

Changes to Legislation: as of 14 June 2024, there are changes to this Act which have not been implemented by the Revised Acts editorial team, see highlighted entries [here](#). Note that some amendments may not be in force until commenced by a commencement order or other provision.



Number 32 of 2003

OFFICIAL LANGUAGES ACT 2003

REVISED

Updated to 5 May 2023

This Revised Act is an administrative consolidation of the *Official Languages Act 2003*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975 (3/1975)* to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Patient Safety (Notifiable Incidents and Open Disclosure) Act 2023 (10/2023)*, enacted 2 May 2023, and all statutory instruments up to and including the *Official Languages (Amendment) Act 2021 (Commencement) (No. 2) Order 2023 (S.I. No. 215 of 2023)*, made 4 May 2023, were considered in the preparation of this Revised Act.

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Number 32 of 2003

OFFICIAL LANGUAGES ACT 2003

REVISED

Updated to 5 May 2023

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY AND GENERAL

Section

- 1. Short title and commencement.
- 2. Interpretation.
- 3. Expenses.
- 4. Regulations.
- 4A. Appointment of head of public body.
- 4B. Report on performance of obligations under Act.

PART 2

ORGANS OF STATE

- 5. Annual report to Houses of Oireachtas.
- 6. Use of official languages in Houses of Oireachtas.
- 7. Acts of the Oireachtas.
- 8. Administration of justice.

PART 3

PUBLIC BODIES

- 9. Duty of public bodies to use official languages on official stationery, etc.
- 9A. Duty of public bodies regarding names, addresses and titles in Irish language.
- 9B. Duty of public bodies regarding official forms.
- 9C. Duty of public bodies regarding logos.
- 9D. Names and logos of newly established statutory bodies.

- 9E. Public facing services.
- 10. Duty of public bodies to publish certain documents in both official languages simultaneously.
- 10A. Advertising by public bodies.
- 11. Use of official languages by public bodies.
- 12. Publication of guidelines by Minister.
- 13. Preparation of draft scheme by public body.
- 14. Confirmation by Minister of draft schemes.
- 15. Periodic review of schemes.
- 16. Amendment of schemes.
- 17. Failure to prepare a draft scheme.
- 18. Duty to carry out schemes.
- 18A. Establishment of Advisory Committee.
- 18B. Membership of Advisory Committee.
- 18C. Functions of Advisory Committee.
- 18D. Duty of Minister in respect of National Plan prepared under section 18C.
- 18E. Public bodies in Gaeltacht Language Planning Areas.
- 18F. Report of Advisory Committee.
- 19. Prohibition on imposition of charges by public bodies.
- 19A. Language standards.
- 19B. Duty to comply with language standards.
- 19C. Derogation from language standards.
- 19D. Guidelines in respect of language standards.

PART 4

AN COIMISINÉIR TEANGA

- 20. Establishment of Oifig Choimisinéir na dTeangacha Oifigiúla.
- 21. Functions of Commissioner.
- 22. Powers of Commissioner.
- 23. Conduct of investigations.
- 24. Exclusions.
- 25. Disclosure of information.
- 26. Report of findings.
- 27. Schemes of compensation.
- 28. Appeals to the High Court.
- 29. Publication of commentaries by Commissioner on practical application, etc. of Act.
- 30. Reports of Commissioner.

PART 5

PLACENAMES

- 31. [Definitions.](#)
- 31A. [Establishment of Placenames Committee.](#)
- 31B. [Membership of Placenames Committee.](#)
- 31C. [Functions of Placenames Committee.](#)
- 32. [Placenames orders.](#)
- 33. [Construction of words in legal documents.](#)
- 34. [Amendment of Ordnance Survey Ireland Act 2001.](#)
- 35. [Repeal.](#)

PART 6

MISCELLANEOUS

- 36. [Role of Ombudsman.](#)

FIRST SCHEDULE

PUBLIC BODIES

SECOND SCHEDULE

AN COIMISINÉIR TEANGA

 ACTS REFERRED TO

British-Irish Agreement Act 1999	1999, No. 1
Civil Service Commissioners Act 1956	1956, No. 45
Civil Service Regulation Act 1956	1956, No. 46
Civil Service Regulation Acts 1956 to 1996	
Data Protection Act 1988	1988, No. 25
European Assembly Elections Act 1977	1977, No. 30
European Parliament Elections Act 1993	1993, No. 30
Harbours Act 1946	1946, No. 9
Harbours Act 1996	1996, No. 11
Local Government Act 2001	2001, No. 37
Marriages (Ireland) Act 1844	6 & 7 Vict., c. 81
Ministers and Secretaries Act 1924	1924, No. 16
Ministers and Secretaries (Amendment) Act 1956	1956, No. 21
Ombudsman Act 1980	1980, No. 26
Ordnance Survey Ireland Act 2001	2001, No. 43
Place-Names (Irish Forms) Act 1973	1973, No. 24
Public Service Management Act 1997	1997, No. 27
Tribunals of Inquiry (Evidence) Acts 1921 to 2002	



Number 32 of 2003

OFFICIAL LANGUAGES ACT 2003

REVISED

Updated to 5 May 2023

AN ACT TO PROMOTE THE USE OF THE IRISH LANGUAGE FOR OFFICIAL PURPOSES IN THE STATE; TO PROVIDE FOR THE USE OF BOTH OFFICIAL LANGUAGES OF THE STATE IN PARLIAMENTARY PROCEEDINGS, IN ACTS OF THE OIREACHTAS, IN THE ADMINISTRATION OF JUSTICE, IN COMMUNICATING WITH OR PROVIDING SERVICES TO THE PUBLIC AND IN CARRYING OUT THE WORK OF PUBLIC BODIES; TO SET OUT THE DUTIES OF SUCH BODIES WITH RESPECT TO THE OFFICIAL LANGUAGES OF THE STATE; AND FOR THOSE PURPOSES, TO PROVIDE FOR THE ESTABLISHMENT OF OIFIG CHOIMISINÉIR NA dTEANGACHA OIFIGIÚLA AND TO DEFINE ITS FUNCTIONS; TO PROVIDE FOR THE PUBLICATION BY THE COMMISSIONER OF CERTAIN INFORMATION RELEVANT TO THE PURPOSES OF THIS ACT; AND TO PROVIDE FOR RELATED MATTERS. [14th July, 2003]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

- C1** Functions transferred and references construed (1.05.2011) by *Irish Language, Gaeltacht and the Islands (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 164 of 2011), arts. 2, 3 and sch., in effect as per art. 1(2), subject to transitional provisions in arts. 4-8.
2. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by Article 3 are transferred to the Department of Tourism, Culture and Sport.
- (2) References to the Department of Community, Equality and Gaeltacht Affairs contained in any Act or any instrument made thereunder and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Department of Tourism, Culture and Sport.
3. (1) The functions vested in the Minister for Community, Equality and Gaeltacht Affairs by or under the Acts specified in Part 1 of the Schedule and the provisions of the Acts specified in Part 2 of the Schedule in so far as they relate to—
- (a) supporting and promoting the Irish language, including the co-ordination of policy in that regard, and the development of the Gaeltacht and the Islands,
 - (b) promoting the cultural, social and economic welfare of the Gaeltacht,
 - (c) supporting and promoting North/South co-operation in relation to the Irish language and Ulster-Scots heritage, culture and language, and
 - (d) An Foras Teanga, An Coimisinéir Teanga and Údarás na Gaeltachta, are transferred to the Minister for Tourism, Culture and Sport.

(2) References to the Minister for Community, Equality and Gaeltacht Affairs contained in any Act or instrument made thereunder and relating to any functions transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Tourism, Culture and Sport.

SCHEDULE

Part 1

...

Official Languages Act 2003 (No. 32 of 2003)

...

PART 1

PRELIMINARY AND GENERAL

Short title and commencement.

1. —(1) This Act may be cited as **the Official Languages Act 2003**.

(2) This Act shall come into operation on such day or days not later than 3 years after the passing of this Act as, by order or orders made by the Minister under this section, may be fixed therefor either generally or with reference to any particular purpose or provision, and different days may be so fixed for different purposes and different provisions.

Annotations**Editorial Notes:**

E1 A table showing sections and their commencement dates is available at https://www.irishstatutebook.ie/eli/isbc/2003_32.html.

E2 Power pursuant to s. 1(2) exercised (19.01.2004) by *An tOrdú Acht na dTeangacha Oifigiúla 2003 (Tosach Feidhme) 2004* (S.I. No. 32 of 2004).

3. Socraítear gurb é an 19 Eanáir 2004 an lá a thiocfaidh—

(a) ailt 5 agus 6,

(b) Cuid 3 (seachas ailt 9(3) agus 10) agus Cuid 4, agus

(c) alt 36

d'Acht 2003 agus an Chéad Sceideal agus an Dara Sceideal a ghabhann le hAcht 2003 i ngníomh.

4. Socraítear gurb é an 1 Bealtaine 2004 an lá a thiocfaidh—

(a) mír (a), a mhéid a bhaineann sí le comhlacht poiblí (seachas údarás áitiúil),

(b) mír (a), a mhéid a bhaineann sí le húdarás áitiúil, maidir le doiciméid a fhoilsítear tar éis an lae sin (seachas plean forbartha a fhoilsítear faoi alt 11 den Acht um Pleanáil agus Forbairt 2000 (Uimh. 30 de 2000) ach nach bhfuil déanta fós faoi alt 12 den Acht sin),

(c) mír (b), a mhéid a bhaineann sí le tuarascáil bhliantúil maidir leis an mbliain 2003 nó aon bhliain dá éis sin,

(d) mír (c), a mhéid a bhaineann sí le cuntas iniúchta nó ráiteas airgeadais i leith na bliana 2003 nó aon bhliain dá éis sin,

(e) mír (d), a mhéid a bhaineann sí le ráiteas straitéise i leith na bliana 2003 nó aon bhliain dá éis sin, agus

(f) mír (e)

d'alt 10 d'Acht 2003 i ngníomh.

E3 Power pursuant to subs. (2) exercised (30.10.2003) by *An tOrdú Acht na dTeangacha Oifigiúla 2003 (Tosach Feidhme) 2003* (S.I. No. 518 of 2003).

2. Tíocfaidh Altanna 2, 3, 4 agus Cuid 5 de Acht na dTeangacha Oifigiúla 2003 (Uimh. 32 de 2003) i ngníomh ar 30 Deireadh Fómhair 2003.

Interpretation. **2.** —(1) In this Act, save where the context otherwise requires—

F1["Act of 2012" means the **Gaeltacht Act 2012**];

F1["Advisory Committee" has the meaning assigned to it by **section 18A**];

"Commissioner" means, as the context may require, Oifig Choimisinéir na dTeangacha Oifigiúla established by **section 20** or the holder, for the time being, of that office;

"court" includes a tribunal established under the Tribunals of Inquiry (Evidence) Acts 1921 to 2002;

"draft scheme" means a draft scheme to be prepared by a public body under this Act;

"enactment" means a statute or an instrument made under a power conferred by a statute;

F1["establishment day" shall be construed in accordance with **section 18A**];

"functions" includes powers and duties and references to the performance of functions include, with respect to powers and duties, references to the exercise of the powers and the carrying out of the duties;

F2["Gaeltacht area" has the same meaning as it has in Part 2 of the Act of 2012];

F1["Gaeltacht Language Planning Area" has the same meaning as it has in Part 2 of the Act of 2012];

F1["Gaeltacht Service Town" has the same meaning as it has in Part 2 of the Act of 2012];

"head" means the head of a public body;

F2["head of a public body" means the person appointed as the principal officer of the public body or, where no such person has been appointed, the person designated by order of the Government made under **section 4A** to be the head of the public body for the purposes of this Act];

F3[(c) in relation to the Office of the Commission for Public Service Appointments, the Director of the Office of the Commission for Public Service Appointments,]

(d) in relation to the Office of the Comptroller and Auditor General, the Comptroller and Auditor General,

(e) in relation to the Office of the Director of Public Prosecutions, the Director of Public Prosecutions,

(f) in relation to the F4[Houses of the Oireachtas Service], the Chairman of Dáil Éireann,

(g) in relation to the Office of the Information Commissioner, the Information Commissioner,

F3[(h) in relation to the Public Appointments Service, the Chief Executive of the Public Appointments Service,]

(i) in relation to the Office of the Ombudsman, the Ombudsman,

(j) in relation to any other public body, the person who holds, or performs the functions of, the office of chief executive officer (by whatever name called) of the body;

F1["Irish Language Network" has the same meaning as it has in Part 2 of the Act of 2012;]

"local authority" has the meaning assigned to it by subsection (1) of section 2 of the Local Government Act 2001;

"the Minister" means the Minister for Community, Rural and Gaeltacht Affairs;

F1["National Plan" has the meaning assigned to it by section 18C;]

F1["official form" means a form, including an electronic form, used by a public body in connection with the provision of a service by that body;]

"the official languages" means the Irish language (being the national language and the first official language) and the English language (being a second official language) as specified in Article 8 of the Constitution;

"prescribed" means prescribed by the Minister by regulations under section 4;

"proceedings" means civil or criminal proceedings before any court;

"public body" shall be construed in accordance with the *First Schedule*;

"record" includes any memorandum, book, plan, map, drawing, diagram, pictorial or graphic work or other document, any photograph, film or recording (whether of sound or images or both), F5[any form in which data are held (including machine-readable form)] or thing in which information is held or stored manually, mechanically or electronically and anything that is a part or a copy, in any form, of any of the foregoing or is a combination of two or more of the foregoing;

"a scheme" means a scheme confirmed by the Minister under section 14;

"service" means a service offered or provided (whether directly or indirectly) to the general public or a class of the general public by a public body.

F1["statutory body" means a body established by or under statute.]

(2) (a) In this Act a reference to a section or schedule is a reference to a section or Schedule to this Act unless it is indicated that reference to some other enactment is intended.

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

Annotations

Amendments:

F1 Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021* (49/2021), s. 2(c), S.I. No. 313 of 2022, art. 2(b).

F1 Inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 2(c), not commenced as of date of revision.

- F2** Substituted (13.03.2023) by *Official Languages (Amendment) Act 2021* (49/2021), s. 2(a), (b), S.I. No. 90 of 2023.
- F3** Substituted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61 and sch. 2, commenced on enactment.
- F4** Substituted (1.01.2010) by *Houses of the Oireachtas Commission (Amendment) Act 2009* (44/2009), s. 14 and sch. part 1 item 6, commenced as per s. 15(3).
- F5** Substituted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 194, S.I. No. 174 of 2018, art. 3.

Modifications (not altering text):

- C2** Functions transferred and references construed (1.05.2011) by *Irish Language, Gaeltacht and the Islands (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 164 of 2011), arts. 2, 3 and sch., in effect as per art. 1(2), subject to transitional provisions in arts. 4-8.

2. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by Article 3 are transferred to the Department of Tourism, Culture and Sport.

(2) References to the Department of Community, Equality and Gaeltacht Affairs contained in any Act or any instrument made thereunder and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Department of Tourism, Culture and Sport.

3. (1) The functions vested in the Minister for Community, Equality and Gaeltacht Affairs by or under the Acts specified in Part 1 of the Schedule and the provisions of the Acts specified in Part 2 of the Schedule in so far as they relate to—

(a) supporting and promoting the Irish language, including the co-ordination of policy in that regard, and the development of the Gaeltacht and the Islands,

(b) promoting the cultural, social and economic welfare of the Gaeltacht,

(c) supporting and promoting North/South co-operation in relation to the Irish language and Ulster-Scots heritage, culture and language, and

(d) An Foras Teanga, An Coimisinéir Teanga and Údarás na Gaeltachta, are transferred to the Minister for Tourism, Culture and Sport.

(2) References to the Minister for Community, Equality and Gaeltacht Affairs contained in any Act or instrument made thereunder and relating to any functions transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Tourism, Culture and Sport.

SCHEDULE

Part 1

...

Official Languages Act 2003 (No. 32 of 2003)

...

Expenses.

3. —The expenses incurred by the Minister and any other Minister of the Government in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Regulations.

4. —(1) The Minister may, with the consent of the Minister for Finance—

(a) by regulations provide, subject to the provisions of this Act, for any matter referred to in this Act as prescribed or to be prescribed,

(b) in addition to any other power conferred on him or her to make regulations, make regulations generally for the purposes of, and for the purpose of giving full effect to, this Act,

(c) if, during the first 3 years of application of this Act to a public body specified in *subparagraph (3), (4) or (5) of paragraph 1 of the First Schedule*, any difficulty arises in bringing this Act into operation in so far as it applies to that body, by regulations do anything which appears to be necessary or expedient for bringing this Act into operation in so far as it applies to that body and regulations under this paragraph may, in so far only as may appear necessary for carrying the regulations into effect, modify a provision of this Act if the modification is in conformity with the purposes, principles and spirit of this Act, and

(d) if in any other respect any difficulty arises during the period of 3 years from the commencement of this Act in bringing this Act into operation, by regulations do anything which appears to be necessary or expedient for bringing this Act into operation and regulations under this paragraph may, in so far only as may appear necessary for carrying the regulations into effect, modify a provision of this Act if the modification is in conformity with the purposes, principles and spirit of this Act.

(2) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

(3) Where the Minister proposes to make regulations under *paragraph (c) or (d) of subsection (1) or for the purposes of paragraph 1 (5), or under paragraph 3, of the First Schedule*, he or she shall cause a draft of the regulations to be laid before each House of the Oireachtas and the regulations shall not be made until a resolution approving of the draft has been passed by each such House.

(4) Where the Minister proposes to make regulations under *subsection (1)(c)*, he or she shall, before doing so, consult with such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government in relation to the proposed regulations.

(5) Regulations prescribing a body, organisation or group (“the body”) for the purposes of *paragraph 1(5) of the First Schedule* may provide that this Act shall apply to the body only as respects specified functions of the body, and this Act shall apply and have effect in accordance with any such provision.

(6) Every regulation under this Act (other than a regulation referred to in *subsection (3)*) shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

Annotations

Modifications (not altering text):

C3 Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after

the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...
No. 32 of 2003	Official Languages Act 2003	Sections 4, 10, 11(3) and 27
...

Editorial Notes:

- E4** Power pursuant to section and sch. 1 para. 3 exercised (19.12.2019) by *Official Languages Act 2003 (Public Bodies) Regulations 2019* (S.I. No. 230 of 2020).
- E5** Power pursuant to subs. (2) exercised (1.10.2008) by *Official Languages Act 2003 (Section 9) Regulations 2008* (S.I. No. 391 of 2008).
- E6** Power pursuant to subs. (1)(a) and sch. 1 paras. 1(5), 3 exercised (1.05.2006) by *Official Languages Act 2003 (Public Bodies) Regulations 2006* (S.I. No. 150 of 2006), in effect as per reg. 1(2).
- E7** Power pursuant to section exercised (1.01.2005) by *Official Languages Act 2003 (Prescribed Maps) Regulations 2004* (S.I. No. 212 of 2004), in effect as per reg. 1(b).

F6[Appointment of head of public body

4A. (1) Where for the time being no person stands appointed as the principal officer of a public body, the Government may by order designate a person to be head of the public body for the purposes of this Act.

(2) Every order under *subsection (1)* shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House sits after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.]

Annotations**Amendments:**

- F6** Inserted (5.05.2023) by *Official Languages (Amendment) Act 2021* (49/2021), s. 3, S.I. No. 215 of 2023.

F7[Report on performance of obligations under Act

4B. The head of a public body shall—

- (a) appoint, from senior management, another member of staff of the body to oversee the performance of, and report to him or her as appropriate in relation to, the obligations of the body under this Act, and
- (b) ensure that a summary of any of the matters reported to him or her in accordance with *paragraph (a)* is included in the annual report of the body concerned.]

Annotations**Amendments:**

- F7** Inserted (5.05.2023) by *Official Languages (Amendment) Act 2021* (49/2021), s. 3, S.I. No. 215 of 2023.

PART 2

ORGANS OF STATE

Annual report to Houses of Oireachtas.

5. —In each year, beginning with the year following the year in which this Act is commenced, the Minister shall make a report to each House of the Oireachtas on the operation in the preceding year of this Act.

Use of official languages in Houses of Oireachtas.

6. —(1) A member of either House of the Oireachtas has the right to use either of the official languages in any debates or other proceedings in that House or of a committee of either House, a joint committee of both Houses or sub-committee of such a committee or joint committee.

(2) A person appearing before either House of the Oireachtas or before such a committee, joint committee or sub-committee as aforesaid has the right to use either of the official languages.

(3) Every official report of the debates and other proceedings of the Houses of the Oireachtas shall be published in each of the official languages, except that contributions (whether oral or in writing) in either of the official languages by persons may be published therein solely in that language.

F8[Acts of the Oireachtas.

7. —(1) As soon as may be after the enactment of any Act of the Oireachtas, the text thereof shall be printed and published in each of the official languages simultaneously.

(2) *Subsection (1)* shall not operate to prohibit the publication on the internet of an Act of the Oireachtas in one official language only prior to its printing and publication in accordance with that subsection.]

Annotations**Amendments:**

- F8** Substituted (2.08.2011) by *Civil Law (Miscellaneous Provisions) Act 2011* (23/2011), s. 62(b), commenced on enactment.

Modifications (not altering text):

- C4** Application of section restricted (1.06.2015) by *Companies Act 2014* (38/2014), s. 1447(1), S.I. No. 169 of 2015, art. 3.

Disapplication of section 7 of Official Languages Act 2003

1447. (1) Section 7 of the Official Languages Act 2003 shall not apply in relation to this Act.

...

- C5** Application of section restricted (4.07.2011) by *Ministers and Secretaries (Amendment) Act 2011* (10/2011), s. 5, commenced on enactment.

Disapplication of section 7 of Official Languages Act 2003.

5.— Section 7 of the Official Languages Act 2003 shall not apply to this Act.

- C6** Application of section restricted (29.06.2011) by *Social Welfare and Pensions Act 2011* (9/2011), s. 24, commenced on enactment.

Disapplication of section 7 of Official Languages Act 2003.

24.— Section 7 of the Official Languages Act 2003 does not apply in relation to this Act. The text of this Act shall be made available electronically in each of the official languages as soon as practicable after its enactment.

- C7** Application of section restricted (21.12.2010) by *Credit Institutions (Stabilisation) Act 2010* (36/2010), s. 70, S.I. No. 623 of 2010, art. 2(1).

Disapplication of section 7 of Official Languages Act 2003.

70.— Section 7 of the Official Languages Act 2003 does not apply in relation to this Act. The text of this Act shall be made available electronically in each of the official languages as soon as practicable after its enactment.

- C8** Application of section restricted (21.12.2009) by *National Asset Management Agency Act 2009* (34/2009), s. 230, S.I. No. 545 of 2009, art. 2.

Disapplication of section 7 of Official Languages Act 2003.

230.— Section 7 of the Official Languages Act 2003 does not apply in relation to this Act. The text of this Act shall be made available electronically in each of the official languages as soon as practicable after its enactment.

Administration of justice.

8. —(1) A person may use either of the official languages in, or in any pleading in or document issuing from, any court.

(2) Every court has, in any proceedings before it, the duty to ensure that any person appearing in or giving evidence before it may be heard in the official language of his or her choice, and that in being so heard the person will not be placed at a disadvantage by not being heard in the other official language.

(3) For the purposes of ensuring that no person is placed at a disadvantage as aforesaid, the court may cause such facilities to be made available, as it considers appropriate, for the simultaneous or consecutive interpretation of proceedings from one official language into the other.

(4) Where the State or a public body is a party to civil proceedings before a court—

(a) the State or the public body shall use in the proceedings, the official language chosen by the other party, and

(b) if two or more persons (other than the State or a public body) are party to the proceedings and they fail to choose or agree on the official language to be used in the proceedings, the State or, as appropriate, the public body shall use in the proceedings such official language as appears to it to be reasonable, having regard to the circumstances.

(5) Notwithstanding any other provision of this section, a person shall not be compelled to give evidence in a particular official language in any proceedings.

(6) In choosing to use a particular official language in any proceedings before a court, a person shall not be put by the court or a public body to any inconvenience or expense over and above that which would have been incurred had he or she chosen to use the other official language.

PART 3

PUBLIC BODIES

Duty of public bodies to use official languages on official stationery, etc.

9. —(1) The Minister may by regulations provide that oral announcements (whether live or recorded) made by a public body, the headings of stationery used by a public body and the contents and the lay-out of any signage or advertisements placed by it shall, to such extent as may be specified, be in the Irish language or in the English and Irish languages and different provisions may be made in relation to different classes of body, oral announcements, stationery, signage or advertisements.

(2) Where a person communicates in writing or by electronic mail in an official language with a public body, the public body shall reply in the same language.

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

Annotations

Amendments:

F9 Deleted by *Official Languages (Amendment) Act 2021* (49/2021), s. 4(a)(i), not commenced as of date of revision.

F10 Substituted by *Official Languages (Amendment) Act 2021* (49/2021), s. 4(a)(ii), (b), (c), not commenced as of date of revision.

F11 Inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 4(c), not commenced as of date of revision.

Modifications (not altering text):

C9 Prospective affecting provisions: subs. (1) amended, subss. (2), (3) substituted and subs. (4) inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 4(a)-(c), not commenced as of date of revision.

9. —(1) The Minister may by regulations provide that oral announcements (whether live or recorded) made by a public body, the headings of stationery used by a public body and the contents and the lay-out of any signage F9[...] placed by it shall, to such extent as may be specified, be in the Irish language or in the English and Irish languages and different provisions may be made in relation to different classes of body, oral announcements, F10[stationery or signage] F9[...].

F10[(2) Where a person communicates in writing, by electronic mail or through social media in an official language with a public body, the public body shall reply in the same language.]

F10[(3) Where a public body communicates in writing or by electronic mail with the general public or a class of the general public for the purpose of furnishing information to the public or the class or for the purpose of the marketing of the public body or its services to the public or the class, the body shall ensure that the communication is in the Irish language or in the Irish and English languages.]

F11[(4) Where the communication referred to in *subsection (3)* is in both the Irish and English languages—

(a) the part of the text that is in the Irish language shall not be in a smaller font, or less prominent, visible or legible than the part of the text that is in the English language, and

(b) where part of the text that is in the Irish language is abbreviated, the part of the text that is in the English language which is the translation of that abbreviated text shall also be abbreviated.]

Editorial Notes:

E8 Power pursuant to subs. (1) exercised (1.10.2008) by *Official Languages Act 2003 (Section 9) Regulations 2008* (S.I. No. 391 of 2008).

F12[Duty of public bodies regarding names, addresses and titles in Irish language

9A.— ...]

Annotations

Amendments:

F12 Inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

Modifications (not altering text):

C10 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

F12[**9A.** (1) For the purpose of ensuring the correct recording and use by a public body of a person's name (including the patronymic or matronymic form of the name), address or title (including the option to use no title) in the Irish language, the Minister may, after consultation with such (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of the public body, prescribe the body for the purposes of this section.

(2) The Minister may, in prescribing a public body under *subsection (1)*, specify the services offered or provided by the body in respect of which it is so prescribed.

(3) A public body that is prescribed under *subsection (1)* shall ensure that the information and communications systems, and any other systems (whether electronic or otherwise), that are used by the body in its communications with the general public, or a class of the general public, as may be appropriate, are configured in a manner that—

(a) permits a person's name (including the patronymic or matronymic form of the name), address or title (including the option to use no title), in the Irish language, to be correctly recorded and used by such systems in relation to the services offered or provided by the body in respect of which it is so prescribed, and

(b) facilitates the use of the length accent in Irish language text.

- (4) (a) The Minister shall, not later than 3 months after the commencement of section 4 of the Official Languages (Amendment) Act 2021 and following consultation with such (if any) other Minister of the Government as the Minister considers appropriate, prepare and issue guidelines to assist public bodies in complying with their obligations under this section and under *sections 9B, 9C and 9D*.
- (b) A public body shall have regard to the guidelines, if any, issued under *paragraph (a)* in complying with its obligations under this section and under *sections 9B, 9C and 9D*.
- (c) The Minister shall, as soon as practicable, publish on the website of the Department of Culture, Heritage and the Gaeltacht guidelines issued under *paragraph (a)*.
- (d) The Minister shall, at such intervals as he or she considers appropriate, revise guidelines issued under *paragraph (a)* and the provisions of this subsection shall apply to the preparation, issuing and publication of such revised guidelines as they apply to the guidelines first issued.]

F13[Duty of public bodies regarding official forms

9B.— ...]

Annotations

Amendments:

- F13** Inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 5, not commenced as of date of revision.

Modifications (not altering text):

- C11** Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 5, not commenced as of date of revision.

F13[9B. (1) For the purpose of prescribing the content and layout of official forms of a public body the Minister may, after consultation with such (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of the public body, prescribe the body for the purposes of this section.

(2) The Minister may, in prescribing a public body under *subsection (1)*, prescribe the contents and layout of official forms of the public body to be in the Irish language or in both the Irish and English languages and different provisions may be made in relation to different public bodies or official forms.

(3) In prescribing the content and layout of forms under *subsection (2)* the Minister shall have regard to the following matters where text, in the official form concerned, is in both the Irish and English languages:

- (a) the order in which the text in each language shall appear in the official form;
- (b) the prominence, visibility, legibility, size, font, overall appearance and style of the text, in the official form, of one language with respect to the text of the other language;
- (c) the need for each official language to communicate the same message;
- (d) the manner in which a title is to be used prior to or after a person's name in the official form, particularly with reference to acknowledging the different forms of such titles in each language;
- (e) the manner in which abbreviated words may be used in each language.

(4) In prescribing the content and layout of forms under *subsection (2)* the Minister shall have regard to the following matters where text, in the official form concerned, is in the Irish language only:

(a) the manner in which a title is to be used prior to or after a person's name in the official form, particularly with reference to acknowledging the different forms of such titles in each language;

(b) the manner in which abbreviated words may be used in each language.]

F14[Duty of public bodies regarding logos

9C.— ...]

Annotations

Amendments:

F14 Inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

Modifications (not altering text):

C12 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

F14**9C.** (1) A public body shall, on and from the commencement of section 4 of the Official Languages (Amendment) Act 2021, where it is renewing or altering its logo, ensure that text that forms part of the new or altered logo shall be in the Irish language or in both the Irish and English languages.

(2) Where text referred to in *subsection (1)* is in both the Irish and English languages—

(a) the part of the text that is in the Irish language shall appear before the part of the text that is in the English language,

(b) the part of the text that is in the Irish language shall not be in a smaller font, or less prominent, visible or legible than the part of the text that is in the English language, and

(c) where part of the text that is in the Irish language is abbreviated, the part of the text that is in the English language which is the translation of that abbreviated text shall also be abbreviated.

(3) In this section and in *section 9D* "logo" means the logo usually used by a body on headings of stationery, livery or signage of the body and generally accompanied by the name of the body, and includes the logo of any scheme, programme, policy initiative or website administered by the body or for which the body is responsible.

(4) In *subsection (1)*, "text" shall include any abbreviation or acronym of the name, in the Irish language, of the body concerned.]

F15[Names and logos of newly established statutory bodies

9D.— ...]

Annotations

Amendments:

F15 Inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

Modifications (not altering text):

C13 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

F15[9D. (1) The name of a statutory body established, on and from the commencement of section 4 of the Official Languages (Amendment) Act 2021, shall be in the Irish language.

(2) Text that forms part of a logo of a statutory body established, on and from the commencement of section 4 of the Official Languages (Amendment) Act 2021, shall be in the Irish language or in both the Irish and English languages.

(3) Where text referred to in *subsection (2)* is in both the Irish and English languages—

(a) the part of the text that is in the Irish language shall appear before the part of the text that is in the English language,

(b) the part of the text that is in the Irish language shall not be in a smaller font, or less prominent, visible or legible than the part of the text that is in the English language, and

(c) where part of the text that is in the Irish language is abbreviated, the part of the text that is in the English language which is the translation of that abbreviated text shall also be abbreviated.]

F16[Public facing 9E.— ...]
services

Annotations

Amendments:

F16 Inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

Modifications (not altering text):

C14 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 5, not commenced as of date of revision.

F16[9E. (1) A public body shall take all appropriate steps to ensure that, where a person provides a public facing service on behalf of the public body, that person shall, in respect of the provision of that service, comply with—

(a) regulations under *section 9(1)* applying to the public body concerned,

(b) *subsections (2) and (3) of section 9*, and

(c) such of the relevant language standards prescribed by the Minister under *section 19A(2)* to apply to the public body concerned.

(2) In this section, "public facing service" means a service offered or provided, whether or not for remuneration, on behalf of a public body by a person other than a public body, to the general public or a class of the general public.]

Duty of public bodies to publish certain documents in both official languages simultaneously.

10. —Notwithstanding any other enactment, the following documents made by or under the authority of a public body (other than a body, organisation or group standing prescribed pursuant to regulations for the purposes of *clause (b) of paragraph 1(5) of the First Schedule*) shall be published by that body in each of the official languages simultaneously:

(a) any document setting out public policy proposals;

(b) any annual report;

(c) any audited account or financial statement;

(d) any statement of strategy required to be prepared under *section 5 of the Public Service Management Act 1997*; and

- (e) any document of a description or class standing prescribed for the time being, with the consent of the Minister for Finance and such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government, and being a document of a description or class that is, in the opinion of the Minister, of major public importance.

Annotations

Modifications (not altering text):

C15 Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year	Short Title	Provision
(1)	(2)	(3)
...
No. 32 of 2003	Official Languages Act 2003	Sections 4, 10, 11(3) and 27
...

F17[Advertising by public bodies

10A. (1) A public body shall ensure that—

(a) at least 20 per cent of any advertising placed by the body in any year shall be in the Irish language, and

(b) at least 5 per cent of any money expended by the body on advertising in any year shall be used to place advertising in the Irish language through Irish language media.

(2) In this section—

"advertising" means—

- (a) any form of commercial communication with the aim or direct or indirect effect of promoting a product or service of the public body concerned, and
- (b) any form of communication, to the public, in respect of—
 - (i) the recruitment of staff,
 - (ii) legislative or policy initiatives,
 - (iii) the purchase or sale of land or assets,
 - (iv) the provision of services, or
 - (v) public consultation;

"Irish language media" means any media where 50 per cent or more of the content of that media is through the Irish language.]

Annotations

Amendments:

- F17** Inserted (10.10.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 6, S.I. No. 511 of 2022.

Use of official languages by public bodies.

11. —(1) For the purpose of promoting the use of the Irish language for official purposes in the State, the Minister may, by notice in writing to the head of a public body, require the public body to prepare and present to him or her for confirmation within such time (not being more than 6 months from the date of issue of the notice) as is specified in the notice a draft scheme specifying—

- (a) the services which the public body proposes to provide—
 - (i) exclusively through the medium of the Irish language,
 - (ii) exclusively through the medium of the English language, and
 - (iii) through the medium of both the Irish and English languages,
 and
- (b) the measures the body proposes to adopt to ensure that any services that are not provided by the body through the medium of the Irish language will be so provided.

(2) (a) A draft scheme referred to in *subsection (1)* shall specify the means of communication that are to be provided exclusively in the Irish language, exclusively in the English language and in both the Irish and English languages.

(b) In this section "means of communication" means the means of communication between the body concerned and the public generally or groups or individual members of the public in relation to the services concerned, the provision of the services and information relating to the services or such provision.

(3) The Minister may, with the consent of the Minister for Finance, in relation to those of its services delivered exclusively through the medium of the English language, direct a public body to draw up a plan for the delivery of those services in addition through the medium of the Irish language together with an estimate of the period of time required to implement the plan.

(4) A notice under *subsection (1)* shall be accompanied by a copy of the current guidelines issued by the Minister under *section 12*.

(5) Different notices may be given to a head of a public body under this section in respect of different services.

Annotations

Amendments:

- F18** Repealed by *Official Languages Act 2003* (32/2003) s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

Modifications (not altering text):

- C16** Prospective affecting provision: section repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

11. —F18[...]

- C17** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year	Short Title	Provision
(1)	(2)	(3)
...
No. 32 of 2003	Official Languages Act 2003	Sections 4, 10, 11(3) and 27
...

Publication of guidelines by Minister.

12. —(1) The Minister shall issue to public bodies guidelines in relation to the preparation by public bodies of draft schemes.

(2) As soon as practicable after the commencement of this section the Minister shall prepare a draft of any guidelines that he or she proposes to issue under *subsection (1)* and shall send copies of the draft to—

(a) every other Minister of the Government, and

(b) such other persons (including any other head) as he or she considers appropriate.

(3) The Minister shall, after considering any representations made to him or her about the draft guidelines, confirm the draft guidelines either without amendment or with such amendments as he or she considers appropriate.

(4) The Minister shall, as soon as practicable, lay before each House of the Oireachtas a copy of any guidelines issued under *subsection (1)*.

(5) The Minister shall, at such intervals as he or she considers appropriate, revise any guidelines issued under *subsection (1)* and the provisions of this section shall apply to the issuing of such revised guidelines as they apply to the guidelines first issued.

Annotations

Amendments:

F19 Repealed by *Official Languages Act 2003* (32/2003) s. 17, not commenced as of date of revision.

Modifications (not altering text):

C18 Prospective affecting provision: section repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision.

12. —F19[...]

Preparation of draft scheme by public body.

13. —(1) On receipt of a notice under *section 11*, a public body shall—

(a) publish notice of its intention to prepare a draft scheme and invite representations from any interested parties, and

(b) within the time specified in the notice, prepare and present for confirmation to the Minister a draft scheme.

(2) In preparing a draft scheme the public body shall—

(a) have regard to any guidelines issued under *section 12* and in force,

(b) have regard to any representations made by any interested party under *subsection (1)*,

(c) ensure that an adequate number of its staff are competent in the Irish language so as to be able to provide its service through Irish as well as English,

(d) ensure that the particular Irish language requirements associated with the provision of services in Gaeltacht areas are met,

(e) ensure that the Irish language becomes the working language in its offices in the Gaeltacht not later than such date as may be determined by it with the consent of the Minister.

(3) A draft scheme shall contain only such matters as are required to be specified under *subsections (1) and (2) of section 11*.

Annotations**Amendments:**

F20 Repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

Modifications (not altering text):

C19 Prospective affecting provision: section repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

13. — F20[...]

Confirmation by Minister of draft schemes.

14. —(1) Upon presentation of a draft scheme to the Minister by a public body, the Minister may, after consultation with such other persons including such other (if any) Minister of the Government as the Minister considers ought to be consulted, and with the consent of the head of the public body concerned, confirm the draft scheme either without amendment or with such amendments as he or she considers appropriate.

(2) The Minister shall, after confirmation of any draft scheme under this section, forward a copy of the scheme to the Commissioner.

(3) A scheme shall remain in force for a period of 3 years from the date on which it is confirmed by the Minister or until a new scheme has been confirmed by the Minister pursuant to *section 15*, whichever is the later.

F22[(4) Where a language standard has been prescribed to apply to a public body under *section 19A(2)* a scheme confirmed by the Minister under this section or pursuant to *section 15* shall, notwithstanding *subsection (3)*, cease to be in force.]

Annotations**Amendments:**

F21 Repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision.

F22 Inserted (13.03.2023) by *Official Languages (Amendment) Act 2021* (49/2021), s. 7, S.I. No. 90 of 2023.

Periodic review of schemes.

15. —(1) The Minister may, at any time, and shall, no later than 6 months before the expiration of the scheme, by notice in writing to the head of a public body require that body to review, within such period as may be specified in the notice, any scheme in force in relation to it.

(2) Upon receipt of a notice under *subsection (1)*, a public body shall conduct a review of the said scheme and shall, within the time specified in the notice, prepare and present, for confirmation by the Minister, a new draft scheme.

(3) *Sections 11, 13 and 14* shall, with any necessary modifications, apply where a notice is given under *subsection (1)* as they apply where a notice is given under *section 11*.

Annotations**Amendments:**

F23 Repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

Modifications (not altering text):

C20 Prospective affecting provision: section repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

15. —F23[...]

Amendment of schemes.

16. —(1) Where the Minister is satisfied that, owing to any change—

(a) in the functions of a public body, or

(b) in the circumstance in which such functions are performed,

it may be appropriate to amend any scheme in force in relation to it, he or she may, on his or her own initiative or on request by the public body concerned, by notice in writing to the public body propose amendments to the scheme.

(2) The Minister may, after consultation with such other persons, including such other (if any) Minister of the Government as the Minister considers ought to be consulted, and with the consent of the head of the public body concerned, amend a scheme in the manner proposed in any notice under *subsection (1)* or in such other manner as he or she considers appropriate in the circumstances, and the scheme shall have effect thereafter subject to any such amendments.

(3) The Minister shall forward to the Commissioner a copy of any scheme amended under this section.

Annotations**Amendments:**

F24 Repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision.

Modifications (not altering text):

C21 Prospective affecting provision: section repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision.

16. —F24[...]

Failure to prepare a draft scheme.

17. —Where—

(a) a public body fails or refuses to prepare a draft scheme in accordance with a notice issued under *section 11* or *15*,

(b) after presentation by a public body of a draft scheme to the Minister for confirmation, the public body and the Minister are unable to agree the terms of the scheme, or

(c) after receipt by a public body of a notice of proposed amendments to a scheme, the public body and the Minister are unable to agree on any amendments,

the Minister shall report this failure, refusal or inability to each House of the Oireachtas.

Annotations**Amendments:**

F25 Repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

Modifications (not altering text):

C22 Prospective affecting provision: section 17 repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision, subject to transitional provision in s. 19.

17. —F25[...]

Duty to carry out schemes.

18. —(1) Where the Minister confirms a scheme under this Act, the public body shall proceed to carry out the scheme.

(2) Nothing in a scheme shall be construed as prohibiting a public body from implementing further measures to promote the status of an official language within its organisation.

Annotations**Amendments:**

F26 Repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision.

Modifications (not altering text):

C23 Prospective affecting provision: section repealed by *Official Languages (Amendment) Act 2021* (49/2021), s. 17, not commenced as of date of revision.

18. —F26[...]

F27[Establishment of Advisory Committee

18A. —(1) The Minister shall, by order, appoint a day to be the establishment day (in this Act referred to as the "establishment day") for the purposes of this Act, and the establishment day shall be a day that is not later than 6 months after the passing of the *Official Languages (Amendment) Act 2021*.

(2) There shall stand established on the establishment day a committee to be known as the Irish Language Services Advisory Committee (in this Act referred to as "the Advisory Committee").

(3) The secretariat and the executive functions of the Advisory Committee shall be provided by the Minister and shall include, at the request of a member of the Advisory Committee or as the Minister considers appropriate, facilities for the simultaneous or consecutive interpretation of proceedings of the committee from one official language into the other official language.

(4) An order under *subsection (1)* shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House sits after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.]

Annotations**Amendments:**

- F27** Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 8, S.I. No. 313 of 2022, art. 2(c).

Modifications (not altering text):**Editorial Notes:**

- E9** Power pursuant to subs. (1) exercised (20.06.2022) by *Official Languages Act 2003 (Establishment Day) Order 2022*(S.I. No. 312 of 2022).

F28[Membership
of Advisory
Committee

18B. —(1) The Advisory Committee shall consist of the following members—

(a) a Chairperson, and

(b) not less than 5 and not more than 10 ordinary members,

each of whom shall be appointed by the Minister.

(2) The Minister shall designate one member of the Advisory Committee as Chairperson, and the person so designated shall be a person who is competent in the Irish language.

(3) The ordinary members of the Advisory Committee shall include—

(a) one member nominated by the Minister as a representative of the Department of Culture, Heritage and the Gaeltacht,

(b) one member nominated by the Minister for Public Expenditure and Reform as a representative of the Department of Public Expenditure and Reform,

(c) one member nominated by the Public Appointments Service as a representative of the Public Appointments Service,

(d) not more than 6 other members nominated by public bodies as representatives of such public bodies as the Minister considers appropriate,

(e) one member, who shall be competent in the Irish language, nominated by the Minister, following a process established by the Public Appointments Service, as a representative of Gaeltacht Language Planning Areas, and

(f) one member, who shall be competent in the Irish language, nominated by the Minister, following a process established by the Public Appointments Service, as a representative of areas of the State that are not Gaeltacht Language Planning Areas.

(4) A member of the Advisory Committee shall be subject to such terms and conditions and be paid such allowances for expenses as the Minister may, with the consent of the Minister for Public Expenditure and Reform, determine.

(5) If the Chairperson is for any reason unable to continue to act as Chairperson, the Minister may designate another member of the Advisory Committee to act as Chairperson.

(6) A member of the Advisory Committee shall hold office for such period not exceeding 6 years from the date of his or her appointment, as the Minister shall determine.

(7) Subject to *subsection (8)*, a member of the Advisory Committee whose term of office expires by the effluxion of time shall be eligible for reappointment to the Advisory Committee.

(8) A member of the Advisory Committee who has served 2 consecutive terms of office shall not be eligible for reappointment to the Advisory Committee until a period of 6 years has elapsed following the end of the second consecutive term.

(9) A member of the Advisory Committee may resign from the Advisory Committee by letter addressed to the Minister, and the resignation shall take effect on the date specified in the letter, or the date on which the Minister receives the letter, whichever is the later.

(10) A member of the Advisory Committee may at any time be removed from membership of the Advisory Committee by the Minister if, in the Minister's opinion, the member has become incapable through ill-health of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Minister to be necessary for the effective performance by the Advisory Committee of its functions.

(11) A member of the Advisory Committee shall cease to be, and shall be disqualified from being, a member of the Advisory Committee where such member—

- (a) on conviction on indictment by a court of competent jurisdiction is sentenced to a term of imprisonment, or
- (b) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.

(12) The Minister shall determine the procedures of the Advisory Committee.]

Annotations

Amendments:

- F28** Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 8, S.I. No. 313 of 2022, art. 2(c).

F29[Functions of
Advisory
Committee

18C. —(1) The Advisory Committee shall —

- (a) as soon as may be but not later than 2 years after the establishment day prepare and submit to the Minister for approval a National Plan for the provision of public services through the medium of the Irish language (in this Act referred to as the "National Plan") for a period specified in the National Plan (being not more than 6 years) in order to—
 - (i) identify services provided by a public body or class of public bodies that are not provided through the medium of the Irish language and in relation to which the Advisory Committee is of the view that a language standard should be prescribed under *section 19A(2)*, and
 - (ii) specify, for the period to which the National Plan relates, strategies public bodies may employ (including how to make best use of resources available to the bodies) so that services of the public bodies concerned that are not provided through the medium of the Irish language may be so provided,
- (b) advise public bodies with respect to how services that are not provided by the bodies through the medium of the Irish language may be so provided, including—

- (i) advice with respect to the number and grade of staff who are competent in the Irish language that the body would require to provide such services through the medium of the Irish language,
 - (ii) having regard to the objective referred to in *subsection (3)(b)*, recommendations as to how to increase the number of staff who are competent in the Irish language, and
 - (iii) advice as to the level of competence, having regard to the system of standards known as the Common European Framework of Reference for Languages, required by a person in order for him or her to provide such services through the medium of the Irish language,
- (c) conduct, or commission the conduct of, such research as the Advisory Committee deems appropriate in order to carry out its functions under *paragraphs (a) and (b)*, and
- (d) every 5 years after the establishment day, carry out and submit to the Minister a survey on the level of competence in the Irish language of staff of public bodies, and such survey shall include the following:
- (i) the total number of staff of public bodies who are competent in the Irish language;
 - (ii) the total number of staff of public bodies who have undertaken an Irish language training course;
 - (iii) the total number of staff of public bodies who speak the Irish language in the workplace, whether when carrying out their duties or otherwise, and the frequency with which they speak the Irish language.

(2) The Advisory Committee shall prepare each subsequent National Plan not earlier than 6 months, and not later than 3 months, before the expiration of the period specified in the National Plan and *section 18D* shall apply, with any necessary modifications, in relation to each subsequent National Plan as if any reference, to the National Plan, in that section were a reference to a subsequent National Plan.

(3) The Advisory Committee shall, in performing its functions under this Act, have regard to the following objectives—

- (a) increasing the services provided by public bodies through the medium of the Irish language, having particular regard to services provided by public bodies in Gaeltacht Language Planning Areas, Gaeltacht Service Towns and Irish Language Networks, and
- (b) increasing the number of staff of public bodies who are competent in the Irish language so that, as soon as practicable after the establishment day, but no later than 31 December 2030, at least 20 per cent of staff recruited to public bodies are so competent.

(4) The Advisory Committee shall have all such powers as are necessary or expedient for the performance of its functions.]

Annotations

Amendments:

- F29** Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 8, S.I. No. 313 of 2022, art. 2(c).

F30[Duty of Minister in respect of National Plan prepared under section 18C

18D. —(1) The Minister shall—

(a) within 3 months of receiving the National Plan under *section 18C(1)(a)*—

- (i) approve the National Plan without modification or with such modifications as he or she considers appropriate,
- (ii) specify the date on which the National Plan should come into operation, and
- (iii) submit the National Plan to the Government, and

(b) as soon as may be thereafter—

- (i) cause copies of the National Plan to be laid before each House of the Oireachtas, and
- (ii) publish a copy of the National Plan on the website of the Department of Culture, Heritage and the Gaeltacht.

(2) The Minister may, as he or she considers appropriate, request a public body, in respect of whom services identified in the National Plan as services provided by the body concerned that are not provided through the medium of the Irish language, to report to the Minister in relation to progress made by the body to so provide the services and to implement the Plan, and the Minister shall be responsible for the co-ordination of the implementation of the Plan by all such public bodies.]

Annotations

Amendments:

F30 Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 8, S.I. No. 313 of 2022, art. 2(c).

F31[Public bodies in Gaeltacht Language Planning Areas

18E. —The Minister shall, by order, within 3 months of submitting the National Plan to the Government under *section 18D(1)(a)(iii)* and having regard to the National Plan—

- (a) specify the date by which the Irish language shall become the working language in the offices, in a Gaeltacht Language Planning Area, of a public body or class of public bodies and different dates may be specified in respect of different Gaeltacht Language Planning Areas, and
- (b) specify the date by which all services provided by a public body or class of public bodies in a Gaeltacht Language Planning Area (including such services provided by a public body or class of public bodies from outside the Gaeltacht Language Planning Area) shall be provided through the medium of the Irish language and different dates may be specified in respect of different Gaeltacht Language Planning Areas.]

Annotations

Amendments:

F31 Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 8, S.I. No. 313 of 2022, art. 2(c).

F32[Report of Advisory Committee

18F. —(1) The Advisory Committee shall, not later than 30 June of each year, provide a progress report to the Minister and to the Commissioner with regard to its work

during the preceding year or, in the case of its first progress report, its work from the establishment day up to and including 31 December of the following year.

(2) Notwithstanding *subsection (1)*, the Advisory Committee may, from time to time, furnish to the Minister such information about the performance of its functions as it considers appropriate and shall furnish to the Minister any information about the performance of its functions requested by the Minister.

(3) The Commissioner shall, within 6 months of receiving the report referred to in *subsection (1)*, prepare and submit to the Minister a commentary on the report.

(4) The Minister shall, within 3 months of receiving the commentary referred to in *subsection (3)*, submit the commentary and the report referred to in *subsection (1)* to the Government and, as soon as may be thereafter—

- (a) cause copies of the report and commentary to be laid before each House of the Oireachtas, and
- (b) publish copies of the report and commentary on the website of the Department of Culture, Heritage and the Gaeltacht.]

Annotations

Amendments:

- F32** Inserted (20.06.2022) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 8, S.I. No. 313 of 2022, art. 2(c).

Prohibition on imposition of charges by public bodies.

19. —A public body shall not impose any charge on any person by virtue of any requirement imposed on that body by this Act.

F33[Language standards

19A. —(1) For the purpose of prescribing language standards to apply to a public body or class of public bodies in order to promote the use of the Irish language for official purposes in the State, the Minister may, with the consent of the Minister of the Government in whom functions in relation to the body or each body in the class of public bodies is vested, prescribe the public body or class of public bodies for the purposes of this section.

(2) The Minister may prescribe language standards to apply to a public body or class of public bodies prescribed under *subsection (1)* and different standards may apply to different public bodies or different classes of public bodies.

(3) Language standards prescribed under *subsection (2)* may include standards specifying—

- (a) services to be provided, through the medium of the Irish language, by the public body or class of public bodies concerned,
- (b) services to be provided, through the medium of both the Irish and English languages, by the public body or class of public bodies concerned,
- (c) the level of competence in the Irish language required by staff of the public body or class of public bodies concerned so as to enable—
 - (i) the public body or class of public bodies to comply with *paragraphs (a) and (b)*, and
 - (ii) staff of each public body concerned to communicate, within that body, with other staff of the body—

(I) through the medium of the Irish language, or

(II) through the medium of both the Irish and English languages,

and

(d) where a public body or class of public bodies is delivering or implementing, or intends to deliver or implement, a service, programme or policy in a Gaeltacht Language Planning Area, Gaeltacht Service Town or Irish Language Network, the extent to which the linguistic impact on the Gaeltacht Language Planning Area, Gaeltacht Service Town or Irish Language Network concerned shall be taken into account as respects the delivery or implementation of that service, programme or policy.

(4) The Minister shall, when prescribing language standards under *subsection (2)*, have regard to the following—

(a) the services provided by the body through the medium of the Irish language,

(b) any scheme in force in respect of the body under *section 14*,

(c) any language standard prescribed under this section that applies to the body,

(d) the extent to which the public body or class of public bodies concerned interacts with the general public or a class of the general public,

(e) the extent to which a service, programme or policy delivered or implemented, or to be delivered or implemented, by a public body or class of public bodies may affect the general public or a class of the general public in a Gaeltacht Language Planning Area, a Gaeltacht Service Town or an Irish Language Network, with particular reference to Gaeltacht Language Planning Areas,

(f) any views received under *subsection (6)(c) or (d)*, and

(g) services identified in the National Plan.

(5) The Minister shall, when prescribing language standards under *subsection (2)*, ensure that a standard to be prescribed shall not have the effect that the public body concerned may be required to provide fewer services through the medium of the Irish language than the body provided (either of the body's own accord, pursuant to a scheme in force in respect of the body under *section 14* or pursuant to a language standard prescribed under this section) prior to the standard being prescribed.

(6) Before prescribing language standards under *subsection (2)*, the Minister shall—

(a) consult—

(i) such other Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister, and

(ii) such public body as the Minister considers appropriate,

(b) seek the advice of the Advisory Committee,

(c) publish, on the website of the Department of Culture, Heritage and the Gaeltacht, a draft of the standards giving the general public 3 months from the date of publication to provide to the Minister views, in writing, on the draft standards, and

(d) contact each public body to which a standard shall apply to advise that the body may, within 3 months of the date of publication of the draft standards under *paragraph (c)*, provide to the Minister its views on the draft standards.

(7) The Minister may, where he or she considers it appropriate to do so, extend the period referred to in *subsection (6)(c) or (d)*.

(8) The Minister shall forward a copy of language standards prescribed under *subsection (2)* to the Commissioner.

(9) (a) The Minister shall, from time to time but at least once every 5 years, carry out a review of language standards prescribed under *subsection (2)*.

(b) When carrying out the review referred to in *paragraph (a)*, the Minister shall seek the advice of the Advisory Committee.

(10) Notwithstanding this section, the Minister may, with the consent of the Minister for Public Expenditure and Reform, in relation to those of its services delivered exclusively through the medium of the English language, direct a public body to draw up a plan for the delivery of those services in addition through the medium of the Irish language together with an estimate of the period of time required to implement the plan.]

Annotations

Amendments:

F33 Inserted (13.03.2023) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 9, S.I. No. 90 of 2023.

F34[Duty to comply with language standards

19B.—(1) Where the Minister has prescribed, under *section 19A(2)*, a language standard to apply to a public body, the body shall, unless and until a derogation has been granted in respect of the standard or part of the standard, comply with the standard, or part of the standard, as the case may be.

(2) Nothing in a language standard prescribed under *section 19A(2)* to apply to a public body shall be construed as prohibiting a public body from implementing further measures to promote the status of the Irish language within its organisation.]

Annotations

Amendments:

F34 Inserted (13.03.2023) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 9, S.I. No. 90 of 2023.

F35[Derogation from language standards

19C. —(1) A public body may, within 3 months of a language standard being prescribed to apply to the body under *section 19A(2)*, apply, in writing, to the Minister to seek a derogation from the standard or part of the standard.

(2) An application under *subsection (1)* shall include—

(a) a statement setting out the reasons why the body considers that it will not be in a position to comply with the language standard, or part of the standard, as the case may be, due to—

(i) lack of availability, particularly in remote geographic locations, of staff of the body who have the required level of competence in the Irish language,

(ii) failure of the body, despite reasonable and satisfactory efforts, to recruit staff who have the required level of competence in the Irish language, or

(iii) incompatibility of the body's existing IT or other systems with compliance, by the body, with the proposed standard due to existing configuration of those systems,

(b) a plan to outline the action to be taken by the body to—

- (i) mitigate, in so far as possible, any adverse effects on the general public or a class of the general public, as may be appropriate, as a result of the derogation being granted, and
- (ii) enable it to comply, at a specified future date, with the proposed standard, and
- (c) any other information that the body considers relevant to the application.
- (3) The Minister shall, when considering whether to grant a derogation under this section, have regard to—
- (a) the statement, plan and any other information submitted to the Minister under *subsection (2)*, and
- (b) any other matter the Minister considers relevant.
- (4) The Minister may, when considering whether to grant a derogation under this section, consult the public body concerned or such other person as the Minister considers appropriate.
- (5) Subject to *subsection (6)*, the Minister shall, within 3 months of receipt of the application referred to in *subsection (1)*, or such further period not exceeding 6 months, grant or refuse to grant a derogation from the language standard, or part of the standard, concerned.
- (6) The Minister shall not grant a derogation under this section where to do so would have the effect that the public body concerned may be required to provide fewer services through the medium of the Irish language than the body provided (of the body's own accord, pursuant to a scheme in force under *section 14* or pursuant to a language standard prescribed under *section 19A*) prior to the standard, in respect of which the application under *subsection (1)* was made, being prescribed.
- (7) (a) The Minister may attach such conditions to a derogation granted under this section as are, in the Minister's opinion, appropriate.
- (b) Subject to *subsection (8)*, the Minister may specify a period, not exceeding 3 years, in relation to which a derogation shall apply, after which period the language standard or part of the standard in respect of which the derogation was granted shall apply to the public body concerned.
- (8) The Minister may, if he or she deems it appropriate to do so, extend, for a further period not exceeding 2 years, the period for which a derogation granted under this section shall apply.
- (9) A public body to which a derogation has been granted shall report to the Minister within 12 months of the granting of the derogation or such shorter period as the Minister may specify in a condition attached to the derogation, and no later than the expiration of each 12 month period thereafter until the derogation expires, to outline the action taken by the body during that period so that the body may comply with the proposed language standard by a specified future date.]

Annotations**Amendments:**

- F35** Inserted (13.03.2023) by *Official Languages (Amendment) Act 2021* (49/2021), s. 9, S.I. No. 90 of 2023.

F36[Guidelines in respect of language standards

19D. —(1) The Minister may issue guidelines for the purpose of providing practical guidance to public bodies as respects the compliance, by those bodies, with language standards prescribed under *section 19A(2)*.

(2) The Minister shall, as soon as practicable, publish on the website of the Department of Culture, Heritage and the Gaeltacht any guidelines issued under *subsection (1)*.]

Annotations

Amendments:

F36 Inserted (13.03.2023) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 9, S.I. No. 90 of 2023.

PART 4

AN COIMISINÉIR TEANGA

Establishment of Oifig Choimisinéir na dTeangacha Oifigiúla.

20. —(1) There is established an office to be known as Oifig Choimisinéir na dTeangacha Oifigiúla and the holder of the office shall be known as An Coimisinéir Teanga and is referred to in this Act as the Commissioner.

(2) The Commissioner shall be independent in the performance of his or her functions.

(3) The appointment of a person to be the Commissioner shall be made by the President on the advice of the Government following a resolution passed by Dáil Éireann and by Seanad Éireann recommending the appointment of the person.

(4) The provisions of the *Second Schedule* shall have effect in relation to the Commissioner.

Annotations

Editorial Notes:

E10 Power pursuant to section and sch. 2 exercised (23.02.2004) by *An Choimisinéara Teanga Superannuation Scheme 2009* (S.I. No. 580 of 2009), art. 2.

E11 Power pursuant to section and sch. 2 exercised (23.02.2004) by *An Choimisinéara Teanga Contributory Pension Scheme for Spouses and Children 2009* (S.I. No. 579 of 2009), art. 2.

Functions of Commissioner.

21. —The functions of the Commissioner shall be, in addition to any functions conferred on him or her by any other provision of this Act—

(a) to monitor compliance by public bodies with the provisions of this Act,

F37[(aa) to monitor, where he or she considers appropriate, compliance by public bodies with any other enactment relating to the status or use of an official language,]

(b) to take all necessary measures within his or her authority to ensure compliance by public bodies with the provisions of this Act,

(c) to carry out investigations, whether on his or her own initiative, on request by the Minister or pursuant to a complaint made to him or her by any person, into any failure by a public body to comply with the provisions of this Act that he or she or, as appropriate, the Minister, considers may have occurred,

- (d) to provide, as he or she considers appropriate, advice or other assistance to the public regarding their rights under this Act,
- (e) to provide, as he or she considers appropriate, advice or other assistance to public bodies regarding their obligations under this Act, and
- (f) to carry out an investigation, whether on his or her own initiative, on request by the Minister or pursuant to a complaint made to him or her by any person, to ascertain whether any provision of any other enactment relating to the status or use of an official language was not or is not being complied with.

Annotations**Amendments:**

F37 inserted (13.03.2023) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 10, S.I. No. 90 of 2023.

Powers of
Commissioner.

22. —(1) (a) For the purpose of his or her functions under this Act the Commissioner may require any person who, in the opinion of the Commissioner, is in possession of information, or has a record or thing in his or her power or control, that is relevant to the purposes aforesaid to furnish to the Commissioner any such information, record or thing and, where appropriate, may require the person to attend before him or her for that purpose, and the person shall comply with the requirement.

(b) *Paragraph (a)* of this subsection does not apply to information or so much of a record as relates to decisions and proceedings of the Government or of any committee of the Government and for the purposes of this paragraph, a certificate given by the Secretary-General to the Government and certifying that any information or record or part of a record so relates shall be conclusive.

(2) Subject to *subsection (3)*, no enactment or rule of law prohibiting or restricting the disclosure or communication of information shall preclude a person from furnishing to the Commissioner any such information or record, as aforesaid.

(3) Subject to the provisions of this Act, a person to whom a requirement is addressed under this section shall be entitled to the same immunities and privileges as if he or she were a witness before the High Court.

(4) A person who fails or refuses to comply with a requirement under this section or who hinders or obstructs the Commissioner in the performance of his or her functions under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €2,000 or to imprisonment for a term not exceeding 6 months or both.

(5) Where an offence under *subsection (4)* has been committed by a body corporate and is proved to have been committed with the consent or connivance of, or to have been facilitated by any neglect on the part of any director, manager, secretary or other similar officer of such body or of any person who was purporting to act in any such capacity, that officer or person, as well as such body, shall be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(6) Proceedings for an offence under this section may be brought and prosecuted by the Commissioner.

(7) The Commissioner may, if he or she thinks fit, pay to any person who, for the purposes aforesaid, attends before the Commissioner or furnishes information or a record or other thing to him or her—

(a) sums in respect of travelling and subsistence expenses properly incurred by the person, and

(b) allowances by way of compensation for loss of his or her time,

of such amount as may be determined by the Minister.

(8) A statement or admission made by a person for the purposes aforesaid shall not be admissible as evidence against that person in any criminal proceedings.

(9) Nothing in this section shall confer any right to production of, or access to, any record or thing subject to legal privilege.

Conduct of investigations.

23. —(1) An investigation by the Commissioner under this Act shall be conducted otherwise than in public.

(2) Where the Commissioner proposes to carry out an investigation under this Act he or she shall—

(a) notify—

(i) the public body concerned,

(ii) in a case where a complaint has been made to the Commissioner, the person who made the complaint, and

(iii) the Minister,

in writing of that fact, and

(b) afford—

(i) the public body concerned, and

(ii) any other person who appears or, in a case where a complaint has been made to the Commissioner, is alleged to have been responsible for the matter complained of,

an opportunity to comment on the matter and, if a complaint in relation to the matter has been made to the Commissioner, on any allegations contained in the complaint.

(3) The Commissioner may—

(a) refuse to investigate a complaint under this Act, or

(b) discontinue an investigation under this Act into such a complaint,

if he or she becomes of opinion that—

(i) the complaint is trivial or vexatious,

(ii) the person making the complaint has not taken reasonable steps to seek redress in respect of the subject matter of the complaint or, if he or she has, has not been refused redress,

(iii) the complaint relates solely to a matter within the power of the Ombudsman to investigate pursuant to section 4(2)(a) of [the Ombudsman Act 1980](#), or

(iv) the matter complained of does not involve any contravention of the provisions of this Act or of any other enactment relating to the status or use of an official language.

(4) Subject to the provisions of this Act, the procedure for conducting an investigation shall be such as the Commissioner considers appropriate in all the circumstances of the case.

(5) The Commissioner may determine whether any person may be represented, by counsel, solicitor or otherwise, in an investigation by him or her under this Act.

Exclusions.

24. —The Commissioner shall not investigate any complaint made by or on behalf of a person if the complaint is one in relation to which the person affected by the matter complained of has initiated, in any court, civil legal proceedings and the proceedings have not been dismissed for failure to disclose a cause of action or a complaint justiciable by that court, whether the proceedings have been otherwise concluded or have not been concluded:

Provided that the Commissioner may investigate the matter notwithstanding that it is one to which this section relates if it appears to the Commissioner that special circumstances make it proper to do so.

Disclosure of information.

25. —Information or a record or thing obtained by the Commissioner or his or her officers in the course of the exercise by him or her of his or her functions under this Act shall not be disclosed except for the purposes of such exercise and of any statement, report or notification to be made under this Act and the Commissioner or his or her officers shall not be called upon to give evidence in any proceedings of matters coming to his or her or their knowledge in the course of such exercise.

Report of findings.

26. —(1) In any case where a complaint is made to the Commissioner and the Commissioner decides not to carry out an investigation under this Act or decides to discontinue such an investigation, he or she shall send to the person who made the complaint and to the public body concerned a statement in writing of his or her reasons for the decision and shall send to such other person as he or she considers appropriate such statement in writing in relation to the matter as he or she considers appropriate.

(2) In any case where the Commissioner conducts an investigation under this Act, he or she shall prepare and submit to—

(a) the public body concerned,

(b) the Minister, and

(c) in a case where a complaint is made to the Commissioner, the complainant,

a report in writing of the findings of the investigation and may include in the report any recommendations he or she considers appropriate having regard to the investigation.

(3) Without prejudice to *subsection (2)*, the Commissioner may issue an interim report if he or she considers it appropriate so to do.

(4) The Commissioner may request a public body to submit to him or her within a specified time any comments it may have regarding any findings or recommendations contained in a report under this section.

(5) If, within a reasonable time after a report containing recommendations is submitted to a public body under *subsection (2)*, any recommendations contained in the report have not, in the opinion of the Commissioner, been implemented by that body, the Commissioner may, after considering any responses made to him or her by the public body in respect of those recommendations, make a report thereon to each House of the Oireachtas.

(6) The Commissioner shall attach to every report under *subsection (5)* a copy of every response (if any) made by or on behalf of a public body to the said recommendations.

Schemes of compensation.

27. —(1) The Minister may, with the consent of the Minister for Finance, make a scheme of compensation providing for the payment by a public body to such persons of such sums as may be specified in the scheme, in respect of any failure, specified in a report by the Commissioner under *section 26*, by the body (other than a public body, standing prescribed for the purposes of *paragraph 1(5)* of the *First Schedule*) to comply with the provisions of this Act.

(2) Notwithstanding *paragraph (f)* of *section 21*, a scheme under *subsection (1)* may not provide for the payment out of moneys in respect of any failure by a public body to comply with any other enactment relating to the status or use of an official language.

(3) A scheme under *subsection (1)* may be revoked or varied by a subsequent scheme made thereunder.

Annotations

Modifications (not altering text):

C24 Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year	Short Title	Provision
(1)	(2)	(3)
...
No. 32 of 2003	Official Languages Act 2003	Sections 4, 10, 11(3) and 27
...

Appeals to the High Court.

28. —(1) A party to an investigation under this Act or any other person affected by the findings and recommendations of the Commissioner following such an investigation may appeal to the High Court on a point of law from the decision.

(2) An appeal under *subsection (1)* shall be initiated not later than 4 weeks after notice of the relevant findings and recommendations was given to the person bringing the appeal.

(3) (a) Where an appeal under this section by a person, other than a head, is dismissed by the High Court, that Court may, if it considers that the point of law concerned was of exceptional public importance, order that some or all of the costs of the person in relation to the appeal be paid by the public body concerned.

(b) The High Court may order that some or all of the costs of a person, other than a head, in relation to a reference under this section be paid by the public body concerned.

(4) A decision of the High Court following an appeal under *subsection (1)*, shall, where appropriate, specify the period within which effect shall be given to the decision.

Publication of commentaries by Commissioner on practical application, etc. of Act.

29. —The Commissioner may prepare and publish commentaries on the practical application and operation of the provisions, or any particular provisions, F38[[of this Act, or any enactment relating to the status or use of an official language](#)], including commentaries based on the experience of holders of the office of Commissioner in relation to investigations and findings following investigations, of such holders under this Act.

Annotations

Amendments:

F38 Substituted (13.03.2023) by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 11, S.I. No. 90 of 2023.

Reports of Commissioner.

30. —(1) The Commissioner shall, not later than 6 months after the end of each year, prepare and furnish to the Minister a report, in each of the official languages, on his or her activities in that year.

(2) The Minister shall, not later than 2 months after the receipt of the report, cause a copy thereof to be laid before each House of the Oireachtas.

(3) The Commissioner may, if he or she considers it appropriate to do so in the public interest or in the interests of any person, prepare and publish a report in each of the official languages in relation to any investigation carried out or other function performed by him or her under this Act or any matter relating to or arising in the course of such an investigation or performance.

(4) In this section “report” does not include a report under [section 26](#).

PART 5

PLACENAMES

Definitions.

31. —In this Part, save where the context otherwise requires—

“the Commission” means the body known as An Coimisiún Logainmneacha and established by warrant of the Minister for Finance dated the 24th day of October 1946;

“placename” includes the name of any province, county, city, town, village, barony, parish or townland, or of any territorial feature (whether natural or artificial), district, region or place, as shown in the maps of Ordnance Survey Ireland;

“placenames order” has the meaning assigned to it by [section 32](#).

Annotations

Amendments:

F39 Deleted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 12, not commenced as of date of revision.

Modifications (not altering text):

C25 Prospective affecting provision: definition of "Commission" deleted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 12, not commenced as of date of revision.

31. —In this Part, save where the context otherwise requires—

F39[...]

...

F40[Establishment **31A.** — ...]
of Placenames
Committee

Annotations

Amendments:

F40 Inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 13, not commenced as of date of revision.

Modifications (not altering text):

C26 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 13, not commenced as of date of revision.

F40[**31A.** (1) On the commencement of section 13 of the *Official Languages (Amendment) Act 2021* there shall stand established a committee to be known as the Placenames Committee.

(2) The secretariat and the executive functions of the Placenames Committee shall be provided by the Minister.]

F41[Membership of Placenames
Committee **31B.** — ...]

Annotations

Amendments:

F41 Inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 13, not commenced as of date of revision.

Modifications (not altering text):

C27 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 13, not commenced as of date of revision.

F41[31B. (1) The Placenames Committee shall consist of the following members—

(a) a Chairperson, and

(b) not less than 7 and not more than 10 ordinary members, each of whom shall be appointed by the Minister.

(2) The Minister shall designate one member of the Placenames Committee as Chairperson.

(3) The Placenames Committee shall consist of persons who are competent in the Irish language, and—

(a) have experience of, or expertise in, matters relating to placenames, or both, or

(b) are experts in Irish history.

(4) A member of the Placenames Committee shall be subject to such terms and conditions and be paid such allowances for expenses as the Minister may, with the consent of the Minister for Public Expenditure and Reform, determine.

(5) If the Chairperson is for any reason unable to continue to act as Chairperson, the Minister may designate another member of the Placenames Committee to act as Chairperson.

(6) A member of the Placenames Committee shall hold office for such period not exceeding 3 years from the date of his or her appointment, as the Minister shall determine.

(7) Subject to *subsection (8)*, a member of the Placenames Committee whose term of office expires by the effluxion of time shall be eligible for reappointment to the Placenames Committee.

(8) A member of the Placenames Committee who has served 2 consecutive terms of office shall not be eligible for reappointment to the Placenames Committee until a period of 3 years has elapsed following the end of the second consecutive term.

(9) A member of the Placenames Committee may resign from the Placenames Committee by letter addressed to the Minister, and the resignation shall take effect on the date specified in the letter, or the date on which the Minister receives the letter, whichever is the later.

(10) A member of the Placenames Committee may at any time be removed from membership of the Placenames Committee by the Minister if, in the Minister's opinion, the member has become incapable through ill-health of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Minister to be necessary for the effective performance by the Placenames Committee of its functions.

(11) A member of the Placenames Committee shall cease to be, and shall be disqualified from being, a member of the Placenames Committee where such member—

(a) on conviction on indictment by a court of competent jurisdiction is sentenced to a term of imprisonment, or

(b) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.

(12) The Minister shall determine the procedures of the Placenames Committee.]

F42[Functions of 31C.— ...]
Placenames
Committee

Annotations

Amendments:

F42 Inserted by *Official Languages (Amendment) Act 2021 (49/2021)*, s. 13, not commenced as of date of revision.

Modifications (not altering text):

C28 Prospective affecting provision: section inserted by *Official Languages (Amendment) Act 2021* (49/2021), s. 13, not commenced as of date of revision.

F42[**31C.** (1) The Placenames Committee shall—

- (a) provide advice to the Minister regarding the making of placenames orders under *section 32*,
- (b) carry out, or commission, research in relation to placenames,
- (c) provide, on request, such information to the public and to public bodies regarding placenames as the Placenames Committee considers appropriate, and
- (d) have such other functions as the Minister may, from time to time, prescribe.

(2) In carrying out its functions under *subsection (1)*, the Placenames Committee shall, to such extent as it considers necessary for that purpose, take into account and provide to the Minister any work or advice completed by the body known as An Coimisiún Logainmneacha, established by warrant of the Minister for Finance dated the 24th day of October 1946, and the non-statutory committee (known as the Placenames Committee) in existence before the commencement of section 13 of the *Official Languages (Amendment) Act 2021*.]

Placenames orders.

32. —(1) Subject to *subsection (2)*, the Minister, having received and considered advice from the Commission, may by order (in this Part referred to as a “placenames order”)—

- (a) declare the Irish language version of a placename specified in the order to be such word or words as he or she specifies in the order,
- (b) amend or revoke a placenames order.

F43[(2) The Minister shall not make an order under this section in respect of a place to which an order under *subsection (3)* of *section 192* (inserted by section 48 of the *Environment (Miscellaneous Provisions) Act 2011*) of the *Local Government Act 2001* applies.]

(3) Every placenames order shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next subsequent 21 days on which that House has sat after the order is laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

Annotations**Amendments:**

F43 Substituted (31.01.2019) by *Local Government Act 2019* (47/2019), s. 47(1)(b), S.I. No. 20 of 2019, art. 3(1).

F44 Substituted by *Official Languages (Amendment) Act 2021* (49/2021), s. 14, not commenced as of date of revision.

Modifications (not altering text):

C29 Prospective affecting provision: subs. (1) amended by *Official Languages (Amendment) Act 2021* (49/2021), s. 14, not commenced as of date of revision.

32. —(1) Subject to *subsection (2)*, the Minister, having received and considered advice from the F44[Placenames Committee], may by order (in this Part referred to as a “placenames order”)—

...

C30 Existing orders made under section may be superseded in certain circumstances as provided by *Local Government Act 2001* (37/2001), s. 192(4), as substituted (31.01.2019) by *Environment (Miscellaneous Provisions) Act 2011* (20/2011), s. 48, S.I. No. 23 of 2019.

[General provisions relating to change of names.

192.— ...

(4) Where the Minister for Arts, Heritage and Gaeltacht Affairs makes an order under subsection (3), any provision of an order made under section 32 of the Official Languages Act 2003 in force immediately before the making of the first-mentioned order shall stand revoked in so far only as it conflicts with the first-mentioned order.

...]

Editorial Notes:

E12 Power pursuant to section exercised (9.10.2012) by *Placenames (County Cork) Order 2012* (S.I. No. 395 of 2012), in effect as per art. 1(b).

E13 Power pursuant to section exercised (1.11.2011) by *Placenames (Ceantair Ghaeltachta) Order 2011* (S.I. No. 599 of 2011), in effect as per art. 1(b).

E14 Power pursuant to section exercised (1.11.2011) by *Placenames (Co. Dublin) Order 2011* (S.I. No. 598 of 2011), in effect as per art. 1(b).

E15 Power pursuant to section exercised (1.07.2008) by *Placenames (Co. Limerick) (Amendment) Order 2008* (S.I. No. 115 of 2008), art. 1(b).

E16 Power pursuant to section exercised (21.12.2005) by *Placenames (Co. Tipperary) Order 2005* (S.I. No. 847 of 2005), in effect as per art. 1(b).

E17 Power pursuant to section exercised (28.03.2005) by *Placenames (Centres of Population and Districts) Order 2005* (S.I. No. 59 of 2005), in effect as per art. 1(b).

E18 Power pursuant to subs. (1) exercised (28.03.2005) by *Placenames (Ceantair Ghaeltachta) Order 2004* (S.I. No. 872 of 2004), in effect as per art. 1(b).

E19 Power pursuant to subs. (2)(b) exercised (1.01.2005) by *Official Languages Act 2003 (Prescribed Maps) Regulations 2004* (S.I. No. 212 of 2004), in effect as per art. 1(b).

E20 Power pursuant to section exercised (30.10.2003) by *Placenames (Co. Offaly) Order 2003* (S.I. No. 525 of 2003), in effect as per art. 1(b).

E21 Power pursuant to section exercised (30.10.2003) by *Placenames (Co. Waterford) Order 2003* (S.I. No. 524 of 2003), in effect as per art. 1(b).

E22 Power pursuant to section exercised (30.10.2003) by *Placenames (Co. Monaghan) Order 2003* (S.I. No. 523 of 2003), in effect as per art. 1(b).

E23 Power pursuant to section exercised (30.10.2003) by *Placenames (Co. Limerick) Order 2003* (S.I. No. 522 of 2003), in effect as per art. 1(b).

E24 Power pursuant to section exercised (30.10.2003) by *Placenames (Co. Louth) Order 2003* (S.I. No. 521 of 2003), in effect as per art. 1(b).

E25 Power pursuant to section exercised (30.10.2003) by *Placenames (Co. Kilkenny) Order 2003* (S.I. No. 520 of 2003), in effect as per art. 1(b).

E26 Power pursuant to section exercised (30.10.2003) by *Placenames (Provinces and Counties) Order 2003* (S.I. No. 519 of 2003), in effect as per art. 1(b).

E27 Previous affecting provision: subs. (2) substituted by *Environment (Miscellaneous Provisions) Act 2011* (20/2011), s. 49, not commenced; substituted as per F-note above.

Construction of words in legal documents.

33. —(1) A word or words, declared by the Minister in a placenames order to be the Irish language version of a placename specified in the order, shall be construed in a legal document as referring to the same place and as having the same force and effect as the English language version of the placename so specified unless the contrary intention appears.

(2) Where the Minister makes a declaration under *section 32* in respect of a placename in a Gaeltacht area, the English language version of the placename shall no longer have any force and effect as on and from the operative date but without prejudice to anything done before or after that date including the use of that version other than its use—

(a) in any Act of the Oireachtas passed after the operative date or any statutory instrument made after that date under any Act,

(b) in such maps prepared and published by or with the permission of Ordnance Survey Ireland as may be prescribed, or

(c) on a road or street sign erected by or on behalf of a local authority.

(3) In this section—

“legal document” means—

(a) any Act of the Oireachtas passed after the operative date, any statutory instrument made after that date under any Act or the official translation of any Act or instrument;

(b) any instrument having or intended to have legal effect or consequences and executed on or after the operative date;

(c) any document used in or for the purposes of legal proceedings, and made, issued or served on or after the operative date,

“the operative date” means the date on which the relevant place-names order comes into operation.

Amendment of Ordnance Survey Ireland Act 2001.

34. — *The Ordnance Survey Ireland Act 2001* is amended by the substitution of the following for paragraph (h) of section 4(2):

“(h) to depict placenames and ancient features in the national mapping and related records and databases in the Irish language or in the English and Irish languages.”.

Repeal.

35. — *The Place-Names (Irish Forms) Act 1973* is repealed.

PART 6

MISCELLANEOUS

Role of Ombudsman.

36. —Nothing in this Act shall prohibit the investigation by the Ombudsman, pursuant to subsection (2) of *section 4 of the Ombudsman Act 1980*, of any action taken by or on behalf of a F45[reviewable agency (within the meaning of that Act)].

Annotations**Amendments:**

- F45** Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012 (38/2012)*, s. 23(b), commenced as per s. 1(3).

Section 2.

FIRST SCHEDULE

PUBLIC BODIES

1. Each of the following shall be a public body for the purposes of this Act:

(1) Department of Agriculture and Food
 Department of Arts, Sport and Tourism
 Department of Communications, Marine and Natural Resources
 Department of Community, Rural and Gaeltacht Affairs
 Department of Defence
 Department of Education and Science
 Department of Enterprise, Trade and Employment
 Department of Finance
 Department of Foreign Affairs
 Department of Health and Children
 Department of Justice, Equality and Law Reform
 Department of Public Enterprise
 F46[Department of Public Expenditure and Reform]
 Department of Social and Family Affairs
 Department of the Environment and Local Government
 Department of the Taoiseach
 Department of Transport
 F47[...]
 Central Statistics Office
 Chief State Solicitor's Office
 F48[Office of the Commission for Public Service Appointments
 Public Appointments Service]
 Office of the Attorney General
 Office of the Comptroller and Auditor General
 Office of the Director of Public Prosecutions
 F49[Houses of the Oireachtas Service]
 Office of the President
 Office of the Revenue Commissioners

(2) Agencies, Boards, State Companies (commercial and non-commercial)

F50[...]
 F51[...]
 F50[...]
 a university or other third level institution
 F52[an education and training board]
 F53[Adelaide and Meath Hospital Incorporating the National Children's Hospital]
 F53[Adoption Authority of Ireland]
 F51[...]
 F50[...]
 F51[...]
 F53[Agriculture appeals office]
 F53[an Area Partnership Board]
 F50[...]
 An Bord Bia
 F51[...]
 An Bord Pleanála
 F50[...]
 F50[...]
 An Chomhairle um Oideachas Gaeltachta agus Gael scolaíochta
 F50[...]
 F50[...]
 An Implementation Body established under the British-Irish Agreement Act 1999
 An Post
 F53[An Post GeoDirectory Limited]

F53[An tSeirbhís Oideachais Leanúnaigh agus Scileanna (SOLAS)]
 An tÚdarás um Ard-Oideachas
 F50[...]
 F50[...]
 F53[Archbishop Marsh's Library]
 Area Partnership Boards
 F50[...]
 F53[Bantry General Hospital]
 F53[Beaumont Hospital]
 Bioresearch Ireland
 F51[...]
 F50[...]
 Bord Iascaigh Mhara
 Bord na gCon
 F50[...]
 Bord na Móna
 F50[...]
 Bord Scannán na hÉireann
 F50[...]
 F50[...]
 F53[Broadcasting Authority of Ireland]
 Bus Átha Cliath
 Bus Éireann
 F53[Cavan General Hospital]
 F53[Cappagh National Orthopaedic Hospital]
 F51[...]
 F53[Child and Family Agency (Tusla)]
 F53[Citizens Information Board]
 F53[Constituency Commission]
 F54[Inland Fisheries Ireland]
 F55[Central Bank of Ireland]
 F53[Charities Regulatory Authority]
 Chester Beatty Library
 Coillte Teoranta
 F50[...]
 F50[...]
 F50[...]
 F51[...]
 F50[...]
 F53[Connolly Hospital Dublin]
 F53[Coombe Women & Infants University Hospital]
 F53[Córas Iompair Éireann Holding Company]
 F53[Cork University Hospital and Cork University Maternity Hospital]
 F53[Cosc - The National Office for the Prevention of Domestic, Sexual and Gender-based Violence]
 Commission for Aviation Regulation
 Commission for Communications Regulation
 Commission for Energy Regulation
 F50[...]
 F50[...]
 F50[...]
 F50[...]
 F53[Croom Hospital]
 F50[...]
 F53[Data Protection Commission]
 F53[Design and Crafts Council of Ireland]
 Defence Forces Canteen Board
 Dental Council
 F50[...]
 F50[...]
 F53[Dietitians Registration Board]

Dublin Dental Hospital Board
F50[...]
Dublin Institute for Advanced Studies
F50[...]
F53[[Eastern and Midland Regional Assembly](#)]
Economic and Social Research Institute
F53[[Education and Training Boards Ireland](#)]
F53[[Educational Research Centre](#)]
F53[[EirGrid plc](#)]
Electricity Supply Board
Energy Advisory Board
F53[[Ennis Hospital](#)]
Enterprise Ireland
F53[[Ervia](#)]
F50[...]
Food Safety Authority of Ireland
F53[[Foynes Flying Boat and Maritime Museum](#)]
F50[...]
F50[...]
F53[[Gaisce - The President's Award](#)]
F53[[Gas Networks Ireland](#)]
F51[...]
General Register Office
F50[...]
F50[...]
F53[[Grangegorman Development Agency](#)]
F53[[Harbour Authorities within the meaning of the Harbours Acts 1946 to 2015](#)]
Harbour Companies referred to in [section 7 of the Harbours Act 1996](#)
Health and Safety Authority
F53[[Health and Social Care Professionals Council](#)]
F53[[Health Products Regulatory Authority](#)]
Health Research Board
F51[...]
F50[...]
Horse Racing Ireland
F53[[Housing and Sustainable Communities Agency](#)]
F51[...]
F51[...]
Housing Finance Agency plc
F53[[Hunt Museum](#)]
I.D.A. Ireland
Iarnród Éireann
F53[[Insolvency Service of Ireland](#)]
F53[[Integrated Development Companies](#)]
F53[[Integrated Local Development Companies](#)]
F51[...]
Institute of Public Administration
International Development Ireland Limited
F50[...]
Irish Aviation Authority
F53[[Irish Architectural Archive](#)]
F53[[Irish Auditing and Accounting Supervisory Authority](#)]
Irish Blood Transfusion Service
F50[...]
F51[...]
Irish Financial Services Appeals Tribunal
F56[...]
Irish Museum of Modern Art
F50[...]
Irish National Stud Company Limited
F51[...]

F53[Irish Research Council]
F51[...]
F53[Irish Water]
F53[Irish Water Safety]
F53[Kilcreene Orthopaedic Hospital Kilkenny]
F51[...]
F50[...]
F53[Legal Services Regulatory Authority]
Leopardstown Park Hospital Board
F53[Letterkenny University Hospital]
F51[...]
F50[...]
F50[...]
F50[...]
F53[a Local Community Development Committee]
F53[Local Development Companies]
F53[Local Enterprise Offices]
F53[Local Government Management Agency]
F53[Louth County Hospital]
F53[Mallow General Hospital]
Marine Institute
F53[Mater Misericordiae University Hospital]
F53[Mayo General Hospital]
Medical Bureau of Road Safety
F53[Medical Scientists Registration Board]
Mental Health Commission
F53[Mental Health (Criminal Law) Review Board]
F53[Mercy University Hospital]
F53[Midland Regional Hospital, Mullingar]
F53[Midland Regional Hospital, Portlaoise]
F53[Midland Regional Hospital, Tullamore]
F53[Monaghan Hospital]
F50[...]
F50[...]
F53[Naas General Hospital]
F53[National Advisory Committee on Drugs and Alcohol]
F53[National Asset Management Agency]
National Cancer Registry Board
F50[...]
F51[...]
National Concert Hall
F50[...]
F50[...]
National Council for Special Education
National Disability Authority
National Economic and Social Council
F50[...]
F50[...]
National Gallery of Ireland
National Library of Ireland
F50[...]
National Milk Agency
National Museum of Ireland
F53[National Oil Reserves Agency]
F50[...]
F53[National Print Museum]
F53[National Paediatric Hospital Development Board]
F51[...]
F50[...]
F50[...]
F50[...]

F53[National Shared Services Office]
F53[National Sports Campus Development Authority]
National Standards Authority of Ireland
National Statistics Board
National Technology Park Plassey Ltd.
National Theatre Society Limited (Abbey Theatre)
F53[National Transport Authority]
National Treasury Management Agency
F53[Nenagh Hospital]
F50[...]
F53[Northern and Western Regional Assembly]
F53[Nursing and Midwifery Board of Ireland]
F50[...]
F53[Occupational Therapists Registration Board]
Office of the Director of Corporate Enforcement
F53[Office of the Inspector of Prisons]
F50[...]
Office of the Paymaster General
F53[Office of the Planning Regulator]
F50[...]
F50[...]
F53[Optical Registration Board]
Ordnance Survey Ireland
F53[Our Lady's Children's Hospital, Crumlin]
F53[Our Lady's Hospital, Navan]
F53[Our Lady of Lourdes Hospital, Drogheda]
Patents Office
F53[Personal Injuries Assessment Board (PIAB)]
Pharmaceutical Society of Ireland
F53[Physiotherapists Registration Board]
F53[Pobal]
F50[...]
F53[Portiuncula Hospital]
F53[Pre-Hospital Emergency Care Council]
F53[Property Services Appeal Board]
F53[Property Services Regulatory Authority]
F50[...]
F53[Quality and Qualifications Ireland]
F50[...]
F50[...]
F50[...]
Radio Telefís Éireann
F53[Radiographers Registration Board]
Raidió na Gaeltachta
F50[...]
F50[...]
F53[Registrars of Births, Deaths, Marriages and Civil Partnerships]
F50[...]
F50[...]
F53[Residential Tenancies Board]
F50[...]
F50[...]
F50[...]
F50[...]
F53[Road Safety Authority]
F53[Roscommon County Hospital]
F53[Rosslare Europort]
F53[Royal Irish Academy (RIA)]
F53[Royal Irish Academy of Music (RIAM)]
F53[Road Safety Authority]
F53[Royal Victoria Eye and Ear Hospital]

F53[Sea-Fisheries Protection Authority]
 F53[Shannon Commercial Enterprises Limited]
 F53[Shannon Group, public limited company]
 F53[Sligo University Hospital]
 F53[Social Care Workers Registration Board]
 F53[Social Workers Registration Board]
 F53[South Tipperary General Hospital]
 F53[South Infirmary Victoria University Hospital]
 F53[Southern Regional Assembly]
 F53[Speech and Language Therapists Registration Board]
 F53[**Sport Ireland**]
 Standards in Public Office Commission
 State Laboratory
 F53[Strategic Banking Corporation of Ireland]
 F53[St. Columcille's Hospital, Loughlinstown]
 F53[St. James's Hospital]
 F53[St. John's Hospital, Limerick]
 F53[St. Luke's General Hospital, Kilkenny]
 F53[St. Luke's Radiation Oncology Network]
 F53[St. Michael's Hospital, Dún Laoghaire]
 F53[St. Vincent's University Hospital]
 F53[Sustainable Energy Authority of Ireland]
 F50[...]
 Teagasc
 F50[...]
 F50[...]
 F50[...]
 F51[...]
 F53[**Temple Street Children's University Hospital**]
 F53[**TG4**]
 the Aquaculture Licences Appeals Board
 the Army Pensions Board
 the Arts Council (An Chomhairle Ealaíon)
 F50[...]
 the Censorship of Publications Appeals Board
 the Censorship of Publications Board
 F53[**the Charity Appeals Tribunal**]
 F53[**the Classification of Films Appeal Board**]
 F50[...]
 F50[...]
 F50[...]
 F53[**the Competition and Consumer Protection Commission**]
 the Companies Registration Office
 F50[...]
 the Courts Service
 F53[**the Crawford Gallery**]
 F53[**the Criminal Assets Bureau**]
 the Criminal Injuries Compensation Tribunal
 the Defence Forces
 the Employment Appeals Tribunal
 the Environmental Protection Agency
 F50[...]
 the Garda Síochána
 F53[**the Garda Síochána Inspectorate**]
 F53[**the Garda Síochána Ombudsman Commission**]
 F50[...]
 F50[...]
 F53[**the Health Information and Quality Authority**]
 the Health Insurance Authority
 the Heritage Council
 F50[...]

F51[...]
F53[the International Protection Appeals Tribunal]
the Ireland-United States Commission for Educational Exchange
the Irish Manuscripts Commission
F53[the Irish Film Classification Office]
F53[the Irish Fiscal Advisory Council]
F53[the Irish Human Rights and Equality Commission]
F50[...]
the Irish Prison Service
F50[...]
F50[...]
the Labour Court
F50[...]
F50[...]
the Law Reform Commission
the Legal Aid Board
the Medical Council
the Mining Board
the National Archives
the National Archives Advisory Council
the National Centre for Guidance in Education
the National Competitiveness Council
the National Council for Curriculum and Assessment
F50[...]
F53[the National Maternity Hospital, Dublin]
F51[...]
F50[...]
F50[...]
the Office of the Chief Medical Officer for the Civil Service
the Office of the Information Commissioner
F50[...]
the Office of the Ombudsman
F53[the Office of the Ombudsman for Children]
F53[the Office of the Ombudsman for the Defence Forces]
F53[the Office of Commissioner for Environmental Information]
F53[the Office of Public Works]
F53[the Office of Regulator of the National Lottery]
F53[the Office of the Financial Services and Pensions Ombudsman]
F53[the Pensions Authority]
F53[the Pensions Council]
F53[the Prize Bond Company Ltd.]
F53[the Probation Service]
F53[the Property Registration Authority]
the Office of the Registrar of Friendly Societies
F50[...]
F50[...]
the Referendum Commission
F50[...]
F53[the Rotunda Hospital]
the Social Welfare Tribunal
the State Examinations Commission
F53[the Student Grants Appeals Board]
F53[the Tax Appeals Commission]
F53[the Teaching Council]
F53[Transport Infrastructure Ireland]
the Valuation Office
the Valuation Tribunal
Údarás na Gaeltachta
F53[University Hospital Galway and Merlin Park University Hospital]
F53[University Hospital Kerry]
F53[University Hospital Limerick]

F53[University Hospital Waterford]
 F53[University Maternity Hospital Limerick]
 Veterinary Council
 Voluntary Health Insurance Board
 Western Development Commission
 F53[Wexford General Hospital]
 F53[Workplace Relations Commission]
 F50[...]

(3) a local authority,

(4) F57[...]

(5) any body, organisation or group standing prescribed for the time being, with the consent of such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government, and being—

(a) a body, organisation or group that receives moneys directly from a Minister of the Government, a Department of State, the Central Fund or a public body specified in *subparagraph (2), (3) or (4)* of this paragraph in circumstances where the amount or aggregate of the amounts so received constitutes 50 per cent or more of the current expenditure of that body, organisation or group in a financial year,

(b) a body, organisation or group that at the date of the coming into operation of this Schedule is a public body but subsequently comes under private ownership and control,

(c) a body, organisation or group performing functions which previously stood vested in a body, organisation or group under public ownership or control, or

F58[(d) any other body, organisation or group—

(i) on which functions which relate to the general public or a class of the general public stand conferred by any enactment, or

(ii) which is permitted or required by any licence or authority granted or given under any enactment to perform functions under that or any other enactment which relate to the general public or a class of the general public.]

2. A body, organisation or group standing prescribed pursuant to regulations for the purposes of F58[*clause (d) of paragraph 1(5)*] shall be a public body only as respects functions referred to in that clause.

3. The Minister F58[*shall, at least once every 2 years and,*] with the consent of such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister of the Government, by regulations amend F58[*subparagraph (1) or (2)*] of *paragraph 1* by the insertion or deletion of a reference to any public body.

F59[3A. In making regulations in respect of a body, organisation or group in accordance with this Schedule, the Minister shall have regard to the purposes of this Act and, in so doing, shall take the following into account:

(a) the level of communication, whether in writing or by electronic mail, by telephone or in person, between the body, organisation or group concerned and the general public or a class of the general public;

(b) the level of communication, whether in writing or by electronic mail, by telephone or in person, between the body, organisation or group concerned and the general public or a class of the general public living in a Gaeltacht area, Gaeltacht Language Planning Area, Gaeltacht Service Town or Irish Language Network.]

4. A reference in *paragraph 1* to any particular Department of State shall be construed as—

(a) including a reference to a body, organisation or group specified in relation to that Department of State in the Schedule to **the Ministers and Secretaries Act 1924** (not being another public body specified in that paragraph), and

(b) not including any other body, organisation or group.

Annotations

Amendments:

- F46** Inserted (6.07.2011) by *Minister and Secretaries (Amendment) Act 2011* (10/2011), s. 92, S.I. No. 401 of 2011, art.2.
- F47** Deleted (1.05.2007) by *Consumer Protection Act 2007* (19/2007), s. 40 and sch. 3 part 1(b), S.I. No. 178 of 2007.
- F48** Substituted and inserted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61 and sch. 2 part 1, commenced on enactment.
- F49** Substituted (1.01.2010) by *Houses of the Oireachtas Commission (Amendment) Act 2009* (44/2009), s. 14 and sch. part 1 item 6, commenced as per s. 15(3).
- F50** Deleted (19.12.2019) by *Official Languages Act 2003 (Public Bodies) Regulations 2019* (S.I. No. 230 of 2020), art. 2(b)(i).
- F51** Deleted (1.05.2006) by *Official Languages Act 2003 (Public Bodies) Regulations 2006* (S.I. No. 150 of 2006), reg. 3 and sch. 2, in effect as per reg. 1(2).
- F52** Substituted (1.07.2013) by *Education and Training Boards Act 2013* (11/2013), s. 72 and sch. 6 item 44, S.I. No. 211 of 2013, art. 4.
- F53** Inserted (19.12.2019) by *Official Languages Act 2003 (Public Bodies) Regulations 2019* (S.I. No. 230 of 2020), art. 2(b)(ii).
- F54** Substituted (1.07.2010) by *Inland Fisheries Act 2010* (10/2010), s. 8 and sch. 2 part 14 item 1, commenced as per s. 5(2) and S.I. No. 262 of 2010, art.2.
- F55** Substituted (1.10.2010) by *Central Bank Reform Act 2010* (23/2010), s. 15(12) and sch. 2 part 12 item 2, S.I. No. 469 of 2010, art.2.
- F56** Deleted (1.10.2010) by *Central Bank Reform Act 2010* (23/2010), s. 15(12) and sch. 2 part 12 item 2, S.I. No. 469 of 2010, art.2.
- F57** Deleted (13.03.2023) by *Official Languages (Amendment) Act 2021* (49/2021), s. 15(a)(i), S.I. No. 90 of 2023.
- F58** Substituted (13.03.2023) by *Official Languages (Amendment) Act 2021* (49/2001), s. 15(a)(ii), (b), (c)(i), (ii), S.I. No. 90 of 2023.
- F59** Inserted (13.03.2023) by *Official Languages (Amendment) Act 2021* (49/2001), s. 15(d), S.I. No. 90 of 2023.

Modifications (not altering text):

- C31** Reference to Bord na gCon construed (1.10.2020) by *Greyhound Racing Act 2019 (15/2019)*, s. 8(2), S.I. No. 399 of 2020.

Change of name of Bord na gCon

8. (1) The name of the board (established by section 6 of the Principal Act) the present name of which is Bord na gCon, shall be Rásaíocht Con Éireann.

(2) References in any enactment, statutory instrument or legal proceedings or any other document to Bord na gCon shall, on and from the commencement of this section, be read as references to Rásaíocht Con Éireann.

- C32** Reference to National Sports Campus Development Authority construed (13.05.2015) by *Sport Ireland Act 2015 (15/2015)*, s. 31, commenced on enactment.

References to Council or Authority in enactments

31. References to the Council or to the Authority in any enactment (other than this Act) or any instrument made under such an enactment shall, on and after the establishment day, be construed as references to Sport Ireland.

- C33** Reference to Medical Council construed (3.07.2008) by *Medical Practitioners Act 2007 (25/2007)*, s. 108(3), S.I. No. 231 of 2008.

Construction of references to registered medical practitioner and Medical Council, etc.

108.— ...

(3) Every reference to—

(a) the Medical Council, or

(b) the Medical Registration Council,

contained in any other enactment or any statutory instrument shall be construed as the Council within the meaning of section 2.

Editorial Notes:

- E28** Power pursuant to s. 4(1)(a) and paras. 1(5), 3 exercised (1.05.2006) by *Official Languages Act 2003 (Public Bodies) Regulations 2006* (S.I. No. 150 of 2006), in effect as per reg. 1(2).
- E29** Previous affecting provision: reference to National Consumer Agency construed as Competition and Consumer Protection Commission (31.10.2014) by *Competition and Consumer Protection Act 2014 (29/2014)*, s. 39(2), S.I. No. 366 of 2014; National Consumer Agency deleted from list (19.12.2019) as per F-note above.
- E30** Previous affecting provision: definition of An Bord Uchtála amended (1.11.2010) by *Adoption Act 2010 (21/2010)*, s. 165, S.I. No. 511 of 2010, art. 2; substituted (19.12.2019) as per F-note above.
- E31** Previous affecting provision: National Consumer Agency inserted (1.05.2007) by *Consumer Protection Act 2007 (19/2007)*, s. 40 and sch. 3 part 1, S.I. No. 178 of 2007, art. 2; deleted (19.12.2019) as per F-note above.

1. Subject to the provisions of this Schedule, a person appointed to be the Commissioner shall hold the office for a term of 6 years and may be re-appointed to the office for a second or subsequent term.

2. A person appointed to be the Commissioner—

(a) may at his or her request be relieved of office by the President,

(b) may be removed from office by the President but shall not be removed from office except for stated misbehaviour, incapacity or bankruptcy and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for his or her removal, and

F60[(c) shall in any case vacate the office on attaining the age of 70 years or, where a higher age is prescribed by order under *section 3A(2)* of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 for the purposes of that Act, that age but, where the person is a new entrant (within the meaning of that Act) appointed on or after 1 April 2004, the requirement to vacate office on grounds of age shall not apply.]

3. (1) Where a person who holds the office of Commissioner is—

(a) nominated as a member of Seanad Éireann,

(b) elected as a member of either House of the Oireachtas or a local authority or to the European Parliament, or

(c) regarded, pursuant to section 15 (inserted by the European Parliament Elections Act 1993) of the European Assembly Elections Act 1977 as having been elected to the European Parliament to fill a vacancy,

he or she shall thereupon cease to be the Commissioner.

(2) A person who is for the time being entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a member of the European Parliament or a local authority shall, while he or she is so entitled or is such a member, be disqualified for being appointed to be the Commissioner.

4. A person who holds the office of Commissioner shall not hold any other office or employment in respect of which emoluments are payable or be a member of the Reserve Defence Force.

5. The Commissioner shall be paid, out of moneys provided by the Oireachtas, such remuneration and allowances for expenses as the Minister, with the consent of the Minister for Finance, may from time to time determine.

6. (1) The Minister may make and carry out, in accordance with its terms, a scheme or schemes for the granting of pensions, gratuities or allowances on retirement or death to, or in respect of, persons who have held the office of Commissioner.

(2) The Minister may at any time make and carry out, in accordance with its terms, a scheme or schemes amending or revoking a scheme under this paragraph.

(3) A scheme under this paragraph shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the scheme is passed by either such House within the next 21 days on which that House has sat after the scheme is laid before it, the scheme shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

7. (1) The Minister may appoint to be members of the staff of the Commissioner such number of persons as the Minister may, with the consent of the Minister for Finance, determine from time to time.

(2) Members of the staff of the Commissioner shall be civil servants in the Civil Service of the State (within the meaning of [the Civil Service Regulation Act 1956](#)).

(3) The Minister may delegate to the Commissioner the powers exercisable by him or her under [the Civil Service Commissioners Act 1956](#) and the Civil Service Regulation Acts 1956 to 1996 as the appropriate authority in relation to members of the staff of the Commissioner and, if the Minister does so, then so long as the delegation remains in force—

(a) those powers shall, in lieu of being exercisable by the Minister, be exercisable by the Commissioner, and

(b) the Commissioner shall, in lieu of the Minister, be for the purposes of this Act the appropriate authority in relation to members of the staff of the Commissioner.

8. (1) The Commissioner shall keep, in such form as may be approved of by the Minister, all proper and usual accounts of all moneys received or expended by him or her and all such special accounts (if any) as the Minister may direct.

(2) Accounts kept in pursuance of this paragraph in respect of each year shall be submitted by the Commissioner in the following year on a date not later than a date specified by the Minister to the Comptroller and Auditor General for audit and, as soon as may be after the audit, a copy of those accounts, or of such extracts from those accounts as the Minister may specify, together with the report of the Comptroller and Auditor General on the accounts, shall be presented by the Commissioner to the Minister who shall cause copies of the documents presented to him or her to be laid before each House of the Oireachtas.

9. The Commissioner may delegate to a member of the staff of the Commissioner any of the functions of the Commissioner (other than those under this paragraph or [section 26](#)) and references in this Act to the Commissioner shall be construed, where appropriate having regard to any delegation under this paragraph, as including references to any person to whom functions stand delegated by the delegation.

Annotations

Amendments:

F60 Substituted (26.12.2018) by *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018), s. 7 and sch., commenced on enactment.

Editorial Notes:

E32 Provision for conduct of an inquiry in relation to para. 2(b) made (25.09.2013) by *Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013* (33/2013), s. 9, S.I. No. 362 of 2013.

E33 Power pursuant to s. 20 and schedule exercised (23.02.2004) by *An Choimisinéara Teanga Superannuation Scheme 2009* (S.I. No. 580 of 2009), art. 2.

E34 Power pursuant to s. 20 and schedule exercised (23.02.2004) by *An Choimisinéara Teanga Contributory Pension Scheme for Spouses and Children 2009* (S.I. No. 579 of 2009), art. 2.

E35 Pension scheme established under para. 6 excluded from application of *Pensions Act 1990* (25/1990), Part III as provided (2.06.2002) by *Occupational Pension Schemes (Preservation of Benefits) Regulations 2002* (S.I. No. 279 of 2002), reg. 11 and sch. part I, in effect as per reg. 1(2), as amended.

E36 Funding standard for any defined benefit pension scheme established under para. 6 provided (31.12.1993) by *Occupational Pension Schemes (Funding Standard) Regulations 1993* (S.I. No. 419 of 1993), reg. 6 and sch. C, in effect as per reg. 1(2), as amended.

E37 Previous affecting provision: para. 2(c) amended (25.03.2004) by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004), s. 3(2) and sch. 2 part 2, commenced on enactment; substituted as per F-note above.



Number 32 of 2003

OFFICIAL LANGUAGES ACT 2003

REVISED

Updated to 5 May 2023

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Official Languages Acts 2003 and 2021: this Act is one of a group of Acts included in this collective citation (*Official Languages (Amendment) Act 2021*, s. 20(2)). The Acts in this group are:

- *Official Languages Act 2003* (32/2003)
- *Official Languages (Amendment) Act 2021* (49/2021)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Official Languages (Amendment) Act 2021* (49/2021)

- *Local Government Act 2019 (1/2019)*
- *Public Service Superannuation (Age of Retirement) Act 2018 (39/2018)*
- *Data Protection Act 2018 (7/2018)*
- *Companies Act 2014 (38/2014)*
- *Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 (33/2013)*
- *Education and Training Boards Act 2013 (11/2013)*
- *Ombudsman (Amendment) Act 2012 (38/2012)*
- *Civil Law (Miscellaneous Provisions) Act 2011 (23/2011)*
- *Environment (Miscellaneous Provisions) Act 2011 (20/2011)*
- *Ministers and Secretaries (Amendment) Act 2011 (10/2011)*
- *Social Welfare and Pensions Act 2011 (9/2011)*
- *Credit Institutions (Stabilisation) Act 2010 (36/2010)*
- *Central Bank Reform Act 2010 (23/2010)*
- *Adoption Act 2010 (21/2010)*
- *Inland Fisheries Act 2010 (10/2010)*
- *Houses of the Oireachtas Commission (Amendment) Act 2009 (44/2009)*
- *National Asset Management Agency Act 2009 (34/2009)*
- *Consumer Protection Act 2007 (19/2007)*
- *Public Service Management (Recruitment and Appointments) Act 2004 (33/2004)*
- *Public Service Superannuation (Miscellaneous Provisions) Act 2004 (7/2004)*

All Acts up to and including *Patient Safety (Notifiable Incidents and Open Disclosure) Act 2023 (10/2023)*, enacted 2 May 2023, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Official Languages Act 2003 (Establishment Day) Order 2022 (S.I. No. 312 of 2022)*
- *Official Languages Act 2003 (Public Bodies) Regulations 2019 (S.I. No. 230 of 2020)*
- *Placenames (County Cork) Order 2012 (S.I. No. 395 of 2012)*
- *Placenames (Ceantair Ghaeltachta) Order 2011 (S.I. No. 599 of 2011)*
- *Placenames (Co. Dublin) Order 2011 (S.I. No. 598 of 2011)*
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 418 of 2011)*
- *Irish Language, Gaeltacht and the Islands (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 164 of 2011)*
- *An Choimisinéara Teanga Superannuation Scheme 2009 (S.I. No. 580 of 2009)*
- *An Choimisinéara Teanga Contributory Pension Scheme for Spouses and Children 2009 (S.I. No. 579 of 2009)*
- *Official Languages Act 2003 (Section 9) Regulations 2008 (S.I. No. 391 of 2008)*
- *Placenames (Co. Limerick) (Amendment) Order 2008 (S.I. No. 115 of 2008)*
- *Official Languages Act 2003 (Public Bodies) Regulations 2006 (S.I. No. 150 of 2006)*
- *Placenames (Co. Tipperary) Order 2005 (S.I. No. 847 of 2005)*
- *Placenames (Centres of Population and Districts) Order 2005 (S.I. No. 59 of 2005)*
- *Placenames (Ceantair Ghaeltachta) Order 2004 (S.I. No. 872 of 2004)*
- *Official Languages Act 2003 (Prescribed Maps) Regulations 2004 (S.I. No. 212 of 2004)*
- *An tOrdú Acht na dTeangacha Oifigiúla 2003 (Tosach Feidhme) 2004 (S.I. No. 32 of 2004)*
- *Placenames (Co. Offaly) Order 2003 (S.I. No. 525 of 2003)*
- *Placenames (Co. Waterford) Order 2003 (S.I. No. 524 of 2003)*
- *Placenames (Co. Monaghan) Order 2003 (S.I. No. 523 of 2003)*
- *Placenames (Co. Limerick) Order 2003 (S.I. No. 522 of 2003)*
- *Placenames (Co. Louth) Order 2003 (S.I. No. 521 of 2003)*
- *Placenames (Co. Kilkenny) Order 2003 (S.I. No. 520 of 2003)*
- *Placenames (Provinces and Counties) Order 2003 (S.I. No. 519 of 2003)*
- *An tOrdú Acht na dTeangacha Oifigiúla 2003 (Tosach Feidhme) 2003 (S.I. No. 518 of 2003)*
- *Occupational Pension Schemes (Preservation of Benefits) Regulations 2002 (S.I. No. 279 of 2002)*
- *Occupational Pension Schemes (Funding Standard) Regulations 1993 (S.I. No. 419 of 1993)*

All statutory instruments up to and including *Official Languages (Amendment) Act 2021 (Commencement) (No. 2) Order 2023* (S.I. No. 215 of 2023), made 4 May 2023, were considered in the preparation of this revision.