

WELSH LANGUAGE (WALES) MEASURE 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 34 – Persons who are within Schedules 5, 6, 7 and 8

55. This section defines when a person falls within Schedules 5, 6, 7 or 8.
56. The persons and bodies in the Schedule 6 table (public bodies etc) have standards listed next to their names and are open to be required to comply with one or some of those standards. Persons and bodies listed in the Schedule 8 table (other bodies) have specified services listed next to their names, and are open to be required to comply with service delivery and record keeping standards in respect of those services. Simply being listed in these Schedules does not impose a duty to comply with standards.
57. The Welsh Ministers may make regulations stating which standards are to apply to which persons or bodies, and authorising the Commissioner to issue a compliance notice. Standards are imposed on a person or body when the Commissioner issues a compliance notice (section 44) requiring the person or body listed in the tables in Schedule 6 or 8 to comply with the standard or standards as set out in the notice: the person or body then becomes under a duty to comply.
58. The tables in Schedule 5 (categories of person that may be added to Schedule 6) and Schedule 7 (categories of person that may be added to Schedule 8) give descriptions of persons or bodies that may be brought within the ambit of Schedules 6 or 8.
59. Persons or bodies falling within the category of persons in Schedule 5 may be added to Schedule 6, and persons falling within the descriptions of persons in Schedule 7 may be added to Schedule 8. This allows for the number of persons or bodies listed in Schedules 6 and 8 who may be open to comply with standards to be increased over time however, as explained above, persons will not become under a duty to comply with standards until the Commissioner gives them a compliance notice.
60. This section also provides that a change in the name of a person specified in Schedules 6 or 8 does not affect the operation of this Measure in relation to that person.