Welsh Language (Wales) Measure 2011

2011 nawm 1

PART 4

STANDARDS

CHAPTER 2

STANDARDS AND THEIR SPECIFICATION

Specification of standards

26 Welsh Ministers to specify standards

(1) The Welsh Ministers may, by regulations—
- (a) specify one or more service delivery standards,
- (b) specify one or more policy making standards,
- (c) specify one or more operational standards,
- (d) specify one or more promotion standards, and
- (e) specify one or more record keeping standards.

(2) The Welsh Ministers may, by regulations, make other provision about such standards.

Commencement Information
I1 S. 26 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

27 Specification of standards: supplementary provision

(1) The Welsh Ministers may specify a record keeping standard relating to the keeping of records that fall within section 32(1)(b)(ii) (complaints concerning the Welsh language

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other than complaints concerning a person's compliance with other standards) only if it appears to the Welsh Ministers that the standard would—

(a) assist the Welsh Ministers to exercise any function under this Measure, or

(b) assist the Commissioner to exercise any function.

(2) Regulations under any of paragraphs (a) to (e) of section 26(1) may specify different standards of the kind referred to in that paragraph in relation to different conduct.

(3) Regulations under any of paragraphs (a) to (e) of section 26(1) may specify, in relation to particular conduct—

(a) a single standard of the kind referred to in that paragraph, or

(b) a number of standards of the kind referred to in that paragraph.

(4) Standards specified under section 26(1), or regulations under section 26(2), may, among other things, deal with any of the following—

(a) the preparation, by persons who are under the duty in section 25 to comply with standards, of strategies or plans setting out how they propose to comply with the standards;

(b) procedures to be followed by persons who are under the duty in section 25 to comply with standards;

(c) the collection of information by persons who are under the duty in section 25 to comply with standards, including information about the use of Welsh and the use of English in relation to a particular conduct;

(d) information to be made available to the Commissioner;

(e) monitoring arrangements and publicity requirements;

(f) reporting requirements.

Commencement Information

I2 S. 27 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

Service delivery standards

28 Service delivery standards

(1) In this Measure "service delivery standard" means a standard that—

(a) relates to a service delivery activity, and

(b) is intended to promote or facilitate the use of the Welsh language, or to work towards ensuring that the Welsh language is treated no less favourably than the English language, when that activity is carried out.

(2) In this section "service delivery activity" means a person—

(a) delivering services to another person, or

(b) dealing with any other person in connection with delivering services—

(i) to that other person, or

(ii) to a third person.

Commencement Information
I3 S. 28 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

Policy making standards

29 Policy making standards

(1) In this Measure "policy making standard" means a standard that—
- (a) relates to a policy decision, and
- (b) is intended to secure, or to contribute to securing, one or more of the following results.

(2) The first of those results is that the person making the policy decision considers what effects, if any, (whether positive or adverse) the policy decision would have on—
- (a) opportunities for other persons to use the Welsh language, or
- (b) treating the Welsh language no less favourably than the English language.

(3) The second of those results is that the person making the policy decision considers how the decision could be made so that the decision has positive effects, or increased positive effects, on—
- (a) opportunities for other persons to use the Welsh language, or
- (b) treating the Welsh language no less favourably than the English language.

(4) The third of those results is that the person making the policy decision considers how the decision could be made so that the decision does not have adverse effects, or has decreased adverse effects, on—
- (a) opportunities for other persons to use the Welsh language, or
- (b) treating the Welsh language no less favourably than the English language.

(5) In this section a reference to positive or adverse effects is a reference to such effects whether direct or indirect.

(6) In this section "policy decision" means a decision by a person about—
- (a) the exercise of the person's functions, or
- (b) the conduct of the person's business or other undertaking.

Commencement Information
I4 S. 29 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

Operational standards

30 Operational standards

(1) In this Measure "operational standard" means a standard that—
- (a) relates to the relevant activities of a person (A), and
- (b) is intended to promote or facilitate the use of the Welsh language—
  - (i) by A in carrying out A's relevant activities,

(ii) by A and another person in dealings between them in connection with A's relevant activities, or

(iii) by a person other than A in carrying out activities for the purposes of, or in connection with, A's relevant activities.

(2) In this section—

(a) "relevant activities" means—

(i) functions, or

(ii) a business or other undertaking;

(b) a reference to the carrying out of relevant activities is to—

(i) the exercise of functions, or

(ii) the conduct of a business or other undertaking.

Commencement Information

I5 S. 30 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

Promotion standards

31 Promotion standards

In this Measure "promotion standard" means a standard (relating to any activity) that is intended to promote or facilitate the use of the Welsh language more widely.

Commencement Information

I6 S. 31 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

Record keeping standards

32 Record keeping standards

(1) In this Measure "record keeping standard" means a standard relating to the keeping of—

(a) records about other specified standards, and

(b) records about—

(i) complaints concerning a person's compliance with other specified standards, or

(ii) other complaints concerning the Welsh language.

(2) In this section "specified standard" means a standard specified by the Welsh Ministers under section 26(1).

Commencement Information

I7 S. 32 in force at 1.4.2012 by S.I. 2012/969, **art. 2(i)(i)**

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Changes to legislation:
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