



Welsh Language (Wales) Measure 2011

2011 nawm 1

PART 6

FREEDOM TO USE WELSH

113 Interference with freedom to use Welsh

- (1) For the purposes of this Measure, D is to be taken to interfere with P's freedom to undertake a Welsh communication with R in any of the following cases.
- (2) Case 1 is where D indicates that P or R should not undertake—
 - (a) a particular communication in Welsh that is a Welsh communication, or
 - (b) a category of communications in Welsh consisting (wholly or partly) of one or more Welsh communications.
- (3) Case 2 is where D indicates that P or R will be subjected to a detriment (by D or any other person) because P or R has undertaken—
 - (a) a particular communication in Welsh that is a Welsh communication, or
 - (b) a category of communications in Welsh consisting (wholly or partly) of one or more Welsh communications.
- (4) Case 3 is where D, or a person acting at D's instigation, subjects P or R to a detriment because P or R has undertaken—
 - (a) a particular communication in Welsh that is a Welsh communication, or
 - (b) a category of communications in Welsh consisting (wholly or partly) of one or more Welsh communications.
- (5) But, in a case falling within subsection (2)(b), (3)(b) or (4)(b), D is to be taken to interfere with P's freedom to undertake a Welsh communication only insofar as the category of communications consists of one or more Welsh communications.
- (6) For the purposes of subsection (2), the circumstances in which D is to be taken to indicate that P or R should not undertake a particular communication, or a category of communications, include, but are not limited to, circumstances where—

Status: This is the original version (as it was originally enacted).

- (a) D instructs P or R not to undertake the communication or category of communications,
 - (b) D indicates that P or R will be subjected to a detriment (by D or any other person) if P or R undertakes the communication or category of communications, or
 - (c) D, or a person acting at D's instigation, subjects P or R to a detriment in connection with P or R undertaking the communication or category of communications.
- (7) For the purposes of this section, it is irrelevant—
- (a) whether or not D or any other person has authority to give an indication, and
 - (b) whether or not D or any other person has authority to enforce an indication.
- (8) In this section, references to P or R being subjected to a detriment include P or R being intimidated, bullied, harassed or humiliated.