



The Property Registration Authority



Land Registry
Registry of Deeds

The Property Registration Authority

Inaugural Irish Language Scheme

2007 to 2010

under Section 11 of the Official Languages Act 2003

landdirect.ie





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PART I

1. Introduction and Background

This scheme was prepared under Section 11 of the Official Languages Act 2003 ("the Act") by the Land Registry/ Registry of Deeds. On 4 November 2006 pursuant to the Registration of Deeds and Titles Act 2006, the Property Registration Authority (PRA) was established. The PRA replaced the Registrar of Deeds and Titles as the "registering authority" and assumed control and management of both Registries. Throughout this document the organisation will be referred to as the PRA.

Section 11 provides for the preparation by public bodies of a statutory scheme detailing the services they will provide:

- through the medium of Irish,
- through the medium of English, and
- through the medium of Irish and English

and the measures to be adopted to ensure that any service not provided by the body through the medium of the Irish language will be so provided within an agreed timeframe.

1.1 Guidelines for preparation of a Scheme

Guidelines for the preparation of a Scheme were provided by the Minister for Community, Rural and Gaeltacht Affairs under Section 12 of the Act and this scheme has been drawn up with due regard to those guidelines.

1.2 Consultation

As provided for in Section 13 of the Act a bilingual notice was published in the Irish Times, Irish Independent, and the Irish Examiner and Lá on the 7 September 2005 and Foinse on the 11 September 2005 in which the intention to prepare a scheme under Section 11 was advertised and submissions were invited from any interested parties. In addition the staff of the PRA was invited to give their views and a notice on our website invited submissions from other interested parties. The advice of the Office of the Attorney General was sought and such advice was acted on in the drafting of the scheme. A number of individual customers who have previously indicated that they prefer to use Irish for the purpose of transactions with the PRA were also consulted. The PRA's Customer Focus Group was also invited to make submissions. A total of 3 submissions were received and all are available on the organisation's website www.prai.ie. The scheme has been developed taking account of all the submissions received, the views and suggestions put forward by the members of the Working Group (established for the purpose of drafting this scheme) and the current situation within the organisation in relation to Irish language capability.

This scheme was drafted by the Working Group which included representatives from each functional area of the PRA. The time and effort put in by all concerned in this process is gratefully acknowledged. The draft scheme was circulated to the Partnership Committee for approval in June 2006.

Responsibility for implementing the scheme will rest with the Senior Management Team within the PRA while ongoing monitoring of service provision and of the level of demand for services through Irish will be carried out by the QCS Officer, assisted by the Irish Language Team. Areas for future enhancement of the service provided by the PRA are identified in the body of the scheme. The PRA will continue to gauge the demand for its services in the Irish language by auditing the level of queries and requests



for services through Irish in any period. The order in which particular services will be prioritised for provision in the Irish language will be determined by the organisation with the agreement of the Minister for Community, Rural and Gaeltacht Affairs.

1.3 Commencement date of Scheme

This scheme has been confirmed by the Minister for Community, Rural & Gaeltacht Affairs. The scheme commenced with effect from 26 March 2007 and shall remain in force for a period of 3 years from this date or until a new scheme has been confirmed by the Minister pursuant to Section 15 of the Act, whichever is the earlier.

2. Overview of the Property Registration Authority

Under the provisions of the Registration of Deeds and Title Act 2006, the Property Registration Authority (PRA) was established as and from 4 November 2006.

The PRA replaced the Registrar of Deeds and Titles as the “registering authority” in relation to property registration in Ireland. The PRA is a statutory body whose members are representative of the main users and consumers of property registration services. Catherine Treacy, former Registrar of Deeds and Titles, is the first Chief Executive of the PRA. The new Authority will build on the modernisation programme that is already well under way and will play a dynamic role in promoting registration of ownership of land with a view to supporting the introduction of electronic conveyancing.

Overview of the services provided

There are two separate systems for recording transactions in relation to property in Ireland:

- The Registration of Title system operated by the Land Registry since 1892
- The Registry of Deeds system operated by the Registry of Deeds since 1708

The main functions of the new PRA are to manage and control the Registry of Deeds and the Land Registry and to promote and extend the registration of title to land.

3. Summary of Services and Activities of the Property Registration Authority

3.1 Functions of the Land Registry

The Land Registry was established in 1892 to provide a system of compulsory registration of title which would be simple, inexpensive and easily accessible.



When title is registered in the Land Registry the deeds are filed in the Registry and all relevant particulars concerning the property and its ownership are entered on registers called **folios** maintained in the Land Registry. In conjunction with folios the Land Registry maintains **maps**. All existing registers (folios and associated maps) are now held in electronic format. Work is underway to convert all of this information into a fully digitised format.

The Registration of Title Act, 1891, made registration of title compulsory in the case of all land bought out under the Land Purchase Acts. This meant that all subsequent transactions affecting the land would have to be registered. The Registration of Title Act, 1964, further provided for the extension of the system by making compulsory the registration of ownership of:

- land acquired after 1st January 1967 by any Statutory Authority
- land sold in an area in which the Minister for Justice has made an order making registration compulsory. Registration is compulsory in Counties Carlow, Meath and Laois. By Order dated the 23rd September 2005, S.I. No. 643 of 2005 compulsory registration was extended to 3 additional counties, Longford, Roscommon and Westmeath. This order came into effect on 1 April 2006.

The register is **conclusive** evidence of title to property and any right, privilege, appurtenance or burden appearing thereon. The Land Registry operates a non-conclusive boundary system which means that the map does not indicate whether a boundary includes a hedge or wall or ditch etc. However, the physical features along which the boundaries run must be accurately identified. The title shown on the folio is guaranteed by the State which is bound to indemnify any person who suffers loss through a mistake made by the Land Registry.

One of the main priorities for the new Property Registration Authority, is “to promote and extend the registration of ownership of land”.

The Property Registration Authority also operates the **Ground Rents Purchase Scheme** under the Landlord and Tenant (Ground Rents) (No 2) Act, 1978 under which tenant applicants can purchase the fee simple and any intermediate interest in their dwellings either through a consent procedure or an arbitration procedure and parties formerly entitled to the freehold or any intermediate interests can make purchase money applications to prove their entitlement to the purchase money.

3.2 Services provided by the Land Registry

- Maintenance of accurate registers, records and related maps in respect of registered title which are authoritative, up-to-date, open and accessible for inspection by the general public
- Supply of evidence of title - official certified copy folios and official certified copy maps
- Processing and certifying official searches against the registers and registry map
- Provision of public office services.

Many of the above services are provided electronically to account holders via the Land Registry web portal www.landdirect.ie.



3.3 Functions of Registry of Deeds

The Registry of Deeds was established in 1707 to provide a system of voluntary registration for deeds and conveyances affecting land and to give **priority** to registered deeds over deeds that are registrable but unregistered.

When a deed is registered in the Registry of Deeds it is not filed there; it is returned to the party who delivered it for registration.

The document filed in the Registry of Deeds is a **Memorial** which is essentially a synopsis of the deed and also contains other statutory requirements.

Abstracts are the primary documents used for legal searches and they are prepared by the Registry. An abstract contains the essential elements of the deed in a structured format as prescribed by the Act of 1832.

A purchaser of unregistered land can carry out a search in the Registry of Deeds to discover the **existence** of deeds affecting a piece of property. However, he must read the actual deeds to examine the title to the property. A memorial of a deed may serve as evidence of the contents of a lost deed.

The Registration of Deeds and Title Act 2006 provides for the drafting of new Rules in respect of the operation of the Registry of Deeds.

3.4 Services provided by the Registry of Deeds

The main responsibilities of the Registry of Deeds are:

- Registration of deeds and documents affecting **unregistered land** in accordance with governing legislation
- Maintenance of an accurate and up-to-date Registry of Deeds Names Index which is open and accessible for inspection by members of the public
- Maintenance of memorials and abstracts which are open and available for inspection by members of the public
- Carrying out of official searches against the Registry records on behalf of the public
- Provision of facilities to members of the public to conduct searches, including genealogical searches against the Registry records
- Provision of copies of memorials.

3.5 Functional areas

The Property Registration Authority is a multi-disciplined organization with an authorised staffing complement of 774 filling 665 posts comprising legal, technical and administrative personnel. The Senior Management team currently reports to the Chief Executive and is representative of all functional areas.

The Land Registry is currently organised on a geographic basis for administrative purposes. There are four offices in Dublin and an office in Waterford. Under the Government Decentralisation Programme some 230 Land Registry staff will be decentralised to new offices in Roscommon town by 2009.



An advance party of 33 staff have already moved to temporary accommodation in Government Buildings, Convent Road, Roscommon.

The Registry of Deeds is located at Henrietta Street in Dublin.

3.6 Support Areas

The work of the Regional Units is supported by the work of the following units:

- IT Unit
- Human Resources Unit (including training)
- Finance Unit
- Corporate Services Unit
- Customer Service Unit
- Internal audit

4. Factors that will impact on the scheme

4.1 Decentralisation

Under the Government's decentralisation programme 230 Land Registry officers will be decentralised to Roscommon town. It is anticipated that there will be a very significant turnover in staff arising from decentralisation resulting in a high loss of experienced staff. While the PRA will not be in a position to control the recruitment of staff for decentralisation in terms of Irish language proficiency we will endeavour to develop Irish language skills in all areas during and post - decentralisation as part of our training programme. However, due to the legal and highly complex nature of the work acquisition of a sufficiently high level of competency to conduct business in Irish in the new decentralised office will necessarily be slow. During this period it is anticipated that the already established Irish language team will deal with written applications for registration in the areas covered by the decentralised office.

5. Customers and Clients of the Property Registration Authority

The Registries provide services for the following clients:

- Legal profession
- General public
- Professional legal and genealogical searchers
- Government Departments (e.g. Agriculture, Land Commission, Office of Public Works, Revenue, Social Welfare, Education and the Valuation Office)
- Statutory and local authorities (e.g. ESB, Bord Gáis and Bord na Móna)



- Professional bodies (e.g. architects, engineers, surveyors and genealogical researchers)
- Ordnance Survey Ireland.
- Media.

The Chief Executive is accountable to the following stakeholders:

- The Property Registration Authority
- The Minister for Justice, Equality and Law Reform
- The Department of Justice, Equality and Law Reform
- The Staff of the Registries
- The Minister for Finance
- The Houses of the Oireachtas
- The Ombudsman
- The Information Commissioner
- The Comptroller and Auditor General
- The Courts (especially the High and Circuit Courts)
- The Statutory Rules Committee
- Persons with a registered interest in property.

6. Content of the Scheme

As an organisation, the PRA is committed to the implementation of the provisions of the Official Languages Act 2003. The PRA's customer charters contain a commitment to provide services where possible to those who wish to conduct their business through the medium of Irish. This scheme sets out in Chapter 7 below the extent to which services are currently available through Irish. Areas for future enhancement in delivery of service are detailed in chapters 8 to 11. The new Land Registration Rules (which will be drawn up under the Registration of Deeds and Title Act 2006) will specify that the Register may be kept in either of the two official languages or partly in Irish and partly in English. Applications for registration will therefore be registered in the official language in which the source documents are lodged for registration by the applicant. See paragraph 9.1.4 of scheme. The PRA will consult with the Land Registry of England and Wales to draw on their experience of providing a Land Register in two languages.

When the next upgrade of both the Integrated Title Registration Information System (ITRIS) and our interactive service (landdirect.ie) is being undertaken we will avail of the opportunity to develop the functionality to facilitate the provision of these services in Irish. This is dealt with in Chapter 9.3 of the scheme.

During the course of the initial Scheme, we will monitor the take-up of services, with a view to matching, over time, the provision of services with the level of customer demand. The aim over the period of this and subsequent schemes is to develop a quality service for customers who wish to conduct their business with the PRA in Irish, equal to the standard of service provided through English.



7. Provision of services in Irish – current position

7.1 Applications for Registration

An Irish language team was established in 2004 consisting of 14 staff members who are capable of providing service or are improving their skills in order to provide service in Irish. Eight of these are located in our Waterford office. This group of officers collectively have all of the necessary skills to execute all of the processes involved in an Irish language application for registration. This team is currently responsible for processing applications for registration lodged in Irish for all counties. Informal procedures for the provision of Irish language folios have been devised. These will be further developed and formalised during the course of the scheme.

The other members of the team are spread throughout the Dublin offices and they process applications for services such as copy folio/filed plan and Searches.

Members of the team have attended a variety of training courses including courses run by Gaeleagras. 6 staff members are currently pursuing an Irish Diploma course run by the National University of Ireland, Galway. Resources including dictionaries and translations of the most frequently used correspondence queries have been made available to the team.

7.2 Telephone service

A number of members of the Irish language team are also in a position to deal with telephone enquiries and enquiries at the public counter. A list of these staff members is available to all our staff on the Intranet.

7.3 Forms & Leaflets

The Land Registration Rules 1972 and the Forms prescribed therein are published bi-lingually by the Government Publications Office, Molesworth Street, Dublin 2. However, our most widely used forms (application form for copy folio, copy folio/filed plan, copy instrument as well as the application for registration - Form 17) are available in downloadable format on the website www.prai.ie in both official languages.

7.4 Website

There is currently a dedicated Irish language page on our website www.prai.ie containing;

- information on the function and services provided by the Land Registry and Registry of Deeds
- common Land Registry application forms
- Customer Charters and complaints procedures for both of the Registries
- Access to the Registration of Title Act 1964 (available via a link on the Irish page to www.achtanna.ie)

7.5 Publications

The Customer Charters and complaints procedure of the PRA were published bi-lingually in 2004. These are available on our website or in hard copy on request.

7.6 Complaints and appeals

Complaints and appeals procedure regarding services in Irish are dealt with through the normal QCS complaints procedure.

Areas for future enhancement in delivery of service in Irish



8. Means of communication

8.1 Telephone

- A new 1890 number will be created for enquires in Irish. This will allow the customer to contact a member of the Irish language team directly. The new number will be circulated to all of the major Irish language organisations.
(within 3 months of commencement of the scheme)
- Switchboard staff responding to our 6707500 number will give the name of the organisation in Irish and English and will transfer the caller to a member of the Irish language team without delay.
(from the commencement of the scheme)
- Voicemail - recorded messages will be bi-lingual if the individual staff member is competent in both languages.
(within 3 months of the commencement of the scheme)

8.2 Public Counter Staff

The PRA is currently located in five different buildings (four in Dublin and one Waterford) although plans are underway to centralise all of the Dublin offices in the one building. In our first scheme we intend to prioritise the provision of services at the public counter in three areas - our offices at Chancery Street and the Setanta Centre in Dublin and our office at Government Buildings, Cork Road, Waterford and appropriate structures will be put in place so as to ensure that a bi-lingual counter service will be available from these offices. For more complex queries the officer will take details of the query and revert to the enquirer with a reply, as is the practice with queries in English. However, it should be noted that the PRA is a registering body, not an advisory body and as such staff of the PRA cannot give legal advice in individual cases, in either of the official languages.

(by the end of year 1 of the scheme)

8.3 Website

The English language content of the website is currently being updated. When the update is completed an Irish language version of the website will be created. The Irish site will be developed on a phased basis over the period of the scheme. This site will mirror all new static content which appears on the site after re-launch with the exception of the "Practice Directions" and legal office notices which are of a technical legal nature.

(commencing within 3 months of the updating of the existing website)

8.4 Publications

In addition to our statutory obligations under Section 10 we will publish any new information leaflets and brochures bi-lingually and within one cover except where this is not feasible because of the nature, size or layout of the material.



The Registries' "Section 15 manual" under the Freedom of Information Acts 1997 & 2003 is currently being revised. The revised manual will be published in Irish and English.

(by end of year 1 of the scheme)

8.5 Press releases and speeches

Speeches will be made available in the language in which they are given.

80% of standard customer notices will be published bi-lingually on our website.

The PRA undertakes to provide 10% of its Press releases bi-lingually by the end of the first scheme.

(within 3 months of commencement of the scheme)

8.6 Public meetings

While the PRA does not hold public meetings, seminars for solicitors and other customers are hosted from time to time. Details of our Irish language policy will be made available at these events. The opportunity will also be taken to ask attendees whether they use the services in Irish and any comments thereon.

(from the commencement of the scheme)

8.7 Legislation and Statutory Instruments

The Registration of Title Act 1964 is accessible in both languages via website link on the website. The Land Registration Rules 1972 is accessible in English on the website. The new Registration of Deeds and Title Act 2006 and the new Land Registration Rules will be accessible in both languages on the website once they have been made available in Irish by Rannóg an Aistriúcháin.

9. Provision of Services

9.1 Land Registry Services

9.1.1 Applications for Searches

Application forms for searches will be available in both languages on the website. Results of searches will be given in the language of the source document. Hard copy application forms will be available bi-lingually. (See paragraph 9.3.1 below for details in relation to electronic searches via landdirect.ie)

(within 3 months of the commencement of the scheme)

9.1.2 Application for Copy folios & Copy folio/filed plan & Copy Instruments

Application forms are currently available on the website in both languages. Hard copy application forms will be available bi-lingually except where this is not feasible because of the nature, size or layout of the form.

9.1.3 Ground Rents applications

Application Forms A, B and C will be made available online in both languages.

(within 3 months of the commencement of the scheme)



A Vesting Certificate will issue in the Irish language if the application lodged is in the Irish language.
(from the commencement of the scheme)

9.1.4 Applications for registration in the Land Registry

Applications for registration will be registered in the official language in which the source documents are lodged for registration by the applicant. Our current IT system (ITRIS) is not designed to process applications for registration in Irish. New procedures, compatible with our current IT system, will be developed to facilitate the provision of folios in Irish where the source documents are lodged in Irish. Furthermore, individual register entries will be registered in the official language of the source document on which they are based. Therefore some folios will be exclusively in Irish, some exclusively in English and within some folios there may be some entries in Irish and some in English.

(within 6 months of the commencement of the scheme)

It is not proposed to offer a facility for the registered owner to apply for conversion of a folio from the English language version to an Irish language version (or vice versa). However, where requested we will provide ad-hoc translations of English only or Irish only folios (or individual entries on folios). Such translations will be stamped with a disclaimer that these translations have no legal status.

(within 3 months of the commencement of the scheme)

A company can only be registered as owner of a property in whichever of the official languages in which it is incorporated in the Companies Office. Similarly a financial institution can only be registered as owner of a charge in its official name whether in Irish or English.

(from the commencement of the scheme)

9.2 Registry of Deeds Services

9.2.1 Searches

Application forms for searches may be printed down from the website in either the English or the Irish language.

Search Results (including common searches, negative searches and genealogical searches) will be given in the language of the source documents.

(within 6 months of the commencement of the scheme)

9.2.2 Copy Memorials

Requisition forms may be printed down from the website in either Irish or English. Where an application for a copy memorial is made in Irish a copy of the relevant Memorial will be provided to the customer in the language in which it was originally filed in the Registry of Deeds. In all cases the names of the grantors/grantees will be given in the language registered in the Registry of Deeds.

(within 6 months of the commencement of the scheme)

9.2.3 Applications for registration in the Registry of Deeds

Hard copy application forms may be printed down from the website in either Irish or English. The applicant must lodge the relevant Memorial in the same language as the deed on which it is based.

(from the commencement of the scheme)



9.3. Information Technology

9.3.1 Computer systems & Internet Services

ITRIS (Integrated Title Registration Information System) is the background electronic system which is used in the Land Registry to process applications and to store folios and related casework information. This system which was designed during the 1990's and introduced in 1999 does not have the capacity to process applications for registration in the Irish language.

landdirect.ie (formerly EAS) is the electronic interactive system which enables account holders to avail of many of our services online. The services provided include facilities for searching and locating property using our digital map and using our property index to find an address and locate a folio. It also allows subscribers to order copy folios/filed plan maps online. While landdirect.ie currently allows a subscriber to search the names index for Irish names, it is not currently possible to order copy folios/filed plans in Irish via the landdirect electronic service.

Commencing in 2009, a major upgrade of both the landdirect.ie and the ITRIS systems will be undertaken. This will involve considerable changes to the underlying technology and will afford us the opportunity to develop the necessary functionality to deliver our interactive services bi-lingually for the first time. However, the name of the service - landdirect.ie - as a brand name, will exist in the English language only.

10. Placenames

Section 4(2) of the Ordnance Survey Ireland Act 2001 (as amended by section 34 of the Official Languages Act 2003) provides for the depiction of placenames in the Irish language or in the English and Irish languages on Ordnance Survey maps. The official placenames in all Gaeltacht areas are set out in An tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004 (S.I.872 of 2004) made by the Minister for Community, Rural and Gaeltacht Affairs.

At present Ordnance Survey Ireland are in the process of changing their map base to a new map projection, the Irish Transverse Mercator projection (ITM). The Land Registry Digital Map Project is also underway. Over the course of the next five years the Land Registry will replace its existing paper base maps with the new digital ITM maps. The townland names will be available in Irish and English on the revised versions of the maps. We will work closely with Ordnance Survey Ireland to achieve the maximum efficiency in the introduction of the Irish placenames.

(commencing once the new OSI maps become available)

Once the revised OSI maps are available, we will be in a position to ensure that the Irish Gaeltacht placenames are used as a default on the register in Gaeltacht areas when folios are being created. Individual existing folios will be updated when there is some activity on the folio (e.g. when a new application lodged for registration).



In the interim, the database of placenames used in the Land Registry will be in English in order to comply with Section 85 of the Registration of Title Act 1964. In Gaeltacht areas we will also insert the Townland and Barony details in Irish in order to comply with the Official Languages Act. We will also follow this procedure in cases where the source documents are lodged in the Irish language.

(from the commencement of the scheme)

11. Human Resources and Training

11.1 In addition to the measures already in place, the Human Resources Unit will:

- Include information on our language policy as part of our induction training and customer service training **(within 3 months of commencement of the scheme)**
- Provide an updated list of the members of the Irish language team to the staff at reception, switchboard and customer support units. This list will also be posted on the intranet **(from the commencement of the scheme)**
- Encourage staff who have passed the civil service Irish language competence test to use and build on their existing skills
- Provide a list of “Frequently asked questions” to assist staff in dealing with enquiries at the public counter **(from the commencement of the scheme)**
- Facilitate the development of Irish language competency skills in staff who are/will be engaged in delivering service in Irish. This will be subject to balancing competing operational requirements of the Registries **(from the commencement of the scheme)**
- Advise staff in relation to the range of Irish language classes available outside of office hours (e.g. third level diploma in Irish, Gael Linn, Conradh na Gaeilge etc) **(from the commencement of the scheme)**
- Promote the refund of fees scheme as a mechanism for encouraging Irish language training **(from the commencement of the scheme)**
- Keep under review the number of staff with proficiency in Irish and identify measures to address any deficits **(during the course of the scheme)**
- Carry out regular assessments of all Irish language courses provided to the Registries to ascertain how effectively they meet the needs of the Office **(from the commencement of the scheme)**
- Provide a specialised training course to the Irish language team in Waterford **(within the first six months of the scheme)**
- Carry out an assessment of training needs of the members of the Irish team based in the Dublin offices **(within the first six months of the scheme).**

11.2 References

Staff responsible for delivery of service in the Irish language will have access to public service online references including www.coimisineir.ie, www.acmhainn.ie, www.gaelspell.ie

We will provide in e-format on the internal network, “Tearmaí Dlí” which is out of copyright, as a resource for technical terms.



A handbook of relevant vocabulary/phraseology will be developed for the Registries.
A range of Dictionaries will also be made available to the Irish language team.
(from the commencement of the scheme)

12. Monitoring and revision

The Senior Management Team will keep the effective operation of the scheme under review, while ongoing monitoring of service provision and of the level of demand for services through Irish will be carried out by the QCS Officer, assisted by the Irish Language Team.

As part of their overall responsibilities under the modernisation programme, line managers in Divisions will monitor the day-to-day implementation of the scheme within their own areas.

Future customer surveys will include questions in relation to satisfaction with the provision of services in Irish, and the demand for these services.

Progress on the scheme will be reported in the Annual Report for the PRA each year.

13. Publicising of Agreed Scheme

The contents of this scheme, together with its commitments and provisions, will be publicised to the general public by means of:

- Press release
- Circulation to appropriate agencies and public bodies
- Website

A copy of this scheme has also been forwarded to Oifig Choimisinéir na dTeangacha Oifigiúla.