



Welsh Language (Wales) Measure 2011

2011 nawm 1

PART 5

ENFORCEMENT OF STANDARDS

CHAPTER 1

INVESTIGATING FAILURE TO COMPLY WITH STANDARDS ETC

Preventing continuation or repetition of D's failure

80 **Action plans**

- (1) This section applies if the Commissioner gives D a decision notice which requires D to prepare an action plan.
- (2) D must give a first draft plan to the Commissioner within the period specified in the decision notice.
- (3) After receiving a first draft plan from a person the Commissioner must—
 - (a) approve it, or
 - (b) give the person a notice which—
 - (i) states that the draft is not adequate,
 - (ii) requires the person to give the Commissioner a revised draft by a specified time, and
 - (iii) may make recommendations about the content of the revised draft.
- (4) Subsection (3) applies in relation to a revised draft plan as it applies in relation to a first draft plan.
- (5) An action plan comes into force—

Status: This is the original version (as it was originally enacted).

- (a) at the end of the period of six weeks beginning with the date on which a first draft or revised draft is given to the Commissioner, if that period expires without the Commissioner—
 - (i) giving a notice under subsection (3)(b), or
 - (ii) applying for an order under subsection (6)(b), or
 - (b) upon a court's declining to make an order under subsection (6)(b) in relation to a revised draft of the plan.
- (6) The Commissioner may apply to a county court—
- (a) for an order requiring a person to give the Commissioner a first draft plan by a time specified in the order; or
 - (b) for an order requiring a person who has given the Commissioner a revised draft plan to prepare and give to the Commissioner a further revised draft plan—
 - (i) by a time specified in the order, and
 - (ii) in accordance with any directions about the plan's content specified in the order.
- (7) An action plan may be varied by agreement between the Commissioner and the person who prepared it.
- (8) Paragraphs 5 to 12 of Schedule 10 apply in relation to consideration by the Commissioner of the adequacy of a draft action plan as they apply in relation to the conduct of an investigation.