Scottish Languages Bill

Marshalled List of Amendments selected for Stage 3

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 4

Pam Duncan-Glancy

13 In section 4, page 4, line 2, at end insert—

<(A1) An area must be designated as an area of linguistic significance under section 1B if the area contains a significant number of people with Gaelic language skills.>

Pam Duncan-Glancy

14 In section 4, page 4, leave out lines 5 and 6

Pam Duncan-Glancy

15 In section 4, page 4, line 14, leave out <subsection> and insert <subsections (A1) and>

Pam Duncan-Glancy

16 In section 4, page 4, line 18, at end insert—

<(A1) A local authority must designate all or part of its area as an area of linguistic significance if it considers that the area falls within the description of an area of linguistic significance set out in section 1A(A1).>

Emma Roddick

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

<(1ZA) A local authority must, within the relevant period, consider whether all or part of its area falls within the description of an area of linguistic significance set out in section 1A(1)(a).

(1ZB) In subsection (1ZA), "relevant period" means—

(a) the period of 1 year beginning with the day on which section 4(2) of the Scottish Languages Act 2025 comes into force,

(b) each subsequent period of 5 years.>

Emma Roddick

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

<(1ZC) If a local authority 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), the local authority must consider submitting a proposed designation to the Scottish Ministers under subsection (2)(c) in respect of that area.>

Pam Duncan-Glancy

1 In section 4, page 4, line 29, after <Bòrd> insert <, such persons as the local authority considers to be representative of communities in the area to which the proposed designation relates>

Pam Duncan-Glancy

2 In section 4, page 5, line 10, after <Bòrd> insert <, such persons as the local authority considers to be representative of communities in the area affected by the proposed variation or revocation>

Emma Roddick

19 In section 4, page 5, line 27, at end insert—

<(11A) Guidance under subsection (11) may in particular relate to—

(a) how to determine which areas may be designated as an area of linguistic significance,

(b) factors to be taken into account in determining whether an area falls within the description of an area of linguistic significance set out in section 1A(1)(a),

(c) the process for making such determinations.>

Emma Roddick

20 In section 4, page 5, line 30, leave out <section 1C> and insert <sections 1C and 1D>

Emma Roddick

21 In section 4, page 6, line 9, at end insert—

<1D Ministerial power to require reconsideration

(1) Subsections (2) to (4) apply where, under section 1B(1A) or section 1C(3), a local authority publicises a decision not to submit a proposed designation to the Scottish Ministers under section 1B(2)(c) ("the decision").

(2) The Scottish Ministers may require the local authority to reconsider the decision.

(3) If the Scottish Ministers make a requirement under subsection (2), the local authority must, within the period of 3 months beginning with the day on which the requirement is made—

(a) reconsider the decision, and

(b) after reconsidering the decision—

(i) submit a proposed designation to the Scottish Ministers, or

(ii) confirm the decision.

(4) If the local authority confirms the decision, it must notify the Scottish Ministers of its reasons for confirming the decision.".>

Pam Duncan-Glancy

22 In section 4, page 6, line 9, at end insert—

<1D Request by community for local authority to consider designation

(1) A community in the area of a local authority may request that local authority to consider making a designation under section 1B.

(2) If—

(a) a community 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) in respect of that area,

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

(3) The Scottish Ministers must, by regulations, provide for a process by which a community can appeal a decision by the local authority not to submit a proposed designation to the Scottish Ministers under section 1B(2)(c).

(4) Regulations under subsection (3) are subject to the affirmative procedure.

(5) In this section, "community" means any group of persons residing in the area of the local authority.".>

Pam Duncan-Glancy

23 In section 4, page 6, line 9, at end insert—

<1D Appointment of development officer for area of linguistic significance

(1) If a local authority designates an area as an area of linguistic significance under section 1B, it must, at the same time, appoint a development officer in respect of that area.

(2) The Scottish Ministers may, by regulations, make further provision about—

(a) the process for appointing, and

(b) the roles and responsibilities of,

a development officer for the purposes of subsection (1).

(3) Regulations under subsection (2) are subject to the affirmative procedure.".>

Ross Greer

65 In section 4, page 6, line 9, at end insert—

<1D Community Gaelic language plan for area of linguistic significance

(1) If a local authority designates an area as an area of linguistic significance under section 1B, it must, as soon as reasonably practicable, prepare and implement a community Gaelic language plan for that area.

(2) The purpose of a community Gaelic language plan is to promote, facilitate and encourage an increase in the use of the Gaelic language in—

(a) family,

(b) educational,

(c) public,

(d) social,

(e) recreational, and

(f) commercial

settings in the area covered by the plan.

(3) The local authority must publish a plan prepared under subsection (1).

(4) The local authority must, within the period of 5 years beginning with the day on which the latest community Gaelic language plan for the area of linguistic significance was published—

(a) review the plan, and

(b) make any amendments to the plan that it considers appropriate.

(5) When preparing a plan under subsection (1), or reviewing a plan under subsection (4), the local authority must—

(a) consult—

(i) Bòrd na Gàidhlig,

(ii) the local community,

(iii) local Gaelic organisations,

(iv) such other persons as it considers appropriate,

(b) comply with any standards specified in regulations under section 2C(1),

(c) have regard to any Gaelic language plan prepared by the local authority under section 3.".>

Section 5

Kate Forbes

24 In section 5, page 6, line 31, at end insert—

<(aa) must impose targets on the Scottish Ministers in relation to promoting, facilitating and supporting the use of the Gaelic language,>

Kate Forbes

25 In section 5, page 6, line 32, after <objectives> insert <and targets>

Kate Forbes

26 In section 5, page 6, line 35, after <objectives> insert <and targets>

Kate Forbes

27 In section 5, page 6, line 35, after <including> insert <—

(i)>

Kate Forbes

28 In section 5, page 6, line 35, at end insert—

<(ii) arrangements for gathering data to allow progress to be measured,>

Kate Forbes

29 In section 5, page 6, line 38, at end insert—

<(2ZA) Targets set out in the national Gaelic language strategy may in particular relate to—

(a) numbers of persons with Gaelic language skills,

(b) education and training in or through the medium of the Gaelic language,

(c) activity relating to the Gaelic language or Gaelic culture in an area designated under section 1B as an area of linguistic significance.>

Michael Marra

30 In section 5, page 6, line 38, at end insert—

<(2ZA) Targets set out in the national Gaelic language strategy may in particular relate to—

(a) number of persons using the Gaelic language in households,

(b) number of children living in households using the Gaelic language,

(c) number of businesses, schools or other bodies using the Gaelic language as the main language,

(d) education and training in or through the medium of the Gaelic language,

(e) activity relating to the Gaelic language or Gaelic culture.>

Kate Forbes

31 In section 5, page 7, line 1, after first <the> insert <national>

Section 6

Michael Marra

32 In section 6, page 8, line 1, leave out <**Duty of**> and insert <**Power for**>

Michael Marra

33 In section 6, page 8, line 2, leave out <must> and insert <may>

Michael Marra

34 In section 6, page 8, line 35, at end insert—

<(4A) The Scottish Ministers must, before the end of the period of one year beginning with the day on which section 6(2) of the Scottish Languages Act 2025 comes into force, lay before the Scottish Parliament for approval by resolution a draft Scottish statutory instrument containing the first regulations under subsection (1).

(4B) If the Scottish Parliament approves the draft Scottish statutory instrument, the Scottish Minister must make the regulations contained in the draft instrument.>

Section 8

Ross Greer

35 In section 8, page 10, leave out lines 7 to 9 and insert—

<(1) The Bòrd must, as soon as reasonably practicable after the end of each reporting period, prepare and publish a report setting out progress made in the reporting period in respect of the objectives and targets included in the national Gaelic language strategy published under section 2A.

(1A) In this section, "reporting period" means—

(a) the period of 2 years beginning with the day on which the national Gaelic language strategy was last published,

(b) each subsequent period of 2 years.>

Section 9

Ross Greer

36 In section 9, page 12, leave out lines 22 to 26 and insert—

<( ) in subsection (4), for "may" substitute "must publish and",

( ) after subsection (4) insert—

"(4A) On receipt of the report, the Scottish Ministers must lay a copy of the report before the Scottish Parliament.",>

Kate Forbes

37 In section 9, page 12, line 29, after <must> insert <, if they consider it necessary or expedient to do so,>

Ross Greer

38 In section 9, page 12, line 30, at end insert—

<( ) in subsection (6), for "(5)(b)" substitute "(5)".>

Section 9A

Kate Forbes

39 In section 9A, page 13, line 4, after <(2)> insert <—

<( ) the "and" at the end of paragraph (b) is repealed,

( )>

Kate Forbes

40 In section 9A, page 13, line 8, after <Water> insert <, and>

Section 9B

Kate Forbes

41 Move section 9B to after section 9C

Section 9C

Kate Forbes

42 Move section 9C to after section 9

Section 11

Ross Greer

43 In section 11, page 14, line 21, at end insert—

<(2) The Scottish Ministers must in particular promote, facilitate and support the provision of adequate education resources in the Gaelic language for use in school education by teachers and pupils.”.>

After section 13

Ross Greer

44 After section 13, insert—

<Production of school education resources in Gaelic

(1) The Education (Scotland) Act 2016 is modified as follows.

(2) After section 6C (as inserted by section 13(2)) insert—

“6D Production of school education resources in Gaelic

(1) When the Scottish Ministers produce any information, guidance or documents in the English language for use in school education by teachers or pupils, they must consider whether also to produce that material in the Gaelic language.

(2) The Scottish Ministers must, on request from an education authority, consider whether to produce a translation into the Gaelic language of any material of the type mentioned in subsection (1), including material produced before this section came into force.

(3) In this section, a reference to the Scottish Ministers producing material includes—

(a) that material being produced, commissioned, procured or funded for or by the Scottish Ministers,

(b) that material being updated.

6E Review of adequacy of school education resources

(1) The Scottish Ministers must keep under review the adequacy of education resources in the Gaelic language available for use in school education by teachers and pupils.

(2) The Scottish Ministers must from time to time prepare and publish a report setting out the steps they consider necessary to address any issues identified by the review.".>

After section 18

Pam Duncan-Glancy

3 After section 18, insert—

<*Gaelic education qualifications*

Production of material relating to Gaelic education qualifications

(1) The Education (Scotland) Act 2016 is modified as follows.

(2) After section 16A (as inserted by section 17(2)) insert—

"Gaelic education qualifications

16B Availability of qualifications through the medium of Gaelic

(1) In exercising its function of devising qualifications, the Scottish Qualifications Authority must ensure that these qualifications include an appropriate number and range of qualifications available through the medium of the Gaelic language.

(2) In deciding what is an appropriate number and range of qualifications for the purpose of subsection (1), the Scottish Qualifications Authority must—

(a) seek advice from—

(i) the Scottish Ministers,

(ii) Bòrd na Gàidhlig,

(iii) such other persons with expertise or an interest in the Gaelic language as the Authority considers appropriate,

(b) have regard to—

(i) any advice received in response to a request under paragraph (a),

(ii) any information the Authority has about the demand for qualifications in particular subjects or at particular levels.

16C Production of material relating to qualifications through the medium of Gaelic

(1) When the Scottish Qualifications Authority produces information, guidance or documents in the English language for use in connection with qualifications it has devised, it must also produce equivalent material in the Gaelic language for such of those qualifications as are available through the medium of the Gaelic language.

(2) The Scottish Qualifications Authority must, on request from the Scottish Ministers, produce a translation into the Gaelic language of any material of the type

mentioned in subsection (1), whether or not that material was produced before this section came into force.”.>

After section 22

Miles Briggs

11 After section 22, insert—

<Assessments of requests for Gaelic medium education

(1) The Education (Scotland) Act 2016 is modified as follows.

(2) The italic heading immediately preceding section 7 becomes “*Assessments: primary education and early learning and childcare*”.

(3) In section 7 (assessment requests)—

(a) in subsection (1)—

(i) for the words from “person” to “resident” substitute “relevant person may request an education authority”,

(ii) at the end insert “or Gaelic medium early education and childcare (in this Part, “GMELC”)”,

(b) after subsection (1) insert—

“(1A) In subsection (1), a “relevant person” is—

(a) a parent of a child who—

(i) is under school age,

(ii) has not commenced attendance at a primary school, and

(iii) is resident in the area of the education authority to whom the request is made,

(b) the body known as Comann nam Pàrant (Nàiseanta),

(c) Bòrd na Gàidhlig.”,

(c) subsection (2) is repealed,

(d) in subsection (3)—

(i) after “GMPE” insert “or GMELC, as the case may be,”,

(ii) “other” is repealed,

(iii) “and” at the end of paragraph (a) is repealed,

(iv) paragraph (b) is repealed,

(e) subsection (4) is repealed,

(f) in subsection (6)—

(i) in paragraph (b), the words “(including evidence in addition to that mentioned in subsection (2))” are repealed,

(ii) in paragraph (c), for “subsections (2) and (3)” substitute “subsection (3)”.

(4) In section 8 (GMPE assessment areas)—

(a) in subsection (2), after “GMPE” insert “or GMELC, as the case may be”,

(b) in subsection (3), for "GMPE" substitute "relevant",

(c) in subsection (4)—

(i) in the opening words, for "GMPE" substitute "relevant",

(ii) in paragraph (a)(i), after "GMPE" insert "or GMELC, as the case may be,",

(iii) in paragraph (a)(ii), after "GMPE" insert "or GMELC, as the case may be,",

(iv) in paragraph (b), for "could reasonably be met in the GMPE" substitute "or GMELC, as the case may be, could reasonably be met in the relevant",

(d) in subsection (5)—

(i) in paragraph (a), "any" is repealed,

(ii) in paragraph (b), for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant",

(iii) in paragraph (c), after "GMPE" insert "or GMELC, as the case may be,",

(e) after subsection (5) insert—

"(6) The Scottish Ministers may give guidance to education authorities relating to their functions under this section and sections 12 and 13.

(7) An education authority must have regard to any guidance given by the Scottish Ministers under subsection (6).".

(5) The title of section 8 becomes "**GMPE or GMELC assessment areas**".

(6) Sections 9, 10 and 11 are repealed.

(7) In section 12 (full assessments)—

(a) for subsection (1) substitute—

"(1) An education authority must, within the period of 6 months beginning with the day on which a request under section 7(1) is received—

(a) consider—

(i) its provision of GMPE or GMELC, as the case may be (if any),

(ii) the demand for GMPE or GMELC, as the case may be, in the relevant assessment area, including projections for future demand, and

(b) complete an assessment of the need for the provision of GMPE or GMELC, as the case may be, in the relevant assessment area.",

(b) after subsection (1) insert—

"(1A) An education authority need not comply with the duty imposed by subsection (1) if—

(a) it has published a report under section 13(4) following a previous request under section 7(1),

(b) the relevant assessment area for the previous request is the same as the relevant assessment area for the further request,

(c) the previous request and the further request either both request an assessment ff the need for GMPE or both request an assessment of the need for GMELC, and

(d) the further request is received within the period of 2 years beginning with the day on which the previous request was received.

(1B) Despite subsection (1A), 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.

(1C) The Scottish Ministers must consult the education authority before giving a direction under subsection (1B).",

(c) in subsection (2)—

(i) paragraph (c) is repealed,

(ii) for paragraph (d) substitute—

"(d) seek advice from those persons on the assessment to be completed by the authority under subsection (1)(b).",

(d) in subsection (3)—

(i) in paragraph (c), after "Pàrant" insert "Nàiseanta",

(ii) paragraph (d) is repealed,

(e) in subsection (4)—

(i) in paragraph (a), for "views" substitute "advice",

(ii) in paragraph (b), for "views are" substitute "advice is",

(f) after subsection (4) insert—

"(4A) The authority must publicise arrangements for receiving representations about the assessment to be completed by the authority under subsection (1)(b) from—

(a) parents of children resident or attending school in the education authority's area,

(b) children resident or attending school in the education authority's area, and

(c) such other persons with expertise or an interest in the Gaelic language as the education authority considers appropriate.",

(g) in subsection (5), for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant",

(h) in subsection (6)—

(i) before paragraph (a) insert—

"(za) the matters mentioned in sub-paragraphs (i) and (ii) of subsection (1)(a),",

(ii) in paragraph (a)—

(A) for "views" where it first appears substitute "advice",

(B) for "views are" substitute "advice is",

(iii) after paragraph (a) insert—

"(aa) representations made by virtue of subsection (4A),",

(iv) in paragraph (b), "any" is repealed,

(v) paragraph (c) is repealed,

(vi) in paragraph (d), for "mentioned in section 9(3) from parents of children" substitute "or GMELC, as the case may be, from parents of children who reside within the relevant assessment area",

(vii) in paragraph (e), after "GMPE" insert "or GMELC, as the case may be,",

(viii) in paragraph (f), after "GMPE" insert "or GMELC, as the case may be,",

(ix) in paragraph (g)(i), for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant",

(x) in paragraph (g)(ii), for "GMPE assessment area could access GMPE" substitute "relevant assessment area could access GMPE or GMELC, as the case may be,",

(xi) in paragraph (h), after "GMPE" insert "or GMELC, as the case may be,",

(xii) in paragraph (i), for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant",

(xiii) in paragraph (j), for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant",

(xiv) after paragraph (l) insert—

"(m) its duty under section 14A.",

(i) in subsection (7), for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant".

(8) The title of section 12 becomes "**Assessments**".

(9) In section 13 (procedure following full assessment)—

(a) in subsection (1)—

(i) for "a full" substitute "an",

(ii) for "in a GMPE" substitute "or GMELC, as the case may be, in a relevant",

(b) in subsection (2)—

(i) in paragraph (a), after "GMPE" insert "or GMELC, as the case may be,",

(ii) in paragraph (c), after "GMPE" in each place where it appears insert "or GMELC, as the case may be,",

(c) in subsection (3)—

(i) in paragraph (a), for "parent" substitute "person",

(ii) in paragraph (a), "full" is repealed,

(iii) paragraph (b) is repealed,

(iv) in paragraph (c), "other" is repealed,

(d) in subsection (4), at end insert "as soon as reasonably practicable after the assessment has been completed",

(e) subsection (5) is repealed,

(f) in subsection (6)—

(i) for "in the GMPE" substitute "or GMELC, as the case may be, in the relevant",

(ii) for "such GMPE" substitute "such GMPE or GMELC, as the case may be,",

(g) in subsection (7), for "is provided in the GMPE" substitute "or GMELC, as the case may be, is provided in the relevant".

(10) The title of section 13 becomes "**Procedure following assessment**".

(11) Section 14 and the italic heading immediately preceding it are repealed.

(12) In section 18(2) (interpretation of Part 2)—

(a) after the definition of "Gaelic learner education" insert—

""Gaelic medium early learning and childcare" means Gaelic medium education which would discharge (wholly or in part) the duty under subsection (1) of section 1 of the 1980 Act to the extent it is exercisable as mentioned in subsection (1A) of that section,",

(b) after the definition of "Gaelic medium primary education" insert—

""GMELC" means Gaelic medium early learning and childcare,",

(c) after the definition of "primary school" insert—

""relevant assessment area" is to be construed in accordance with section 8,",

(d) the definitions of "full assessment", "GMPE assessment area", "initial assessment", "specified child" and "year group" are repealed.>

Section 22A

Ross Greer

45 In section 22A, page 22, line 5, leave out <pupil attending a school> and insert <child resident>

Ross Greer

46 In section 22A, page 22, line 17, leave out <pupils> and insert <children>

Ross Greer

47 In section 22A, page 22, line 39, leave out <pupils attending schools> and insert <children resident or attending school>

Ross Greer

48 In section 22A, page 23, line 1, leave out <pupils attending schools> and insert <children resident or attending school>

Ross Greer

49 In section 22A, page 24, line 37, at end insert—

<( ) In section 18(1) (interpretation of Part 2), before the definition of "early learning and childcare" insert—

""child,"".>

Section 23

Miles Briggs

12 Leave out section 23

Section 25A

Willie Rennie

4 In section 25A, page 29, line 18, at end insert—

<(A1) The Scottish Ministers must take such action as they consider appropriate to support the development of Sabhal Mòr Ostaig as the national centre for Gaelic language, education and culture in Scotland.>

Willie Rennie

5 In section 25A, page 29, line 19, at beginning insert <In exercising their duty under subsection (A1),>

Willie Rennie

6 In section 25A, page 29, line 20, leave out subsection (2) and insert—

<(2) The review must in particular consider—

(a) the funding of Sabhal Mòr Ostaig,

(b) whether Sabhal Mòr Ostaig should be designated under section 44(1) of the Further and Higher Education (Scotland) Act 1992, and

(c) any other action that may be taken to support the development of Sabhal Mòr Ostaig.>

Willie Rennie

7 In section 25A, page 29, line 23, leave out <section> and insert <subsection>

Willie Rennie

8 In section 25A, page 29, line 23, at end insert—

<(3A) For the avoidance of doubt, the Scottish Ministers may, before the completion of the review, take any action they consider appropriate to support the development of Sabhal Mòr Ostaig.>

Willie Rennie

9 In section 25A, page 29, line 26, at end insert—

<(4A) Following the publication of the report on the review, the duty imposed by subsection (A1) is discharged by the Scottish Ministers taking the actions to support the development of Sabhal Mòr Ostaig which are set out in the report.>

Section 25B

Willie Rennie

10 Leave out section 25B

Section 25C

Kate Forbes

50 In section 25C, page 30, line 4, leave out <amended> and insert <modified>

Kate Forbes

51 In section 25C, page 30, line 7, after <**of**> insert <**relevant**>

Kate Forbes

52 In section 25C, page 30, line 9, after <a> insert <relevant>

Kate Forbes

53 In section 25C, page 30, line 10, leave out <them> and insert <it>

Kate Forbes

54 In section 25C, page 30, line 12, leave out <public>

Kate Forbes

55 In section 25C, page 30, line 14, leave out <public>

Kate Forbes

56 In section 25C, page 30, line 16, after first <the> insert <relevant>

Kate Forbes

57 Move section 25C to after section 9B

Section 27

Ross Greer

58 In section 27, page 31, line 12, at end insert—

<( ) In preparing the Scots language strategy, the Scottish Ministers must have regard to the principle that the Scots and English languages should be accorded equal respect.>

Section 29

Ross Greer

59 In section 29, page 32, line 18, leave out <and> and insert—

<( ) a post-16 education body within the meaning of section 35 of the Further and Higher Education (Scotland) Act 2005,

( ) Scottish Rail Holdings,

( ) Scottish Water, and>

Section 30

Ross Greer

60 In section 30, page 32, line 27, at end insert—

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

Section 30B

Kate Forbes

61 Move section 30B to after section 30

Section 31

Ross Greer

62 In section 31, page 33, line 23, at end insert—

<( ) The Scottish Ministers must in particular promote, facilitate and support the provision of adequate education resources in the Scots language for use in school education by teachers and pupils.>

After section 33

Ross Greer

63 After section 33, insert—

<Production of school education resources in Scots

(1) When the Scottish Ministers produce any information, guidance or documents in the English language for use in school education by teachers or pupils, they must consider whether also to produce that material in the Scots language.

(2) The Scottish Ministers must, on request from an education authority, consider whether to produce a translation into the Scots language of any material of the type mentioned in subsection (1), including material produced before this section came into force.

(3) In this section, a reference to the Scottish Ministers producing material includes—

(a) that material being produced, commissioned, procured or funded for or by the Scottish Ministers,

(b) that material being updated.>

Ross Greer

64 After section 33, insert—

<Review of adequacy of school education resources in Scots

(1) The Scottish Ministers must keep under review the adequacy of education resources in the Scots language available for use in school education by teachers and pupils.

(2) The Scottish Ministers must from time to time prepare and publish a report setting out the steps they consider necessary to address any issues identified by the review.>

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