

# **WELSH LANGUAGE (WALES) MEASURE 2011**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 106 – Right to apply to be added as a party to proceedings***

209. This section applies in two cases.
210. The first case is where:
- D makes an appeal to the Tribunal under section 95(2) against a determination by the Commissioner that D has failed to comply with a standard; and
  - that determination was made after an investigation that followed a complaint about D's conduct under section 93.
211. In this case the Tribunal must notify the person ("P") who made the complaint under section 93 that D has made the appeal and P may apply to the Tribunal to be added as a party to proceedings. Where P is added as a party, the Tribunal must notify P of its decision on appeal. P may, with the permission of the Tribunal or High Court, appeal to the High Court under section 97 on a question of law arising out of that decision.
212. The second case is where:
- P appeals to the Tribunal under section 99 against a determination by the Commissioner that D did not fail to comply with a standard; and
  - the determination was made after an investigation which followed a complaint by P about D's conduct under section 93.
213. In this case, the Tribunal must notify D that P has appealed under section 99 and D may apply to the Tribunal to be added as a party to proceedings. If D is added as a party, the Tribunal is under a duty to notify D of its decision on the appeal and D may, with permission, appeal to the High Court under section 101 on a question of law arising out of that decision.