



# Welsh Language Act 1993

## 1993 CHAPTER 38

### PART III

#### MISCELLANEOUS

PROSPECTIVE

#### *Welsh in legal proceedings*

#### **22 Use of Welsh in legal proceedings.**

- (1) In any legal proceedings in Wales the Welsh language may be spoken by any party, witness or other person who desires to use it, subject in the case of proceedings in a court other than a magistrates' court to such prior notice as may be required by rules of court; and any necessary provision for interpretation shall be made accordingly.
- (2) Any power to make rules of court includes power to make provision as to the use, in proceedings in or having a connection with Wales, of documents in the Welsh language.

#### **23 Oaths and affirmations.**

[<sup>F1</sup>(1)] The Lord Chancellor may [<sup>F2</sup>, after consulting the Lord Chief Justice of England and Wales,] make rules prescribing a translation in the Welsh language of any form for the time being prescribed by law as the form of any oath or affirmation to be administered and taken or made by any person in any court, and an oath or affirmation administered and taken or made in any court in Wales in the translation prescribed by such rules shall, without interpretation, be of the like effect as if it had been administered and taken or made in the English language.

[<sup>F3</sup>(2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

*Status: Point in time view as at 14/03/2012. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Welsh Language Act 1993, Part III. (See end of Document for details)*

#### Textual Amendments

- F1** S. 23 renumbered as s. 23(1) (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 232\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(v)
- F2** Words in s. 23(1) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 232\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(v)
- F3** S. 23(2) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 232\(4\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(v)

## 24 Provision of interpreters.

- (1) The Lord Chancellor may make rules as to the provision and employment of interpreters of the Welsh and English languages for the purposes of proceedings before courts in Wales.
- (2) The interpreters shall be paid, out of the same fund as the expenses of the court are payable, such remuneration in respect of their services as the Lord Chancellor may determine.
- (3) The Lord Chancellor's powers under this section shall be exercised with the consent of the Treasury.

*Statutory names, forms etc*

## 25 Powers to give Welsh names to statutory bodies etc.

- (1) Where a name is conferred by an Act of Parliament on any body, office or place, the appropriate Minister may by order confer on the body, office or place an alternative name in Welsh.
  - (2) Where an Act of Parliament gives power, exercisable by statutory instrument, to confer a name on any body, office or place, the power shall include power to confer alternative names in English and Welsh.
- [<sup>F4</sup>(3) Subsection (1) above does not apply in relation to a name conferred on any area or local authority by the <sup>M1</sup>Local Government Act 1972.]

#### Textual Amendments

- F4** S. 25(3) substituted (3.4.1995) by [1994 c. 19](#), s. 66(2)(6), [Sch. 16 para. 106\(2\)](#); S.I. 1995/852, art. 9(1), [Sch. 5](#)

#### Marginal Citations

- M1** 1927 c. 70.

## 26 Powers to prescribe Welsh forms.

- (1) This section applies where an Act of Parliament specifies, or confers power to specify,
  - (a) the form of any document, or

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- (b) any form of words,  
which is to be or may be used for an official or public purpose or for any other purpose where the consequences in law of any act depend on the form used.
- (2) Where the Act itself specifies the form of the document or the form of words, the appropriate Minister may by order prescribe—
- (a) a form of the document in Welsh, or partly in Welsh and partly in English or, as the case may be,
- (b) a form of words in Welsh,
- for use in such circumstances and subject to such conditions as may be prescribed by the order.
- (3) Where the Act confers a power to specify the form of the document or the form of words, the power shall include power to prescribe—
- (a) separate forms of the document, or separate forms of words, in Welsh and in English, and
- (b) in the case of a document, a form partly in Welsh and partly in English,
- for use in such circumstances and subject to such conditions as may be prescribed by the instrument by which the power is exercised.
- (4) Where the powers conferred by this section are exercised in relation to the form of a document or a form of words, a reference in an Act or instrument to the form shall, so far as may be necessary, be construed as (or as including) a reference to the form prescribed under or by virtue of this section.
- (5) This section shall not apply in relation to a provision which—
- (a) confers, or gives power to confer, a name on any body, office or place, or
- (b) requires specified words to be included in the name of any body, office or place.

**Modifications etc. (not altering text)**

- C1 S. 26 applied (24.10.2002) by [European Parliamentary Elections Act 2002 \(c. 24\)](#), [ss. 7\(5\)](#), 18(2)
- C2 S. 26(2) applied (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), [Sch. 2 para. 10\(4\)](#)

**27 Provisions supplementary to sections 25 and 26.**

- (1) Anything done in Welsh by virtue of section 26 above shall have the like effect as if done in English.
- (2) Any provision authorising—
- (a) the use of a document or words to the like effect as a document or words of which another version is prescribed by virtue of section 26 above, or
- (b) the adaptation of a document or words of which another version is so prescribed,
- shall apply in relation to both versions.
- (3) The powers to make orders under sections 25(1) and 26(2) above shall be exercisable by statutory instrument, which shall be laid before Parliament after being made.

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- (4) References in sections 25 and 26 above to an Act of Parliament include references to Acts passed after this Act; and in those sections “the appropriate Minister” in relation to any Act means—
- (a) in the case of provisions for the execution of which in Wales a Minister other than the Secretary of State is responsible, that Minister, and
  - (b) in any other case, the Secretary of State.
- (5) Any question arising under paragraphs (a) and (b) of subsection (4) above shall be determined by the Treasury; and in that subsection “Minister” includes the Treasury, the Commissioners of Customs and Excise and the Commissioners of Inland Revenue.

## 28 Industrial and provident societies.

- (1) Section 5 of the <sup>M2</sup>Industrial and Provident Societies Act 1965 (name of society) shall be amended as follows.
- (2) In subsection (2), for the words from “the word” to the end there shall be substituted the words “the last word in the name of every society registered under this Act shall be “limited” or, if the rules of the society state that its registered office is to be in Wales, either that word or the word “cyfyngedig””.
- (3) In subsection (5)—
- (a) after the words “contain the word “limited”” there shall be inserted the words “or the word “cyfyngedig””;
  - (b) for the words “that word” there shall be substituted the words “either of those words”, and
  - (c) after the words “that the word “limited”” there shall be inserted the words “ , or in an appropriate case the word “cyfyngedig”, ”.

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### Marginal Citations

M2 1965 c. 12.

## 29 Credit unions.

- (1) Section 3 of the <sup>M3</sup>Credit Unions Act 1979 (use of name “credit union”, etc) shall be amended as follows.
- (2) In subsection (1), there shall be added at the end the words “or, if the rules of the society state that its registered office is to be in Wales, either those words or the words “undeb credyd””.
- (3) In subsection (2), after the words ““credit union” or” there shall be inserted the words “undeb credyd or”.

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### Marginal Citations

M3 1979 c. 34.

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## Companies

### 30 Documents relating to Welsh companies.

<sup>F5</sup> .....

#### Textual Amendments

**F5** S. 30 repealed (1.1.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2006/3428, **art. 7(a)**, Sch. 2 Pt. 1 (as amended by S.I. 2007/3495, art. 11, Sch. 5 and S.I. 2008/2860, art. 6)

### 31 Publicity for limited liability status of Welsh companies.

In section 351 of the <sup>M4</sup>Companies Act 1985, subsections (3) and (4) (which require the status of a company whose name ends in “cwmni cyfyngedig cyhoeddus” or “cyfyngedig” to appear in English on certain documents) shall cease to have effect.

#### Marginal Citations

**M4** 1985 c. 6.

## Charities

### <sup>F6</sup>32 Registered charities.

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#### Textual Amendments

**F6** Ss. 32, 33 repealed (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 10** (with s. 20(2), Sch. 8)

### <sup>F6</sup>33 Statement of charitable status.

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#### Textual Amendments

**F6** Ss. 32, 33 repealed (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 10** (with s. 20(2), Sch. 8)

## Supplementary

### 34 Notices.

- (1) Any notice or other document required or authorised to be given or sent to the Board or to a public body under Part II of this Act may be sent by post to the principal office of the Board or of that public body.

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- (2) Any notice required or authorised to be given to a member of the Board under Schedule 1 to this Act may be sent by post to the last known address of the member.
- (3) This section shall not be taken to exclude any method of giving or sending a notice or other document not expressly provided for by this section.

### 35 Repeals and consequential amendments.

- (1) The enactments mentioned in Schedule 2 to this Act (which include spent enactments) are hereby repealed to the extent specified in the third column of that Schedule.
- (2) The <sup>M5</sup>Companies Act 1985 (Welsh Language Accounts) Regulations 1992 are hereby revoked.
- (3) <sup>F7</sup> .....
- (4) In the Appendix of forms in Schedule 1 to the Representation of the <sup>M6</sup>People Act 1983, in paragraph 2(a) of the directions as to printing the ballot paper, for the words from “except” to “and the” there shall be substituted the words “ except the direction to vote for one candidate only and the ”.
- (5) For section 22 of the Representation of the <sup>M7</sup>People Act 1985 (power to prescribe Welsh version of forms specified in certain rules and regulations) there shall be substituted—

#### “22 Welsh forms

Section 26 of the Welsh Language Act 1993 (power to prescribe Welsh forms of documents or words specified in Acts), except subsection (3), shall apply in relation to regulations made under the principal Act or this Act and rules made (or having effect as if made) under section 36 of the principal Act as it applies in relation to Acts of Parliament.”

#### Textual Amendments

- F7** [S. 35\(3\)](#) repealed (24.10.2002) by [European Parliamentary Elections Act 2002 \(c. 24\)](#), ss. 16, 18(2), [Sch. 4](#)

#### Commencement Information

- I1** [S. 35](#) wholly in force; [S. 35](#) partly in force at 21.12.1993 see [s. 36\(1\)](#); [S. 35\(2\)](#) wholly in force at 1.2.1994 by [S.I. 1994/115](#), [art. 2\(2\)](#)

#### Marginal Citations

- M5** [S.I. 1992/1083](#)  
**M6** [1983 c. 2](#).  
**M7** [1985 c. 50](#).

### 36 Commencement.

- (1) Subject to subsection (2) below, this Act shall come into force at the end of the period of two months beginning with the day on which it is passed.

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- (2) Sections 30, 31 and 35(2), and the repeals made by this Act in the <sup>M8</sup>Companies Act 1985, shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument; and different days may be appointed for different purposes.
- (3) An order under subsection (2) above may include such transitional provisions as appear to the Secretary of State to be necessary or expedient.

**Marginal Citations**

**M8** 1985 c. 6.

**37 Short title.**

This Act may be cited as the Welsh Language Act 1993.

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**Changes to legislation:**

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