



Welsh Language (Wales) Measure 2011

2011 nawm 1

PART 4

STANDARDS

CHAPTER 4

STANDARDS POTENTIALLY APPLICABLE

36 Persons within Schedule 6

- (1) This section applies to a person (P) who is within Schedule 6.
- (2) A standard specified by the Welsh Ministers under section 26(1) is potentially applicable to P if it belongs to a class of standard that is specified in column (2) of P's entry in the Schedule 6 table.
- (3) For that purpose, each of the following is a class of standard—
 - (a) service delivery standards;
 - (b) policy making standards;
 - (c) operational standards;
 - (d) promotion standards;
 - (e) record keeping standards.
- (4) This section applies for the purposes of this Part.

37 Persons within Schedule 8

- (1) This section applies to a person (P) who is within Schedule 8.
- (2) A standard specified by the Welsh Ministers under section 26(1) is potentially applicable to P if, and to the extent that, the standard is—

Status: This is the original version (as it was originally enacted).

- (a) a service delivery standard that relates to the provision by P of a specified service (a “qualifying service delivery standard”), or
 - (b) a record keeping standard that relates to the keeping of records about—
 - (i) qualifying service delivery standards,
 - (ii) complaints concerning P’s compliance with qualifying service delivery standards, or
 - (iii) complaints concerning the Welsh language that relate to the provision by P of specified services.
- (3) In this section “specified service” means a service that is specified in column (2) of P’s entry in the Schedule 8 table.
- (4) This section applies for the purposes of this Part.

38 Amendment of standards potentially applicable

- (1) The Welsh Ministers may, by order, amend the Schedule 6 table and Schedule 8 table in accordance with this section.
- (2) The Welsh Ministers may amend the Schedule 6 table so that column (2) of an entry includes a reference to one or more of the following—
- (a) service delivery standards;
 - (b) policy making standards;
 - (c) operational standards;
 - (d) record keeping standards.
- (3) The Welsh Ministers may amend the Schedule 6 table so that column (2) of any of the following entries in the table includes a reference to promotion standards—
- (a) the Welsh Ministers' entry;
 - (b) a county borough council’s entry;
 - (c) a county council’s entry;
 - (d) a National Park authority’s entry;
 - (e) an entry for any other person, but only if the person has given consent that promotion standards should be potentially applicable to that person.
- (4) For the purpose of subsection (3)—
- (a) “consent” means consent in writing given to the Welsh Ministers;
 - (b) a person may withdraw consent, but only with the agreement of the Welsh Ministers;
 - (c) if a person withdraws consent after that person’s entry has been amended to include a reference to promotion standards, the Welsh Ministers must amend the Schedule 6 table by removing the reference to promotion standards in the entry for that person.
- (5) The Welsh Ministers may amend the Schedule 6 table by removing any reference in column (2).
- (6) The Welsh Ministers may amend the Schedule 8 table so that column (2) of an entry relating to a person or category of person includes a reference to provision of a service (the “specified service”), but only if—
- (a) the condition in subsection (7) is met, and
 - (b) the condition in subsection (8) or (9) is met.

Status: This is the original version (as it was originally enacted).

- (7) The specified service must fall within a category of service specified in column (3) of the Schedule 7 table (an “available service”).
- (8) If the specified service is to relate to a person within Schedule 8, that person must fall within the category of persons in column (2) of the Schedule 7 table to which the available service relates.
- (9) If the specified service is to relate to a category of persons within Schedule 8, all persons within that category must fall within the category of persons in column (2) of the Schedule 7 table to which the available service relates.
- (10) The Welsh Ministers may amend the Schedule 8 table by removing any reference in column (2).
- (11) The Welsh Ministers may make such other amendments of the Schedule 6 table or Schedule 8 table, or of any other provision of this Measure, as they think appropriate in connection with, for the purposes of, or in consequence of, the powers under any of subsections (2) to (10).