

GAELIC LANGUAGE (SCOTLAND) ACT 2005

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Gaelic language plans

Section 6 – Monitoring of implementation

35. This section makes provision for the Bòrd to monitor the implementation of Gaelic language plans.
36. Subsection (1) provides that the section applies where a plan has been approved by either the Bòrd or the Scottish Ministers under section 5, the plan having been in effect for at least 12 months.
37. Subsection (2) enables the Bòrd to request a report on the implementation of the measures set out in a relevant public authority's plan. The Bòrd must allow the public authority at least 3 months to comply with that request.
38. Subsection (3) provides that the Bòrd may not ask for a subsequent report from a public authority within 12 months of the date of the last time it requested a report from that particular authority.
39. Subsection (4) enables the Bòrd, if it considers that a public authority is failing to implement adequately measures in its Gaelic language plan, to submit a report to the Scottish Ministers setting out why it considers the authority is failing in that regard.
40. The effect of subsection (5) is that where the Scottish Ministers receive a report from the Bòrd under subsection (4) they may bring the report to the attention of the Scottish Parliament and/or issue a direction to the relevant public authority to implement any or all of the measures in its language plan. Subsection (6) requires the Scottish Ministers to consult with the relevant public authority on the terms of a direction they may be minded to issue. The Scottish Ministers must take into account any views expressed by the public authority before issuing that direction.