



## 2011 CHAPTER 1

### *Functions of the Commissioner*

#### **Investigation of complaints against relevant authorities**

**8.—(1)** Subject to subsection (2) and section 9, the Commissioner may conduct an investigation into a complaint made by an older person that the interests of the older person have been adversely affected by any action taken by a relevant authority.

(2) The Commissioner may not exercise the Commissioner's power under subsection (1) in relation to a complaint unless the Commissioner is satisfied that—

- (a) the complaint raises a question of principle; and
- (b) the complaint does not fall within an existing statutory complaints system.

(3) For the purposes of subsection (2), a complaint falls within an existing statutory complaints system if a statutory provision confers power on a person to make the complaint to a body or person and—

- (a) that body or person has power under a statutory provision to investigate the complaint; or
- (b) that body or person would have power under a statutory provision to investigate the complaint but for some exclusion or restriction in that statutory provision.

(4) Where the Commissioner decides not to conduct an investigation into a complaint made under subsection (1), the Commissioner must prepare a statement of the Commissioner's reasons for that decision and must send a copy of the statement to—

- (a) the complainant; and

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**Changes to legislation:** There are currently no known outstanding effects for the Commissioner for Older People Act (Northern Ireland) 2011, Section 8. (See end of Document for details)

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(b) such other persons (if any) as the Commissioner considers appropriate.

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**Modifications etc. (not altering text)**

**C1** Ss. 2-29: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 1 Pt. 2** (with art. 9(2))

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**Commencement Information**

**II** S. 8 in operation at 1.12.2012 by [S.R. 2012/388](#), **art. 2(g)**

**Changes to legislation:**

There are currently no known outstanding effects for the Commissioner for Older People Act (Northern Ireland) 2011, Section 8.