

This act on linguistic policy, approved by the Catalan Parliament, is an important step in the process of recovery the Catalan language originally developed in the Catalan territory, and also a relevant instrument of social cohesion.

The act defines the legal concepts of Catalonia's «own language» and «official language», as stated in the Statute of Autonomy. As confirmed in the introduction, «the former, as applied to Catalan, obliges public authorities and Catalan institutions to protect it, to use it and to generally promote its public use at every level. The concept of official language, as applied to Catalan and Spanish, guarantees citizens their subjective rights, which are explicitly stated, to learn both languages and be able to use them freely in all public and private activities with full validity and legal effectiveness».

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## Act no. 1, of 7th january 1998, on linguistic policy

Linguistic rights  
Signage  
Public authorities  
Enterprises  
Shops and industry  
Mass media  
Education  
Judicial proceedings  
Civil and commercial documents  
Public Registries  
Place names  
Entertainment  
Advertising  
External projection



Generalitat de Catalunya  
Government of Catalonia

**Catalunya**

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## SUMMARY

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## INTRODUCTION

Act No. 1/1998, of 7th January, on linguistic policy, replacing Act No. 7/1983, of 18th April, on linguistic normalization in Catalonia, is to be regarded as a political message, a legislative improvement and a conceptual clarification.

As a specific message, it expresses the political will of the Generalitat (Autonomous Government of Catalonia) to continue encouraging the process of recovery and the presence of Catalan in all sectors of social life and is a solemn pledge to the language of the country by the institutions of Catalonia.

As a legislative improvement,

a) It consolidates and strengthens the policy implemented by the Generalitat under the Act of 1983 regarding public authorities, education and institutional mass media, improves the regulation in various fields of official use of Catalan and specifically acknowledges citizens' linguistic rights.

b) It ensures the presence of Catalan in several fields of social and cultural life up to now without any legislative treatment whatsoever, such as the private media, certain cultural industries and the social-economic world and widespread documentation, establishing the relevant system of guarantees for fulfilment.

c) It draws up a complete catalogue of promotional activities to be carried out by the Government within the scope of the mass media, literary and scientific creation, book publishing, the cinema, music and entertainment, computer science, linguistic engineering, advertising, the world of employment and business, the education system and adult education among others, in such a manner that a complete program is developed for linguistic policy in future years.

Finally, the Act sets forth the legal concepts of Catalonia's "own language" and "official language", as stated in the Statute of Autonomy. The former, as applied to Catalan, obliges public authorities and Catalan institutions to protect it, to use it and to generally promote its public use at every level. The concept of official language, as applied to Catalan and Spanish, guarantees citizens their subjective rights, which are explicitly

stated, to learn both languages and be able to use them freely in all public and private activities with full validity and legal effectiveness.

The Act on linguistic policy is a great step forward in the process of recovering the Catalan language, as set forth in Article 3 of the Statute, and is, at the same time, a great instrument for social cohesion.

LLUÍS JOU I MIRABENT  
General Director of Linguistic Policy

## **ACT NO. 1, OF 7TH JANUARY 1998, on linguistic policy**

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*(DOGC N. 2553, of 9th January 1998)*<sup>1</sup>

THE PRESIDENT  
OF THE GENERALITAT OF CATALONIA<sup>2</sup>

Let it be known to all citizens that the Catalan Parliament has approved, and I, in the name of the King, and as laid down in article 33.2 of the Statute of Autonomy of Catalonia, enact the following

### **ACT**

#### **Introduction**

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##### *1. The meaningfulness and situation of the Catalan language*

The Catalan language is an essential element in the national formation and character of Catalonia, a basic instrument for communication, integration and social cohesion of citizens, regardless of their geographic origin, and a privileged link between Catalonia and the other Catalan-speaking areas, with which it forms a linguistic community which has made a valuable contribution, in its original way, to universal culture over the centuries. Furthermore, it has borne witness to the loyalty of the Catalan people towards their land and their specific culture.

Developed originally within the territory of Catalonia, shared with other areas - where people and even laws have given it different names - it has always been the language of the country and as such it has been negatively affected by certain events in the history of Catalonia which have placed it in a precarious situation. This situation has arisen due to various factors, such as the political persecution it has suffered and the legal imposition of for more than two and a half centuries; the political and socio-economic circumstances in which the demographic changes took place in recent decades and, moreover, the restricted scope that the language has, similar to that of other official languages of Europe, especially in the world

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<sup>1</sup> BOE nº 36, of 11th February 1998.

<sup>2</sup> The Generalitat is the institution through which the self-government of Catalonia is politically organised.

of today, where communication, information and the cultural industries are moving towards globalisation.

Thus, as a result of all these circumstances the present sociolinguistic situation of Catalonia is very complex. The situation of a people's language which has not achieved fully normal use and has a relatively small number of speakers in the international context coincides with the fact that the mother tongue of many citizens in the territory of Catalonia is Castilian, which they prefer to speak, and thanks to which they have often contributed significantly to enriching Catalan culture itself, a contribution which has similarly been made by citizens whose mother tongue is another language. This situation therefore requires a language policy which effectively helps to achieve the normal use of Catalonia's own language and which at the same time guarantees a scrupulous respect of the linguistic rights of all citizens.

## II. *The legal framework*

The present legal framework of the Catalan language is defined by the 1978 Spanish Constitution and by the 1979 Statute of Autonomy of Catalonia.

The former, recognising the diversity of peoples within the Spanish State, states in article 3 that "Castilian is the official Spanish language of the State" and that, as the official language "all Spaniards have the duty to learn it and the right to use it". Furthermore, the Constitution states that "the other Spanish languages shall also be official in their respective autonomous communities as laid down in their Statutes".

Article 3 of the Statute of Autonomy states "1. Catalan is Catalonia's own language. 2. Catalan is the official language of Catalonia, as is Castilian, which is official throughout Spain. 3. The Generalitat will guarantee the normal and official use of both languages, will take the appropriate measures in order to ensure that they are learnt and will create the conditions which will allow them to attain full equality with respect to the rights and duties of the citizens of Catalonia. 4. The Aranese<sup>3</sup> tongue shall be taught and shall be the object of special respect and protection".

<sup>3</sup> Occitan dialect spoken in the Aran valley, a Catalan district (*comarca*) in the Pyrenees.

These statutory provisions were further developed by Act No. 7 of 18th April 1983, on linguistic normalization in Catalonia, of great importance in the history of the language, which signalled the end to sanctions against Catalan; the fourteen years it has been in force have made possible the spread of knowledge of the language among most of the population, and a policy agreed by all sectors of society, which has led to a process of normal linguistic use.

During the time the Act has been in force, important changes have taken place: in the technological field, computers and information networks have become of general use; in the cultural and commercial field, free trade has been established, and this has spread to cultural interchanges, especially in the communication and audio-visual world; in the political field, on the one hand Spain has joined the European Economic Community, now called the European Union, governed by a multilingual principle, and on the other hand the Generalitat has taken over responsibility for many of the competencies laid down in the Statute; in the social and sociolinguistic field, proficiency in Catalan has become widespread - though it has not always resulted in a similar increase in public use - and a considerable change in immigration flows has taken place. Furthermore, language law in our country has developed considerably, due partly to the jurisprudence of the Constitutional Tribunal and partly to Catalan legislation and to doctrinal studies. Finally, the contents of various resolutions passed by the European Parliament have to be pointed out: that of 30th November 1987, on the languages and cultures of regional and ethnic minorities in the European Community; that of 11th December 1990, on the situation of languages in the Community and that of the Catalan language, and that of 9th February 1994, on cultural and linguistic minorities of the European Community. Moreover, the European Charter for Regional or Minority Languages, adopted in the form of a Convention by the Committee of Ministers of the Council of Europe on 5th November 1992, is worth mentioning, as is the Universal Declaration of Linguistic Rights, approved by the World Conference of Linguistic Rights on 6th June 1996 in Barcelona, which received the unanimous support of the Congress of Deputies and the Parliament of Catalonia.

## III. *The aims of this Act*

All these circumstances have made it advisable to amend and update the 1983 Act and to renew the

political and social agreement reached at that time, in order to be able to consolidate the process promoted by the Act on linguistic normalization in Catalonia in the fields of government and education, to adapt the media and cultural industries to today's needs and to fix linguistic regulations directed at the socio-economic world; all this with a view to moving towards full and complete proficiency in Catalan and its normal use, which can make a new thrust in the social use of the language feasible.

Amending and updating the 1983 Act also has to make it possible to reaffirm the statutory commitment to achieving full equality regarding linguistic rights and duties, and especially, those of learning both official languages and of using them, which means that, in accordance with the existing statutory framework, the citizens of Catalonia have to have learned Catalan and Castilian and shall be entitled to use them.

In order to continue with this drive, it has moreover become essential for changes to be made to State and European law, and to strengthen the policies of support and the relevant budgetary provisions.

#### *IV. The contents and structure of this Act*

This Act expresses the legal concepts of a people's own language and that of official language. Thus the concept of Catalonia's own language applied to Catalan commits the public authorities and institutions in Catalonia to safeguard Catalan, to use it in a general manner and to promote its public use at all levels. The concept of official language applied to Catalan and Castilian guarantees all citizens their subjective rights, which are explicitly stated, to learn both languages, to be able to freely use them in all private and public activities, to be served in the language of their choice in their relationships with the authorities and, gradually and progressively, with all social agents who offer services to the public, and to not be discriminated against on the basis of language. Bearing in mind these principles, the Act governs the use of both official languages in Catalonia, and establishes measures to and promote the use of Catalan in order to achieve its normal use and promotional measures to guarantee its presence in all spheres.

In the official and administrative field, this Act stipulates that Catalan authorities and institutions shall generally use Catalan, without affecting the right of

citizens to address them in the official language of their choice, and declares the full validity of all public and private documents in either of the two official languages, totally indifferently one from the other, in all spheres, including the State and Judicial Authorities as well as public registries.

As regards education, this Act guarantees to all the population full proficiency in both languages, and at the same time, it guarantees that students shall not be discriminated against, nor separated into different groups, on the grounds of language; all this is stated while maintaining the joint linguistic system applied under the 1983 Act, and in accordance with jurisprudence of the Constitutional Court. Furthermore, it establishes measures to promote university education in Catalan.

In the field of the media, and within the framework of the Generalitat's responsibilities, it governs the use of Catalan in radio and television station broadcasts, so as to guarantee the presence of the Catalan language in radio and television programs, and lays down measures to promote the written press. As regards cultural industries, it maintains and reinforces the promotional measures already established by the Act on linguistic normalization in Catalonia for the cinema, books, music and entertainment, and includes references to computer science, telecommunication networks and linguistic engineering products, which have become the basis for processing information in all fields.

As regards the socio-economic field, it adopts measures to regulate the presence of Catalan and to promote its use in all fields where, for market or other reasons, they are not adequately guaranteed. Thus public companies, licensees and public services shall become active agents in the process of normal linguistic use in order to guarantee consumers' linguistic rights. The aim is to progressively achieve that both languages are treated equally in the economic world as all citizens in Catalonia acquire full knowledge of Catalan, and always by means of social agreements sought by the Generalitat.

Finally, this Act acknowledges, protects and promotes education and the use of Aranese in the Aran valley, with reference to Act 16 of 13th July 1990, concerning the special treatment of the Aran valley, and with full respect for the powers of the institutions of the Aran valley.

This Act offers guidelines for citizens, only creating obligations for the authorities and certain companies, should this be required, due to the nature of their activity being public services and in order to safeguard citizens' linguistic rights. Therefore, only civil servants and the aforementioned companies may become subject to administrative action, according to the sectoral laws in force, should they breach the obligations set forth in this Act.

As regards the structure, this Act consists of thirty-nine articles, and eight additional, three transitory and three final provisions. The articles are distributed in seven chapters, which govern the general principles (preliminary chapter), institutional use (chapter I), place and personal names (chapter II), education (chapter III), the mass media and cultural industries (chapter IV), socio-economic activity (chapter V), and the institutional stimulus (chapter VI). Thus it follows the structure of Act 7 of 1983, to which chapters specifically concerning names and socio-economic activity have been added.

## PRELIMINARY CHAPTER

### General Principles

#### Article 1

##### *The object of this Act*

1. The object of this Act is to develop article 3 of the Statute of Autonomy of Catalonia, in order to protect, promote and normalise the use of Catalan in all fields, and the use of Aranese in the Aran valley, and to guarantee the normal and official use of Catalan and Castilian.

2. The main aims of this Act are:

a) To protect and promote the use of Catalan by all citizens.

b) To provide effectiveness in the use of Catalan and Castilian, without any citizens being discriminated against.

c) To promote the normal use of Catalan in administration, education, mass media, cultural industries and in the socio-economic world.

d) To ensure that proficiency in Catalan spreads to all citizens.

3. A further aim of this Act is to reach equality regarding the linguistic rights and duties of citizens, promoting whatever actions are needed and removing the obstacles that at present make this difficult.

#### Article 2

##### *Catalonia's own language*

1. Catalan is Catalonia's own language and distinguishes it as a people.

2. Catalan, as Catalonia's own language, is:

a) The language of all institutions of Catalonia, and particularly of the Administration of the Generalitat, local authorities, and public corporations, companies and public services, institutional media, education and place names.

b) The language preferentially used by the State Administration in Catalonia in the manner that it lays down, by the other institutions and, generally, by companies and entities offering services to the public.

3. That set forth in para 2 implies a special commitment by the institutions to promote the knowledge and use among citizens, without detriment to the official nature of Catalan and Castilian.

#### Article 3

##### *Official languages*

1. Catalan is the official language of Catalonia, as is Castilian as well.

2. Catalan and Castilian, as official languages, may be used indiscriminately by citizens in all private and public activities without exception. Legal procedures carried out in either of the two official languages have, as far as the language used is concerned, full validity and effect.

#### Article 4

##### *Linguistic rights*

1. In accordance with article 3 of the Statute of Autonomy, and within the context of an active policy by the Generalitat to create a situation which allows linguistic rights and duties to reach full equality, everyone in Catalonia is entitled:

a) To be proficient in both official languages.

b) To express themselves in either of the two official languages, verbally or in writing, in their relations as well as in private and public procedures.

c) To be served in either of the two official languages in the manner laid down by this Act.

d) To freely use either of the two official languages in all fields.

e) Not to be discriminated against on account of the official language they use.

2. Everyone may address the courts and tribunals in order to obtain legal protection for the right to use their language.

3. Everyone may address the Generalitat and the *Síndic de Greuges*<sup>4</sup> requesting that, within the scope of their authority, they act in order to guarantee linguistic rights in a specific manner.

#### Article 5

*The guiding principles of the policy of the Generalitat*

1. The Generalitat shall guarantee the linguistic rights of citizens, the normal and official use of Catalan and Castilian, the teaching of both languages to the whole population, the linguistic ability and capacity of staff in service of the Authorities and full equality of citizens regarding their linguistic rights and duties, in all fields.

2. The Generalitat shall take steps to safeguard, protect and promote the use of Catalan in all fields, by adopting the required measures and providing adequate resources.

#### Article 6

*Unity of the Catalan language*

1. The Catalan language is a heritage that is shared with other territories forming the same linguistic community. The Generalitat shall ensure the protection of the unity of Catalan and shall promote the use and dissemination of Catalan abroad and communication between different Catalan-speaking areas.

2. Pursuant to legislation in force, the *Institut d'Estudis Catalans*<sup>5</sup> is responsible for linguistic authority.

#### Article 7

*Acknowledgement and Protection of Aranese*

Aranese, the Aran valley's own variety of the Occitan language, is governed, as regards its use, by Act No. 16 of 13th July 1990, concerning the special treatment in the Aran valley, and, additionally, by the provisions of this Act, which are never to be interpreted in such a way as to limit the use of Aranese.

<sup>4</sup> An Ombudsman appointed by the Parliament of Catalonia to defend fundamental rights and public liberties.

<sup>5</sup> Institute of Catalan Studies, higher scientific institution one of whose roles is to act as the Academy of the Catalan language.

## CHAPTER I

### Institutional Use

#### Article 8

*Publication of regulations*

1. Bills enacted by the Parliament of Catalonia are published, in simultaneous editions, in Catalan and Castilian, in the *Diari Oficial de la Generalitat de Catalunya*.<sup>6</sup> The Parliament is responsible for preparing the official version in Castilian.

2. General provisions and regulating resolutions of the Government, the Authorities and the Institutions of the Generalitat and the local authorities of Catalonia are published, when appropriate, in the *Diari Oficial de la Generalitat de Catalunya*, in simultaneous versions in Catalan and Castilian.

#### Article 9

*The language of the Catalan Authorities*

1. The Generalitat, local authorities and other public corporations of Catalonia, institutions and the licensed services and companies that they are responsible for shall use Catalan in their internal procedures and in relations between each other. They shall also normally use it in their communications and notifications addressed to individuals or companies residing within the Catalan linguistic area, without detriment to the right of citizens to receive them in Castilian on request.

2. The government of the Generalitat shall regulate, by means of statutes provisions, the use of Catalan in the administrative activities of all bodies under its authority.

3. Local corporations and universities shall regulate the use of Catalan in the field of their respective responsibilities, as laid down in para 1. All other public corporations shall also likewise regulate it.

#### Article 10

*Administrative procedures*

1. In administrative procedures carried out by the Generalitat Authorities, by local authorities and by the other corporations of Catalonia, Catalan shall be used, without detriment to the right of citizens to submit documents, make statements and, on request, to receive notifications in Castilian.

<sup>6</sup> The official gazette of the Generalitat of Catalonia.



2. The Authorities shall deliver a translated certificate of whatever affects them in the official language requested by the individuals involved. The request for translation shall not imply any handicap or expense to the applicant or any delay in the procedure or the suspension of the procedure and the stipulated time spans.

#### **Article 11**

##### *The linguistic ability of the staff in the service of the of Catalonia*

1. The staff in the service of the authorities, corporations or public institutions of Catalonia shall have a sufficient and appropriate command of the two official languages, both in verbal and written communication, so that they can adequately carry out the duties assigned to their post.

2. In order for what is laid down in para 1 to be valid, the Government of the Generalitat shall guarantee the teaching of Catalan to the staff in the service of the Generalitat, local authorities, public universities and the judicial authorities of Catalonia and promote measures to recycle such staff.

3. In recruiting staff to cover posts in the Generalitat, local authorities and university administration and services, including staff on contract, Catalan proficiency, both oral and written, shall be at a level appropriate for the duties of the position to be filled in the terms established by legislation for public service.

#### **Article 12**

##### *State Authorities*

1. Administrative procedures carried out in Catalonia by the bodies and entities of the State Authorities, both verbally and in writing, in either of the official languages, are valid, without requiring translation.

2. Everyone is entitled to communicate with and to be served by the State Authorities in Catalonia, verbally or in writing, in the official language of their choice, and cannot be required to provide any kind of translation.

#### **Article 13**

##### *Judicial proceedings*

1. Judicial proceedings are valid, whether verbal or in writing, whichever of the two official languages they are carried out in, without requiring a translation thereof.

2. Everyone is entitled to communicate with the Judicial Authorities, verbally or in writing, in the official language of their choice and to be served by

them, and cannot be required to provide any kind of translation.

3. On request, everyone may receive certificates of rulings and decision procedures affecting them in the official language they require, with no delay due to language.

4. That set forth in paras 1, 2 and 3 is also applicable to the ecclesiastical and arbitration courts.

5. In the provision for staff placements in the service of the judicial authorities responsible for which the Generalitat is, what is laid down in article 11 shall be applicable, in accordance with the specific relevant regulations, in the terms laid down by regulation.

#### **Article 14**

##### *Public documents*

1. Public documents drawn up in either of the official languages shall be valid.

2. The public documents shall be drawn up in the official language chosen by the grantor, or should there be more than one, in the language they agree upon. Should no agreement be reached regarding the language, the deed or document shall be drawn up in both official languages.

3. Prior to drawing up the document, the grantors shall be specifically asked which language they choose; under no circumstances may the choice of one or other result in a delay in drawing up and authorising the document. Should no specific language be chosen, the document shall be drawn up in Catalan.

4. Public commissioners of oaths shall deliver the copies and certificates in either Castilian or Catalan, in whichever language those involved require, and they shall provide translations, under their responsibility and when appropriate, of the documents and original texts. The fact that the original text and the copies thereof are translated shall be recorded in the margin and in a footnote, but legal recording of this fact is not required.

5. The offices of public commissioners of oaths shall be in a position to serve citizens in either of the two languages and they must have staff who have an adequate and sufficient knowledge of them both to perform the duties related to their job task.

#### **Article 15**

##### *Civil and commercial documents*

1. The choice of language is not a formal requirement for private documents. Documents drawn up in either of the languages shall therefore be valid,

without detriment to the translations that civil, commercial or litigation laws may require, if the language used is not official in Catalonia.

2. Private documents, whether contractual or not, whatever their nature may be, drawn up in either of the two official languages of Catalonia shall be valid and do not need any translation for their fulfilment in or out of court, within Catalan territory.

3. The documents to which para 2 refers to shall be drawn up in the official language both parties agree upon. Nevertheless, should it be a standard form contract, a regulated contract, a contract with standard clauses or one with general conditions, it shall be drawn up in the language chosen by the consumer and shall be at the immediate disposal of the client in separate copies in Catalan and Castilian.

4. Securities of all kinds, including those that represent shares in trading companies, shall be valid whichever of the two official languages they are drawn up in.

5. Cheques, promissory notes, receipts and other documents offered by financial entities to their clients shall be drawn up at least in Catalan.

#### Article 16

##### *Collective Bargaining Agreements*

1. Collective bargaining agreements shall be valid whichever of the two official languages they are drawn up in.

2. Collective bargaining agreements shall be drawn up in the official language agreed upon by the parties or, should no agreement be reached, in both official languages and in two separate copies.

#### Article 17

##### *Public Registries*

1. Registry entries recorded in either of the two official languages shall be valid.

2. In all the public registries in Catalonia, except those that are only of an administrative nature, the entries shall be recorded in the official language in which the document has been drawn up or the one used in the declaration. Should the document be bilingual, the entry shall be in the language chosen by whoever submits the document to the registry.

3. Registrars shall issue certificates in the official language used in the request.

4. Registry offices shall be in a position to serve citizens in either of the two official languages and shall have staff with a sufficient and adequate level

of proficiency that they can perform the duties of their job position.

5. Registry offices shall guarantee that interpretation and translation, whether verbal or in writing, of any entry into the official language requested by the interested party is both immediate and accurate.

6. Forms and other printed material at the disposal of the public in the Registry offices shall be drawn up at least in Catalan.

## CHAPTER II

### Denomination

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#### Article 18

##### *Place names*

1. The Catalan version of the place names of Catalonia are the only official ones, in accordance with the linguistic norms of the *Institut d'Estudis Catalans*, except those of the Aran valley, where they shall be in Aranese.

2. Decisions regarding the names of municipalities and *comarques*<sup>7</sup> are governed by the legislation on local authorities.

3. Decisions on the name for urban streets and villages of every kind are the responsibility of the local councils, and decisions on other names in Catalonia, including inter-city roads, are the responsibility of the Generalitat whoever is responsible for them.

4. Names that para 2 and 3 refer to are the legal ones for all purposes and signs shall be written accordingly. The Generalitat, heeding in all cases the international regulations which have become part of internal law, shall regulate the normal use of Catalan on public signs.

#### Article 19

##### *Personal names*

1. The citizens of Catalonia are entitled to use their forenames and surnames written in a regulatory correct manner, and to use the conjunction "i" between their surnames.

2. Interested persons may arrange for their forenames and surnames to be recorded in a regulatory correct manner in Catalan in the Civil Registry, wha-

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<sup>7</sup> The *comarca* (plural, *comarques*) is the administrative district of Catalonia established by the Generalitat on the basis of historical demarcations.

lever the date of the original imposition, by a simple declaration to the person in charge and by submitting the documents accrediting the linguistically correct form, in a manner which shall be set forth by regulations.

3. This rule shall be applicable to Aranese names and surnames as regards the linguistic norms for Aranese.

### CHAPTER III

#### Education

##### Article 20

###### *The language of education*

1. Catalan, as Catalonia's own language, is also that of education, at all levels and types of schooling.

2. Educational establishments at all levels shall make Catalan the vehicle of normal expression in their educational and administrative activities, both internally and externally.

##### Article 21

###### *Non-university education*

1. Catalan shall normally be used as the vehicle of teaching and learning in non-university education.

2. Children are entitled to receive their initial education in their usual language, whether this be Catalan or Castilian. The authorities shall guarantee this right and shall provide the appropriate resources to make it effective. Parents or guardians may exercise this right on behalf of their children, on request.

3. The teaching of Catalan and Castilian shall be guaranteed in the curricula, so that all children, whatever their usual language may be when starting their education, can normally and correctly use both official languages by the end of their compulsory education.

4. In post-compulsory education, the educational authorities shall promote policies of syllabus development instruction and so as to ensure that proficiency in, and the use of, both languages are perfected so that all young people acquire the instrumental and cultural knowledge to be expected from such education.

5. Students shall not be separated either in centres or in group classes according to their usual language.

6. No graduation certificate of secondary education can be granted to any student who does not

accredit that he or she has an oral and written knowledge of Catalan and Castilian at the appropriate level.

7. Certification of Catalan proficiency may not be required from any student who has been excused from learning it during their education or a part thereof, or who has carried out his or her compulsory education outside Catalonia, in the circumstances that the government of the Generalitat shall lay down by regulations.

8. Students who enter the educational system of Catalonia at a later time than usual shall receive special and additional support for the teaching of Catalan.

##### Article 22

###### *University education*

1. In higher education colleges and universities, teaching staff and students are entitled to express themselves, orally and in writing, in the official language of their choice.

2. The government of the Generalitat, universities and higher education colleges, within the field of their respective responsibilities, shall take appropriate measures to guarantee and promote the use of Catalan in all teaching, non-teaching and research fields, including the reading of doctorate theses and the taking of official professional examinations.

3. Universities shall provide courses and other suitable resources so that students and teaching staff may improve their comprehension and knowledge of Catalan.

4. Universities may, if necessary, set specific criteria for linguistic use in activities related to international commitments.

##### Article 23

###### *Permanent training and special treatment*

1. Curricula of adult permanent training courses shall include Catalan and Castilian classes.

2. Educational colleges specialised in languages shall provide for the teaching of both official languages.

3. In specially-classified educational establishments for which the Generalitat is responsible, where the language is not taught, courses of Catalan shall be provided for students not having sufficient knowledge thereof.

##### Article 24

###### *Teaching staff*

1. The teaching staff in the educational establishments of Catalonia, at any level of non-univer-

sity education, shall know both official languages and shall be in a position to be able to use them in their teaching tasks.

2. Curricula for teachers' training colleges and courses shall be drawn up in such a manner that the students shall achieve full proficiency in both official languages, in accordance with the requirements of each teaching speciality.

3. The teaching staff of university colleges in Catalonia shall know both official languages sufficiently, in accordance with the requirements of their teaching tasks. This rule is not applicable to visiting teachers and other similar cases. The universities shall be responsible for setting up the mechanisms and the pertinent time scales for fulfilling this regulation.

## CHAPTER IV

### Mass media and cultural industries

#### Article 25

##### *Public radio and television media*

1. In radio and television broadcasting managed by the Generalitat and local authorities in Catalonia, the normal language used shall be Catalan. In this context, the media for which local authorities are responsible may bear in mind the features of their audience.

2. Without detriment to the implementation of the provisions in paras 1 and 5 of article 26, the media referred to in para 1 of this article shall promote Catalonia's cultural expression, especially that which are produced in the Catalan language.

3. The Catalan Radio and Television Corporation shall guarantee regular programming of radio and television broadcasts in Aranese for the Aran valley.

4. The government of the Generalitat shall take steps to help the satisfactory reception in Catalonia of television stations from other territories that broadcast in Catalan.

#### Article 26

##### *Radio and television media broadcasting under licence*

1. Without detriment to the application of Act No. 8 of 5th July 1996, concerning regulations of audio-visual programming provided by cable, the organisations referred to in the aforementioned Act shall guarantee that at least fifty per cent of viewing time of all kinds of programmes produced by themselves

and other tele-services are provided in the Catalan language.

2. What is laid down in para 1 shall also be applicable to licensees of television managed privately within the territorial area of Catalonia.

3. Radio broadcasts by licensees granted by the Generalitat shall guarantee at least fifty per cent of broadcasting time in Catalan, although the government of the Generalitat, depending on the features of their audience, may modify this percentage by regulation.

4. The government of the Generalitat shall include the use of the Catalan language in percentages higher than the established minimum as one of the criteria for awarding surface wave television broadcasting licences, television programmes provided by cable and radio broadcasting.

5. Radio and television broadcasting companies shall guarantee that music programmes have an adequate presence of songs produced by Catalan artists and at least twenty-five per cent are songs performed in the Catalan language or in Aranese.

6. Those broadcasters to which this article refers and who broadcast to, or provide programmes for, the Aran valley shall guarantee a significant presence of Aranese in their broadcasts.

#### Article 27

##### *The written media*

1. In the written press and in magazines published by the Generalitat and by local authorities, the language to be normally used shall be Catalan.

2. The government of the Generalitat shall promote and subsidise magazines of general distribution Catalonia which are written totally or mostly in Catalan.

3. The government of the Generalitat and the local authorities shall promote and may subsidise magazines of a municipal or local nature which are written totally or mostly in Catalan.

4. The granting of subsidies, to which paras 2 and 3 refer, shall follow objective criteria of dissemination, commercialisation and use of Catalan, within the budgetary provisions and under the control of Parliament or local authority councils.

#### Article 28

##### *Cultural industries and the entertainment business*

1. The government of the Generalitat shall aid, encourage and promote:

a) Literary and scientific output in Catalan, distribution inside and outside the Catalan-speaking

territories and translation of literary and scientific works from Catalan into other languages, and translation of works written in other languages into Catalan.

b) The publishing, distributing and disseminating of books and magazines in Catalan.

c) The production of films in Catalan and the dubbing and sub-titling in Catalan of films originally made in other languages, and the distribution in whatever format, and the showing of these products.

d) The production, distribution and issuing of sound recordings and audio-visual material in Catalan.

e) The production and performance of entertainment in Catalan.

f) The creation, performance and production of music sung in Catalan.

g) The production, publishing and distribution of written and sound material in Catalan designed for the blind, and a basic cultural offer, in Catalan, for this sector.

h) All other public cultural activities in Catalan.

2. All measures taken to ensure the use of Catalan in cultural industries and in others shall be applied following objective criteria, without discrimination and within the budgetary provisions.

3. In order to ensure a significant presence of the Catalan language in available films, the government of the Generalitat can establish by a regulation linguistic quotas for the screening and distribution of film products distributed and shown either dubbed or subtitled in a language other than the original one. The quotas set for film products, whether dubbed or subtitled in Catalan, may not exceed fifty per cent of the annual total of films distributed or shown, and shall be based on objective criteria. The relevant regulation shall be issued within the context of the State Act No. 17 of 8th June 1994, concerning safeguarding and promoting the cinema, and according to the treatment set forth therein.

## Article 29

### *Language and computer industries*

The government of the Generalitat shall aid, encourage and promote with adequate measures:

a) Research, production and marketing of all kind of products in Catalan related to the language industries, such as systems of voice recognition, automatic translation and so on and others that technological advancement may make possible.

b) Production, distribution and marketing of computer software, computer games, digital and

multimedia products in the Catalan language, and the translation of such products into Catalan, when appropriate.

c) The presence of products and information in Catalan in telematic information networks.

## CHAPTER V

### Socio-economic activities

## Article 30

### *Public Companies*

1. Public companies of the Generalitat and local authorities, and also licensed companies thereof that manage or operate the licensed service, shall normally use Catalan in their internal procedures and documents, and on their signs, instruction manuals, labelling and wrapping of products or services they produce or provide.

2. The companies referred to in para 1 shall normally use Catalan in their notifications and communication, including invoices and other business documents addressed to individuals resident in the Catalan-speaking territories, without detriment to the citizens' right to receive them in Castilian - or when appropriate, in Catalan, on request.

## Article 31

### *Public services companies*

1. Companies and public or private entities which provide public services, such as those of transport, supplies, communication and others, shall use, at least, Catalan in their signs and loudspeaker announcements.

2. Written communiqués and notices addressed to individuals resident in Catalonia, including invoices and other business documents, made by companies and entities mentioned in para 1, shall at least be in Catalan, without detriment to the citizen's right to receive them in Castilian on request.

3. The provision in para 2 regarding invoices and other business documents shall be interpreted without detriment to the responsibility of the State to organise the aforementioned services when they directly render them or by means of their own companies and entities.

## Article 32

### *Serving the public*

1. Companies and establishments involved in the sale of products and rendering services which carry

out their activity in Catalonia shall be in a position to be able to serve consumers when they express themselves in either of the official languages in Catalonia.

2. The government of the Generalitat shall promote, by means of suitable measures, an increased use of Catalan within the activities referred to in para 1.

3. Permanent signs and posters with general information and documents offering services provided to users and consumers in establishments open to the public shall be at least drawn up in Catalan. This regulation is not applicable to trademarks, commercial names or to signs protected by industrial property legislation.

#### **Article 33**

##### *Contracted or subsidised companies*

Companies which have entered into a contract or a collaboration agreement with the Generalitat or with the local authorities of Catalonia, or are beneficiaries of aid or subsidies from them, shall use at least Catalan in their signs, announcements and documents addressed to the public, at least when the latter are linked to the object of the aid or agreement.

#### **Article 34**

##### *Information to users and consumers*

1. Information stated on labels, wrapping and instruction manuals for products distributed in Catalonia may be in Catalan, Castilian or in any other language of the European Union.

2. The compulsory data and voluntary additional information stated on the labels of Catalan products which benefit from certification of origin, territorial certification and certification of quality as well as craft products distributed within the territorial area of Catalonia shall be of necessity at least in Catalan.

3. The government of the Generalitat shall rule on information to consumers and users in certain sectors by regulations, and the labels and instruction manuals of industrial and commercial products distributed within the territorial area of Catalonia, especially packed food stuffs, dangerous and poisonous products as well as tobacco products, in order to ensure a progressive increase of the presence of Catalan, in accordance with the principles of this Act, European Union rules and other legal ordinances.

#### **Article 35**

##### *Advertising*

1. Institutional advertising by the Generalitat and local authorities, their public companies and licensees

and other Catalan institutions and corporations of public law, carried out within the territorial area of Catalonia, shall generally use Catalan.

2. The government of the Generalitat and local authorities shall favour, encourage and promote the use of Catalan in advertising with appropriate measures, especially in public thoroughfares, so that it becomes the language of normal use in the sector.

#### **Article 36**

##### *Professional and labour activities*

1. The government of the Generalitat and professional federations shall promote the use of Catalan in their professional activities.

2. The government of the Generalitat shall encourage and promote the use of Catalan in work centres, in labour relationships and in collective bargaining agreements, in company agreements and in labour contracts and it shall directly promote the participation of the unions and business organisations in order to achieve this aim.

3. Collective bargaining agreements and company agreements may contain linguistic clauses designed to promote knowledge of Catalan among employees and to guarantee its use in work centres and in labour contracts, wage slips and all other documents. The government of the Generalitat shall encourage the inclusion of such clauses in collective bargaining agreements.

4. Permanent signs and information containing text for people who are employed in work centres, and whose installation inside such centres is mandatory, shall at least be in Catalan.

### **CHAPTER VI**

#### **Institutional Stimulus**

#### **Article 37**

##### *Promotional measures*

1. The government of the Generalitat shall favour, encourage and promote the use of Catalan in labour, professional, commercial, advertising, cultural, social, sports, leisure and other kinds of activities.

2. The government of the Generalitat and the local authorities in their respective fields of responsibility shall promote the public image and use of Catalan and may provide tax allowances and exemptions for actions related to the normal use and promotion of the use of Catalan.

## Article 38

### *Support centres*

1. The government of the Generalitat, in agreement with local authorities, shall create and subsidise centres devoted to promoting the knowledge, use and spread of Catalan, especially where the sociolinguistic situation requires them. The Consortium Language Promotion, which acts as a body for developing the territorial policies for language promotion, shall be responsible for these support centres.

2. The centres referred to in para 1 shall have sufficient human and material resources to perform their duties.

## Article 39

### *Planning measures*

1. The government of the Generalitat shall avail itself of general linguistic planning devices consisting of periodic programs in order to fix the most appropriate aims and measures for each circumstance and to assess results. Planning mechanisms shall be developed with the various agents and groups involved, and principles of participation, simplification and effectiveness shall be borne in mind.

2. The government of the Generalitat shall draw up a sociolinguistic map of Catalonia, which shall be reviewed every five years, in order to adjust its linguistic policy action to the real situation and, likewise, to assess the consequences of actions carried out.

3. The government of the Generalitat shall inform Parliament each year of linguistic policy actions and the results achieved in the context of the mechanisms referred to in paras 1 and 2.

## ADDITIONAL PROVISIONS

### One

#### *Collaboration with other institutions and entities*

1. Without detriment to the application of this Act, the government of the Generalitat shall be vigilant in order to achieve the generalised use of Catalan, in a context of collaboration with European Union, State Authorities, the General Council of Legal Power and private and public companies of State, European or international scope, especially in the fields of the services, radio and television.

2. The government of the Generalitat shall be vigilant that there is an adequate presence of Catalan in the State-wide, trans-European and international media.

### Two

#### *Collaboration agreements with institutions of other Catalan-speaking territories*

1. The Generalitat shall seek agreements, contracts and treaties with the Aragonese, Balearic and Valencian Autonomous Communities and with the states of Andorra, France and Italy to promote cultural interchanges between Catalan-speaking territories and communities, and co-ordination and co-operation between communities or between States in linguistic policy matters, to ensure, with suitable measures, the promotion, use and protection of the Catalan language and to achieve generalising and spreading its knowledge and use in all linguistic areas, with respect for all the different varieties thereof.

2. The Generalitat, in order to favour a Catalan communication space, shall promote broadcasting and reception of the communication media in the Catalan language.

### Three

#### *External projection*

1. The government of the Generalitat shall be vigilant of the advancement of the Catalan culture and language outside the linguistic area, basically in academic and research fields, and also in European Union institutions and in their policies. In order to achieve this aim, the Generalitat may participate in an organisation common to the Catalan-speaking territories.

2. The government of the Generalitat shall enable distribution and learning of Catalan in the Catalan communities abroad, under the terms of Act No. 18 of 27th December 1996, concerning relations with Catalan communities abroad.

### Four

#### *Normative spelling of Catalan forenames and surnames*

The replacement of incorrectly written or spelt names by the correct forms, as laid down in article 19, shall be ruled by the procedure set forth in article 2 of the State Act 17 of 4th January 1977, concerning reform of article 54 of the Civil Registry Act, or the equivalent regulations which may replace it.

### Five

#### *Guarantees for fulfilment*

This Act does not contemplate sanctions for citizens. Nevertheless:

a) Breach of the rules in article 26 shall be deemed a breach of the essential conditions of licence, as a result of which the sanctioning treatment set forth in Act No. 8 of 5th July 1996 shall be applicable, regulating audio-visual programs broadcasts by means of cable, and by the State Acts No. 31 of 18th December 1987, of the telecommunication ordinance, and No. 25 of 12th July 1994, by which the EEC Directive 89/552 is included in the Spanish legal ordinance.

b) Breach of the rules laid down in articles 15, 30, 31 and 32.3 attributed to the companies and entities concerned, shall be deemed as an unjustified refusal to serve the wishes of users and consumers, as a result of which the sanctioning treatment set forth in Act No. 1 of 8th January 1990, concerning market discipline and defence of consumers and users, shall be applicable.

## **Six**

### *Economic provisions*

In the budgets of the Generalitat, relevant provisions shall be made in order to carry out the activities and to adopt the measures stemming from the implementation of this Act with sufficient means and resources, with special attention to the costs of a plurilingual educational system, of authorities that have two official languages and of cultural distribution in a restricted area language, furthermore bearing in mind the objective needs of territorial and sectoral distribution.

## **Seven**

### *Duties of vigilance and encouragement*

The Generalitat shall be vigilant so that regulations and administrative actions of other public authorities of the State respect the constitutional and statutory ordinance principles and this Act, and shall encourage legislative amendment of State regulations which hinder the use of Catalan in any field or restrict the full linguistic equality of citizens.

## **Eight**

### *Civil Service Rules*

The rules in this Act bind the staff in the service of the Authorities, in accordance with regulatory norms of the civil service.

## **TRANSITORY PROVISIONS**

### **One**

#### *Linguistic Use Rules*

The linguistic use rules referred to in article 9.3 shall be approved no later than two years after this Act has come into force.

### **Two**

#### *Company adaptation*

1. The companies and entities affected by this Act shall have two years to adapt to what is laid down in article 15 and the provisions in chapter V. This period will be five years for independent businessmen.

2. Within five years or before the expiry date if this is later, products or services referred to in article 34 may continue in the market without fulfilling the linguistic rules of labelling.

### **Three**

#### *Radio and television stations*

Articles 25 and 26 shall be applicable to those stations for which the Generalitat is responsible for granting authorisation and whose licence is to be conferred or renewed after this Act comes into force.

## **FINAL PROVISIONS**

### **One**

#### *Amendment of Act 8 of 15th April 1987*

1. Article 5 of the municipal and local treatment Act No. 8, of 15th April 1987, is amended and shall be drawn up in the following manner:

#### *"Article 5*

1. Catalan is the local authorities of Catalonia's own language and thus shall be the language normally and generally used in their activities.

2. All citizens shall be entitled to choose the official language in which to have their dealings with the local authorities, and the latter are correlatively obliged to serve them in the language they have chosen, in the terms set forth in Act No. 1, of 7th January 1998, on linguistic policy."

2. Article 294.2 of the municipal and local treatment Act No. 8 of 15th April 1987 is amended, and shall be drawn up in the following manner:

#### *"Article 294.2*

In accordance with their public employment



schemes, local authorities shall recruit staff by means of a public announcement and systems of tender, official examination and free official examination tender, which shall guarantee equality, merit, ability and announcement principles. In the recruitment process, proficiency in Catalan shall be accredited, as will Aranese in the local authorities of the Aran valley, both verbally and in writing, at the appropriate level for the duties of the work position to be filled."

3. Article 310.2 of the municipal and local authorities Act No. 8 of 15th April 1987 is amended, and shall be drawn up in the following manner:

"Article 310.2

The local authorities of Catalonia shall include the requirement of oral and written proficiency in the announcement of tender conditions for work positions for local authority civil servants whose professions are valid throughout the State."

## **Two**

### *Regulatory Development*

The government of the Generalitat shall be authorised to enact any regulatory provisions required to develop and apply this Act.

## **Three**

### *Replacement and validity of regulations*

1. Act No. 7 of 18th April 1983, on linguistic normalization in Catalonia, is replaced by the provisions of this Act, without detriment to all that is not contradictory becoming part of the Catalan legal tradition.

2. All the provisions arising from the development of Act No. 7 of 1983 which do not oppose this Act shall be valid, without detriment to any regulatory amendment that may arise.

3. The provisions of Act No. 3 of 5th March 1993, of the Consumer Statute and the rules passed to develop it that do not oppose this Act, shall be valid.

I therefore order all citizens to whom this Act applies to cooperate in its fulfilment and all courts and authorities concerned to see that it is carried out.

Palace of the Generalitat, 7th January 1998

JORDI PUJOL

President of the Generalitat of Catalonia