### Ainm na gComhlachtaí Poiblí

- Oifig an Uachtaráin
- Roinn an Taoisigh
- Oifig na gCoimisinéirí Ioncaim
- An Roinn Airgeadais
- An Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil
- An Roinn Ealaíon, Spóirt agus Turasóireacht
- An Roinn Gnóthaí Sóisialacha agus Teaghlaigh
- An Roinn Oideachais agus Eolaíochta
- An Roinn Talmhaíochta agus Bia
- Oifig Choimisinéirí na Státseirbhíse agus na gCoimisinéirí um Cheapacháin
- Oifig an Ombudsman / Oifig an Choimisinéara Faisnéise agus An Coimisiún Reifrinn
- An tSeirbhís Chúirteanna
- An Chomhairle Ealaíon
- Bord Sláinte an Iarthair
- Bord Sláinte an Iar-Thuaiscirt

### Language schemes to be prepared by public bodies will be at the core of the Act.

Every public body will have to prepare a "scheme" when requested to do so by the Minister for Community, Rural and Gaeltacht Affairs. The public body will then be obliged to implement the scheme.

The scheme shall set out the services which the public body intends to provide through Irish only, through English only, or bilingually, and the steps which the body proposes to take in order to ensure that those services which are not available through Irish will be so provided.

One scheme was confirmed in the course of 2004 – the scheme of the Department of Community, Rural and Gaeltacht Affairs. This scheme which was published on 30th September 2004 will last for three years.

During the year, the Minister for Community, Rural and Gaeltacht Affairs also directed that the following public bodies should prepare "draft schemes" under Section 11 of the Act before the end of March 2005:

#### Name of Public Body

- Office of the President
- The Department of the Taoiseach
- The Office of the Revenue Commissioners
- The Department of Finance
- The Department of the Environment, Heritage and Local Government
- The Department of Arts, Sport and Tourism
- The Department of Social and Family Affairs
- The Department of Education and Science
- The Department of Agriculture and Food
- The Office of the Civil Service and Local Appointments Commissioners
- The Office of the Ombudsman/The Office of the Information Commissioner and The Referendum Commission
- The Courts Service
- The Arts Council
- The Western Health Board
- The North-Western Health Board

## SCÉIMEANNA TEANGA FAOIN ACHT

### LANGUAGE SCHEMES UNDER THE ACT

- Coiste Gairmoideachais Chontae Dhún na nGall
- Ollscoil na hÉireann, Gaillimh
- Ollscoil na hÉireann, Má Nuad
- Ollscoil Chathair Bhaile Átha Cliath
- Institiúid Teicneolaíochta na Gaillimhe – Maigh Eo
- Oifig an Stiúrthóra Ionchúiseamh Poiblí
- Comhairle Chontae Chiarraí\*
- Comhairle Chontae Dhún na nGall\*
- Comhairle Chontae na Gaillimhe\*
- Comhairle Chontae Phort Láirge\*

**\* Comhairlí Baile faoi chúram na gComhairlí Contae:**

- Comhairle Baile Bhéal Átha Seanaidh
- Comhairle Baile Bhun Cranncha
- Comhairle Baile Bhun Dobhráin
- Comhairle Baile Leitir Ceanainn
- Comhairle Baile Chill Aime
- Comhairle Baile Lios Tuathail
- Comhairle Baile Thrá Lí
- Comhairle Baile Bhéal Átha na Sluaighe
- Comhairle Baile Bhaile Locha Riach
- Comhairle Baile Thuama
- Comhairle Baile Dhún Garbhán
- Comhairle Baile Leasa Móire
- Comhairle Baile Thrá Mhór

Nuair atá scéim teanga daingnithe ag an Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta, cuirfear faoi bhráid m'Oifige í, le monatóireacht a dhéanamh ar fheidhmiú na scéime sin agus le cinntiú go bhfuiltear ag cloí le na forálacha.

Tiocfaidh méadú ar obair na hOifige seo de réir mar atá scéimeanna nua á gcomhaontú.

- County Donegal Vocational Education Committee
- National University of Ireland, Galway
- National University of Ireland, Maynooth
- Dublin City University
- Galway-Mayo Institute of Technology
- Office of the Director of Public Prosecutions
- Kerry County Council\*
- Donegal County Council\*
- Galway County Council\*
- Waterford County Council\*

**\* Including Town Councils under the aegis of County Councils**

- Ballyshannon Town Council
- Buncrana Town Council
- Bundoran Town Council
- Letterkenny Town Council
- Killarney Town Council
- Listowel Town Council
- Tralee Town Council
- Ballinasloe Town Council
- Loughrea Town Council
- Tuam Town Council
- Dungarvan Town Council
- Lismore Town Council
- Tramore Town Council

When an agreed scheme by a public body has been confirmed by the Minister for Community, Rural and Gaeltacht Affairs, a copy will be forwarded to my Office to facilitate the monitoring of the implementation of the scheme and to ensure compliance.

The work of this Office will increase accordingly as new schemes are agreed.

## GEARÁIN – DEACRACHTAÍ agus FADHBANNA COMPLAINTS – PROBLEMS AND DIFFICULTIES

Mar atá ráite i dtús na tuarascála seo, ní raibh i bhfeidhm ach cuid d'Acht na dTeangacha Oifigiúla 2003 le linn na bliana 2004 – rud a chur teorainn le réimse na ngearán, na ndeacrachtaí agus na bhfadhbanna a raibh údarás oifigiúil ag an Oifig seo déileáil leo. Ní miste a mheabhú freisin nach raibh daingnithe ach scéim teanga amháin faoin Acht i gcaitheamh na bliana, cé go bhféadfadh móriomlán de 650 scéim teanga bheith comhaontaithe le comhlachtaí poiblí in imeacht ama.

Is ar an mbealach seo – de réir a chéile agus thar thréimhse ama – a bhí i gceist riamh Acht na dTeangacha Oifigiúla 2003 a thabhairt i bhfeidhm.

Ó tharla, mar sin, gan ach cuid den Acht i bhfeidhm agus gan ach tús curtha le daingniú scéimeanna faoin Acht, bheartaigh mé gur chóir don Oifig seo sa tréimhse bhunaidh an oiread cabhrach agus ab fhéidir a sholáthar de réir “spiorad na reachtaíochta” dóibh siúd a chreid go raibh cúis gearáin acu de bharr deacrachtaí nó fadhbanna le seirbhísí trí Ghaeilge ón státhóras.

Ba mhór agam an comhoibriú chuige sin a fuair m'Oifig ó iliomad comhlachtaí poiblí ar fud na tíre le fadhbanna, deacrachtaí agus gearáin a réiteach fiú i gcásanna nuair nach raibh dualgas iomlán dlíthiúil orthu é sin a dhéanamh de réir an Achta.

Is mar chóras gearrthéarmach eatramhach amháin a tugadh faoin modh oibre seo. Ní bheadh aon bhrí ná bunús leis an gcineál seo straitéise nuair atá tuilleadh den Acht i bhfeidhm agus scéimeanna teanga á gcomhaontú.

Le linn na bliana, cuireadh 304 cás i láthair m'Oifigse inár chreid baill den phobal go raibh cúis gearáin acu de bharr deacrachtaí nó faidhbe le seirbhísí trí Ghaeilge ón státhóras. Cuireadh comhairle ar leith ar fáil don ghearánaí i gcás 93 cás acu sin agus i gcás 214 cás eile tógadh céimeanna le hiarracht a dhéanamh cúis an ghearáin a réiteach – go minic de réir “spiorad na reachtaíochta” seachas de bharr dualgais de réir fhorálacha an Achta. Tugadh 176 de na cásanna sin chun críche le linn na bliana, agus 35 acu chun cinn go dtí an bhliain 2005.

As has been said at the beginning of this Report, only part of the *Official Languages Act 2003* was in force during the year 2004. This limited the range of complaints, difficulties and problems that my Office was authorised to deal with officially. It should be remembered also that only one language scheme under the Act was confirmed in the course of the year – although it is possible that over time a total of 650 schemes may be agreed with public bodies.

It has always been the intention that effect would be given to the provisions of the *Official Languages Act 2003* on a phased basis, and over a period of time.

In the event, only part of the Act was in force and only a beginning had been made in confirming schemes under the Act in 2004. In this initial foundation period I accordingly decided to attempt to give as much help as possible within “the spirit of the legislation” to people who believed they had grounds for complaint because of the difficulties or problems they experienced in getting service through Irish from public bodies.

I greatly appreciate the cooperation which my Office received from so many public bodies throughout the country with regard to problems, difficulties and complaints, even in cases where there was no strict legal obligation on them under the Act to respond in this way.

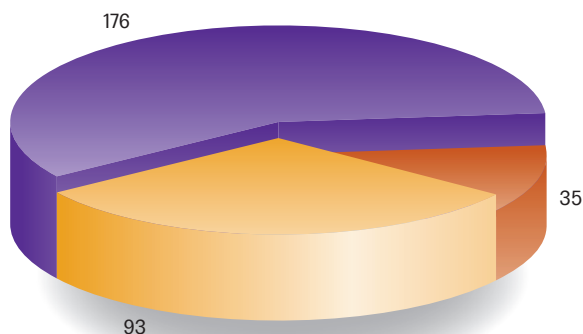
We took this approach simply as an interim measure. There could be no basis or reason for maintaining this strategy in the long-term when further provisions of the Act are in force and when more schemes have been agreed.

During the year my Office dealt with 304 cases in which members of the public considered they had reason to complain because of difficulties or problems associated with getting service through Irish from public bodies. In 93 of the cases, specific advice was given by my Office to the complainant. In a further 214 cases steps were taken to try to resolve the cause of complaint – often based on “the spirit of the legislation” rather than on the basis of obligations arising from the provisions of the Act. Some 176 of these cases were finalised during the year, leaving 35 others to be brought forward to 2005.

# GEARÁIN – DEACRACHTAÍ agus FADHBANNA COMPLAINTS – PROBLEMS AND DIFFICULTIES

## Gearáin - le linn 2004 / Complaints - in 2004

Móiriomlán Gearán – fadhbanna agus deacrachtaí / Total Complaints – problems and difficulties	304
Comhairle tugtha maidir le gearáin / Advice provided in relation to complaints	93
Gearáin – fiosraithe agus críochnaithe / Complaints examined and resolved	176
Gearáin tugtha ar aghaidh go 2005 / Complaints brought forward to 2005	35

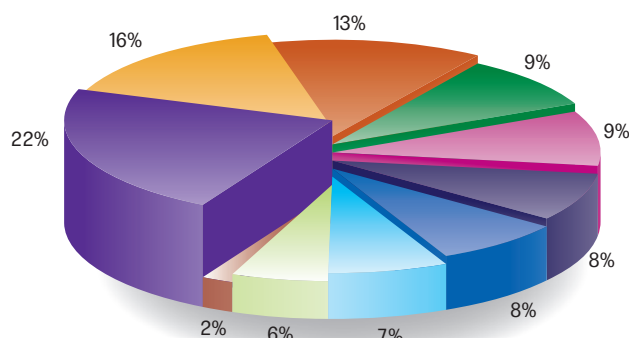


Tá anailís ar na cásanna éagsúla sna staitisticí agus sna léaráidí seo a leanas:

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

## Céatadán Gearán de réir cineáil – Percentage of complaints by type

Foirmeacha i mBéarla amháin / Forms in English only	16%
Freagraí i mBéarla ar chumarsáid i nGaeilge / Replies in English to correspondence in Irish	13%
Easpa Gaeilge i gcomharthaíocht/bhfógraíocht / Lack of Irish on Signage/Advertisements	9%
Easpa Gaeilge ar chomharthaí Bóthair / Lack of Irish on Road signs	9%
* Dearcadh diúltach nó naimhdeach / ** Negative or antagonistic attitude	8%
Cártaí aitheantais oifigiúla i mBéarla amháin / Official identity cards in English only	8%
Fadhb le hainm agus/nó seoladh i nGaeilge / Problems with use of name or address in Irish	7%
Bileoga nó ciorcláin i mBéarla amháin / Leaflets or circulars in English only	6%
Gan Gaeilge ar shuíomh gréasáin / Absence of Irish on website	2%
Eile (Cúiseanna aonair) / Others (Individual issues)	22%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>



\* Dearcadh diúltach nó naimhdeach roimh sheirbhís a sholáthar trí Ghaeilge

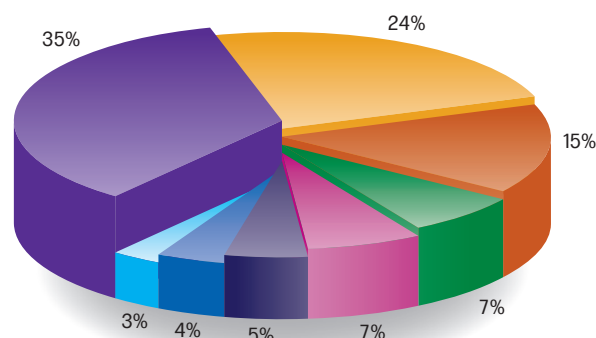
\*\* Negative or antagonistic attitude towards providing services in Irish



## GEARÁIN – DEACRACHTAÍ agus FADHBANNA COMPLAINTS – PROBLEMS AND DIFFICULTIES

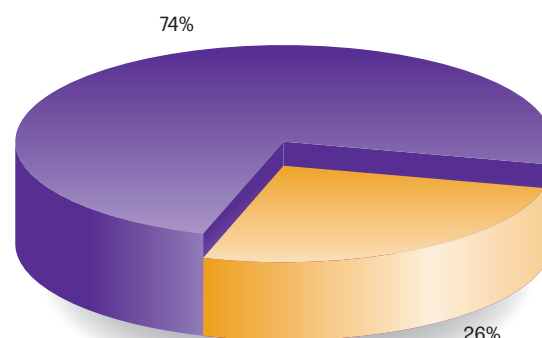
### Gearáin de réir contae Complaints by County

Baile Átha Cliath / Dublin	35%
Gaillimh / Galway	15%
Ciarraí / Kerry	7%
Corcaigh / Cork	7%
Dún na nGall / Donegal	5%
An Clár / Clare	4%
Port Láirge / Waterford	3%
Eile / Others	24%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>



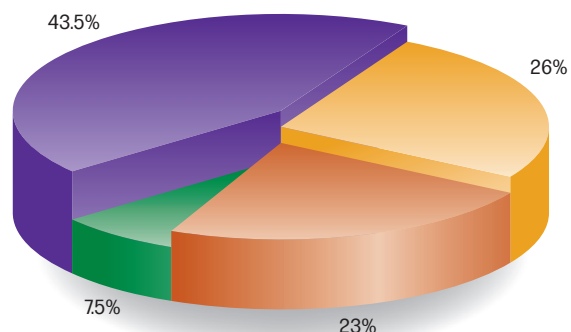
### Gearáin: Gaeltacht agus Lasmuigh den Ghaeltacht Complaints: Gaeltacht and Non-Gaeltacht

Gaeltacht	26%
Lasmuigh den Ghaeltacht / Non-Gaeltacht	74%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>



### Gearáin de réir cineál Comhlachta Phoiblí Complaints by type of Public body

Ranna Rialtais / Government Departments	26.0%
Údaráis Áitiúla / Local Authorities	23.0%
Boird Sláinte / Health Boards	7.5%
Eagraíochtaí eile Stáit / Other State Organisations	43.5%
<b>IOMLÁN / TOTAL</b>	<b>100%</b>



## CÁSANNA ROGHNAITHE

### SELECTED CASES

#### Teiripe Cainte

**Rinneadh roinnt gearáin le m'Oifig faoi mhíshástacht le laghad na seirbhíse teiripe cainte trí Ghaeilge a bhí ar fáil ó Bhord Sláinte an Iarthair do pháistí arbh í an Ghaeilge a dteanga dhúchais i nGaeltacht Chonamara.**

Ní raibh ag an tráth sin aon scéim teanga faoi Acht na dTeangacha Oifigiúla 2003 daingnithe i gcás Bhord Sláinte an Iarthair ina mbeadh comhaontú ar na seirbhísí a chuireann an Bord sin ar fáil trí Ghaeilge agus a thabharfadh ceist na seirbhíse teiripe cainte trí Ghaeilge san áireamh.

In éagmais scéime a thabharfadh an cás san áireamh, bheartaigh mé an cheist a tharraingt anuas go neamhfhoirmiúil de réir "spiorad na reachtaíochta" leis an mBord Sláinte. Chas mé le feidhmeannaigh de chuid an Bhoird atá freagrach as an réimse oibre seo leis leis an gcás a phlé leo agus le heolas a bhaillú.

Léirigh an Bord Sláinte dom go raibh ag an am suas le 100 páiste le riachtanas teiripe cainte i nGaeltacht Chonamara agus gan ach saineolaí amháin teiripe cainte ag an mBord i mbun oibre trí Ghaeilge sa cheantar trí lá sa tseachtain. Sa chás is go dteastódh seirbhís speisialtóireachta i rang teanga ó pháiste, bhí ar an bpáiste sin taisteal go cathair na Gaillimhe, de ghnáth go laethúil ar feadh tréimhse bliana, áit a bhfuil fáil ar an tseirbhís riachtanach seo trí Bhéarla amháin. Ciallaíonn sin nach bhfuil de rogha ag páistí Gaeltachta atá á dtógáil le Gaeilge agus a bhfuil riachtanas acu maidir leis an gcineál seo seirbhíse speisialtóireachta teiripe cainte ach glacadh leis trí Bhéarla – an teanga is laige atá acu. Caithfidh siad a scoil áitiúil Ghaeltachta a fhágáil ar feadh bliana, taisteal go cathair na Gaillimhe le freastal ar ranganna speisialtóireachta trí Bhéarla agus ansin filleadh ar a scoil Ghaeltachta arís tar éis na bliana.

Sa bhreis air seo, dheimhnigh an Bord Sláinte gur beag taighde a bhí déanta ar eolaíocht na teiripe cainte trí Ghaeilge, agus dá bharr sin nach raibh aon rogha ach brath ar chaighdeán teiripe cainte an Bhéarla – go minic bunaithe ar staidéir i Meiriceá agus san Astráil – le déileáil le paistí

#### Speech therapy

**A number of the complaints made to my Office expressed dissatisfaction with the scarcity of speech therapy services in Irish available from the Western Health Board for children in the Connemara Gaeltacht whose first language was Irish.**

At that time, no language scheme under the *Official Languages Act 2003* had been confirmed with the Western Health Board whereby there would have been agreement on the services through Irish to be provided by the Board, including the question of speech therapy services in Irish.

In the absence of a scheme which would have dealt with this issue, I decided to raise the question informally with the Board "within the spirit of the legislation". I met officials of the Board with responsibilities in this area of work in order to discuss the issue with them and to seek further information.

The Health Board explained to me that at that particular time there were up to one hundred children in the Connemara Gaeltacht with speech therapy needs. But the Board had at that stage only one speech therapist working through Irish in the area, three days a week.

In the event of specialised service in a language class being required by a child, that child would have to travel to Galway city, usually daily, for a period of a year, where this required service is available, through English only. This means that Gaeltacht children who are being brought up in Irish, and who need this specialised speech therapy service, have no option but to avail of it through English, the weaker of their two languages. They must leave their local Gaeltacht school for a year, travel to Galway city to attend a specialised class conducted in English, and then return to their own Gaeltacht school at the end of the year.

In addition to this, the Health Board confirmed to me that little scientific research has been done on speech therapy in Irish. Accordingly, they must reply on English language speech therapy standards – often based on studies in America and Australia – when dealing with Gaeltacht children being reared through Irish. (It should be mentioned also that

## CÁSANNA ROGHNAITHE SELECTED CASES

Gaeltachta a bhí á dtógáil le Gaeilge. (Is cóir a lua gur foilsíodh le linn na bliana an chéad bhunsaothar taighde ar theiripe urlabhra trí Ghaeilge, de bharr comhfhiontar idir Comhdháil Náisiúnta na Gaeilge agus Bord Sláinte an Iarthair).

Tugadh le tuiscint dom freisin nach bhfuil aon ról dáiríre ag an nGaeilge sna cúrsaí gairmiúla oiliúna do shaineolaithe teiripe cainte atá ar siúl sna hinstiúidí oideachais tríú leibhéal.

Mhínigh an Bord Sláinte dom go raibh easpa saineolaithe teiripe cainte go ginearálta sa tír.

Léirigh an Bord Sláinte dom an plean a bhí ag an eagraíocht sin le dul i ngleic le fadhb na teiripe cainte trí Ghaeilge i nGaeltacht Chonamara, agus cé gur céim chun cinn a bheadh i gceist léi, ba léir dom gur phlean í a bhí coinníollach ar mhaoiniú breise a bheith ar fáil agus ar lagú ar shrianta maidir le cruthú fostaíochta breise san eamail sláinte. Ní raibh aon chomhaontú ar an maoiniú breise sin ag deireadh na bliana.

Creidim go ndearnadh leatrom ar pháistí den chineál seo san am atá caite agus go leanfar den leatrom sin go dtí go mbeidh seirbhís ina dteanga dhúchais le fáil acu ar chomhchéim leis an tseirbhís atá ar fáil do pháistí arbh é an Béarla a dteanga dhúchais.

Is léir freisin nach mbaineann na heaspaí i seirbhísí teiripe cainte trí Ghaeilge le páistí amháin. Bheadh fadhbanna den chineál céanna le sárú ag daoine fásta ar theastaigh cúnamh den chineál seo uathu – ina measc, daoine a bhí ag teacht chucu féin ó thinnis ar nós stróice.

Cé is moite d'aird a dhíriú ar an gcás, agus an Bord Sláinte a chur ar an eolas faoi na gearáin a rinneadh le m'Oifig de réir spiorad na reachtaíochta, ceal údaráis, ba bheag eile a d'fhéadfaí a dhéanamh faoin bhfadhb go dtí go ndaingnítear scéim faoin Acht a thabharfadh an t-ábhar seo san áireamh.

during the year the first basic research on speech therapy in Irish was published, as a result of a cooperative venture between Comhdháil Náisiúnta na Gaeilge and the Western Health Board).

I was also given to understand that the Irish language has no real role in the professional training courses for speech therapists which are conducted in the third level institutes of education.

The Health Board explained that there is a shortage of speech therapists generally in the country.

The Board appraised me of its strategic plan to deal with the problem of speech therapy through Irish in the Connemara Gaeltacht. While this would be a step in the right direction, it was also clear to me that the plan depended on extra funding being available and on a relaxing of the restrictions on the creation of extra employment in the Health Sector. There was no agreement with regard to this extra funding by the end of 2004.

I believe that children in this category have been put at a disadvantage in the past and that this disadvantageous situation will continue until such time as they can avail of a service in their native language which is comparable to the service available to children whose first language is English.

It is also evident that deficiencies in speech therapy services do not apply only to children. Similar problems are faced by adults who require this type of assistance – among them people recovering from stroke-related illnesses.

Apart from drawing the attention of the Health Board to the situation, and supplying in accordance with “the spirit of the legislation” information on the complaints made to my Office, there is little else which I could do at this juncture about the problem, until a scheme is confirmed under the Act which would take the issue into account.

## CÁSANNA ROGHNAITHE SELECTED CASES

### Suirbhé trí Bhéarla sa Ghaeltacht

**Rinneadh gearán le m'Oifig gur i mBéarla amháin a bhí an bhileog eolais agus an ceistneoir a bhí á n-úsáid i gceantair Ghaeltachta do Shuirbhé Buiséid Teaghlaigh a bhí á dhéanamh ag an bPríomh-Oifig Staidrimh.**

Cé nach raibh scéim faoin Acht daingnithe leis an Phríomh-Oifig Staidrimh maidir leis an tseirbhís a chuireann an eagraíocht sin ar fáil trí Ghaeilge, bheartaigh mé gur chóir an gearán a tharraingt anuas leis an eagraíocht sin de réir spiorad na reachtaíochta.

Mhínigh an bPríomh-Oifig Staidrimh gurb é polasaí na heagraíochta déileáil le baill den phobal i rogha teanga oifigiúil an duine sin. Tá sé mar pholasaí freisin go mbeadh gach foirm suirbhé ar fáil i nGaeilge ach é a iarraidh. Baineann an polasaí seo le gach suirbhé, an daonáireamh san áireamh.

Mhínigh an Phríomh-Oifig Staidrimh go n-eagraítear Suirbhé Buiséid Teaghlaigh gach cúig bliana agus chuige sin go roghnaítear 8,000 teaghlach as gach cearn den tír don taighde a dhéantar thar thréimhse bliana.

Maidir leis an Suirbhé Buiséid Teaghlaigh don bhliain 2004-2005, d'admhaigh an Phríomh-Oifig Staidrimh go raibh moill ar aistriú na foirme cuí go Gaeilge, nach mbeadh fáil ar an leagan Gaeilge go ceann tamaill eile, agus gur tosaíodh ag bailiú an eolais i gceantair amháin Ghaeltachta le foirmeacha i mBéarla amháin.

Bheartaigh an Phríomh-Oifig Staidrimh, i bhfianaise an ghearáin, athchóiriú a dhéanamh ar sceideal an tsuirbhé chun a chinntiú go mbeadh an fhoirm i nGaeilge ar fáil sula n-iarraí ar dhaoine eile sa Ghaeltacht a bheith páirteach sa suirbhé.

### Gaeltacht Survey in English

**My Office received a complaint that the information leaflet and questionnaire for a Family Budget Survey being conducted by the Central Statistics Office in a Gaeltacht area were available in English only.**

Although no scheme under the Act had been confirmed with the Central Statistics Office regarding the provision through Irish of the services provided by that body, I decided that it would be appropriate to raise the complaint with the organisation in accordance with the spirit of the legislation.

The Central Statistics Office explained that the organisation's policy is to deal with members of the public in the preferred official language of the individual. The policy also requires all survey forms to be provided in Irish if requested. This policy applies to every survey, including the national census.

The Central Statistics Office informed my Office that a Family Budget Survey is conducted every five years. For the purpose of this survey 8,000 families are chosen from every part of the country and the survey extends over the period of a year.

With regard to the Family Budget Survey for the year 2004-2005, the Central Statistics Office acknowledged that there had been a delay in translating the relevant form into Irish, and at that stage the Irish version was not yet available. As a result of this the collection of data had commenced in one Gaeltacht area using leaflets and forms in English only.

In view of the complaint, the Central Statistics Office decided to rearrange the survey schedule so as to ensure that the Irish language version of the form would be available before anyone else in the Gaeltacht areas was asked to participate in the survey.

## CÁSANNA ROGHNAITHE

### SELECTED CASES

#### Ainm agus Sloinne i nGaeilge

Rinne gearánaí teagmháil le m'Oifig maidir le hÉileamh ó Aonad de chuid an Gharda Síochána go gcuirfí ar fáil leagan i mBéarla d'ainm agus de shloinne an ghearánaí sula bhféadfaí deimhniú oifigiúil a sholáthar ar dhea-charachtar an duine sin, rud a bhí ina riachtanas mar thaca le hiarratas ar phost.

Dúirt an gearánaí, arbh ón Gaeltacht ó dhúchas di, go raibh mínithe aici do Láraonad Réamhscrúdaithe an Gharda Síochána nár úsáid sí riamh ach an leagan Gaeilge dá hainm agus dá sloinne – fiú nuair a d'oibrigh sí thar sáile – go raibh sí cláraithe ar a teastas breithe agus ar gach doiciméad aitheantais eile a bhain léi i nGaeilge, agus nár chreid sí go raibh dualgas uirthi leagan Béarla a sholáthar.

Fuair sí le tuiscint ón Láraonad a bhí gceist go raibh an leagan Béarla dá hainm agus dá sloinne riachtanach má bhí an dearbhú uaithi. Ní raibh aon fhadhb aici deimhniú nár úsáid sí ach an t-aon leagan amháin riamh dá hainm agus dá sloinne, ach bhí leisce uirthi géilleadh don éileamh go soláthródh sí leagan Béarla dá hainm agus dá sloinne a bheadh, dár léi, gan bhunús.

Mheas mé go raibh an-amhras faoi cheart leagan Béarla d'ainm agus de shloinne a éileamh ó dhuine i gcás mar seo, go háirithe má bhí leide ann go bhféadfaí an duine faoi mhíbhuntáiste mura gcuirfí é sin ar fáil. Glacaim leis gan cheist, go bhfuil sé riachtanach go mbeadh an Garda Síochána críochnúil ina gcuid oibre maidir le teastais ar dhea-charachtar a sholáthar agus sna fiosruithe a dhéantar le cinntiú go bhfuil an teastas sin bunaithe ar eolas atá cruinn.

Ba léir dom, áfach, nach raibh éileamh á dhéanamh ar gach duine a d'úsáid a n-ainm agus a sloinne i mBéarla leagan i nGaeilge a chur ar fáil sula n-eiseofaí teastas deimhnithe dea-charachtair dóibhsean.

Ní raibh aon "scéim" faoin Acht daingnithe i gcás an Gharda Síochána a thabharfadh an t-ábhar seo san áireamh, agus ba de réir spiorad na reachtaíochta a tharraing m'Oifig an cheist anuas le Coimisinéir an Gharda Síochána.

#### Name and Surname in Irish

A complaint was made to my Office about a demand from a unit of An Garda Síochána that the complainant supply them with an English version of her first name and surname before it would be possible for their vetting procedure to provide her with official confirmation of good character. This confirmation was necessary for the individual in relation to a specific type of job application.

The complainant, who was from the Gaeltacht originally, said that she had explained to the Central Vetting Unit of An Garda Síochána that she had never used any version of her name and surname other than the Irish form – even when she had worked overseas – and that the details on her birth certificate were registered in Irish, as they were on every other identification document that she had. Therefore, she did not believe that she should be obliged to furnish an English language version of her name.

She was given to understand by the Garda Unit in question that an English language version of her name and surname were necessary if she wanted the certificate. She had no problem in confirming that she had only ever used the one version of her name and surname and this was the Irish version but this appeared to be insufficient. She was, however, reluctant to accede to the demand that she supply an English language version of her name and surname which, in her opinion, would have no standing.

I considered it extremely doubtful that there could be an entitlement in a specific case like this, to insist on the provision of an English language version of a person's name and surname, especially when there was the implication that the person in question might suffer disadvantage if they failed to comply. I accept without question that An Garda Síochána must be thorough in the vetting of individuals in certain categories of employment and in the enquiries that are made to ensure that such decisions are based on reliable information.

It was clear to me, however, that those whose names and surnames were in English were not

## CÁSANNA ROGHNAITHE SELECTED CASES

Tar éis dó fíricí an cháis a fhiosrú, d'aontaigh Coimisinéir an Gharda Síochána go raibh ceart ag duine a ainm agus a shloinne a úsáid ina rogha teanga oifigiúil leis an nGarda Síochána. Dúirt sé gur “le hintinn mhaith ” a lorgaíodh leagan Béarla den ainm agus den sloinne sa chás seo, ach nach raibh aon amhras air ach go bhféadfadh an cás a bheith láimhseáilte ar bhealach ní ba chrionna agus gan dul i muinín an iarratasóra.

Dheimhnigh Coimisinéir an Gharda Síochána go raibh – i bhfianaise an ghearáin- nósanna imeachta curtha in áit ag an Lárionad Réamhscrúdaithe le cinntiú nár chóir go dtarlódh a leithéid arís.

generally being asked to supply versions in Irish before being vetted or granted certificates of good character.

No “scheme” had yet been confirmed with An Garda Síochána which would have enabled this matter to be taken into account, so it was in accordance with the spirit of the Act that my Office raised the matter with the Commissioner of An Garda Síochána.

Having examined the facts of the case, the Garda Commissioner agreed that individuals had the right to use the form of their name in their chosen official language in any dealings with An Garda Síochána. He said that an English language version of the name and surname had been sought “with good intent” in this case, but that he was in no doubt that the matter could have been handled more prudently, without referring the matter back to the applicant.

The Commissioner of An Garda Síochána confirmed that – in the light of the complaint – procedures had been put in place by the Central Vetting Unit of An Garda Síochána to ensure that this should not happen again.



## CÁSANNA ROGHNAITHE SELECTED CASES

### Clárú Póstaí Sibhialta trí Ghaeilge

Rinne duine a raibh faoi féin agus a pháirtí pósadh i searmanas sibhialta in Oifig Chlárúcháin Phóstaí in Iarthar na Éireann gearán le m'Oifig go raibh sé tugtha le tuiscint don lánúin go gcaithfeadh an searmanas a bheith i mBéarla amháin.

Cainteoirí Gaeilge iad an bheirt a bhí i gceist agus ba mhian leo searmanas cláraithe a bpósta a bheith i nGaeilge.

Fuaireadar le tuiscint go gcaithfeadh an tseirbhís a bheith i mBéarla mar nach raibh duine cuí le Gaeilge ar fáil san oifig chlárúcháin phóstaí a bhí i gceist.

Cé nach raibh “scéim” faoin Acht daingnithe fós leis an bPríomh-Oifig Chlárúcháin a thabharfadh ceist na seirbhísí trí Ghaeilge a sholáthraíonn an Oifig sin san áireamh, tharraing m'Oifig an cheist anuas de réir “spiorad na reachtaíochta” leis an bPríomh-Oifig Chlárúcháin.

Dearbhaíodh ansin go raibh cóipeanna de Ráiteas nó Téacs an Phósta a bheadh i gceist ar fáil i nGaeilge agus go mbeadh cláraitheoir ar fáil san Oifig chuí leis an searmanas a stiúradh trí Ghaeilge.

Nuair a cuireadh an t-eolas seo ar fáil don lánúin a bhí i gceist rinneadar teagmháil athuair leis an Oifig chuí, chas siad leis an gcláraitheoir, agus deimhníodh dóibh go bhféadfaí searmanas sibhialta cláraithe a bpósta a bheith i nGaeilge.

### Registering a Civil Marriage in Irish

A complaint received by my Office concerned a person and his partner who wished to marry in a civil ceremony in a local district registrar's office in the West of Ireland. The couple were given to understand that the ceremony would have to be in English.

Both persons concerned were Irish speakers and they wished their marriage service to be conducted in Irish.

They were advised that the ceremony would have to be in English because no appropriate person in the local registry office had Irish.

Although there was as yet no confirmed “scheme” in existence with the General Register Office to take account of the services that Office provides through Irish, my Office took up the issue with the General Register Office within the “spirit of the legislation”.

It was confirmed by the General Register Office that the relevant Marriage Statement or Text was available in Irish, and that a registrar would be available at the office in question to conduct the ceremony through Irish.

When this information was given to the couple concerned they made contact again with the office in question, they met the registrar, and it was confirmed to them that the civil ceremony of their marriage could be conducted and registered in Irish.

## CÁSANNA ROGHNAITHE SELECTED CASES

### Pas Saorthaistil dátheangach tar éis 10 mbliana

Rinne duine as Gaeltacht Thír Chonaill teagmháil le linn na bliana le m'Oifigse agus le hOifig an Ombudsman araon maidir le gearán gur i mBéarla amháin a bhí fáil aige ar Phas Saorthaistil ón Roinn Gnóthaí Sóisialacha agus Teaghlaigh.

D'aontaigh Oifig an Ombudsman gur gnó do m'Oifigse a bhí sa gcás a bhí i gceist.

D'iarr an gearánaí leagan dátheangach den Phas Saorthaistil sa bhliain 1993, ach ní bhfuair sé ach ceann i mBéarla. Tharraing sé an cas anuas le hOifig an Ombudsman a d'fhiosraigh an scéal leis an Roinn Leasa Shóisialaigh ag an am.

Scríobh an t-Ombudsman, Micheál Muilleach, chuig an ngearánaí ar an 17 Bealtaine 1994 ag míniú dó gur tugadh le fios dó féin go raibh tionscnamh idir lámha ag an Roinn Leasa Shóisialaigh an bhliain roimhe sin le Pas Saorthaistil dátheangach a sholáthar roimh dheireadh na bliana sin (1993), ach nár éirigh leo an tionscnamh seo a thabhairt chun críche de bharr brú oibre.

Dúirt an tUasal Muilleach go raibh ráite leis go raibh an Roinn dóchasach go n-eiseofaí an Pas dátheangach le linn na bliana reatha sin (1994).

Deich mbliana díreach ina dhiaidh sin – Bealtaine 2004 – a tharraing an gearánaí an cas anuas arís mar nach raibh an Pas Dátheangach fós faighte aige.

Cé nach raibh scéim faoin Acht daingnithe fós i gcás na Roinne Gnóthaí Sóisialacha agus Teaghlaigh, phléigh m'Oifig an cas leis an Roinn sin de réir “spiorad na reachtaíochta”.

D'admhaigh an Roinn go raibh sé beartaithe Pas Saorthaistil Dátheangach a chur ar fáil sa bhliain 1993, ach ag an am céanna go raibh an Roinn ag teacht faoi bhrú mór chun Pas Taistil níos sábháilte, le pictiúr an úinéara, a chur ar fáil chun srian a chur le mí-úsáid an phas. “Dá bhrí sin, staonadh ó aon mhionathruithe eile don phas i rith na tréimhse sin,” a dúirt an Roinn.

### A Bilingual Free Travel Pass after ten years

A person in the Donegal Gaeltacht contacted both my Office and the Ombudsman's Office in the course of the year to say that the Free Travel Pass provided to him by the Department of Social and Family Affairs was available in English only.

The Office of the Ombudsman agreed that this particular matter was one which was more appropriate to my Office.

The complainant had asked for a bilingual Free Travel Pass back in 1993. However, the Pass he got was in English only. He raised the matter at that stage with the Ombudsman's Office, which took up the matter with the Department of Social Welfare, as it was at the time.

The Ombudsman, Mr Michael Mills, wrote to the complainant on 17th May 1994 to say that he had been informed by the Department of Social Welfare that they had a project in hand since the previous year to provide a bilingual Free Travel Pass before the end of the year (1993), but that the initiative had not been finalised because of pressure of work.

Mr Mills also said that the Department told him they hoped to issue the bilingual Pass in the course of the current year (1994).

Exactly ten years later – in May 2004 – the complainant raised the matter again, since he was still waiting for a bilingual Pass.

Although no scheme under the Act had yet been confirmed in the case of the Department of Social and Family Affairs, my Office raised the matter with the Department in accordance with “the spirit of the legislation”.

The Department admitted that it had been its intention to make a Bilingual Free Travel Pass available in the year 1993, but coincidentally at that time the Department was under great pressure to provide a more secure Travel Pass which would include a photograph of the pass-holder, in order to limit the abuse of Passes. “Because of this, we refrained from making any minor changes to the Pass at that time”, the Department stated.

## CÁSANNA ROGHNAITHE SELECTED CASES

Dúirt an Roinn go raibh obair ar siúl faoi láthair ar dhearadh cárta nua “chun na riachtanais ar fad ó thaobh Pas Saorthaistil a bheith curtha san áireamh”. Tá súil an cárta nua sin a eisiúint ag deireadh na bliana 2005, ag brath ar chúinsí teicniúla agus airgeadais.

Ildir an dá linn, cheadaigh an Roinn go ndéanfaí athchló dátheangach ar an bPas reatha nuair a bheadh an stór a bhí acu ídithe, agus dúradh go mbeadh an Pas dátheangach ar fáil ag an ngearánaí “i gceann cúpla seachtain”.

Dheimhnigh an Roinn Gnóthaí Sóisialacha agus Teaghlaigh do m’Oifigse gur eisíodh an pas dátheangach chuig an ngearánaí ar an 2 Meán Fómhair 2004.

The Department also said that work was ongoing on the design of a new card “to take account of all the requirements relating to Free Travel Passes” and that the new card would be issued at the end of 2005, subject to technical issues and finance.

In the meantime, the Department approved a bilingual reprint of the current Pass for use when present stocks had run down. They also said that the complainant would be provided with a bilingual Pass “within a couple of weeks”.

The Department of Social and Family Affairs later confirmed to my Office that a bilingual Pass had issued to the complainant on 2nd September 2004.

## CÁSANNA ROGHNAITHE SELECTED CASES

### Gnó trí Ghaeilge leis an nGarda Síochána – Pointí Pionóis

Rinneadh roinnt gearán le m'Oifig le linn na bliana faoi dheacrachtaí a bhí ag baill den phobal leagan i nGaeilge d'fhoirm ar leith a fháil ón nGarda Síochána i dtaca le fineáil a íoc i gcásanna a bhain le sárú luais ar bhóithre.

I ngach cás acu bhí na daoine a bhí i gceist lánsásta an fhíneáil a íoc, ach d'iarradar go gcuirfí chucu leagan i nGaeilge nó leagan dátheangach den fhoirm ar a dtugtar "Fógra Muirir Socraithe".

Bhain cás amháin le duine a sháraigh an teorainn luais sa bhliain 2000 agus a d'iarr leagan Gaeilge den Fógra Muirir Socraithe i nGaeilge mar mhalairt ar cheann i mBéarla a bhí curtha chuige. Cuireadh an leagan Gaeilge ar fáil dó an uair sin in éineacht le nóta ó Cheannfort de chuid an Gharda Síochána inar dúradh an méid seo :

*"Glacaimse agus an Garda Síochána leis go bhfuil sé de cheart agatsa mar shaoránach gnó a dhéanamh linn in aon teanga is rogha leat, sé sin Gaeilge nó Béarla."*

Ceithre bliana níos déanaí – i Meitheamh 2004 – sháraigh an tiománaí céanna an teorainn luais, agus dhearbhaigh sé don Gharda Síochána gur mhian leis an fhíneáil a íoc, agus d'iarr sé arís sa chás seo an leagan Gaeilge den Fógra Muirir Socraithe.

Bhí an freagra a fuair sé an uair seo an-difriúil. Dúradh nach n-eisítear Fógraí Socraithe Muirir i nGaeilge agus nach rabhthas in ann ticéad dátheangach a sholáthar.

Bhí an chomhairle bhreise seo ón nGarda Síochána sa litir a seoladh chuig an duine a bhí i gceist :

*"Is féidir leat an tsaincheist a réiteach os comhair na gCúirteanna má shocraíonn tú gan an fhíneáil a íoc. Ní mór dom comhairle a chur ort go bhféadfá ceithre cinn (4) de Phointí Pionóis a fháil mura n-éiríonn le do agóid."*

Mheas mé gur léirigh an dearcadh sa chomhfhreagras ón nGarda Síochána, dá mba fíor é, athrú suntasach polasaí a bhí ag cúlú ó dhualgais teanga ag tráth gurb é polasaí an Stáit

### Doing Business through Irish with An Garda Síochána – Penalty Points

A number of complaints were made to my Office during the year about difficulties which members of the public experienced when they tried to get the Irish version of a particular form – a Fixed Charge Notice- from An Garda Síochána which dealt with the payment of fines for exceeding the speed limit.

In every case, the people concerned were willing to pay the fine, but had asked that they be issued with either an Irish or bilingual version of the appropriate form.

One particular case was that of a person who exceeded the speed limit in the year 2000 and who asked for an Irish version of the Fixed Charge Notice in place of the form in English which had been sent to him. The Irish form was sent to him at the time with a note from a Garda Superintendent which contained the following:

*"I and the Garda Síochána accept that as a citizen you are entitled to conduct your business with us in the language of your choice, that is, Irish or English".*

Four years later – in June 2004 – the same driver again exceeded the speed limit. He confirmed to An Garda Síochána that he wished to pay the fine, and again asked for the Irish version of the Fixed Charge Notice.

This time the answer he got was completely different. He was told that Fixed Charge Notices were not issued in Irish and that it was not possible to supply a bilingual ticket.

Moreover, the letter which issued to the driver in question contained the following additional advice from An Garda Síochána:

*"You may settle the case at issue before the Courts if you decide not to pay the fine. I must advise you, however, that if you fail in your protest, you may receive four (4) penalty points."*

I considered that the attitude revealed in this communication from An Garda Síochána, if true, displayed a significant change in policy, limiting language rights at a time when State policy, as

## CÁSANNA ROGHNAITHE SELECTED CASES

cur le líon agus le caighdeán na seirbhísí trí Ghaeilge in *Acht na dTeangacha Oifigiúla 2003*.

Ba spéis liom freisin an dearcadh go raibh cuireadh á thabhairt don saoránach a dhul chun cúirte lena chás, ach bagairt folaithe sa chomhairle a tugadh dó go raibh sé ag dul sa seans go ndéanfaí dúbláil ar na pointí pionóis a d'fhéadfaí a ghearradh air dá nglacfadh sé an rogha sin. D'fhéadfadh costas breise a bheith i gceist leis an rogha seo freisin.

Ní raibh "scéim" faoin Acht daingnithe i gcás an Gharda Síochána a thabharfadh an t-ábhar seo san áireamh, agus dá bhrí sin ba de réir "spiorad na reachtaíochta" a tharraing m'Oifig an cheist anuas le Coimisinéir an Gharda Síochána.

Dhearbhaigh Coimisinéir an Gharda Síochána an méid seo; *"Geallaim nach bhfuil aon athrú tagtha ar pholasaí oifigiúil an Gharda Síochána"* maidir le seirbhís a chur ar fáil don phobal ina rogha teanga. Chinntigh sé freisin gur seoladh leagan Gaeilge den Fhógra Muirir Socraithe chuig an ngearánaí.

De bharr an ghearáin seo agus cinn eile den mhúnla céanna ó áiteanna éagsúla ar fud na tíre, dheimhnigh Oifig Choimisinéir an Gharda Síochána i Mí Dheireadh Fómhair 2004 go raibh *"cóip dhátheangach den Fhógra Muirir Socraithe á heisiúint don fhórsa i gcoitinne ionas gur féidir baill den phobal a éascú ina leith seo"*.

Níor tháinig aon ghearán breise faoin ábhar seo os comhair m'Oifige as sin go deireadh na bliana.

exemplified in the *Official Languages Act 2003*, was to increase the range and quality of services through Irish.

I also found the attitude interesting, in that a citizen was invited to take his case to court, with a latent threat in the advice given that he was taking a chance of getting double the number of penalty points which might be imposed, if he followed that line of action. There was also the possibility of his incurring extra costs.

No "scheme" had been confirmed with the Garda Síochána which would have covered this issue, and accordingly it was in the "spirit of the legislation" that my Office raise the matter with the Commissioner of An Garda Síochána.

The Commissioner of An Garda Síochána confirmed as follows: *"I can assure you that there has been no change in the official policy of An Garda Síochána"* with regard to the service being provided to the public in the language of their choice. He also confirmed that a copy of the Fixed Charge Notice in Irish had been sent to the complainant.

Because of this complaint and a number of similar complaints from various parts of the country, the Office of the Commissioner of An Garda Síochána confirmed to my office in October 2004 that *"a bilingual copy of the Fixed Charge Notice was being distributed to the Force in general so that members of the public at large can be facilitated in this regard."*

No further complaints of this kind were received by my Office up to the end of the year.

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### Deacracht le Achomharc i nGaeilge

**Rinneadh gearán le m'Oifig i gcás duine ar cuireadh clampa ar a ghluaisteán agus ar gearradh táille €80 air faoi pháirceáil go mídhleathach.**

Bhí an gearánaí den bharúil cinnte nach raibh a ghluaisteán páirceáilte go mídhleathach agus rinne sé achomhairc trí Ghaeilge chuig an údarás áitiúil a bhí i gceist – Comhairle Cathrach Bhaile Átha Cliath.

Fuair sé admháil i nGaeilge ón gComhairle Cathrach ag míniú dó go raibh seirbhís achomhairc neamhspleách ag an gComhairle agus go gcuirfí a chás, a bhí déanta i nGaeilge, chun na hOifige sin.

Fuair an gearánaí diúltú i mBéarla ar a achomharc, rud a bhí ag teacht salach, dar leis, ar a chearta faoi Alt 9(2) d'Acht na dTeangacha Oifigiúla 2003 maidir le freagra a fháil ó chomhlacht poiblí ar chumarsáid i scríbhinn nó leis an bpost leictreonach sa teanga oifigiúil céanna ina ndeama sé an chumarsáid leis an gcomhlacht poiblí sin.

Bhí amhras ar an ngearánaí freisin gur léirigh an freagra i mBéarla ar a achomharc i nGaeilge nár tugadh suntas do na pointí ar leith a bhí déanta aige san achomharc sin mar go raibh siad déanta i nGaeilge.

Chreid sé go mbeadh breithiúnas eile tugtha ar an achomharc ach brí iomlán a bheith bainte as a raibh scríofa i nGaeilge aige. Bhí sé díongbháilte den tuairim nach raibh sé páirceáilte go mídhleathach, agus nár tuigeadh mar is ceart an cás a bhí déanta ina chomhfhreagras i nGaeilge.

Tar éis do m'Oifig an cás a tharraingt anuas le Comhairle Cathrach Bhaile Átha Cliath, ghlac an Chomhairle Cathrach leithscéal leis an ngearánaí faoi fhreagra i mBéarla a bheith seolta ar a achomharc.

Rinne feidhmeannach sinsearach de chuid na Comhairle scrúdú ar an gcomhad agus ar chinneadh an Oifigigh Achomhairc. Nuair a chur an feidhmeannach sin gach rud san áireamh, ach go háirithe an cás a bhí déanta i nGaeilge ag an

### Difficulty with Appeal in Irish

**One person whose car was clamped appealed to my Office when a fine of €80 was imposed for parking illegally.**

The complainant was emphatic of the view that he had not parked illegally, and he appealed the matter, in Irish, to the relevant local authority – in this instance, Dublin City Council.

He got an acknowledgement in Irish from the City Council, explaining that the Council had an independent appeals service, and that the case which he had made, in Irish, would be referred to that office.

The complainant then received a refusal, in English, to his appeal, something which he considered to be in contravention of his rights under Section 9(2) of the *Official Languages Act 2003*, which deals with the provision of replies to correspondence sent in writing or by e-mail to a public body and requires them to be provided in the same official language as that used by the correspondent.

The complainant also suspected that the answer given in English to his appeal in Irish did not take full cognisance of the particular points he had made in his appeal because they were made in Irish.

He was of the view that a different ruling would have been given if the significance of what he wrote in Irish had been properly grasped. He was strongly of the opinion that he had not parked illegally, and that the case he had made in Irish had not been fully understood.

When my Office raised the matter with Dublin City Council, the Council apologised to the complainant for issuing an answer in English to the correspondence received in Irish.

A senior officer of the Council examined the file and the decision which had been made by the Appeals Officer. When this officer had regard to all the circumstances of the matter, especially the case made in Irish by the complainant that he felt he had been legally parked, he granted the appeal. The senior officer arranged for a refund in full of the fine which had been paid by the complainant.



## CÁSANNA ROGHNAITHE SELECTED CASES

n gearánaí gur mheas sé go raibh sé páirceáilte go dleathach, cheadaigh sé an t-achomharc.

Shochraigh an feidhmeannach go ndéanfaí aisíoc iomlán ar an táille a bhí íoctha ag an n gearánaí.

Léiríonn an gearán seo go bhfuil sé tábhachtach go mbeadh córais ag comhlachtaí poiblí le déileáil le comhfhreagras trí Ghaeilge i ngach cuid dá n-eagraíochtaí.

This complaint illustrates the importance for public bodies of having appropriate systems in place in all sections of their organisations for dealing with correspondence in Irish.

### Cárta Vótála le heolas i nGaeilge

**Rinne duine teagmháil le m'Oifig le linn na bliana maidir le hiarrachtaí a bhí idir lámha aige le 20 bliain roimhe sin, cárta vótála a fháil ag aimsir toghcháin ón údarás áitiúil cuí ar a mbeadh a chuid eolais phearsanta ina rogha teanga – an Ghaeilge.**

Bhí cóipeanna coinnithe aige den chomhfhreagras faoin gceist idir é féin agus an t-údarás áitiúil in imeacht na mblianta.

Léirigh an comhfhreagras sin gur chláraigh sé a ainm agus a sheoladh i nGaeilge ar an gclár toghchánaíochta, ach sheoltaí chuige, mar ghnáthnós, na cártaí vótála roimh thoghcháin agus a sheoladh aistrithe go Béarla chomh maith le heolas eile ar an gcárta i mBéarla amháin.

Ba nós leis an cárta a sheoladh ar ais chuig an údarás áitiúil le héileamh ar leagan den chárta leis an eolas cuí i nGaeilge.

Ag amanna difriúla le linn na mblianta gealladh dó go gcuirfí na cártaí ar fáil, mar a d'iarr sé, i nGaeilge, nó tugadh leithscéalta ar leith leis an gcúis nach bhfeadfaí na cártaí a eisiúint ar an mbealach ar iarr sé iad.

Tar éis dó cárta vótála eile le seoladh agus eolas eile i mBéarla a fháil do thoghchán Mhí an Mheithimh 2004, tharraing sé an cheist anuas le m'Oifige.

Cé nach raibh scéim faoin Acht daingnithe fós i gcás an údaráis áitiúil a bhí i gceist agus gur de réir “spiorad na reachtaíochta” a pléadh an cheist leis an údarás sin, glacadh leis gur chóir a chinntiú feasta go bhfaigheadh sé an cárta ar bhealach a bhí inghlactha aige – i nGaeilge.

### Voting Cards with details in Irish

**During the year one person contacted my Office concerning efforts he had been making over the course of the previous twenty years to get a voting card at election time from his relevant local authority showing his personal details in the language of his choice – Irish.**

He had kept copies of the correspondence between himself and the local authority down through the years.

The correspondence showed that he had registered his name and address in Irish on the voters' register, but consistently, before every election, he was issued with a voting card showing his address translated into English and with other information on the card in English only.

He regularly returned the card to the local authority with a request for a version containing the appropriate information in Irish.

At different times over the years he had been promised that a card would be provided in Irish as he had requested, or alternatively he was offered excuses as to why a card could not be issued to him as requested.

Having received another voting card with the address and other information on it in English for the June 2004 election, he referred the issue to my Office.

Although no scheme had been confirmed under the Act in the case of the local authority in question and it was, therefore, in the spirit of the legislation that we discussed the situation. The authority accepted that it was incumbent on it to ensure that in future the complainant would receive the card in

## CÁSANNA ROGHNAITHE SELECTED CASES

Ghabh an t-údarás áitiúil a bhí i gceist leithscéal foirmiúil leis an ngearánaí faoi na deacrachtaí a cruthaíodh dó in imeacht na mblianta, agus bhí an méid seo a leanas le rá ag bainisteoir an údaráis áitiúil:

*"Anois, tá gach aon rud socraithe againn chun a chinntiú go mbeidh aon duine in ann a ainm agus a sheoladh a bheith i nGaeilge mar a iarrtar sa todhchaí. Geallaim nach dtarlóidh an deacracht a tharla dó [an gearánaí], arís agus nach dtarlóidh sé d'aon duine eile freisin as seo amach."*

Ghlac an gearánaí leis an leithscéal agus leis an dearbhú nach dtiocfadh an deacracht seo chun cinn arís.

the manner acceptable to him – namely, in Irish.

The local authority issued a formal apology to the complainant for the trouble which had been caused to him over the years, and the Manager of the local authority had also this to say:

*"We have made arrangements now to ensure that in future any person will have their name and address given in Irish as requested. I can promise that the difficulty experienced by [the complainant] will not recur and that this will not happen to anyone else from now on".*

The complainant accepted both the apology and the assurance that this kind of difficulty would not arise in future.

### Fadhbanna le Gaeilge ar Chomharthaí Bóthair

**Rinneadh roinnt gearán le m'Oifig le linn na bliana maidir le fadhbanna leis an nGaeilge ar chomharthaí bóithre éagsúla ar fud na tíre. Bhain formhór na ngearán sin le comharthaí le logainmneacha i mBéarla amháin.**

De réir Alt 9(1) d'Acht na dTeangacha Oifigiúla 2003, tá cead ag an Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta rialacháin a dhéanamh maidir le húsáid na Gaeilge ar chomharthaí a dhéanann comhlachtaí poiblí a thagann faoi scáth an Achta, ach ní raibh na rialacháin sin déanta ag an tráth sin.

Gan na rialacháin sin a bheith foilsithe ní raibh an t-údarás ag an Oifig seo feidhmiú go hoifigiúil faoi Alt 9(1) le moladh do chomhlachtaí poiblí aon chomharthaí a bhí lochtach a cheartú.

Bheartaigh m'Oifig féachaint le húsáid a bhaint as feidhm eile faoin Acht – Alt 21(f) – le aghaidh a thabhairt ar cheist na gcomharthaí bóthair i mBéarla amháin.

Tugann an t-alt seo cumhacht don Oifig déileáil le cásanna má bhí amhras ann go raibh neamh-aird á déanamh ar fhoráil d'aon achtachán eile a bhaineann le stádas nó le húsáid na Gaeilge. Tá sainmhíniú tugtha san Acht féin ar achtacháin sa gcás seo – ciallaíonn sé reacht nó ionstraim

### Problems with Irish on Road Signs

**A number of complaints were made to my Office during the year about problems with Irish on various road signs around the country. Most of these complaints had to do with signs showing place names in English only.**

According to Section 9(1) of the *Official Languages Act 2003*, the Minister for Community, Rural and Gaeltacht Affairs is authorised to make regulations for the use of Irish on signs erected by public bodies which come within the scope of the Act. But at the time in question no such regulations had been made.

Since regulations had not yet been published, this Office could not recommend to public bodies to amend any signs which were at fault under section 9(1) of the Act.

My Office decided, however, to see if use could be made under another section of the Act – Section 21(f) – in order to tackle the question of road signs in English only.

This latter section gives power to this Office to deal with cases if there is reason to believe that a provision under any other enactment relating to the use or status of Irish is not being complied with. The definition of "enactment" given in the Act is a

## CÁSANNA ROGHNAITHE

### SELECTED CASES

reachtúil. Scrúdaíodh na hachtacháin a bhaineann le comharthaí bóthair.

Ar an gcéad amharc measadh go raibh dualgas reachtúil ar gach údarás áitiúil de bharr rialacháin a rinneadh sa bhliain 1970 – Ionstraim Reachtúil Uimhir 164 de 1970- a chinntiú gur i mBéarla agus i nGaeilge a thaispeántar logainmneacha ar chomharthaí bóthair ar fud na tíre, ach amháin sa Ghaeltacht, áit a bhfuil logainmneacha i nGaeilge amháin ceadaithe.

Ach léirigh ár dtaighde gur tharla dhá rud a raibh tionchar acu air seo.

D'eisigh an Roinn Comhshaoil ciorclán agus lámhleabhar sa bhliain 1996 ar a dtugtar "Traffic Signs Manual" ina bhfuil treoir chuimsitheach maidir le gach gné de cheist na gcomharthaí bóthair. Athdhearbhaíodh na socraithe a bhí ann ón mbliain 1970 maidir le ceist na teanga ar na comharthaí bóthair mar pholasaí na Roinne agus cuireadh dualgas ar gach údarás áitiúil cloí leo.

Ciorclán agus lámhleabhar iad seo atá mar ordúcháin ghinearálta faoin Acht um Thrácht ar Bhóithre 1961 a léirigh polasaí na Roinne Comhshaoil ag an am. Faoi stiúir na Roinne lompair atá an gnó seo anois.

An bhliain ina dhiaidh sin -1997 – rinneadh aisghairm ar Ionstraim Reachtúil 164 na bliana 1970 mar chuid d'atheagar ginearálta a rinneadh ar ionstraimí reachtúla a bhain le bóithre. Rinneadh an aisghairm sin le hionstraim reachtúil uimhir 181 den bhliain 1997.

Ciallaíonn sin nach bhfuil aon fheidhm dhlíthiúil feasta leis an ionstraim reachtúil 164 den bhliain 1970, ach ina háit tá ciorclán agus an lámhleabhar "Traffic Signs Manual". Sin é an bunús dlíthiúil atá leis an bpolasaí maidir le húsáid na Gaeilge ar chomharthaí bóthair faoi láthair – polasaí atá á chur i bhfeidhm tríd is tríd ag formhór chuile údarás áitiúil, cé gur léir go mbíonn fadhbanna ann, mar a léirigh na gearáin chuig an Oifig seo.

Bheadh údarás ag an Oifig seo imscrúdú oifigiúil a dhéanamh i gcás nach raibh údarás áitiúil ag cloí le hachtachán a bhaineann le stádas nó le húsáid na Gaeilge.

statute or statutory instrument. The enactments relating to road signs were accordingly studied.

At first glance it was considered that every local authority had statutory obligations on foot of a regulation made in 1970 – Statutory Instrument No. 164 of 1970 – to ensure that place names on road signs throughout the country would be in English and Irish, except in the Gaeltacht, where place names in Irish only are allowable.

But our research brought two factors to light which had a bearing on the matter.

In 1996, the Department of the Environment issued a circular and handbook, known as the "Traffic Signs Manual", which contained comprehensive guidance on every aspect of road signage. The arrangements of 1970 were reconfirmed as part of Departmental policy with regard to language use on road signs, and the obligation was placed on every local authority to comply.

This circular and manual are equivalent to general orders under the Road Traffic Act 1961 which set out the policy of the Department of the Environment at that time. [This is now a function of the Department of Transport.]

In the following year – 1997 – as part of a general overhaul of the statutory instruments dealing with roads, Statutory Instrument No. 164 of 1970 was repealed. That repeal was effected by Statutory Instrument No. 184 of 1997.

This means that Statutory Instrument No. 164 of 1970 no longer has any legal effect. It has been replaced by the circular and the handbook, "Traffic Signs Manual". This constitutes the legal basis for the present policy regarding the use of Irish on road signs – a policy which, by and large, is being implemented by almost all local authorities, although it is evident that there are problems, as the complaints to this Office show.

This Office would have authority to carry out an official investigation in any situation where a local authority had not complied with an enactment regarding the status or use of Irish. But neither the circular nor the manual is an enactment (i.e., a Statute or Statutory Instrument) which provides a legal basis for the use of Irish on road signs.

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Ach ní achtachán (Reacht nó Ionstraim Reachtúil) iad an ciorclán nó an lámhleabhar atá mar bhunús dlíthiúil ag na comharthaí bóthair. Mar sin, níl údarás ag an Oifig seo imscrúduithe oifigiúla a dhéanamh le cinntiú go bhfuiltear ag cloí leo.

Bheartaigh muid comhairle a chur de réir “spiorad na reachtaíochta” ar údaráis áitiúla a raibh gearáin déanta go raibh comharthaí bóthair aontangacha ina gceantair – maidir leis na dualgais atá orthu de réir chiorclán agus lámhleabhar na Roinne, ach níor fhéach m’Oifig le haon chéimeanna oifigiúla eile a thógáil go dtí go mbeidh an t-údarás ceart againn, nuair a eiseofar na rialacháin faoi Alt 9(1) den Acht.

Therefore, this Office has no authority to carry out investigations to ensure that they are being complied with.

I decided to give advice in accordance with “the spirit of the legislation” to local authorities, of whom it had been complained that they had monolingual road signs in their areas, regarding their obligations under the Department’s circular and manual. Apart from this, it was not possible to take any further action until the appropriate regulations were issued under Section 9(1) of the Act.

### Cearta Tairisceana i nGaeilge

**Rinneadh gearán le m’Oifig le linn na bliana go raibh údarás áitiúil amháin tar éis tairiscintí a lorg ó chonraitheoirí le tabhairt faoi obair fhorbartha ar Linn Snámha agus ar Áiseanna eile spóirt, agus go raibh sé mar choinníoll sa bhfógra tairisceana (coinníoll 6(c) den fhógra poiblí) gur i mBéarla amháin a ghlacfaí leis na tairiscintí.**

Bhí an próiseas tairisceana á eagrú faoi réir reachtaíochta agus cleachtais na hÉireann agus an Aontais Eorpaigh

Bhí cás na Gaeilge i gceist den chineál céanna scrúdaithe cheana féin i gcás údarás áitiúil eile ag Oifig an Ombudsman i gcomhair le Ombudsman na hEorpa sa mbliain 1997 agus bhí comhaontas ann nár chóir cosc a bheith ar thairiscintí i nGaeilge. Ba é an moladh a bhí déanta an uair sin go mbeadh dualgas ar údaráis áitiúla glacadh leis an nGaeilge mar theanga tairisceana, ach nach bhféadfaí coinníoll a chur gur i nGaeilge amháin a ghlacfaí le tairiscintí. Chaithfeadh an deis a bheith ann freisin tairiscintí a dhéanamh i dteanga oifigiúil de chuid an Aontais Eorpaigh, e.g. Béarla.

Bhí ciorclán faoin ábhar seo eisithe ag an Roinn Comhshaoil, sa bhliain 1998, chuig gach údarás áitiúil agus chuig gach comhlacht poiblí faoi scáth na Roinne sin, ag meabhrú dóibh gur chóir an Ghaeilge a bheith áirithe mar theanga in bhféadfaí tairiscintí a dhéanamh agus gur chóir an t-eolas seo a bheith tugtha ar an bhfógra tairisceana poiblí.

### Right to Tender in Irish

**A complaint made to my Office during the year concerned one local authority which sought tenders from contractors for development work on a swimming pool and other sporting facilities and where it was a condition in the tender notice (condition 6(c) of the public notice) that tender documents in English only would be considered.**

The tendering process was organised in accordance with the legislation and procedures of Ireland and of the European Union.

The position of the Irish language in a similar situation was examined previously by the Ombudsman in 1997, in conjunction with the European Ombudsman, in the case of another local authority. There was agreement at that time that tenders in Irish should not be prohibited. The recommendation made then was that local authorities should be obliged to accept Irish as a language in which tenders might be made but that it could not be a condition that only tenders in Irish would be accepted. The option would also have to be available to tender in an official language of the European Union, e.g. English.

A circular on this matter was issued by the Department of the Environment in 1998 to every local authority and to every public body under the aegis of that Department, reminding them that tenders in Irish should not be excluded from the tendering process and that this information should be provided on public tender notices.

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Bhraith an gearánaí, tar éis dó teagmháil a dhéanamh leis an údarás áitiúil a bhí i gceist, nach raibh fáilte roimh thairiscintí i nGaeilge. Níor mhian leis costas breise agus tuilleadh moille a chur ar an bpróiseas tairisceana – agus, dá réir sin, ar fhorbairt an Linn Snámha agus na háiseanna eile spóirt – dá gcaithfí na fógraí tairisceana a eisiúint arís, ach ba mhian leis nach ndiúltófaí do thairiscintí trí Ghaeilge.

Tar éis do m'Oifig an cás a tharraingt anuas leis an údarás áitiúil cuí, deimhníodh go mbeadh tairiscintí trí Ghaeilge inghlactha agus go mbeadh a leithéid á thabhairt le fios i bhfógraí tairisceana feasta.

Having contacted the local authority in question, the complainant sensed that tenders in Irish would not be welcome. He did not wish to impose extra expense on the local authority or to delay the tendering process thus postponing the development of the swimming pool and the other sporting facilities – as may have occurred should the reissuing of tender notices been necessary. He wished only to ensure that tenders submitted in Irish would not be excluded from the tendering process.

When my Office raised the issue with the local authority in question, it was confirmed that tenders in Irish would be eligible for consideration, and that information to this effect would be included in all future invitations to tender.

### Clárú ainm trí Ghaeilge

**Rinneadh gearán le m'Oifig le linn na bliana maidir le duine ar mhian leis clárú do chúrsa oideachais tríú leibhéal lena ainm agus a shloinne i nGaeilge.**

Bhí sé de nós ag an duine seo i gcaitheamh na mblianta gan ach an leagan Gaeilge dá ainm agus dá shloinne a úsáid, ach ba é an leagan Béarla a bhí cláraithe ar a theastas breithe.

Bhí sé faighte le tuiscint aige gur éiligh rialacha dlíthiúla na hinstitiúide tríú leibhéal lena raibh sé ag clárú go gcaithfí glacadh leis an leagan dá ainm agus dá shloinne a bhí ar a theastas breithe. Bhí sé diongbháilte den tuairim gur chóir ceadú do clárú trí Ghaeilge mar gur mhian leis go mbainfí úsáid as an leagan Gaeilge dá ainm agus dá shloinne i ngach gnó oifigiúil a bhí aige leis an institiúid tríú leibhéal cuí.

Deimhníodh do m'Oifig i dtús báire nárbh fhéidir de ghnáth leasú a dhéanamh ar theastas breithe le leagan Gaeilge d'ainm a chur san áit ina bhfuil leagan i mBéarla, mar gur taifead stairiúil é an teastas breithe ar eolas a chuirtear ar fáil nuair atá páiste á chlárú. Tuigtear dom nach gceadaítear ach mioncheartúcháin i gcás botún litrithe.

### Enrolling a name in Irish

**A complaint was made to my Office during the year regarding a person who wished to enrol for a third-level course using the Irish language version of his name and surname.**

Over the years this person was accustomed to using only the Irish form of his name and surname, although he had been registered under the English version on his birth certificate.

The complainant ascertained that the legal rules of the third-level institute in which he wished to enrol required that the name and surname as on the birth certificate would have to be used. He felt strongly, however, that he should be permitted to register in the Irish form of his name and surname, as that was the form of his name which he intended to use in all official matters with the relevant third-level institute.

It was confirmed at the very start that normally it is not possible to amend a birth certificate with a view to substituting an Irish version of a name for an English version, because a birth certificate is an historical record of information provided when an infant is being registered. I understand that only minor corrections may be allowed, for example, in the event of a mis-spelling.

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Ní raibh aon scéim faoin Acht daingnithe i gcás na hinstitiúide a bhí i gceist ina mbeadh an t-ábhar seo san áireamh agus ba de réir “spiorad na reachtaíochta” a tharraing m’Oifig an cheist anuas leis na húdaráis chuí.

Ach tar éis teagmháil le húdaráis na hinstitiúide, deimhníodh do m’Oifig go raibh réiteach eile ar an scéal. Dá gcláródh an duine go hoifigiúil ag baint leasa as an eolas ar a theastas breithe, go raibh foirm dearbhaithe eile go bhféadfaí a shíniú ag cinntiú gurb é an leagan Gaeilge dá ainm agus dá shloinne a bhíonn i ngnáthúsáid aige agus go gcinnteofaí go n-úsáidfí an leagan Gaeilge i ngach ngnó oifigiúil leis de bharr an dearbhaithe sin.

Shocraigh an institiúid go bhféadfaí an clárú agus an dearbhú ar úsáid a ainm agus a shloinne i nGaeilge a dhéanamh le chéile.

No scheme had been agreed under the Act with the third level institute in question which would cover this issue, therefore it was according to “the spirit of the legislation” that my Office approached the institute about the matter.

Having contacted the authorities in the relevant third-level institute, my Office was informed that there was another solution to the problem. If the person in question registered officially with the institute, using the information on his birth certificate, a declaration form could be signed by him at the same time confirming that he used only the Irish language version of his name. This would ensure that the Irish language version of the name would be used in all official dealings within the educational institution.

The institute accordingly arranged for his registration and the confirmation of the Irish language version of his name and surname to take place at the same time.

### Cárta Eorpach Árachas Sláinte

**Rinneadh roinnt mhaith gearán le m’Oifig le linn na bliana maidir leis an gCárta Eorpach Árachas Sláinte nua a eisíodh do bhaill den phobal mar mhalairt ar an bhfoirm E111 agus foirmeacha eile. Ar nós na bhfoirmeacha a chuaigh roimhe, úsáidtear an cárta nua ar mhaithe le leas a bhaint as seirbhísí sláinte áitiúla le linn do dhuine a bheith ar cuairt in aon tír eile de chuid an Aontais Eorpaigh, i mballstáit an AEE nó san Eilvéis.**

I measc na ngearán a rinneadh le m’Oifig faoin gcárta, bhí míshásamh nach raibh fáil ar fhoirmeacha iarratais i nGaeilge, nach raibh an t-eolas faoin gcárta á scaipeadh ach i mBéarla, go raibh an suíomh gréasáin a bhain leis an gcárta ar fad i mBéarla, agus nach raibh fáil ar an gcárta féin ach i mBéarla.

Bhí trí chomhlacht phoiblí éagsúla san eamáil sláinte a raibh ról acu i soláthar an chárta seo do phobal na tíre, ach ní raibh ag an tráth sin scéim teanga faoin Acht comhaontaithe le haon cheann acu a thabharfadh an t-ábhar seo san áireamh.

### European Health Insurance Card

**Quite a few complaints were made to my Office during the year regarding the new European Health Insurance Card which is issued to members of the public in place of Form E111 and other forms. As was the case with the forms which preceded it, the new Card is used by people to avail of local health services when visiting other states of the European Union, member states of the EEA, or Switzerland.**

Among the complaints made to my Office about the Card, there were some which expressed dissatisfaction that application forms were not available in Irish, that information about the Card was provided in English only, that the website relating to the Card was in English only, and that the Card itself was available in English only.

There were three public bodies in the health sector involved in making this Card available to the public, but at that time there was no confirmed scheme with any of them under which this matter could be addressed.



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Ó tharla go raibh an cárta á chur ar fáil mar mhalairt ar an bhfoirm E111, a bhí ar fáil i nGaeilge cheana féin, agus go raibh foirmeacha iarratais i nGaeilge ar fáil chuige, tharraing m'Óifig an cas anuas leis na comhlachtaí poiblí cuí de réir "spiorad na reachtaíochta".

Mar thoradh air sin, cuireadh an t-eolas cuí ar fáil trí Ghaeilge ar an suíomh gréasáin faoin gcárta agus cuireadh foirmeacha iarratais trí Ghaeilge ar fáil. Bhí fadhbanna gan réiteach ag deireadh na bliana maidir le hiarratas ar líne a dhéanamh don chárta i nGaeilge agus le húsáid an "síneadh fada", atá coitianta agus riachtanach i litriú na Gaeilge, i gcás na n-iarratas ar líne.

Ach bhain an deacracht ba mhó leis an gcinneadh gur i mBéarla amháin a bheadh fáil ar an gcárta do phobal na tíre seo.

I gcomhfhreagras leis an Roinn Sláinte agus Leanaí tháinig sé chun solais go raibh reachtaíocht Eorpach comhaontaithe i gcás an chárta (Cinneadh 189 agus 190 de chuid an Choimisiúin Riaracháin) a rialaigh nach n-eiseofaí an cárta ach i dteangacha oifigiúla oibre de chuid an AE.

Deirtear in Airteagal 4, de Chinneadh 189 an méid seo:

*"Comhlíonfaidh an cárta Eorpach samhail aonair a shainmhíneoidh an Coimisiúin Riaracháin, rud a éascóidh rochtain ar chúram sláinte agus a chabhróidh le cosc a chur ar úsáid neamhrialta, ar mhí-úsáid agus ar úsáid chalaioiseach an chárta".*

Dá réir sin, socraíodh ar rialacha dochta maidir le méid, dath, cló, teangacha agus téacs an chárta ar mhaithe le "mearbhall aigne a sheachaint agus aitheantas éasca an Chárta a chinntiú sna 25 bhallstát de chuid an AE, 3 bhallstát an AEE agus san Eilvéis".

Ag tagairt d'Aontas na hEorpa agus an cárta a d'eiseofaí in Éirinn, bhí an méid seo le rá freisin ag an Roinn faoin scéal – "Mar is eol duit, níl an Ghaeilge mar cheann de na teangacha oifigiúla. Mar sin, tá sonraí uilíocha ar an gcárta á gcló i mBéarla i ngach cás, cé gur féidir leis na sonraí pearsanta a chló i gceachtar teanga".

Ó tharla go raibh leagan i nGaeilge den fhoirm E111 ar fáil agus á úsáid go rialta ag baill den

Since the Card was being provided in place of Form E111, which had been available in Irish, and in respect of which application form in Irish were also available, my Office raised the matter with the relevant public bodies in "the spirit of the legislation".

As a result, the option of accessing the information in Irish was placed on the website, and application forms in Irish were also provided. A number of problems remained at the end of the year however; difficulties arose with the on-line use of the *síneadh fada*, which is common and necessary in Irish spelling and on-line applications in Irish for the EHIC Card could not be made.

But the greatest difficulty related to the decision that the Card would be made available only in English to the people of this country.

In correspondence with the Department of Health and Children it emerged that the agreed European legislation regarding the Card (Decisions 189 and 190 of the Administration Commission) stipulated that the Card would be issued only in the official working languages of the European Union.

Article 4 of Decision 189 reads as follows:

*"The European card must conform to a single model defined by the Administrative Commission, which should both help facilitate access to health care and help to prevent irregular, abusive or fraudulent use of the card".*

Accordingly, strict rules were agreed on regarding the size, colour, type-face, languages and text of the Card in order "to avoid confusion and to ensure recognition of the card with ease in the 25 member states of the EU, the EEA and Switzerland".

With reference to the European Union and the Card to be issued in Ireland, the Department had also this to say – "As you are aware, Irish is not one of the official languages. Therefore, all the details on the Card are printed in English in every case, although it is possible for the personal details to be printed in either language".

Since there had been an Irish version of Form E111 in existence, and since it had been used regularly by members of the public, this apparent change of attitude was a matter of some concern. Clearly, it

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phobal roimhe sin b'ábhar iontais dom an t-athrú poirt. Ba léir go raibh glactha leis an leagan Gaeilge de E111 ag tráth nach raibh an Ghaeilge ina teanga oifigiúil oibre san AE.

Ach bhí dearcadh eile ag an Roinn Sláinte agus Leanaí air sin agus an míniú seo ar an leagan Gaeilge den fhoirm E111:

*"Ní foirm oifigiúil a bhí anseo agus bhí sé i gceist go n-eiseofaí í i dteannta na foirme oifigiúla. Léiríonn fianaise starógach, áfach, gur dhiúltaigh roinnt dóibh siúd a thóg an fhoirm as Gaeilge an fhoirm oifigiúil a thógáil freisin, agus mar thoradh air sin níorbh fhéidir a chinntiú go bhfaighidís an cúram sláinte a raibh siad ina theideal".*

Thagair an Roinn Sláinte do cheist stádas na Gaeilge a bheith idir lámha ag an Rialtas agus dúirt an méid seo :

*"Gan amhras, coimeádfaimid súil ar dhul chun cinn na saincheiste sin ionas go mbeimis in ann dul i ngleic leis an gceist arís nuair a thagann deis chun cinn".*

De bharr na gcéimeanna a bhí tógtha ag an Rialtas chun aitheantas a bhaint amach don Ghaeilge mar theanga oifigiúil de chuid an AE, agus an chosúlacht láidir a bhí ar an scéal go dtarlódh sin go luath – agus ó tharla gan scéim faoin Acht a bheith comhaontaithe a thabharfadh an cheist shonrach seo san áireamh, agus an teorainn a bhí ar údarás na hOifige seo dá bharr sin – mheas mé nár chiallmhair an beart é an cas a bhrú tuilleadh sa ghearthéarma.

appeared that there had been a time when an Irish version of Form E111 was acceptable, even though Irish was not then an official working language of the European Union.

But the Department of Health and Children had a different take on the situation, and gave the following explanation with regard to the Irish version of Form E111:

*"This was not an official form, and it was intended for issue in conjunction with the official form. Anecdotal evidence reveals, however, that some of those people who took the Irish form declined to take the official form as well; as a result of this it was not possible to ensure that they would get the medical care to which they were entitled".*

The Department also referred to the question of the status of Irish which is at present being dealt with by the Government, and they had this to say:

*"We will of course keep an eye on the progress of this specific issue so that we will be able to deal with the issue again when the opportunity arises".*

As a result of the steps taken by the Government to have Irish recognised as one of the official languages of the European Union, and in the light of the probability that this would happen soon – and since no scheme had been agreed under the Act whereby this particular matter could be dealt with, and since the authority of this Office was constrained as a result – I considered it best not to press this issue further in the short term.

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### Taxi nó Tacsai

Rinne ionadaí ó eagraíocht Ghaeilge gearán le m'Oifig go raibh ar a laghad lárionad amháin de chuid na Seirbhíse Náisiúnta Tástála Gluaisteáin ag diúltú teastais do thacsaithe de bharr an focal "TACSAÍ" a bheith scríofa orthu san áit a raibh "TAXI" ordaithe de réir dlí.

Mháigh an tseirbhís nach bhféadfaí glacadh leis an leagan i nGaeilge den fhocal ó tharla Ionstraim Reachtúil a bheith i bhfeidhm ag deimhniú gurb é an focal TAXI amháin a bhí inghlactha.

Rinne m'Oifig scrúdú ar an dlí a bhain leis an scéal agus ba léir go raibh an bhrí cheart á baint as an Ionstraim Reachtúil chuí (IR 136 de 1995) ag an tSeirbhís Náisiúnta Tástála Gluaisteáin.

Ní raibh an cás an-éagsúil ar fad ó cheann den bheagán cásanna cúirte inár fheidhmigh Pádraig Mac Piarais mar abhcóide iontu i dtús an chéid seo caite, nuair a bhí sé mar chosantóir ag fear as An Chraoslach, Co. Dhún na Gall, a cúisíodh os comhair cúirte maidir lena ainm agus a sheoladh a bheith i nGaeilge seachas i mBéarla ar a charr capaill, rud nach raibh inghlactha de réir dlí ag an am!

Nuair a tharraing m'Oifig anuas cás an fhocail TACSAÍ leis an Roinn Iompair, bhí glacadh láithreach ansin gur chóir an ionstraim reachtúil a bhí i gceist a leasú. Rinneadh é sin le hIonstraim Reachtúil 157 de 2004, a shínigh an tAire Iompair ar 19 Aibreán 2004, a dhearbhaíonn go bhfuil glacadh iomlán de réir dlí leis na focail "TACSAÍ" agus "Uimhir Cheadúnais" san áit nach raibh ceadaithe roimhe sin ach TAXI agus Licence Number.

### Taxi or Tacsai

A representative from an Irish language organisation complained to my Office that at least one centre of the National Car Testing Service was refusing to issue certificates to taxis because of the word "TACSAÍ" being shown on them instead of the word "TAXI" as prescribed by law.

The Service claimed that they could not accept the Irish version of the word because there was a Statutory Instrument in force which prescribed that only the word TAXI could be used.

My Office examined the law pertaining to the situation, and found that the National Car Testing Service was correct in its understanding of the relevant Statutory Instrument (SI 136 of 1995).

Interestingly enough, the issue echoed one of the few cases where Pádraig Mac Piarais practised as counsel at the beginning of the last century. In that case he represented a man from An Craoslach, Co. Donegal, who was charged in court for having his name and address in Irish, instead of in English, on his horse-drawn cart, a practice which was illegal under the law of the time.

When my Office raised the matter of the word TACSAÍ with the Department of Transport, there was ready and immediate acceptance that the statutory instrument in question should be amended. This was done by way of Statutory Instrument No. 157 of 2004, which was signed by the Minister for Transport on 19 April 2004. This confirms that the word "TACSAÍ" and "Uimhir Cheadúnais" are now legally acceptable, whereas previously only the words "TAXI" and "Licence Number" were allowable in law.

## CÁSANNA ROGHNAITHE SELECTED CASES

### Eolas ar Láithreán Gréasáin

Rinneadh gearán le m'Oifig go raibh eolas tugtha ar láithreán gréasáin de chuid chomhlachta phoiblí amháin a thagann faoi scáth an Achta a thug le fios go mbeadh ráitis pholasaí á bhfoilsiú “faoi réir Acht na dTeangacha Oifigiúla” ach go raibh sé le tuiscint nár ghá go mbeadh foilsiú comhuaineach sa dá theanga oifigiúla i gceist.

Dúradh an méid seo ar an suíomh gréasáin:

*“Áit ar bith a bhfuil aistriúcháin de dhíth foilseofar an doiciméad sa teanga ina dréachtadh é i dtosach báire”.*

Más tagairt a bhí anseo d'fhoilsiú doiciméid áirithe faoi Alt 10 den Acht, ba léir go gcaithfidís a bheith foilsithe “go comhuaineach i ngach ceann de na teangacha oifigiúla” agus gur sárú ar an Acht a bheadh ann leagan i dteanga amháin a fhoilsiú i dtosach báire fad is a bhí aistriúchán a ullmhú.

Rinne m'Oifig teagmháil leis an gcomhlacht poiblí a bhí i gceist. Mhínigh an comhlacht poiblí go raibh an láithreán gréasáin á fhorbairt ar bhonn leanúnach. Dearbhaíodh gur thuig an comhlacht poiblí a ndualgais faoin Acht agus go raibh leasú déanta ar an eolas a bhí ar an láithreán gréasáin “chun amhras a sheachaint”.

### Information on Website

A complaint was made to my Office about the website of one public body which comes within the scope of the Act, which indicated that policy statements would be published “pursuant to the Official Languages Act”, but also implied that this did not necessarily mean publication in both official languages.

The following was stated on the website:

*“Wherever translation is required, the version in the language in which the document is drafted will appear in advance of the translation”.*

If this referred to the publication of certain documents by a body pursuant to Article 10 of the Act, the statutory requirement was that the documents should “be published by that body in each of the official languages simultaneously”. It would contravene the Act to publish a version in one language first, while a translation into the other was being prepared.

My Office contacted the public body in question. The public body explained that the website was under continuous development. It was confirmed that the public body understood its obligations under the Act, and that the information given on the website had been amended “to avoid misunderstanding”.

## CÚRSAÍ AIRGEADAIS FINANCIAL MATTERS

Bhí buiséad €500,000 curtha ar fáil don oifig don bhliain 2004. Tá cuntais na hOifige curtha faoi bhráid an Ard-Reachtaire Cuntas agus Ciste lena n-íniúchadh de réir Alt 8(2) den Dara Sceideal d'Acht na dTeangacha Oifigiúla 2003.

A luaithe 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 Gnóthaí Pobail, Tuaithe agus Gaeltachta, mar aon le tuarascáil an Ard-Reachtaire Cuntas agus Ciste maidir leis na cuntais, a chur i láthair an Aire. Beidh cóipeanna de na doiciméid sin a leagan faoi bhráid gach Tí den Oireachtas.

A budget of €500,000 was provided for the Office for the year 2004. The accounts of the Office have been submitted to the Comptroller and Auditor General for audit in accordance with Section 8(2) of the Second Schedule of the *Official Languages Act 2003*.

As soon as may be after the audit, a copy of those accounts, or of such extracts from those accounts as the Minister for Community, Rural and Gaeltacht Affairs may specify, together with the report of the Comptroller and Auditor General on the accounts, shall be presented to the Minister. Copies of the documents shall be laid before each House of the Oireachtas.

## FOIREANN AGUS SONRAÍ TEAGMHÁLA

### STAFF AND CONTACT DETAILS

#### Foireann – Staff

Seo a leanas liosta foime Oifig an Choimisinéara Teanga:

The following is a list of members of staff of the Office of An Coimisinéir Teanga:

An Coimisinéir Teanga.....	Seán Ó Cuirreáin
Bainisteoir Oifige / Office Manager.....	Damhnait Uí Mhaoldúin
Ardoifigeach Feidhmiúcháin / Higher Executive Officer.....	Órla de Búrca
Oifigeach Feidhmiúcháin / Executive Officer.....	Cáit Uí Mhaoilriain
Oifigeach Cléireachais / Clerical Officer.....	Laura Pathe
Oifigeach Cléireachais / Clerical Officer.....	Ciarán Ó Ráighne

#### Teagmháil – 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: **1890 504 006**

Contact can be made or further information sought by post, fax, email or telephone at  
Lo-call Number: **1890 504 006**

##### An Coimisinéir Teanga

An Spidéal  
Co. na Gaillimhe  
Éire

##### An Coimisinéir Teanga

An Spidéal  
Co. Galway  
Ireland

Fón / Phone: **(091) 504 006**

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[www.coimisineir.ie](http://www.coimisineir.ie)



An leagan Gaeilge an bunchóip den tuarascáil seo.  
Irish language version is the original text of this report.

Dearadh/Design: [www.jdkdesign.net](http://www.jdkdesign.net) Teil/Tel: 071 9120905



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