



2011 CHAPTER 1

Functions of the Commissioner

Conciliation of disputes

12.—(1) The Commissioner may make arrangements with any other person for the provision of conciliation services by, or by persons appointed by, that person in relation to disputes which may lead to proceedings involving law or practice concerning the interests of older persons.

(2) Neither the Commissioner nor any officer of the Commissioner may participate in the provision of conciliation services for which arrangements are made under this section.

(3) The Commissioner must ensure that any arrangements under this section include appropriate safeguards to prevent the disclosure to the Commissioner or officers of the Commissioner of information obtained by a person in connection with the provision of conciliation services in pursuance of the arrangements.

(4) Subsection (3) does not apply to information relating to a dispute which is disclosed with the consent of the parties to that dispute.

(5) Subsection (3) does not apply to information which—

- (a) is not identifiable with a particular dispute or a particular person; and
- (b) is reasonably required by the Commissioner for the purpose of monitoring the operation of the arrangements concerned.

(6) Anything communicated to a person while providing conciliation services in pursuance of any arrangements under this section is not admissible in evidence in any proceedings except with the consent of the person who communicated it to that person.

(7) In this section “conciliation services” means services provided—

- (a) by a person who is not a party to a dispute;
- (b) to the parties to the dispute; and
- (c) with the aim of enabling the dispute to be settled by agreement and without proceedings.