



# Welsh Courts Act 1942

## 1942 CHAPTER 40

An Act to repeal section seventeen of the statute 27 Hen. 8. c. 26, to remove doubt as to the right of Welsh speaking persons to testify in the Welsh language in courts of justice in Wales, and to enable rules to be made for the administration of oaths and affirmations in that language, and for the provision, employment, and payment, of interpreters in such courts. [22nd October 1942]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

**1 Repeal of 27 Hen. 8. c. 26, s. 17, and removal of doubt as to use of Welsh language.**

Whereas doubt has been entertained whether section .seventeen of the statute 27 Hen. 8. c. 26 unduly restricts the right of Welsh speaking persons to use the Welsh language in courts of justice in Wales, now, therefore, the said section is hereby repealed, and it is hereby enacted that the Welsh language may be used in any court in Wales by any party or witness who considers that he would otherwise be at any disadvantage by reason of his natural language of communication being Welsh.

**2 Administration of oath and affirmations in the Welsh language.**

The Lord Chancellor may 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.

### **3 Provisions as to interpretation and records.**

- (1) The Lord Chancellor may, with the consent of the Treasury, 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, and for the payment of remuneration in respect of their services, in accordance with such scales as may be prescribed by the rules, out of the same fund as the expenses of the court are payable.
- (2) The records of all proceedings in courts in Wales shall continue to be kept in the English language and, subject to the provisions of the last foregoing section and of any rules made under this section, the judge or chairman in any such proceedings shall require any part of the proceedings spoken or written in the Welsh language to be translated into the English language unless, in his opinion, the translation thereof is not necessary for securing the due and public administration of justice.

### **4 Short title and extent.**

- (1) This Act may be cited as the Welsh Courts Act, 1942.
- (2) For the purposes of this Act, Monmouthshire shall be deemed to form part of Wales.