



Gaelic Language (Scotland) Act 2005

2005 asp 7

Gaelic language plans

5 Approval of plans

- (1) Where a Gaelic language plan is submitted to the Bòrd by a relevant public authority pursuant to a notice under section 3(1) or under subsection (3)(b) of this section, the Bòrd must—
 - (a) approve the plan, or
 - (b) propose modifications to it.
- (2) In considering the plan for the purposes of subsection (1), the Bòrd must have regard to—
 - (a) the matters referred to in section 3(5)(a) to (d), and
 - (b) any guidance given by the Scottish Ministers.
- (3) If the Bòrd proposes modifications, the authority must—
 - (a) within one month of the date on which the proposed modifications are intimated to the authority, notify the Bòrd that it does not agree with all or any of the modifications, giving reasons for that disagreement, or
 - (b) by a date specified by the Bòrd, amend the plan to take account of the modifications and resubmit the plan to the Bòrd.
- (4) The date referred to in subsection (3)(b) must be no less than 3 months and no more than 6 months after the date on which the proposed modifications are intimated to the authority.
- (5) Where notification is given under paragraph (a) of subsection (3), the Bòrd, having considered the reasons referred to in that paragraph, must—
 - (a) approve the plan as originally submitted to the Bòrd,
 - (b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as the Bòrd and the authority may agree, or
 - (c) if, on the expiry of the period of 2 months beginning with the date on which the authority gave notice to the Bòrd under subsection (3)(a), the Bòrd has not approved the plan under paragraph (a) or (b), refer the matter to the Scottish Ministers.

Changes to legislation: There are currently no known outstanding effects for the Gaelic Language (Scotland) Act 2005, Section 5. (See end of Document for details)

- (6) On a reference to them under subsection (5)(c), the Scottish Ministers, after complying with subsection (7), must—
- (a) approve the plan as originally submitted to the Bòrd, or
 - (b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as they think fit.
- (7) Before approving a plan under subsection (6), the Scottish Ministers—
- (a) must have regard to the matters mentioned in section 3(5)(a) to (c),
 - (b) must give the Bòrd and the authority an opportunity to make representations about the plan, and
 - (c) may consult any other person whom they think fit,
- and must take account of any representations made by the Bòrd or the authority and any views expressed by a person consulted under paragraph (c).
- (8) Approval of a plan under subsection (6) must be given no later than 6 months after the date on which the matter was referred to the Scottish Ministers under subsection (5)(c).
- (9) On the plan being approved by the Bòrd or the Scottish Ministers, the authority must—
- (a) publish it in such manner as it thinks fit (having regard to any guidance given by the Bòrd), and
 - (b) implement the measures in accordance with the plan.

Changes to legislation:

There are currently no known outstanding effects for the Gaelic Language (Scotland) Act 2005, Section 5.