



National Assembly for Wales (Official Languages) Act 2012

2012 anaw 1

2 Amendment to Schedule 2 to the Act (Assembly Commission)

- (1) Paragraph 8 of Schedule 2 to the Act (Principles in accordance with which functions are to be exercised) is amended as follows.
- (2) For sub-paragraph (3), substitute—
 - “(3) The Assembly Commission must, in the exercise of its functions—
 - (a) treat the official languages of the Assembly on a basis of equality, and
 - (b) make arrangements for enabling effect to be given to section 35(1), (1A), (1B) and (1C).
 - (4) The Assembly Commission must—
 - (a) adopt, and
 - (b) publish,a scheme, to be known as the Assembly Commission’s Official Languages Scheme (“the Scheme”), specifying the measures which it proposes to take in order to comply with its duties under sub-paragraph (3).
 - (5) The Scheme must include (amongst other things) provision about—
 - (a) simultaneous interpretation from one official language into the other—
 - (i) in all Assembly proceedings,
 - (ii) in public meetings conducted on behalf of the Assembly Commission, and
 - (iii) in such other meetings connected with the functions of the Assembly or the Assembly Commission as may be provided for in the Scheme,
 - (b) publication of documents in both official languages, subject to any exceptions identified in the Scheme,

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- (c) public engagement with—
 - (i) Assembly proceedings, and
 - (ii) other functions of the Assembly and of the Assembly Commission,through the medium of either of the official languages,
 - (d) practical measures to foster and continually improve freedom of choice of official language—
 - (i) on the part of those participating in Assembly proceedings, and
 - (ii) in relation to the functions of the Assembly or the Assembly Commission generally,
 - (e) the setting of targets and timescales relating to implementation of the Scheme,
 - (f) the allocation of responsibilities for implementing the Scheme,
 - (g) objective means of measuring progress in implementing the Scheme, and
 - (h) a strategy for ensuring that the staff of the Assembly have, collectively, the language skills necessary to enable the Scheme to be implemented.
- (6) The Scheme must include provision relating to the receipt, investigation and consideration of complaints of failures to give effect to provisions of the Scheme.
- (7) The Scheme must identify those services provided or to be provided in the official languages and explain how those services are to be provided in accordance with paragraph 8(5).
- (8) The Assembly Commission must, in respect of each financial year, lay before the Assembly a report setting out how the Commission has, during the year in question, given effect to the Scheme.
- (9) The report prepared by the Assembly Commission under sub-paragraph (8) must include—
- (a) whether and to what degree the services referred to in sub-paragraph (7) have been provided, and
 - (b) if applicable, the reasons why the Commission has not provided any of the services referred to in sub-paragraph (7) in both official languages.
- (10) The Assembly Commission—
- (a) must review the Scheme as soon as is reasonably practicable after each ordinary general election, or after an extraordinary general election to which section 5(5) applies, and
 - (b) may, at any time, adopt a new Scheme or an amendment to the existing Scheme.
- (11) The Assembly Commission may not adopt a Scheme, or an amendment to a Scheme, unless (whether before or after the coming into force of this paragraph)—
- (a) a draft of the Scheme (or of the amendment) has been—
 - (i) published, and

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- (ii) laid before the Assembly,
 - (b) the Assembly Commission has given—
 - (i) those persons whom the Assembly Commission considers it appropriate to consult in relation to the Scheme, and
 - (ii) the Assembly,reasonable opportunity to make representations in relation to the draft,
 - (c) the Assembly Commission has considered any representations made about the draft Scheme (or draft amendment) by—
 - (i) the persons consulted under sub-paragraph (b)(i), and
 - (ii) the Assembly, and
 - (d) the Scheme (or the amendment) incorporating such modifications as the Assembly Commission may, having considered such representations, make, has been laid before and approved by resolution of, the Assembly.
- (12) The Assembly Commission must give effect to the Scheme.”