



# Welsh Language (Wales) Measure 2011

## 2011 nawm 1

### PART 4

#### STANDARDS

#### CHAPTER 9

#### GENERAL

#### *Codes of practice*

#### **68 Codes of practice**

- (1) The Commissioner may issue codes of practice for the purpose of providing practical guidance with respect to the requirements of any standards specified by the Welsh Ministers under section 26(1) (“standards codes of practice”).
- (2) The Commissioner may revise or withdraw standards codes of practice.
- (3) The Commissioner must not issue, revise or withdraw a standards code of practice without the consent of the Welsh Ministers.
- (4) Before seeking that consent, the Commissioner must consult—
  - (a) persons who are required to comply with the standard or standards to which the code of practice relates, and
  - (b) the Advisory Panel.
- (5) Where a code of practice is issued or revised by the Commissioner, the Commissioner must also issue a notice in writing—
  - (a) identifying the code in question and stating the date of issue, and
  - (b) specifying to which standard or standards the code relates.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Where the Commissioner withdraws a code of practice, the Commissioner must issue a notice in writing identifying the code in question and stating the date on which the code is to cease to have effect.

## **69 Failure to comply with codes**

- (1) A person's failure to comply with a provision of an approved code of practice does not render that person liable to enforcement action of any kind.
- (2) But if any action under this Measure is taken in respect of a failure of a person (P) to comply with a standard ("the alleged standards failure")—
- (a) a failure by P to comply with a relevant provision of an approved code of practice may be relied upon as tending to establish that P is liable for the alleged standards failure, and
  - (b) compliance with a relevant provision of an approved code of practice may be relied upon as tending to establish that P is not liable for the alleged standards failure.
- (3) References in this section to an approved code of practice are references—
- (a) to a standards code of practice as it has effect for the time being, and
  - (b) where a standards code of practice has been revised, to that code as revised as it has effect for the time being.