

# Scottish Languages Bill

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## Marshalled List of Amendments for Stage 2

The Bill will be considered in the following order—

Sections 1 to 38

Long Title

Amendments marked \* are new (including manuscript amendments) or have been altered.

### Section 1

**Ross Greer**

76 In section 1, page 1, line 24, after <2010.> insert—

<“official status” means that Gaelic is an official language of Scotland commanding equal respect to the English language.>

### Section 2

**Kate Forbes**

1 In section 2, page 2, line 28, at end insert—

<(3C) In exercising its function under subsection (2)(ab), the Bòrd must in particular provide, or procure the provision of, advice, assistance and support to any person in the preparation of a plan for the development or promotion of the Gaelic language, Gaelic education and Gaelic culture in relation to a community in a particular area.>

### Section 3

**Ross Greer**

2 In section 3, page 3, line 6, after second <the> insert <national>

**Ross Greer**

77 In section 3, page 3, line 16, after <plan> insert<—

(a) the Scottish Ministers must lay before the Scottish Parliament a statement of their reasons for rejecting the plan, and

(b)>

## Section 4

### Kate Forbes

3 In section 4, page 4, line 21, at end insert—

<(1A) If a local authority—

- (a) considers that all or part of its area falls within the description of an area of linguistic significance set out in section 1A(1)(a), and
- (b) decides not to submit a proposed designation to the Scottish Ministers under subsection (2)(c) in respect of that area,

the local authority must publicise the decision and its reasons for making it.>

### Pam Duncan-Glancy

4 In section 4, page 4, line 23, after <consult> insert <—

(i)>

### Pam Duncan-Glancy

5\* In section 4, page 4, line 23, leave out <and> and insert—

<(ii) every community council whose area includes an area situated in the proposed designation,

(iii) such other persons as the local authority considers to be representative of communities, and>

### Kate Forbes

6 In section 4, page 5, line 23, after <section> insert <and section 1C>

### Kate Forbes

7 In section 4, page 5, line 24, at end insert—

#### <1C Request by Bòrd for local authority to consider designation

- (1) The Bòrd may request a local authority to consider making a designation under section 1B.
- (2) The Bòrd must request a local authority to consider making a designation under section 1B if the Bòrd considers that there is evidence of demand for a designation under section 1B by persons residing in the local authority's area.
- (3) If—
  - (a) the Bòrd makes a request under this section, and
  - (b) the local authority to which the request is made decides not to submit a proposed designation to the Scottish Ministers under section 1B(2)(c),the local authority must publicise the decision and its reasons for making it.
- (4) The Scottish Ministers may give guidance to the Bòrd and local authorities relating to their functions under this section.

- (5) The Bòrd and local authorities must have regard to any guidance given by the Scottish Ministers under subsection (4).>

#### After section 4

##### Michael Marra

- 8 After section 4, insert—

##### <Gaelic language targets

- (1) The Gaelic Language (Scotland) Act 2005 is modified as follows.  
(2) After section 2 insert—

##### “2ZA Gaelic language targets

- (1) The Scottish Ministers must by regulations specify targets in relation to the Gaelic language.  
(2) Targets specified under subsection (1) must include a target number of—  
(a) Gaelic speakers, broken down by geographical area,  
(b) candidates entered for Gaelic medium national qualifications,  
(c) candidates entered for national qualifications in Gaelic.”>

#### Section 5

##### Ross Greer

- 9 In section 5, page 6, line 2, before <Gaelic> insert <National>

##### Ross Greer

- 10 In section 5, page 6, line 4, before <Gaelic> insert <National>

##### Ross Greer

- 11 In section 5, page 6, line 5, after <a> insert <national>

##### Ross Greer

- 12 In section 5, page 6, line 6, after <The> insert <national>

##### Michael Marra

- 13 In section 5, page 6, line 9, after <objectives> insert <and any targets specified under section 2ZA(1)>

##### Ross Greer

- 14 In section 5, page 6, line 12, after <objectives> insert <, including how such progress will be measured>

**Michael Marra**

- 15 In section 5, page 6, line 12, after <objectives> insert <and any targets specified under section 2ZA(1)>

**Ross Greer**

- 16 In section 5, page 6, line 15, at end insert—  
<(2A) In preparing the Gaelic language strategy, the Scottish Ministers must have regard to the principle that the Gaelic and English languages should be accorded equal respect.>

**Ross Greer**

- 17 In section 5, page 6, line 16, after first <the> insert <national>

**Ross Greer**

- 18 In section 5, page 6, line 17, at end insert—  
<(3A) When publishing a draft strategy under subsection (3), the Scottish Ministers must also publicise the arrangements for making representations about the draft strategy.>

**Ross Greer**

- 78\* In section 5, page 6, line 18, at end insert—  
<(za) publish the results of the consultation undertaken under subsection (3),>

**Ross Greer**

- 19 In section 5, page 6, line 19, after <the> insert <national>

**Ross Greer**

- 20 In section 5, page 6, line 26, after <the> insert <national>

**Ross Greer**

- 21 In section 5, page 6, line 30, after <revised> insert <national>

**Ross Greer**

- 22 In section 5, page 6, line 31, after <first> insert <national>

**Ross Greer**

- 23 In section 5, page 6, line 32, after <of> insert <**national**>

**Ross Greer**

- 24 In section 5, page 6, line 33, after second <the> insert <national>

**Ross Greer**

- 25 In section 5, page 6, line 36, after <the> insert <national>

**Section 6**

**Michael Marra**

- 26 In section 6, page 7, line 4, leave out <Power for> and insert <Duty of>

**Michael Marra**

- 27 In section 6, page 7, line 5, leave out <may> and insert <must>

**Kate Forbes**

- 28 In section 6, page 7, line 8, at end insert—  
<(za) include provision about the following aspects of exercising functions—  
(ii) the preparation of publications,  
(iii) the provision of information,>

**Kate Forbes**

- 29 In section 6, page 7, line 15, at end insert—  
<(2A) Provision made by virtue of subsection (2)(a) may in particular include provision about the exercise of functions relating to—  
(a) the development of the Gaelic language,  
(b) the provision of education,  
(c) community planning,  
(d) community development,  
(e) economic development.>

**Michael Marra**

- 30\* In section 6, page 7, line 18, after <must> insert <—  
(a) publish a draft of the standards and requirements to be specified by regulations under subsection (1), and  
(b)>

**Michael Marra**

- 31 In section 6, page 7, line 21, at end insert—  
<on the draft standards and requirements published under paragraph (a).>

**Ross Greer**

- 79 In section 6, page 7, line 21, at end insert—

<(3A) The Scottish Ministers must publish the results of the consultation undertaken under subsection (3).>

### After section 6

#### Michael Marra

32 After section 6, insert—

#### <Further provision about setting first standards

- (1) This section applies to the first regulations made under section 2C of the Gaelic Language (Scotland) Act 2005.
- (2) The Scottish Ministers must, before the end of the period of 1 year beginning with the day after Royal Assent, lay a draft of a Scottish statutory instrument containing the regulations before the Scottish Parliament.>

### Section 7

#### Ross Greer

33 In section 7, page 7, line 31, leave out from <have> to end of line 34 and insert <, so far as is both appropriate in the circumstances and reasonably practicable—

- (a) promote, facilitate and support the use of the Gaelic language, and
- (b) develop and encourage Gaelic culture.>

#### Emma Roddick

34 In section 7, page 7, line 31, leave out <the desirability of>

#### Ross Greer

35 In section 7, page 7, line 37, at end insert—

<(1A) In preparing guidance under subsection (1), the Scottish Ministers must have regard to the principle that the Gaelic and English languages should be accorded equal respect.>

#### Ross Greer

80 In section 7, page 8, line 4, at end insert—

<(2A) The Scottish Ministers must publish the results of the consultation undertaken under subsection (2).>

### Section 8

#### Ross Greer

36 In section 8, page 8, line 22, after <on> insert <national>

**Michael Marra**

37 In section 8, page 8, line 22, after <strategy> insert <and targets>

**Ross Greer**

38 In section 8, page 8, line 23, after <must> insert <, as soon as reasonably practicable after each financial year,>

**Ross Greer**

39 In section 8, page 8, line 23, leave out <reports> and insert <a report>

**Ross Greer**

40 In section 8, page 8, line 24, after <progress> insert <during the year>

**Michael Marra**

41 In section 8, page 8, line 24, after <meeting> insert <—  
(a)>

**Ross Greer**

42 In section 8, page 8, line 24, after second <the> insert <national>

**Michael Marra**

43 In section 8, page 8, line 25, at end insert—  
<(b) the targets specified by the Scottish Ministers under section 2ZA(1).>

**Ross Greer**

44 In section 8, page 8, line 29, after <must> insert <, as soon as reasonably practicable after each financial year,>

**Ross Greer**

45 In section 8, page 8, line 29, leave out <reports> and insert <a report>

**Ross Greer**

46 In section 8, page 8, line 30, after <authorities> insert <during the year>

**After section 8**

**Michael Marra**

47 After section 8, insert—

**<Reporting on number of Gaelic speakers**

- (1) The Gaelic Language (Scotland) Act 2005 is modified as follows.
- (2) After section 2H (inserted by section 8(2)) insert—

**“21 Reporting on number of Gaelic speakers**

- (1) The Scottish Ministers must, as soon as reasonably practicable after the end of each reporting period, prepare and publish a report on the number of Gaelic language speakers in Scotland.
- (2) For the purposes of subsection (1), a reporting period is—
  - (a) the period of 2 years beginning with the day after the Bill for the Scottish Languages Act 2024 receives Royal Assent,
  - (b) each subsequent period of 2 years.”>

**Section 9**

**Ross Greer**

48 In section 9, page 9, line 12, after <recent> insert <national>

**Ross Greer**

49 In section 9, page 9, line 18, after <recent> insert <national>

**Ross Greer**

50 In section 9, page 9, line 18, at end insert—

<(ab) the principle that the Gaelic and English languages should be accorded equal respect,”>

**Ross Greer**

51 In section 9, page 11, line 2, at end insert—

<( ) for subsection (5) substitute—

“(5) On receipt of the report, if the Scottish Ministers accept the Bòrd’s conclusion, they must direct the authority in question to implement any or all of the measures in its Gaelic language plan by the date specified in the direction.”>

**Ross Greer**

52 In section 9, page 11, leave out lines 3 and 4

**Kate Forbes**

53 In section 9, page 11, leave out lines 11 to 18

**After section 9**

**Ross Greer**

54 After section 9, insert—



*<Interpretation*

**Interpretation: meaning of public authority**

- (1) The Gaelic Language (Scotland) Act 2005 is modified as follows.
- (2) In section 10 (interpretation), in subsection (2), after paragraph (b) insert—
  - “(ba) a post-16 education body within the meaning of section 35 of the Further and Higher Education (Scotland) Act 2005,
  - (bb) Scottish Rail Holdings,
  - (bc) Scottish Water.”.>

**Kate Forbes**

**55** After section 9, insert—

*<Scottish Ministers’ powers relating to research etc.*

**Scottish Ministers’ powers relating to research etc.**

- (1) The Gaelic Language (Scotland) Act 2005 is modified as follows.
- (2) After section 7B (as inserted by section (*Financial assistance for the promotion etc. of the Gaelic language*)(2)) insert—

*“Scottish Ministers’ powers relating to research etc.*

**7C Scottish Ministers’ powers relating to research etc.**

The Scottish Ministers may, for the purposes of or in connection with the exercise of their functions under this Act—

- (a) conduct research and inquiries,
- (b) collect data and publish statistics or other information,
- (c) provide training,
- (d) encourage or assist other persons to do any of the things mentioned in paragraphs (a) to (c).”.>

**Kate Forbes**

**56** After section 9, insert—

*<Financial assistance for the promotion etc. of the Gaelic language*

**Financial assistance for the promotion etc. of the Gaelic language**

- (1) The Gaelic Language (Scotland) Act 2005 is modified as follows.
- (2) After section 7A (as inserted by section 9(6)) insert—

*“Financial assistance for the promotion etc. of the Gaelic language*

**7B Financial assistance for the promotion etc. of the Gaelic language**

- (1) The Scottish Ministers may give financial assistance to any person for the purposes of promoting, facilitating and supporting the use of the Gaelic language.
- (2) In subsection (1), “financial assistance” includes grants and loans.

- (3) Financial assistance under subsection (1) may be made subject to such conditions as the Scottish Ministers think fit.”.>

## Section 12

### Pam Duncan-Glancy

- 81 In section 12, page 12, line 22, at end insert—

<(1A) The Scottish Ministers must ensure that the standards and requirements specified by regulations under subsection (1) relating to Gaelic learner education and Gaelic medium education are in accordance with any—

- (a) standards of education and training appropriate to school teachers,
- (b) standards of conduct and professional competence expected of a registered teacher,

established by the General Teaching Council for Scotland.>

### Pam Duncan-Glancy

- 82 In section 12, page 12, line 32, at end insert—

<(da) the General Teaching Council for Scotland,>

### Ross Greer

- 83 In section 12, page 12, line 37, at end insert—

<(4) The Scottish Ministers must publish the results of the consultation undertaken under subsection (3).”.>

## Section 13

### Ross Greer

- 57 In section 13, page 13, line 19, leave out <may> and insert <must>

## Section 14

### Kate Forbes

- 58 Leave out section 14

## Section 16

### Kate Forbes

- 59 In section 16, page 15, line 13, leave out <Education (Scotland) Act 1980> and insert <1980 Act>

### Kate Forbes

- 60 In section 16, page 15, line 14, leave out <Education (Scotland) Act 1980> and insert <1980 Act>

## After section 16

**Ross Greer**

61 After section 16, insert—

### <Duty of Education Scotland in relation to publishing in Gaelic

- (1) The Education (Scotland) Act 2016 is modified as follows.
- (2) After section 14A (as inserted by section 16(3)) insert—

#### “14B Duty of Education Scotland in relation to publishing in Gaelic

- (1) When publishing any information, guidance or document relating to education in English, Education Scotland must consider whether the information, guidance or document should also be published in Gaelic.
- (2) In considering whether to publish the information, guidance or document in Gaelic, Education Scotland must have regard to the desirability of promoting, facilitating and supporting the use of the Gaelic language.”.>

## Section 18

**Kate Forbes**

62 In section 18, page 16, line 19, leave out <1980 Act> and insert <Education (Scotland) Act 1980>

## Section 20

**Kate Forbes**

63 In section 20, page 17, line 36, leave out lines 36 to 38 and insert—

- <(4) In relation to a school at which Gaelic medium education is provided before the day on which section 20(2) of the Scottish Languages Act 2024 comes into force, the duty imposed by subsection (1) must be complied with before the end of the period of 2 years beginning with that day.>

**Kate Forbes**

64 In section 20, page 18, line 7, leave out <Education (Scotland) Act 1980> and insert <1980 Act>

## After section 22

**Pam Duncan-Glancy**

84\* After section 22, insert—

### <Duty to translate examination material

- (1) The Education (Scotland) Act 2016 is modified as follows.
- (2) After section 16 insert—

*“Duty to translate examination material*

**16A Duty to translate examination material**

The Scottish Qualifications Authority must make arrangements for material devised by the authority for pupils in Gaelic medium education to be translated into Gaelic.”>

**Kate Forbes**

65 After section 22, insert—

*<All-Gaelic schools: viability of establishment*

**All-Gaelic schools: viability of establishment**

- (1) The Education (Scotland) Act 2016 is modified as follows.
- (2) After section 13 insert—

*“All-Gaelic schools: viability of establishment*

**13A Duty of education authority to assess viability of establishing all-Gaelic school**

- (1) An education authority must, within the period of 9 months beginning with the day on which a request to do so is received from a relevant person—
  - (a) consider—
    - (i) its provision of Gaelic medium education (if any),
    - (ii) the demand for Gaelic medium education in its area, including projections for future demand, and
  - (b) complete an assessment of whether it would be viable for the education authority to establish an all-Gaelic school in the area specified in the request.
- (2) In subsection (1), a “relevant person” is—
  - (a) a parent of a pupil attending a school in the education authority’s area,
  - (b) the body known as Comann nam Pàrant (Nàiseanta),
  - (c) Bòrd na Gàidhlig.
- (3) An education authority need not comply with the duty in subsection (1) if—
  - (a) it has published an assessment following a previous request under subsection (1),
  - (b) the further request is received within the period of 2 years beginning with the day on which that previous request was received, and
  - (c) the condition mentioned in subsection (4) is satisfied.
- (4) The condition referred to in subsection (3)(c) is satisfied if, assuming that an all-Gaelic school were to be established pursuant to the previous request (and regardless of the result of any assessment made under subsection (1)(b) in relation to that request), it would be reasonably practicable for pupils to whom the further request relates to access Gaelic medium education at that school.

- (5) Despite subsection (3), the Scottish Ministers may, in such cases as they consider appropriate, direct an education authority to comply with the duty imposed by subsection (1) in relation to the further request.
- (6) The Scottish Ministers must consult the education authority before giving a direction under subsection (5).
- (7) The Scottish Ministers may give guidance to education authorities relating to their functions under this section and sections 13B and 13C.
- (8) An education authority must have regard to any guidance given by the Scottish Ministers under subsection (7).

### **13B Process for assessment of viability**

- (1) In making an assessment under section 13A(1)(b), an education authority must—
  - (a) seek advice from—
    - (i) Bòrd na Gàidhlig,
    - (ii) His Majesty’s inspectors of schools (that is to say, the inspectors of schools appointed by His Majesty under the 1980 Act),
    - (iii) the body known as Comann nam Pàrant (Nàiseanta), and
    - (iv) other education authorities which have established all-Gaelic schools in their areas, and
  - (b) publicise arrangements for receiving representations from—
    - (i) parents of pupils attending schools in the education authority’s area,
    - (ii) pupils attending schools in the education authority’s area, and
    - (iii) such other persons with expertise or an interest in the Gaelic language as the education authority considers appropriate.
- (2) In making an assessment under section 13A(1)(b), an education authority must have regard to—
  - (a) the matters mentioned in section 13A(1)(a),
  - (b) the advice and representations mentioned in subsection (1),
  - (c) any guidance given by the Scottish Ministers under section 13A(7),
  - (d) its latest Gaelic language plan published under section 5(9) of the Gaelic Language (Scotland) Act 2005,
  - (e) its duty under section 14A,
  - (f) the location of any all-Gaelic school in the authority’s area or in the area of another education authority adjacent to that area,
  - (g) the extent to which—
    - (i) pupils resident in the area of an education authority adjacent to the area of the authority which is making the assessment could access an all-Gaelic school established in the area specified in the request,
    - (ii) pupils resident in the area specified in the request could access an all-Gaelic school in the area of another education authority adjacent to that area,

- (h) the availability and suitability of any premises in the education authority's area in which an all-Gaelic school could be established,
  - (i) the cost of establishing an all-Gaelic school, and
  - (j) the potential to assign or recruit persons to teach in an all-Gaelic school.
- (3) The education authority must assess that it would be viable to establish an all-Gaelic school in the area specified in the request unless, having regard to the matters mentioned in subsection (2), it would be unreasonable to make that assessment.
- (4) The assessment may be that it would be viable to establish an all-Gaelic school if certain circumstances occur (see section 13C(3)).
- (5) The Scottish Ministers may by regulations—
  - (a) modify subsection (1) so as to amend, remove or add to the persons for the time being mentioned in that subsection,
  - (b) modify subsection (2) so as to amend, remove or add to the matters for the time being mentioned in that subsection.

### **13C Duties of education authority following assessment of viability**

- (1) An education authority must publish any assessment it makes under section 13A(1)(b), including—
  - (a) the result of the assessment,
  - (b) the evidence it has considered in making the assessment, and
  - (c) the reasons for the result.
- (2) Where the result of the assessment under section 13A(1)(b) is that it would be viable for the education authority to establish an all-Gaelic school, the education authority must—
  - (a) specify in that assessment (in addition to the matters mentioned in subsection (1)) the period within which the authority considers it would be reasonably practicable to establish the school, and
  - (b) take such steps to establish the school as are reasonably practicable.
- (3) Where the result of the assessment under section 13A(1)(b) is that it would be viable for the education authority to establish an all-Gaelic school if certain circumstances occur, the education authority must—
  - (a) specify in that assessment (in addition to the matters mentioned in subsection (1))—
    - (i) the reasons for that decision,
    - (ii) what those circumstances are,
    - (iii) how those circumstances will be kept under review, and
    - (iv) the period within which the authority considers it would be reasonably practicable to establish the school after those circumstances occur,
  - (b) publish the conclusions of any review of those circumstances, and
  - (c) after those circumstances occur, take such steps to establish the school as are reasonably practicable.

**13D Power for Scottish Ministers to direct establishment of all-Gaelic school**

- (1) Where an education authority has—
    - (a) made an assessment under section 13A(1)(b) that it would be viable for the education authority to establish an all-Gaelic school, but
    - (b) failed to take a step which is required by section 13C(2)(b) or (3)(c),the Scottish Ministers may direct an education authority to take that step.
  - (2) Before making a direction under subsection (1), the Scottish Ministers must—
    - (a) seek advice from—
      - (i) Bòrd na Gàidhlig,
      - (ii) His Majesty’s inspectors of schools (that is to say, the inspectors of schools appointed by His Majesty under the 1980 Act), and
    - (b) consult the education authority which is to be given the direction.
  - (3) The Scottish Ministers may vary or revoke a direction given under this section.”.
- (3) In section 18(2) (interpretation of Part 2), before the definition of “area” insert—
- ““all-Gaelic school” means a school in which—
- (a) all of the education provided is Gaelic medium education,
  - (b) all other services related to the provision of that education are delivered in the Gaelic language as far as reasonably practicable, and
  - (c) the use of any facilities which are shared with another school is separate to the use of those facilities by that other school,”.>

**Section 23**

**Miles Briggs**

**85\*** In section 23, page 20, line 8, leave out subsections (6) and (7) and insert—

<( ) For section 9 (initial assessments) substitute—

**“9 Assessments of requests for provision of GMPE or GMELC**

- (1) This section applies where an education authority receives a request under section 7(1).
- (2) The authority must make an assessment of the need for GMPE or GMELC, as the case may be—
  - (a) in relation to the relevant assessment area designated under section 8(2), and,
  - (b) in the specified child’s year group.
- (3) In making an assessment of a request for GMPE or GMELC, as the case may be, the authority must take into account any information it has which—
  - (a) relates to the demand for GMPE or GMELC, as the case may be, in the relevant assessment area from parents of children—
    - (i) who are resident in the relevant assessment area, and

- (ii) who are, or are likely to be, in the same year group as the specified child, and
- (b) indicates that there is a demand for GMPE or GMELC, as the case may be, in the relevant assessment area from parents of children—
  - (i) who are resident in the relevant assessment area, and
  - (ii) who are, or are likely to be, in a different year group in relation to the specified child.
- (4) The information mentioned in subsection (3) includes information set out in or accompanying the request.
- (5) The authority must—
  - (a) notify the persons mentioned in subsection (6) of the request, and
  - (b) seek the views of those persons on—
    - (i) the information mentioned in subsection (3), and
    - (ii) the appropriateness of providing GMPE or GMELC, as the case may be, in the relevant assessment area.
- (6) The persons are—
  - (a) Her Majesty’s inspectors of schools (that is to say, the inspectors of schools appointed by Her Majesty under the 1980 Act),
  - (b) Bòrd na Gàidhlig,
  - (c) the body known as Comann nam Pàrant (Nàiseanta),
  - (d) the body known as the National Parent Forum of Scotland.
- (7) The persons mentioned in subsection (6)(a) and (b) must—
  - (a) provide the views sought under subsection (5)(b), and
  - (b) do so before the end of the period of 4 weeks beginning with the day on which the views are sought.
- (8) Where the condition in subsection (9) is met, the education authority must secure the provision of GMPE or GMELC, as the case may be, in the relevant assessment area unless, having regard to the matters mentioned in subsection (12), it would be unreasonable to do so.
- (9) The condition is that the specified child and the children in respect of whose parents the authority has information as mentioned in subsection (3)(a) number 5 or more.
- (10) The Scottish Ministers may by regulations—
  - (a) amend subsection (9) so as to substitute for the number of children for the time being specified there a different number, or
  - (b) provide for the number of children for the time being specified in that subsection to be read as a different number in the application of that subsection to such areas of education authorities, or such parts of those areas, as may be specified in the regulations.
- (11) Where the number specified in subsection (9) is to be read as a different number for different parts of a relevant assessment area by virtue of



regulations made under subsection (10)(b), the lowest number is to be read as applying to the whole of the relevant assessment area.

- (12) In making a decision under subsection (8), the education authority must have regard to—
- (a) views provided by virtue of subsection (5)(b) before the end of the period of 4 weeks beginning with the day on which the views are sought,
  - (b) any guidance under section 6C,
  - (c) in relation to the demand for GMPE or GMELC, as the case may be, mentioned in section 9(3) from parents of children, where those children reside,
  - (d) any information the education authority has relating to the demand for GMPE or GMELC, as the case may be, in the area of the authority from parents of children who are under school age and have not commenced attendance at a primary school,
  - (e) where GMPE or GMELC, as the case may be, is provided in the area of the education authority, or the area of another education authority adjacent to that area, the location of that provision,
  - (f) the extent to which—
    - (i) children resident in the area of an education authority adjacent to the area of the education authority mentioned in subsection (8) could access GMPE or GMELC, as the case may be, in the relevant assessment area,
    - (ii) children resident in the relevant assessment area could access GMPE or GMELC, as the case may be, in the area of an education authority adjacent to the area of the education authority mentioned in subsection (8),
  - (g) the availability and suitability of any premises in the education authority's area in which GMPE or GMELC, as the case may be, is being, or could reasonably be, provided,
  - (h) the costs of providing GMPE or GMELC, as the case may be, in the relevant assessment area,
  - (i) the potential to assign or recruit persons to teach GMPE or GMELC, as the case may be, in the relevant assessment area,
  - (j) any Gaelic language plan published by the education authority under section 5(9) of the Gaelic Language (Scotland) Act 2005 in force at the time of making the decision mentioned in subsection (8),
  - (k) the potential to develop or increase—
    - (i) the use of the Gaelic language in the education authority's area, and
    - (ii) the carrying out of activities relating to the Gaelic language in the authority's area.
- (13) The Scottish Ministers may by regulations—
- (a) modify subsection (6),

- (b) modify subsection (12) so as to amend, remove or add to the matters for the time being mentioned in that subsection,
- (c) make such other modifications of this section as the Scottish Ministers think necessary or expedient in consequence of any modification of subsection (6).”

( ) Section 10 (duty of education authority) is repealed.>

**Miles Briggs**

- 86 In section 23, page 21, line 6, after <(b)> insert<—  
( ) the word “initial” is repealed,  
( )>

**Miles Briggs**

- 87 In section 23, page 21, line 7, after <(c)> insert<—  
( ) the word “initial” is repealed,  
( )>

**Miles Briggs**

- 88 In section 23, page 21, line 20, leave out subsection (9)

**Miles Briggs**

- 89 In section 23, page 22, line 2, at end insert—  
<( ) Section 12 (full assessments) is repealed.>

**Miles Briggs**

- 90\* In section 23, page 22, line 4, after <(1)> insert <—  
( ) for “a full” substitute “an”,  
( )>

**Miles Briggs**

- 91 In section 23, page 22, line 5, after <relevant”,> insert—  
<( ) for “12” substitute “9”,>

**Miles Briggs**

- 92 In section 23, page 22, line 7, at end insert—  
<( ) in paragraph (b)(i), for “12(6)” substitute “9(12)”,  
( ) in paragraph (b)(ii), for “12(7)” substitute “9(8)”,>

**Miles Briggs**

- 93 In section 23, page 22, line 9, at end insert—

<( ) in subsection (3)(a), the word “full” is repealed,  
( ) in subsection (5), the word “full” is repealed.>

**Miles Briggs**

94 In section 23, page 22, line 15, at end insert—

<( ) The title of section 13 becomes “**Procedure following assessment**”.>

**After section 25**

**Ross Greer**

66 After section 25, insert—

**<Review of status of Sabhal Mòr Ostaig**

- (1) The Scottish Ministers must conduct a review of the status of Sabhal Mòr Ostaig.
- (2) The review must in particular consider whether Sabhal Mòr Ostaig should be designated under section 44(1) of the Further and Higher Education (Scotland) Act 1992.
- (3) The review must be completed within the period of 1 year beginning with the day on which this section comes into force.
- (4) On completing the review, the Scottish Ministers must—
  - (a) publish a report on the review in such manner as they consider appropriate, and
  - (b) lay a copy of the report before the Scottish Parliament.
- (5) In this section, “Sabhal Mòr Ostaig” means the body with that name and with the company number SC361752.>

**Willie Rennie**

95 After section 25, insert—

**<Status of Sabhal Mòr Ostaig**

- (1) The Scottish Ministers must encourage and facilitate the development of Sabhal Mòr Ostaig as a small specialist institution with degree-awarding powers.
- (2) In compliance of this duty, the Scottish Ministers must—
  - (a) make appropriate grants to the Scottish Funding Council under section 9 or 10 of the Further and Higher Education (Scotland) Act 2005 for that purpose,
  - (b) take such other action as they consider appropriate.>

**Michael Marra**

67 After section 25, insert—

## <CHAPTER

### REPORTING ON ISSUES RELATING TO GAELIC

#### **Reporting on issues relating to Gaelic**

- (1) The Scottish Ministers must, as soon as reasonably practicable after the end of each reporting period, prepare and publish a report on—
  - (a) the issues that the provisions in Part 1 of this Act seek to address,
  - (b) the extent to which those issues have been addressed by the provisions,
  - (c) what other issues exist in relation to Gaelic communities and the use of the Gaelic language,
  - (d) what actions the Scottish Ministers have taken, or plan to take, to address those other issues.
- (2) For the purpose of subsection (1), a reporting period is—
  - (a) the period of 1 year beginning with the day after Royal Assent,
  - (b) each subsequent period of 2 years.>

#### **Ross Greer**

68 After section 25, insert—

## <CHAPTER

### ENFORCEMENT OF DUTIES

#### **Power to enforce duties of public authorities**

- (1) The Gaelic Language (Scotland) Act 2005 is amended as follows.
- (2) After section 9 insert—

#### *“Enforcement of duties*

#### **9A Power to enforce duties of public authorities**

- (1) If the Scottish Ministers are satisfied, either on complaint by any person interested or otherwise, that a public authority has failed to discharge any duty imposed on them by or for the purposes of this Act, the Scottish Ministers may make an order—
  - (a) declaring the public authority to be in default in respect of that duty, and
  - (b) requiring the public authority before a date specified in the order to discharge that duty.
- (2) If the public authority has not discharged the duty by the date specified in the order under subsection (1)(b)—
  - (a) the Scottish Ministers may make such arrangements as they see fit for the discharge of the duty, or
  - (b) the Court of Session may, on the application of the Lord Advocate, order specific performance of that duty.”>

## Section 26

### Ross Greer

96 In section 26, page 23, line 30, at end insert—

<( ) In this section “official status” means that Scots is an official language of Scotland commanding equal respect to the English language.>

## Section 27

### Emma Harper

69 In section 27, page 24, line 3, after <language> insert <, including the different dialects of the Scots language used in different parts of Scotland>

### Ross Greer

70 In section 27, page 24, line 14, at end insert—

<( ) When publishing a draft strategy under subsection (3), the Scottish Ministers must also publicise the arrangements for making representations about the draft strategy.>

### Ross Greer

97 In section 27, page 24, line 14, at end insert—

<( ) The Scottish Ministers must publish the results of the consultation undertaken under subsection (3).>

## Section 30

### Emma Harper

71 In section 30, page 25, line 16, after <language> insert <, including the different dialects of the Scots language used in different parts of Scotland>

## After section 30

### Kate Forbes

72 After section 30, insert—

*<Scottish Ministers’ powers relating to research etc.*

#### **Scottish Ministers’ powers relating to research etc.**

The Scottish Ministers may, for the purposes of or in connection with the exercise of their functions under this Chapter—

- (a) conduct research and inquiries,
- (b) collect data and publish statistics or other information,
- (c) provide training,

- (d) encourage or assist other persons to do any of the things mentioned in paragraphs (a) to (c).>

**Kate Forbes**

73 After section 30, insert—

*<Financial assistance for the promotion etc. of the Scots language*

**Financial assistance for the promotion etc. of the Scots language**

- (1) The Scottish Ministers may give financial assistance to any person for the purposes of promoting, facilitating and supporting the use of the Scots language.
- (2) In subsection (1), “financial assistance” includes grants and loans.
- (3) Financial assistance under subsection (1) may be made subject to such conditions as the Scottish Ministers think fit.>

**Section 31**

**Emma Harper**

74 In section 31, page 26, line 2, at end insert—

<( ) An education authority may discharge its functions relating to Scots language education through teaching and learning in the dialect of the Scots language most relevant to its area.>

**After section 35**

**Ross Greer**

75 After section 35, insert—

**<Duty of Education Scotland in relation to publishing in Scots**

- (1) When publishing any information, guidance or document relating to education in English, Education Scotland must consider whether the information, guidance or document should also be published in Scots.
- (2) In considering whether to publish the information, guidance or document in Scots, Education Scotland must have regard to the desirability of promoting, facilitating and supporting the use of the Scots language.>

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