

ACCOMPANYING DOCUMENTS

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**National Assembly for Wales (Official
Languages) Bill**
[AS INTRODUCED]

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National Assembly for Wales (Official Languages) Bill

[AS INTRODUCED]

A Bill of the National Assembly for Wales to make provision about the use of the English and Welsh languages in proceedings of the National Assembly for Wales and in the discharge of the functions of the Assembly Commission.

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

1 Amendment to section 35 of the Act (Equality of treatment)

(1) Section 35 of the Government of Wales Act 2006 (c.32) (“the Act”) is amended as follows.

(2) For subsection (1), substitute—

“(1) The official languages of the Assembly are English and Welsh.

(1A) The official languages must, in the conduct of Assembly proceedings, be treated on a basis of equality.

(1B) All persons have the right to use either official language when participating in Assembly proceedings.

(1C) Paragraph 8 of Schedule 2 makes provision about how the Assembly Commission must enable effect to be given to subsections (1), (1A) and (1B).”

2 Amendment to Schedule 2 to the Act (Assembly Commission)

(1) Paragraph 8 of Schedule 2 to the Act (Principles in accordance with which functions are to be exercised) is amended as follows.

(2) For sub-paragraph (3), substitute—

“(3) The Assembly Commission must, in the exercise of its functions—

(a) treat the official languages of the Assembly on a basis of equality, and

(b) make arrangements for enabling effect to be given to section 35(1), (1A) and (1B).

(4) The Assembly Commission must—

(a) adopt, and

(b) publish,

a scheme, to be known as the Assembly Commission’s Official Languages Scheme (“the Scheme”), specifying the measures which it proposes to take in order to comply with its duties under sub-paragraph (3).

- (5) The Scheme must include (amongst other things) provision relating to—
- (a) simultaneous interpretation from one official language into the other, and
 - (b) publication of documents in both official languages.
- (6) Nothing in this paragraph (or in section 35(1)) is to be interpreted as requiring all words spoken or written in one of the official languages to be interpreted or translated into the other.
- (7) The Scheme must include provision relating to the receipt, investigation and consideration of complaints of failures to give effect to provisions of the Scheme.
- (8) The Assembly Commission must, in respect of each financial year, lay before the Assembly a report setting out how the Commission has, during the year in question, given effect to the Scheme.
- (9) The Assembly Commission—
- (a) must, at least once every five years, review the Scheme, and
 - (b) may, at any time, adopt a new Scheme or an amendment to the existing Scheme.
- (10) The Assembly Commission may not adopt a Scheme, or an amendment to a Scheme, unless (whether before or after the coming into force of this paragraph)—
- (a) a draft of the Scheme (or of the amendment) has been—
 - (i) published, and
 - (ii) laid before the Assembly,
 - (b) the Assembly Commission has considered any representations made about the draft Scheme (or draft amendment) by—
 - (i) members of the public, and
 - (ii) the Assembly, and
 - (c) the Scheme (or the amendment) incorporating such modifications as the Assembly Commission may, having considered such representations, make, has been laid before and approved by resolution of, the Assembly.
- (11) The Assembly Commission must give effect to the Scheme.”

3 Short title and commencement

This Act—

- (a) may be referred to as the National Assembly for Wales (Official Languages) Act 2012, and
- (b) comes into force on the day after it receives Royal Assent.