



Ceann Oifig  
Sráid Jonathan Swift  
Baile Átha Troim  
Co. na Mí

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Seosamh Ó hÁghmaill, Uasal  
Ard-Rúnaí  
Oifig an Ard-Rúnaí  
An Roinn Ealaíon, Oidhreacht agus Gaeltachta  
23 Sráid Chill Dara  
Baile Átha Cliath 2

31 Eanáir 2012

Tagraím do do litir dár dáta 14 Samhain 2011 maidir leis an athbhreithniú ar Acht na dTeangacha Oifigiúla 2003 atá idir láimhe ag do Roinnse faoi láthair. Is mian liom buíochas a ghabháil leat as ucht an deis seo a thabhairt dom tuairimí Oifig na n-Oibreacha Poiblí a chur os do chomhair.

Go ginearálta, tá téarmaí na reachtaíochta agus na Rialacháin déanta faoi, cothrom agus déanann foireann an OPW a dícheall na téarmaí sin a chomhlíonadh. Ba chóir, ar son soiléireacht áfach, léiriú a tabhairt ar an bhfocal 'lógó' in Alt 9.1 (b) de IR 391 de 2008. 'Seard atá i gceist le lógó an OPW ná trí ghnéithe éagsúla ach nasctha: an Triantán, na Cinnlitreacha, OPW agus an Ceannteideal – féach an páipéar ceannchlóite thuas. Is ábhar conspóide é seo sa mhéad is go measann an Coimisinéir Teanga go gcuimsíonn ar lógó an triantán agus na cinnlitreacha amháin. Aontaíonn an comhairle dlí a fritheadh ó Oifig an Ard-Aighne leis an Oifig seo ach tá comhairle dlí chontrártha faighte ag an Coimisinéir. Cabhródh sainmhíniú soiléir 'sna rialacháin. Mholfaínn freisin go mbeadh díolúine i gceist faoi Alt 9.1 (b) de IR 391 de 2008 do thrádmharcanna agus go h-áirithe trádmharcanna a chlárú roimh achtú Acht na dTeangacha Oifigiúla 2003. Chun breis soiléireacht a sholáthair, tá an comhfhreagras faoin gceist seo iniata.

I dteannta an ábhar thuas is mian liom na moltaí seo a leanas, atá san ord a tharlaíonn siad san tseimlead le haghaidh aighneachtaí, a dhéanamh.

#### **Cumarsáid faoi Alt 9 den Acht (Litreacha, ríomhphoist & cora poist)**

Ba chóir sainmhíniú a thabhairt in Alt 2 (1) Léiriú, d'Acht na dTeangacha Oifigiúla ar an bhfrása 'aicme den phobal i gcoitinne' chun soiléireacht a sholáthair do sheirbhís poiblí go bhfuil gá acu eolas a eisiúint do ghrúpaí daoine.

#### **Foilleacháin faoi alt 10 den Acht**

Is leor na dualgais seo agus measaim nach bhfuil siad iomarcach. Arís ba chóir sainmhíniú a thabhairt in Alt 2 (1) Léiriú, d'Acht na dTeangacha Oifigiúla ar an bhfrása 'tograí beartais phoiblí' ar son soiléireacht. Mar shampla, tá impleachtaí beartais phoiblí i bPleananna le haghaidh Scéimeanna Bainistíochta Riosca Tuilte ach tá an-chuid sonraí teicniúla iontu freisin. Cuireann an OPW achoimre dátheangach dos na gnéithe beartais do na pleananna ar fáil agus measaim gur leor sin. D'fhéadfadh foclaíocht an Achta an Bord a fhágáil i mbaol agóid dhlíthiúil maidir leis an

bpointe seo. Cé go bhfuilimid den tuairim go n-aontódh cúirt go bhfuilimid ag cloí leis an Acht ó thaobh ábhair agus brí de bheadh costais i gceist don Stát dá dtarlódh a leithead d'agóid. Bheadh feidhm maolaitheach ag sainmhíniú beacht den frása.

### **Comharthaí**

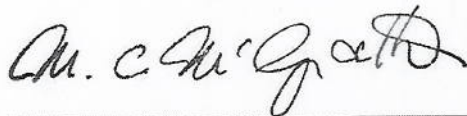
Tá gnásanna i bhfeidhm san OPW lena chinntiú go mbeidh aon comharthaí nua a chuirtear suas ag cloí lena rialacháin. Mholfainn, áfach, gur cóir comharthaí atá i mBéarla amháin, agus atá le leasú roimh 1 Márta 2013, a leasú in áiteanna atá oscailte don phobail seachas aon áit sa Stát. Tá comharthaí i roinnt Oifigí Rialtais in áiteanna nach mbeadh feicthe ag an bpobail ariamh. Mholfainn gur cóir na comharthaí sin a leasú, má tá siad i mBéarla amháin, nuair atá athnuacháin á dhéanamh orthu seachas roimh dáta ar leith.

### **Scéimeanna Teanga**

Is riachtanas iomarcach an riachtanas gur gá scéim teanga a athnuacháin gach trí bliain agus b'fhéidir gur cóir é a shíneadh go cúig bliain.

Is mian liom mo bhuíochas a ghabháil leat arís as ucht an deis seo a thabhairt dom.

Is mise le meas



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Clare McGrath  
Cathaoirleach

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## Aistriúcháin Béarla

Seosamh Ó hAghaill, Uasal  
Secretary General  
Department of Arts, Heritage and the Gaeltacht  
23 Kildare Street  
Dublin 2

31 January 2012

I refer to your letter of 14 November 2011 regarding the review of the Official Languages Act, 2003 currently under-way in your Department. I would like to thank you for this opportunity to comment.

In general, the terms of the Act and the regulations made under it are adequate and the OPW strives to ensure that it is in compliance with its terms. However, for the purposes of clarity the term logo used in Section 9.1 (b) of SI 391 of 2008 should be defined. The OPW's logo is made of three elements that are intrinsically linked; the Symbol, the Capital Letters, OPW and the Full Title – see letterhead. However, this has been a matter of contention in that the Official Languages Commissioner (the Commissioner) considers our logo to be symbol and capital letters only. Our legal advice from the Office of the Attorney General is in agreement with this Office but the Commissioner has contrary legal advice. A clear definition in the regulations would assist. I would also suggest that registered trademarks, and in particular trademarks that were registered before the enactment of the Official Languages Act, 2003 should be included under the exclusions listed in Section 9.1 (b) of SI 391 of 2008. To provide greater clarity, the correspondence on this matter is enclosed.

In addition to the matter outlined in my last paragraph I wish to make the following suggestions, which I've addressed in the order that the issues appear in the template for suggestions.

### **Communication under section 9 of the Act (Letters, emails & mail shots)**

The phrase 'class of the general public' should be defined in the Section 2 (1) Interpretation of the Official Languages Act to provide clarity for public servants who are required to issue information to groups of people.

### **Publications under section 10 of the Act**

The obligations are adequate and I would not consider them overly onerous. However, again the phrase 'public policy proposals' should be defined in the Section 2 (1) Interpretation, for clarity purposes. For example, Plans for Flood Risk Management Schemes contain policy implications but they also contain lengthy technical detail. We currently provide a summary of the policy aspects of these plans bilingually and feel that this is adequate. However, the wording of the Act could leave the Board open to challenge on this point. While we are of the opinion that our decision would be

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upheld in court as being both within the spirit and the letter of the legislation a challenge could lead to costs for the State. A tight definition of the phrase would mitigate again this occurring.

### Signage

The OPW has systems in place to ensure that new signs placed by it are in compliance with the regulations. However, I would suggest that the replacement of signs that are in English only by 1 March 2013 should apply to signs in areas that are open to members of the public rather than signs placed anywhere in the State. Some Government Buildings have signs in areas that are never visited by the public and that were erected long in advance of the regulations. I would suggest that such signs, if they are in English only, should be replaced when they are being updated/ amended rather than by a specific date.

### Language Schemes

The requirement to produce a new Language Scheme on a three yearly basis is onerous and should perhaps be extended to a five year basis.

I wish to thank you again for this opportunity.

Yours sincerely

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Clare McGrath  
Chairman