



# Welsh Language (Wales) Measure 2011

## 2011 nawm 1

### PART 5

#### ENFORCEMENT OF STANDARDS

#### CHAPTER 1

#### INVESTIGATING FAILURE TO COMPLY WITH STANDARDS ETC

#### *Failure to comply: Commissioner's options*

#### **77 Failure to comply with a relevant requirement**

- (1) This section applies if the Commissioner determines that D has failed to comply with a relevant requirement.
- (2) The Commissioner may—
  - (a) take no further action,
  - (b) act under subsection (3), or
  - (c) act under subsection (4).
- (3) The Commissioner may do one or more of the following things—
  - (a) require D to prepare an action plan for the purpose of preventing the continuation or repetition of D's failure to comply with the relevant requirement;
  - (b) require D to take steps for the purpose of preventing the continuation or repetition of D's failure to comply with the relevant requirement;
  - (c) publicise D's failure to comply with the relevant requirement;
  - (d) require D to publicise the failure to comply with the relevant requirement;
  - (e) impose a civil penalty on D.
- (4) The Commissioner may do one or more of the following things—

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*Changes to legislation: There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011, Cross Heading: Failure to comply: Commissioner's options. (See end of Document for details)*

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- (a) give D or any other person recommendations;
  - (b) give D or any other person advice;
  - (c) seek to enter into a settlement agreement with D (see Chapter 2), but only if the relevant requirement is a duty to comply with a standard.
- (5) If the Commissioner seeks to enter into a settlement agreement with D—
- (a) D is not obliged to enter into such an agreement;
  - (b) if D declines to enter into a settlement agreement, the Commissioner may, but need not, exercise his or her powers under this section differently.
- (6) If the Commissioner acts under subsection (3), subsections (2) and (3) do not prevent the Commissioner from also doing either or both of the following—
- (a) giving D or any other person recommendations;
  - (b) giving D or any other person advice.
- (7) This section is subject to section 85.

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**Commencement Information**

**II** S. 77 in force at 7.7.2015 by S.I. 2015/1413, art. 3(c)

**Changes to legislation:**

There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011,  
Cross Heading: Failure to comply: Commissioner's options.