



STATUTORY INSTRUMENTS.

S.I. No. 357 of 2013



GAELTACHT ACT 2012 (SECTION 12) REGULATIONS 2013

GAELTACHT ACT 2012 (SECTION 12) REGULATIONS 2013

I, DINNY McGINLEY, Minister of State at the Department of Arts, Heritage and the Gaeltacht, in exercise of the powers conferred on me by sections 3 and 12 of the Gaeltacht Act 2012 (No. 34 of 2012) and the Arts, Heritage and the Gaeltacht (Delegation of Ministerial Functions) Order 2013 (S.I. No. 94 of 2013), hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Gaeltacht Act 2012 (Section 12) Regulations 2013.

Interpretation

2. In these Regulations—

“Act of 1998” means the Education Act 1998 (No. 51 of 1998);

“Act of 2012” means the Gaeltacht Act 2012 (No. 34 of 2012);

“English-medium” in relation to the delivery, provision or operation of services, education or activities means the delivery, provision or operation of such services, education or activities through the English language;

“Irish-medium” in relation to the delivery, provision or operation of services, education or activities means the delivery, provision or operation of such services, education or activities through the Irish language;

“relevant area” means an area that is the subject of a notice under section 7(3) of the Act of 2012;

“relevant community” means a community which the Minister may by order designate to be an Irish Language Network under section 11(1) of the Act of 2012;

“relevant town” means a town that is the subject of a notice under section 9(2) of the Act of 2012.

Language Planning Criteria for Gaeltacht Language Planning Areas

3. The criteria specified in Part 1 of the Schedule are prescribed as language planning criteria to which the Minister shall have regard for the purpose of approving Irish language plans for Gaeltacht Language Planning Areas.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 20th September, 2013.

Language Planning Criteria for Gaeltacht Service Towns

4. The criteria specified in Part 2 of the Schedule are prescribed as language planning criteria to which the Minister shall have regard for the purpose of approving Irish language plans for Gaeltacht Service Towns.

Language Planning Criteria for Irish Language Networks

5. The criteria specified in Part 3 of the Schedule are prescribed as language planning criteria to which the Minister shall have regard for the purpose of approving Irish language plans for Irish Language Networks.

SCHEDULE

*Part 1**Language Planning Criteria for Gaeltacht Language Planning Areas*

1. The existence of an organisation, selected by Údarás na Gaeltachta under subsection (6), (10)(a) or (13)(a), as appropriate, of section 7 of the Act of 2012, to prepare and implement the language plan in the relevant area.
2. The proportion of the population for which Irish is the spoken language in the relevant area, having regard to the impact of demographic, economic and social factors on the relevant area.
3. The arrangements specified for the provision of Irish-medium services in the relevant area.
4. The provisions of the Act of 1998 being used, as appropriate, to support the Irish language in the relevant area, having regard in particular to paragraphs (i) and (j) of section 6 of that Act.
5. The availability of Irish-medium primary and post-primary education in the relevant area, in accordance with the policy of the Department of Education and Skills, including the availability of Irish-medium streams in English-medium schools and the teaching of a number of subjects through the Irish language in English-medium schools, as appropriate.
6. The existence of appropriate language policies within the school environment which support the use of the Irish language as a spoken language outside of the education system in the relevant area.
7. The availability of appropriate Irish-medium childcare, pre-school and family support services, including language support services, in the relevant area.
8. The existence of appropriate arrangements in the relevant area to support the use of the Irish language by children from families where Irish is not the spoken language of the home.
9. The existence of appropriate arrangements in the relevant area to support the learning of Irish by pre-school children, with a view to supporting enrolment in Irish-medium primary schools.
10. The availability of appropriate Irish-medium social activities for young people and for other age groups and the existence of appropriate language policies with regard to those activities in the relevant area.
11. The availability of appropriate opportunities in the relevant area to learn and use the Irish language outside of the education system.
12. The degree of usage of the Irish language socially and recreationally in the relevant area.

13. The existence of companies and businesses providing Irish-medium services to the community in the relevant area.

14. The existence of employment and recruitment policies being implemented by companies and businesses in the relevant area in a manner that ensures that they are capable of providing Irish-medium services.

15. The degree of usage of the Irish language by community organisations and co-operatives in the relevant area.

16. The degree of usage of the Irish language by local media in the relevant area.

17. The relevant provisions of the Planning and Development Acts 2000 to 2013 being used to support the Irish language in the relevant area.

18. The availability of Irish-medium public services in the relevant area.

19. The degree of support from the public in general in the relevant area for the language plan.

*Part 2**Language Planning Criteria for Gaeltacht Service Towns*

1. The existence of an organisation, selected by Údarás na Gaeltachta or by Foras na Gaeilge, as the case may be, under subsection (5), (6), (10)(a) or (13)(a), as appropriate, of section 9 of the Act of 2012 to prepare and implement the language plan in the relevant town.
2. The proportion of the population for which Irish is the spoken language in the relevant town, having regard to the impact of demographic, economic and social factors on the relevant town.
3. The arrangements specified for the provision of Irish-medium services in the relevant town.
4. The provisions of the Act of 1998 being used, as appropriate, to support the Irish language in the relevant town, having regard in particular to paragraphs (i) and (j) of section 6 of that Act.
5. The availability of Irish-medium primary and post-primary education in the relevant town, in accordance with the policy of the Department of Education and Skills, including the availability of Irish-medium streams in English-medium schools and the teaching of a number of subjects through the Irish language in English-medium schools, as appropriate.
6. The existence of appropriate language policies within the school environment which support the use of the Irish language as a spoken language outside the education system in the relevant town.
7. The availability of appropriate Irish-medium childcare, pre-school and family support services, including language support services, in the relevant town.
8. The availability of appropriate Irish-medium social activities for young people and for other age groups and the existence of appropriate language policies with regard to those activities in the relevant town.
9. The availability of appropriate opportunities in the relevant town to learn and use the Irish language outside of the education system.
10. The degree of usage of the Irish language socially and recreationally in the relevant town.
11. The degree of usage of the Irish language in the business sector in the relevant town.
12. The degree of usage of the Irish language by local media in the relevant town.

13. The relevant provisions of the Planning and Development Acts 2000 to 2013 being used to support the Irish language in the relevant town.
14. The availability of Irish-medium public services in the relevant town.
15. The degree of support from the public in general in the relevant town for the language plan.

*Part 3**Language Planning Criteria for Irish Language Networks*

1. The existence of an organisation, which Foras na Gaeilge considers to be representative of the community under section 11(3) of the Act of 2012, to prepare and implement the language plan in the relevant community.
2. The proportion of the population for which Irish is the spoken language in the relevant community, having regard to the impact of demographic, economic and social factors on the relevant community.
3. The arrangements specified for the provision of Irish-medium services in the relevant community.
4. The provisions of the Act of 1998 being used, as appropriate, to support the Irish language in the relevant community, having regard in particular to paragraphs (i) and (j) of section 6 of that Act.
5. The availability of Irish-medium primary and post-primary education in the relevant community, in accordance with the policy of the Department of Education and Skills, including the availability of Irish-medium streams in English-medium schools, and the teaching of a number of subjects through the Irish language in English-medium schools, as appropriate.
6. The existence of appropriate language policies within the school environment which support the use of Irish as a spoken language outside the education system in the relevant community.
7. The availability of appropriate Irish-medium childcare, pre-school and family support services, including language support services, in the relevant community.
8. The availability of appropriate Irish-medium social activities for young people and for other age groups and the existence of appropriate language policies with regard to those activities in the relevant community.
9. The availability of appropriate opportunities in the relevant community to learn and use the Irish language outside of the education system.
10. The degree of usage of the Irish language socially and recreationally in the relevant community.
11. The degree of usage of the Irish language in the business sector in the relevant community.
12. The degree of usage of the Irish language by local media in the relevant community.
13. The relevant provisions of the Planning and Development Acts 2000 to 2013 being used to support the Irish language in the relevant community.

14. The availability of Irish-medium public services in the relevant community.

15. The degree of support from the public in general in the relevant community for the language plan.

GIVEN under my hand,
17 September 2013.

DINNY McGINLEY,
Minister of State at the Department of Arts, Heritage and
the Gaeltacht.



IONSTRAIMÍ REACHTÚLA.

I.R. Uimh. 357 de 2013



NA RIALACHÁIN UM ACHT NA GAELTACHTA, 2012 (ALT 12), 2013

I.R. Uimh. 357 de 2013

NA RIALACHÁIN UM ACHT NA GAELTACHTA, 2012 (ALT 12), 2013

I bhfeidhmiú na gcumhachtaí a thugtar dom le hait 3 agus 12 d’Acht na Gaeltachta, 2012 (Uimh. 34 de 2012) agus leis an Ordú Ealaíon, Oidhreacht agus Gaeltachta (Feidhmeanna Aire a Tharmligean), 2013 (I.R. Uimh. 94 de 2013), déanaimse, DONNCHADH MAC FHIONNLAOICH, an tAire Stáit ag an Roinn Ealaíon, Oidhreacht agus Gaeltachta, leis seo, na Rialacháin seo a leanas:

Lua

1. Féadfar na Rialacháin um Acht na Gaeltachta, 2012 (Alt 12), 2013 a ghairm de na Rialacháin seo.

Léiriú

2. Sna Rialacháin seo—

ciallaíonn “Acht 1998” an tAcht Oideachais, 1998 (Uimh. 51 de 1998);

ciallaíonn “Acht 2012” Acht na Gaeltachta, 2012 (Uimh. 34 de 2012);

ciallaíonn “trí mheán an Bhéarla”, i ndáil le seirbhísí, oideachas nó gníomhaíochtaí a thabhairt, a sholáthar nó a oibriú, na seirbhísí, an t-oideachas nó na gníomhaíochtaí sin a thabhairt, a sholáthar nó a oibriú trí Bhéarla;

ciallaíonn “trí mheán na Gaeilge”, i ndáil le seirbhísí, oideachas nó gníomhaíochtaí a thabhairt, a sholáthar nó a oibriú, na seirbhísí, an t-oideachas nó na gníomhaíochtaí sin a thabhairt, a sholáthar nó a oibriú trí Ghaeilge;

ciallaíonn “limistéar iomchuí” limistéar is ábhar d’fhógra faoi alt 7(3) d’Acht 2012;

ciallaíonn “pobal iomchuí” pobal a fhéadfaidh an tAire a ainmniú le hordú chun bheith ina Líonra Gaeilge faoi alt 11(1) d’Acht 2012;

ciallaíonn “baile iomchuí” baile is ábhar d’fhógra faoi alt 9(2) d’Acht 2012.

Critéir Pleanála Teanga do Limistéir Pleanála Teanga Ghaeltachta

3. Déantar na critéir a shonraítear i gCuid 1 den Sceideal a fhorordú mar chritéir pleanála teanga a mbeidh aird ag an Aire orthu chun pleananna Gaeilge a cheadú le haghaidh Limistéir Pleanála Teanga Ghaeltachta.

Critéir Pleanála Teanga do Bhailte Seirbhíse Gaeltachta

4. Déantar na critéir a shonraítear i gCuid 2 den Sceideal a fhorordú mar chritéir pleanála teanga a mbeidh aird ag an Aire orthu chun pleananna Gaeilge a cheadú le haghaidh Bailte Seirbhíse Gaeltachta.

Foilsíodh fógra san “Iris Oifigiúil” an 20 Meán Fómhair, 2013 á rá go ndearnadh an Ionstraim Reachtuil seo.

Critéir Pleanála Teanga do Líonraí Gaeilge

5. Déantar na critéir a shonraítear i gCuid 3 den Sceideal a fhorordú mar chritéir pleanála teanga a mbeidh aird ag an Aire orthu chun pleananna Gaeilge a cheadú le haghaidh Líonraí Gaeilge.

AN SCEIDEAL

Cuid 1

Critéir Pleanála Teanga do Limistéir Pleanála Teanga Ghaeltachta

1. Eagraíocht, arna roghnú ag Údarás na Gaeltachta faoi fho-alt (6), (10)(a) nó (13)(a), de réir mar is cuí, d'alt 7 d'Acht 2012, a bheith ann chun an plean teanga a ullmhú agus a chur i ngníomh sa limistéar iomchuí.
2. An cion den daonra arb í an Ghaeilge an teanga labhartha atá acu sa limistéar iomchuí, ag féachaint do thionchar tosca déimeagrafacha, eacnamaíocha agus sóisialta ar an limistéar iomchuí.
3. Na socrúithe a shonraítear maidir le seirbhísí trí mheán na Gaeilge a sholáthar sa limistéar iomchuí.
4. Forálacha Acht 1998 a bheith á n-úsáid, de réir mar is cuí, chun tacú leis an nGaeilge sa limistéar iomchuí, ag féachaint go háirithe do mhíreanna (i) agus (j) d'alt 6 den Acht sin.
5. Oideachas bunskoile agus iarbhunscoile trí mheán na Gaeilge a bheith ar fáil sa limistéar iomchuí, de réir bheartas na Roinne Oideachais agus Scileanna, lena n-áirítear sruthanna a bheith ar fáil trí mheán na Gaeilge i scoileanna Béarla agus roinnt ábhar a bheith á múineadh trí Ghaeilge i scoileanna Béarla, de réir mar is cuí.
6. Beartais teanga chuí a bheith ann laistigh den timpeallacht scoile a thacaíonn le húsáid na Gaeilge mar theanga labhartha lasmuigh den chóras oideachais sa limistéar iomchuí.
7. Seirbhísí cuí cúraim leanaí, réamhscolaíochta agus tacaíochta teaghlaigh, lena n-áirítear seirbhísí tacaíochta teanga, a bheith ar fáil trí mheán na Gaeilge sa limistéar iomchuí.
8. Socrúithe cuí a bheith ann sa limistéar iomchuí chun tacú le húsáid na Gaeilge ag leanaí ó theaghlaigh nach í an Ghaeilge an teanga labhartha atá sa bhaile acu.
9. Socrúithe cuí a bheith ann sa limistéar iomchuí chun tacú le foghlaim na Gaeilge ag leanaí réamhscoile, d'fhonn tacú le rollú i mbunskoileanna Gaeilge.
10. Gníomhaíochtaí sóisialta cuí trí mheán na Gaeilge do dhaoine óga agus d'aoisghrúpaí eile a bheith ar fáil agus beartais teanga chuí a bheith ann i dtaca leis na gníomhaíochtaí sin sa limistéar iomchuí.
11. Deiseanna cuí a bheith ar fáil sa limistéar iomchuí chun an Ghaeilge a fhoghlaim agus a úsáid lasmuigh den chóras oideachais.
12. A mhéid a úsáidtear an Ghaeilge i gcúrsaí sóisialta agus áineasa sa limistéar iomchuí.

13. Cuideachtaí agus gnóthaí a bheith ann a sholáthraíonn seirbhísí trí mheán na Gaeilge don phobal sa limistéar iomchuí.

14. Beartais fostaíochta agus earcaíochta a bheith ann atá á gcur i ngníomh ag cuideachtaí agus gnóthaí sa limistéar iomchuí ar mhodh a chinntíonn go bhfuil ar a gcumas seirbhísí trí mheán na Gaeilge a sholáthar.

15. A mhéid a úsáideann eagraíochtaí pobail agus comharchumainn an Ghaeilge sa limistéar iomchuí.

16. A mhéid a úsáideann na meáin chumarsáide áitiúla an Ghaeilge sa limistéar iomchuí.

17. Forálacha iomchuí na nAchtanna um Pleanáil agus Forbairt, 2000 go 2013 a bheith á n-úsáid chun tacú leis an nGaeilge sa limistéar iomchuí.

18. Seirbhísí poiblí trí mheán na Gaeilge a bheith ar fáil sa limistéar iomchuí.

19. A mhéid a thacaíonn an pobal i gcoitinne sa limistéar iomchuí leis an bplean teanga.

Cuid 2

Critéir Pleanála Teanga do Bhailte Seirbhíse Gaeltachta

1. Eagraíocht, arna roghnú ag Údarás na Gaeltachta nó ag Foras na Gaeilge, de réir mar a bheidh, faoi fho-alt (5), (6), (10)(a) nó (13)(a), de réir mar is cuí, d'alt 9 d'Acht 2012, a bheith ann chun an plean teanga a ullmhú agus a chur i ngníomh sa bhaile iomchuí.
2. An cion den daonra arb í an Ghaeilge an teanga labhartha atá acu sa bhaile iomchuí, ag féachaint do thionchar tosca déimeagrafacha, eacnamaíocha agus sóisialta ar an mbaile iomchuí.
3. Na socrúithe a shonraítear maidir le seirbhísí trí mheán na Gaeilge a sholáthar sa bhaile iomchuí.
4. Forálacha Acht 1998 a bheith á n-úsáid, de réir mar is cuí, chun tacú leis an nGaeilge sa bhaile iomchuí, ag féachaint go háirithe do mhíreanna (i) agus (j) d'alt 6 den Acht sin.
5. Oideachas bun scoile agus iarbhunscoile trí mheán na Gaeilge a bheith ar fáil sa bhaile iomchuí, de réir bheartas na Roinne Oideachais agus Scileanna, lena n-áirítear sruthanna a bheith ar fáil trí mheán na Gaeilge i scoileanna Béarla agus roinnt ábhar a bheith á múineadh trí Ghaeilge i scoileanna Béarla, de réir mar is cuí.
6. Beartais teanga chuí a bheith ann laistigh den timpeallacht scoile a thacaíonn le húsáid na Gaeilge mar theanga labhartha lasmuigh den chóras oideachais sa bhaile iomchuí.
7. Seirbhísí cuí cúraim leanaí, réamhscolaíochta agus tacaíochta teaghlaigh, lena n-áirítear seirbhísí tacaíochta teanga, a bheith ar fáil trí mheán na Gaeilge sa bhaile iomchuí.
8. Gníomhaíochtaí sóisialta cuí trí mheán na Gaeilge do dhaoine óga agus d'aoisghrúpaí eile a bheith ar fáil agus beartais teanga chuí a bheith ann i dtaca leis na gníomhaíochtaí sin sa bhaile iomchuí.
9. Deiseanna cuí a bheith ar fáil sa bhaile iomchuí chun an Ghaeilge a fhoghlaim agus a úsáid lasmuigh den chóras oideachais.
10. A mhéid a úsáidtear an Ghaeilge i gcúrsaí sóisialta agus áineasa sa bhaile iomchuí.
11. A mhéid a úsáidtear an Ghaeilge san earnáil ghnó sa bhaile iomchuí.
12. A mhéid a úsáideann na meáin chumarsáide áitiúla an Ghaeilge sa bhaile iomchuí.
13. Forálacha iomchuí na nAchtanna um Pleanáil agus Forbairt, 2000 go 2013 a bheith á n-úsáid chun tacú leis an nGaeilge sa bhaile iomchuí.

14. Seirbhísí poiblí trí mheán na Gaeilge a bheith ar fáil sa bhaile iomchuí.
15. A mhéid a thacaíonn an pobal i gcoitinne sa bhaile iomchuí leis an bplean teanga.

Cuid 3

Critéir Pleanála Teanga do Líonraí Gaeilge

1. Eagraíocht, a measann Foras na Gaeilge í a bheith ionadaitheach don phobal faoi alt 11(3) d'Acht 2012, a bheith ann chun an plean teanga a ullmhú agus a chur i ngníomh sa phobal iomchuí.
2. An cion den daonra arb í an Ghaeilge an teanga labhartha atá acu sa phobal iomchuí, ag féachaint do thionchar tosca déimeagrafacha, eacnamaíocha agus sóisialta ar an bpobal iomchuí.
3. Na socruithe a shonraítear maidir le seirbhísí trí mheán na Gaeilge a sholáthar sa phobal iomchuí.
4. Forálacha Acht 1998 a bheith á n-úsáid, de réir mar is cuí, chun tacú leis an nGaeilge sa phobal iomchuí, ag féachaint go háirithe do mhíreanna (i) agus (j) d'alt 6 den Acht sin.
5. Oideachas bunscoile agus iarbhunscoile trí mheán na Gaeilge a bheith ar fáil sa phobal iomchuí, de réir bheartas na Roinne Oideachais agus Scileanna, lena n-áirítear sruthanna a bheith ar fáil trí mheán na Gaeilge i scoileanna Béarla agus roinnt ábhar a bheith á múineadh trí Ghaeilge i scoileanna Béarla, de réir mar is cuí.
6. Beartais teanga chuí a bheith ann laistigh den timpeallacht scoile a thacaíonn le húsáid na Gaeilge mar theanga labhartha lasmuigh den chóras oideachais sa phobal iomchuí.
7. Seirbhísí cuí cúraim leanaí, réamhscolaíochta agus tacaíochta teaghlaigh, lena n-áirítear seirbhísí tacaíochta teanga, a bheith ar fáil trí mheán na Gaeilge sa phobal iomchuí.
8. Gníomhaíochtaí sóisialta cuí trí mheán na Gaeilge do dhaoine óga agus d'aoisghrúpaí eile a bheith ar fáil agus beartais teanga chuí a bheith ann i dtaca leis na gníomhaíochtaí sin sa phobal iomchuí.
9. Deiseanna cuí a bheith ar fáil sa phobal iomchuí chun an Ghaeilge a fhoghlaim agus a úsáid lasmuigh den chóras oideachais.
10. A mhéid a úsáidtear an Ghaeilge i gcúrsaí sóisialta agus áineasa sa phobal iomchuí.
11. A mhéid a úsáidtear an Ghaeilge san earnáil ghnó sa phobal iomchuí.
12. A mhéid a úsáideann na meáin chumarsáide áitiúla an Ghaeilge sa phobal iomchuí.
13. Forálacha iomchuí na nAchtanna um Pleanáil agus Forbairt, 2000 go 2013 a bheith á n-úsáid chun tacú leis an nGaeilge sa phobal iomchuí.
14. Seirbhísí poiblí trí mheán na Gaeilge a bheith ar fáil sa phobal iomchuí.

15. A mhéid a thacaíonn an pobal i gcoitinne sa phobal iomchuí leis an bplean teanga.

ARNA THABHAIRT faoi mo láimh,
17 Meán Fómhair 2013.

DONNCHADH MAC FHIONNLAOICH,
An tAire Stáit ag an Roinn Ealaíon, Oidhreachta agus
Gaeltachta.

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