



Welsh Language (Wales) Measure 2011

2011 nawm 1

PART 6

FREEDOM TO USE WELSH

114 Deciding whether to investigate

- (1) This section applies if P makes an application to the Commissioner under section 111.
- (2) It is for the Commissioner to decide whether or not to investigate the alleged interference.
- (3) When deciding whether to investigate the alleged interference, the Commissioner—
 - (a) must take into account the context in which interference is alleged to have taken place (including, but not limited to, the relationships, if any, that exist between D and P and between D and R);
 - (b) may ask P, D, or any other person, for information or views relating to the alleged interference; and
 - (c) must, if he or she asks P or D for information or views, give P or D the relevant information about investigations.
- (4) Subsection (3) does not limit the matters which the Commissioner may consider when deciding whether to investigate the alleged interference.
- (5) If the Commissioner decides to investigate the alleged interference, the Commissioner must—
 - (a) inform P and D of the decision, and
 - (b) give P and D the relevant information about investigations (insofar as the Commissioner has not already given the information under subsection (3)(c)).
- (6) If the Commissioner decides not to investigate the alleged interference, the Commissioner must inform P of—
 - (a) the decision, and
 - (b) the reasons for reaching the decision.

Status: This is the original version (as it was originally enacted).

- (7) The Commissioner must comply with subsection (5) or (6) as soon as practicable after reaching the decision in question.
- (8) In this section “relevant information about investigations” means information about—
- (a) the procedure for carrying out investigations under this Part, and
 - (b) the Commissioner’s powers in relation to such investigations (including, but not limited to, the power under section 118 to produce and publish reports and other documents).