ABINGTON HOUSING AUTHORITY LANGUAGE ACCESS PLAN

I. INTRODUCTION

The Abington Housing Authority ("LHA") is committed to ensuring equal access to its programs and services by all residents, regardless of primary language spoken.

Pursuant to <u>760 CMR 4.02(1)(e)</u>, Massachusetts Local Housing Authorities must adopt and enforce a Language Access Plan ("LAP") regardless of whether they receive federal funds. DHCD has provided "DHCD LAP Guidance to Program Administering Entities" as an appendix to its Language Access Plan, most recently in 2017.¹

<u>Title VI of the Civil Rights Act of 1964</u> ("Title VI") also requires recipients of federal financial assistance to take reasonable steps to ensure meaningful access to their programs and services by individuals with Limited English Proficiency ("LEP"). Persons who do not speak English as their primary language and who have a limited ability to read, write, or understand English may be considered LEP individuals. Such reasonable steps to ensure meaningful access include language access planning.

On January 22, 2007, the U.S. Department of Housing and Urban Development ("HUD") issued Final Guidance to recipients of HUD funding concerning compliance with the Title VI prohibition against national origin discrimination affecting LEP individuals, including detailed guidance for language access planning.²

Furthermore, HUD's Final Guidance defines a four-factor self-assessment method which assists agencies receiving HUD funds in determining the extent of their obligations to provide LEP services. DHCD, in its "DHCD LAP Guidance to Program Administering Entities," has encouraged LHAs to utilize this four-factor self-assessment method regardless of whether they receive HUD funds. Based on the DHCD and HUD guidance, the LHA has completed an LEP four-factor self-assessment ("Attachment A").

¹ https://www.mass.gov/files/documents/2017/10/25/lapdhcd2017.docx

² https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against; see also https://www.federalregister.gov/documents/2007/03/16/E7-4794/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against (Update of Web Site Reference)

Using the LEP self-assessment as a guide, the LHA has prepared this LAP, which defines the actions to be taken by the LHA to ensure LHA compliance with Title VI and/or DHCD requirements with respect to LEP individuals. The LHA will periodically review and update this LAP in order to ensure continued responsiveness to community needs and compliance with 760 CMR 4.02(1)(e), as well as Title VI and related HUD guidance as applicable.

II. GOALS OF THE LANGUAGE ACCESS PLAN

The goals of the LHA's LAP include:

- To ensure meaningful access to the LHA's housing programs by all eligible individuals regardless of primary language spoken.
- To ensure that all LEP individuals are made aware that the LHA will provide free oral interpretation services to facilitate their contacts with and participation in programs administered by the LHA.
- To provide written translations of vital documents to LEP individuals speaking priority languages.
- To ensure that LHA staff are aware of available language access services and how these services need to be used when serving LEP individuals.
- To provide for periodic review and updating of this LAP and services in accordance with community needs.

III. LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

See "Attachment A" for data analysis of LEP populations.

IV. TYPES OF ASSISTANCE NEEDED BY LEP INDIVIDUALS

Most contacts between the LHA and LEP individuals involve meetings, written communications and phone calls where information is exchanged. Examples include interactions by applicants with LHA staff during the application process leading up to and including placement in housing, as well as periodic contact between residents and LHA staff related to management, maintenance and lease compliance issues. Oral language assistance services may be needed for these contacts. Oral language assistance service may come in the form of "in-language" communication (a demonstrably qualified bilingual staff member communicating directly in an LEP person's language) or interpretation services. These services may also be necessary to communicate with LEP individuals when written materials are insufficient.

Other contacts involve the exchange and review of printed materials, some of which may be considered "vital documents". HUD's Final Guidance defines vital documents as, "any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP individuals specifically". The LHA will strive to provide translation services as necessary and as resources permit for any document considered vital for an applicant's, tenant's, or participant's meaningful program access as provided in section V.B below ("Written Translation").

V. LANGUAGE ASSISTANCE TO BE PROVIDED

To promote equal access to LHA programs and services by LEP individuals, the LHA will implement the following array of Language Access services:

A. <u>Identification of LEP Individuals and Notices</u>

Use of "I Speak... Language Identification Flashcards": To help identify LEP individuals and determine the appropriate Language Access, the LHA will post and make available "I Speak... Language Identification Flashcards" in common areas, and by request. Applicants and residents can use these guides to indicate their primary language. During the tenant selection screening process, LHA staff will make appropriate arrangements for interpretation services generally; using either a bilingual staff person or a telephone interpretation service.³

Notices of Oral interpretation Services: Subject to budget constraints and in consideration of the four-factor self-assessment described on Attachment A, the LHA will provide free access to language assistance for staff contact with LEP individuals. The LHA will prominently post multi-language notices in common areas and on its website which indicate that free language assistance is available upon request (see "Attachment B"). The LHA will also gather data on requests for language assistance by language to inform its four-factor self-assessment.

B. Language Access Measures

Oral Interpretation - Staff: When feasible, bilingual LHA staff will be utilized to communicate with LEP individuals in their native languages and to assist them in reviewing LHA materials, answering questions about LHA programs, and responding to LHA forms and information requests. Currently, LHA employs staff members who speak English.

Oral Interpretation - Telephone Support: Subject to budget constraints and in consideration of the four-factor self-assessment described on Attachment A, if qualified bilingual LHA staff are unavailable to communicate with an LEP

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³ "I Speak..." Language Identification Flashcards are available in numerous languages from the U.S. Census Bureau: https://www.lep.gov/sites/lep/files/media/document/2020-02/crcl-i-speak-booklet.pdf

individual who is requesting assistance, the LHA will use the services of a professional telephone interpretation service, including when an LEP individual uses an "I Speak... Language Identification Flashcard" to signify that they speak a non-English language. When these contacts involve review of LHA forms and procedures, the LHA will schedule the call so that the telephonic interpreter has the opportunity to first review the relevant form or procedure. The LHA will only utilize interpretation services which demonstrate a high degree of training and professionalization among the interpreter staff. The LHA currently utilizes Language Line Services, Inc. a service which provides trained and certified interpreters and coverage for a multitude of languages. LHA staff will be trained in how to access this service, which will be available as needed for LEP applicants and residents.

Oral Interpretation - In Person Assistance: Subject to budget constraints and in consideration of the four-factor self-assessment described on Attachment A , in limited instances where telephone interpretation services or the use of bilingual LHA staff are determined insufficient to ensure meaningful access, the LHA may provide qualified in-person interpretation services at no cost to the LEP individual through the use of community resources and/or outside organizations or vendors who employ or contract with qualified and trained interpreters. Examples of contacts where in person assistance may be requested includes termination hearings and evictions. Due to the considerable expense often involved in providing in person assistance, unless in-person interpretation is available at low cost through community resources, the LHA will generally strive to use telephonic assistance, as resources permit. If the LEP individual does not wish to use the free interpretation services offered by the LHA, the LEP individual may provide their own qualified interpreters at their own expense.

Oral Interpretation - Use of Other Interpreters not provided by the LHA: As noted above, LEP individuals will be informed that the LHA will provide them with free access to oral interpretation services via bilingual LHA staff or qualified, trained contractors as needed. If the LEP individual requests their own qualified, trained interpreter this will be allowed at the individual's own expense. Use of family members and friends as interpreters is allowed. Staff will be advised to be alert to the potential for any conflict of interest or competency issue that may arise from the involvement of family or friends.

Written Translation: The LHA will strive to translate documents that are vital to meaningful program access as resources permit and in consideration of the four-factor-self-assessment referenced in Attachment A and applicable HUD guidance.⁴ Priority languages for translation are identified in Attachment A. Vital documents are those that are critical for ensuring meaningful access to the LHA's

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 $^{^4}$ HUD guidance indicates that written translation of vital documents for each eligible LEP language group that constitute more than 5% (if > 50) of the eligible population in the market area or among current beneficiaries, or 1,000 of such persons, whichever is less, will constitute strong evidence that reasonable steps have been taken to address written translation needs.

major activities and programs by beneficiaries generally and LEP persons specifically. Meaningful program access generally requires awareness of, and ability to participate in, procedures for applying to the program, for meeting the requirements of the program, and for enjoying important benefits of the program. Meaningful program access also requires awareness of rights and services; otherwise, LEP persons may effectively be denied such access.

Written or "vital documents" include:

Application-related documents

- Lease-related documents
- Rent-redetermination related documents
- Consent and complaint forms
- Written standard notices of rights, denial, loss, or decreases in benefits or services, and other notices relating to hearings/conferences/grievances
- Notice to quit and eviction-related documents
- Non-Vital or Non-translated Written documents: For documents not considered "vital documents" or not immediately translated, a notice must be placed on the document which states in the most frequently encountered languages identified under the administering entity's LAP, "This is an important document. Please contact The Abington Housing Authority at 71 Shaw Avenue, Abington MA 02351 Phone number 781-878-3469 for free language assistance" (see "Attachment C").
- Legal documents: In the case of legally binding documents such as a lease, although a translated copy of the document should be provided, the English version of the document is the one that is legally binding and considered the official document. The translated document is to be used as a reference tool only. A brief statement will be included on these documents in the language which the document has been translated into which states "This document is for informational purposes only. The English version of this document is considered the legally binding document" (see "Attachment D").
- Translation of written documents: For LHA program documents, including those
 that are highly individualized (such as ineligibility, termination or appeal notices),
 the LHA will, to the extent feasible within administrative and fiscal limits,
 translate these documents based on an assessment utilizing the four-factors
 discussed above.
- Note on timing-related rights: A person with LEP will not be penalized or denied
 meaningful and effective access because of an administering entity's inability to
 provide timely translation or interpretation services. This would include allowing
 additional time for translation and/or interpretation without impacting an
 applicant's position on the LHA waitlist.

• Review and updating: The LHA will periodically review and update the list of vital documents to reflect those documents which are considered vital to applicants and/or residents, and will also track existing translated documents that need to be updated for consistency with updated English-language documents.

C. Staff Training and Coordination

The LHA will provide training on LEP awareness and required assistance actions under the Language Access Plan for employees. This will include:

Training: The LHA will make reasonable efforts to avail its staff and employees of any available trainings on Language Access. LHA employees and staff who regularly interact with LHA clients will be encouraged to complete periodic refresher trainings on Language Access.

LEP Coordinator: The LHA has designated the Administrative Assistant as the LEP Coordinator, responsible for ongoing updating of LEP analysis, addressing staff and public questions and issue related to LEP matters, and providing ongoing LEP training.

D. Providing Notice to LEP Individuals

To ensure that LEP individuals are aware of the language services available to them, the LHA will post LEP notices in multiple languages in the LHA's common areas, on the LHA's website, and will make LEP notices available upon request.

E. Monitoring and updating the Language Access Plan

The LAP will be reviewed and updated periodically as needed. The review will assess:

- Whether there have been any significant changes in the composition or language needs of the LEP-population in Plymouth County and/or based on LHA data;
- A review to determine if additional vital documents require translation;
- A review of any issues or problems related to serving LEP individuals which may have emerged; and
- Identification of any recommended actions to provide more responsive and effective language services.

Adopted by the Board of the Abington on: December 15, 2021

Attachment A: LHA's Four Factor Self-Assessment Analysis Regarding LEP Individuals

Attachment B: Language Assistance Protocols Attachment C: Important Document Notice Attachment D: Legal Notice Translation

Attachment A

LHA's Four-Factor Self-Assessment Analysis Regarding Limited English Proficiency (LEP) Individuals

1. Assessing the number and proportion of LEP individuals served or encountered in the eligible service population.

Data estimates are based on the following data sources:

(a). Census data at the County level (for estimating potential LEP applicants encountered by the LHA):

See data graph (attached) compiled by Department of Housing and Community Development of citizens of Plymouth County aged 5 years and over for which English is spoken "less than very well."

[INSERT LANGUAGES WITH CORRESPONDING NUMBER OF LEP PERSONS FOR THAT LANGUAGE AND % OF THE 5+ POPULATION FOR THE COUNTY]:

None	

(b). Municipal Data [For use only where the % of LEP population speaking the language in the City/Town is greater than the percentage for the County]:

See data graph (attached) compiled by Department of Housing And Community Development of citizens of Abington aged 5 years and over for which English is spoken "less than very well."

[INSERT LANGUAGES WITH CORRESPONDING NUMBER OF LEP PERSONS FOR THAT LANGUAGE AND % OF THE 5+ POPULATION FOR THE CITY/TOWN]:

None
(c). Applicant data (e.g., data on CHAMP application languages for estimating applicant LEP population served):
(d). Tenant data (e.g., data on primary languages and communication preferences by language for estimating tenant LEP population served):
Census Information provided by DHCD.
(e). Other (e.g., data on telephonic or in-person interpretation usage by language, data from surveying other organizations serving LEP persons in the LHA's region)

Based on the above data sources, the following languages are priority languages for translation, in descending order of priority for translation [Spanish must be included]:
<u>Spanish</u>
2. Assessing the frequency with which LEP individuals come into contact with the program, activity, or service.
_20 to 40 request are made to the Abington Housing Authority for translation related services on an annual basis
3. Assessing the nature and importance of the program, activity, or service provide by the program.
_All request have been related to the Application process.
4. Assessing the resources (e.g., translation services, bilingual staff, community resources, etc.) available to the LHA and costs.
The Authority uses the services of the Language Line Services, Inc. and, on occasion the
Multi lingual staff of Old Colony Elder Services and the Brockton housing Authority.

Attachment B

Language Assistance Protocols

Language Line Solutions, Inc. 1 Lower Ragsdale Drive, Building 2 Monterey, CA 93940

Telephone Number: 800-752-6096

Email Address: Translation@languageline.com

Website: www.languageline.com

LHA Account # 9020526083

Identifying Need for Language Assistance:

Persons with LEP will often be able to convey, including through third parties, their need for language assistance, although in some instances one or more of the following steps may be necessary to identify the language and the nature of the assistance sought.

- 1) Utilize "I-Speak cards" where walk-ins occur to identify what language the person reads or speaks. I-Speak cards are available at the following website: https://www.lep.gov/sites/lep/files/media/document/2020-02/crcl-i-speak-booklet.pdf.
- 2) Consult available *LHA staff* who can provide initial support in identifying languages and assistance needed by persons with LEP that come into direct contact with the LHA in person, by telephone, or in writing.
- 4) Utilize LHA's over-the-phone telephonic services account with Language Line Solutions (see below for further information).

<u>Note</u>: Persons with LEP must not be turned away or told that they must secure their own interpreter or translator. Language assistance through interpreter or translator services as appropriate must be sought as soon as possible and timing related rights must be preserved while such services are being sought.

Protocols and Procedures for Providing Oral Language Assistance (Interpretation):

Select appropriate method for providing interpretation on a case-by-case basis depending on the nature and importance of the communication, including whether in-person interpretation is necessary for providing meaningful access to programs and services. The following are interpreter resources for consideration:

Adopted by the AHA December 15, 2021

a. LHA staff

The Staff will use Language Cards to identify the language spoken by the individual and will access the quickest translations services available,

b. *Community/other resources* (e.g., non-profit assistance or inter-agency partnerships)

The Authority will utilize the multi-lingual capacities of Old Colony Elder Services and the Brockton Housing Authority when appropriate.

- c. Currently, **Language line Solutions** is to be used for over-the-phone interpretation. Useful tips for using interpreter services and further protocols for telephonic interpretation are provided below.
- d. *In-Person Assistance*: In limited instances where in-person assistance is necessary to ensure meaningful access and use of bilingual LHA staff is determined to be insufficient or inappropriate (e.g., due to a conflict of interest), the LHA may provide qualified in-person interpretation services at no cost to the LEP individual either through local community organizations Old Colony Elder Services.

The Authority will use the Language cards to identify the language spoken and then use the Language Solutions line to communicate with the individual that we are setting up a time to meet with them in person with a person who can translate.

Protocols for Using Over-the-Phone Interpretation:

Language Line Solutions, Inc. 1 Lower Ragsdale Drive, Building 2 Monterey, CA 93940

Telephone Number: 800-752-6096

Email Address: <u>Translation@languageline.com</u>

Website: www.languageline.com

LHA Account # 9020526083

Additional Protocols for Administrative Staff

1) Utilize staff resources or the service to:

- a. Determine the LEP caller's question or issue.
- b. Obtain the LEP caller's name, contact information, and best times when he or she can be reached.
- c. Inform the LEP caller that the appropriate staff person will contact the caller.
- After the call ends, let the appropriate staff person that would handle the caller's type of question/issue know that the caller requires follow-up with language interpretation and specify for the staff person the information corresponding to paragraph (1) (a)-(c) above as well as whether the issue appears to be time sensitive.
- 3) Assist the staff person to utilize staff resources or over-the-phone interpretation to follow-up with the LEP caller.

<u>Note</u>: the following are useful tips for utilizing over-the-phone interpreter services:

- Explain to the interpreter the purpose of the communication (i.e., assistance filling out a housing application). It is also helpful, particularly for more complex situations, to give the interpreter a brief overview and description of the information to be conveyed.
- Provide brief explanations of technical terms of art that may come up during the communication, such as eligibility, income limits, recertification, lease violation, etc.
- Speak as if talking directly with the person with LEP and not with the interpreter. It may be helpful to check in with the interpreter to make sure he/she is understanding what you are saying. If in person, face the person with LEP and look at him/her and not the interpreter.
- Speak in short sentences and enunciate words.
- Express one idea at a time and allow the information to be interpreted prior to continuing.
- Avoid using acronyms, such as HUD, DHCD, etc.
- Inform the interpreter when you are no longer in need of his/her services.

Protocols and Procedures for Providing Written Language Assistance (Translation):

- 1) Translation of vital documents:
 - a. LHA staff

The Abington Housing Authority does not currently employ Multi-lingua staff. Through a management agreement with the Brockton Housing Authority they do have access to the multi-lingual staff of that agency who may translate documents

b. *Community/other resources* (e.g., non-profit assistance or inter-agency partnerships)

The Abington Housing Authority has agreements with Old Colony Elder Services and the Brockton Housing Authority who have multi-lingual capacity.

- e. Currently, Language line solutions or other approved vendor as noted above is to be used for written translation.
- 2) To the extent important documents have yet to be translated, free language assistance terminology translated in other languages must be inserted with the document (see "Attachment C").
- 3) For legally binding documents, such as a lease, the translation must be accompanied by a statement in the language of the translated document indicating that the translated document is for informational purposes only and that the English version is considered the legally binding document (see "Attachment D").

Attachment C

Important Document Notice

This is an important document. Please contact [AGENCY NAME] at [PHONE #] for free language assistance.

Este documento es muy importante. Favor de comunicarse con el para ayuda gratis con el idioma. (Spanish)	en
Este é um documento importante. Entre em contato com opara obter assistência gratuita com o idioma. (Portuguese)	no número
Dokiman sila a enpòtan. Tanpri kontakte la nan ponan lang. (Haitian Creole)	ou asistans gratis
此文件為重要文件。如果您需要免費的語言翻譯幫助.請聯絡聯絡	方式:
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Adopted by the AHA December 15, 2021	

This is an important document. Please contact [AGENCY NAME] at [PHONE #] for free language assistance.

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Attachment D

Legal Notice Translation

This document is for informational purposes only. The English version of this document is considered the legally binding document.

Este documento es con el propósito de información solamente. La versión en Inglés de este documento es la que se considera válida legalmente. (Spanish)

Este documento é para fins informativos. Somente a versão em inglês deste documento é considerada um documento legalmente obrigatório. (Portuguese)

Dokiman sila a se pou enfòmasyon sèlman. Se vèsyon angle dokiman sila a nou konsidere antanke dokiman ki angaje devan lalwa. (Haitian Creole)

本檔僅供資訊瞭解之用。只有本檔的英文版本被看成具有法律效率的檔。 (Chinese, Traditional)

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Tài liệu này chỉ nhằm mục đích thông tin. Phiên bản tiếng Anh của tài liệu này được xem là một tài liệu có tính ràng buộc về mặt pháp lý. (Vietnamese)

Dukumentigan waa mid loogu tala galay mid wargelin ahaan oo kaliya. Qeybta ku qoran afka Ingiriiska ee dukumentigan ayaa u taagan dukumentiga sharciga ah. (Somali)

(Arabic)

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Il presente documento ha esclusivamente scopo informativo. La versione inglese del presente documento è il documento legalmente vincolante. (Italian)

This document is for informational purposes only. The English version of this document is considered the legally binding document.

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この文書は情報提供のみを目的としたものです。本文書の英語版は法的効力を持つ文書となります。 (Japanese)

Այս փաստաթուղթը տեղեկատվական նպատակների համար է միայն։ Այս փաստաթղթի անգլերեն տարբերակն է համարվում իրավաբանորեն պարտավորեցնող փաստաթուղթ։ (Armenian)

ື້ນແມ່ນເອກະສານໃຊ້ເພື່ອໃຊ້ໃນຈຸດປະສົງຂອງການໃຫ້ເຂົ້າໃຈຂໍ້ມູນເທົ່ານັ້ນ. ເອກະສານນີ້ທີ່ໃຊ້ເປັນສະບັບຖືກຕ້ອງຕາມ ກົດໝາຍຈະແມ່ນສະບັບພາສາອັງກິດເທົ່ານັ້ນ. (Lao)

Ovaj dokument služi samo u informativne svrhe. Verzija ovog dokumenta na engleskom jeziku se smatra zakonski obavezujućim dokumentom. (Serbo-Croatian)

یہ دستاویز صرف معلوماتی مقاصد کیلئے ہے۔ اس دستاویز کا انگریزی ورژن قانونی طور پر پابند کرنے والا دستاویز ہے۔ (Urdu)

આ દસ્તાવેજ માત્ર માહિતીના હેતુઓ માટે જ છે. આ દસ્તાવેજનું અંગ્રેજી સંસ્કરણ કાનૂની રીતે બાધ્ય દસ્તાવેજ ગણવામાં આવશે. (Gujarati)

เอกสารนี้สำหรับใช้เป็นข้อมูลเท่านั้น ฉบับภาษาอังกฤษของเอกสารนี้ถือเป็นเอกสารที่มีภาระผูกพันตามกฎหมา ย (Thai)

این سند صرفا جهت اطلاع می باشد. تنها نسخه انگلیسی آن از لحاظ قانونی یک سند تعهدآور است.

(Farsi)