



Welsh Language Act 1993

1993 CHAPTER 38

PART II

WELSH LANGUAGE SCHEMES

Compliance with schemes

17 Investigations

- (1) Where it appears to the Board, whether on a complaint made to it under section 18 below or otherwise, that a public body may have failed to carry out a scheme approved by the Board, the Board may conduct an investigation in order to ascertain whether there has been a failure.
- (2) The procedure for conducting an investigation under this section shall be such as the Board considers appropriate in the circumstances of the case, and in particular an investigation may be conducted in private.
- (3) The Board may, if it considers it appropriate to do so, pay to any person who attends or provides information for the purposes of an investigation—
 - (a) sums in respect of the expenses properly incurred by him, and
 - (b) allowances by way of compensation for the loss of his time,in accordance with such scales and subject to such conditions as may be determined by the Secretary of State with the approval of the Treasury.

18 Complaints of non-compliance

- (1) This section applies where—
 - (a) a written complaint is made to the Board by a person who claims to have been directly affected by a failure of a public body to carry out a scheme approved by the Board,

Status: This is the original version (as it was originally enacted).

- (b) the complaint is made within the period of twelve months beginning with the day on which the complainant first knew of the matters alleged in the complaint, and
 - (c) the Board is satisfied that the complainant has brought the matter complained of to the notice of the public body concerned and that that body has had a reasonable opportunity to consider it and to respond.
- (2) Where this section applies, the Board shall either investigate that complaint under section 17 above or shall send to the complainant a statement of its reasons for not doing so.

19 Reports on investigations

- (1) Where the Board undertakes an investigation under section 17 above, it shall send a report of the results of the investigation to the public body concerned, to the Secretary of State and, where the investigation is conducted on a complaint made under section 18 above, to the complainant (whether or not the complaint is withdrawn before the investigation is completed).
- (2) Where the Board considers that it would be appropriate for a report of the results of an investigation to be published, either in the form of the report made under subsection (1) above or in some other form, the Board may arrange for publication in such manner as it thinks fit.
- (3) Where on completing an investigation the Board is satisfied that the public body concerned has failed to carry out the scheme, the Board may include in its report recommendations as to action to be taken by the public body in order to remedy the failure or to avoid future failures.

20 Directions by Secretary of State

- (1) If at any time it appears to the Board that a public body has failed to take any action recommended in a report under section 19 above, the Board may refer the matter to the Secretary of State.
- (2) If on a reference under this section the Secretary of State is satisfied, after considering any representations made to him by the Board and by the public body concerned, that the body has failed to take any action recommended in the report, he may give such directions to the public body as he considers appropriate.
- (3) Any directions given by the Secretary of State under subsection (2) above shall be enforceable, on an application made by him, by mandamus.