

Parliamentary Commissioner Act 1967

1967 CHAPTER 13

An Act to make provision for the appointment and functions of a Parliamentary Commissioner for the investigation of administrative action taken on behalf of the Crown, and for purposes connected therewith. [22nd March 1967]

Extent Information

E1 For application to Northern Ireland see s. 13

Modifications etc. (not altering text)

- C1 Act: for any reference to the Education Assets Board there is substituted (1.10.1998) a reference to the Education Transfer Council by virtue of 1998 c. 31, s. 136; S.I. 1998/2212, art. 2(1), Sch. 1 Pt. I
- C2 Act modified (E.W.) (31.3.1991) by S.I. 1991/517, art. 6(2). Act modified (E.W.) (28.3.1991) by S.I. 1991/710, art. 9(2)
- C3 Act modified by S.I. 1989/814, art. 15(2), by S.I. 1989/1359, art. 15(2) and by S.I. 1989/2470, art. 16(2)
- C4 Act modified (E.W.) (11.3.1992 for specified purposes and 1.6.1992 otherwise) by Planning (Hazardous Substances) Act 1990 (c. 10, SIF 123:1), s. 21(8), Sch. para. 7(2); S.I. 1992/725, arts.2, 3.
- C5 Act modified (E.W.) by Town and Country Planning Act 1990 (c. 8, SIF 123:1), ss. 79, 175, 195, 208, Sch. 6 para. 8(2)
- C6 Act amended by 1990/419, art. 18(2) and by 1990/1024, art. 14(2)
- C7 Act applied (with modifications) (30.9.1992) by S.I. 1992/2257, art. 16(2).
- C8 Act modified (E.W.S.) (1.1.1993) by Transport and Works Act 1992 (c. 42), **s. 23(10)**; S.I. 1992/2784, art. 2(a), **Sch. 1**.

Act extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), Sch. 13 para. 17

Act extended (1.4.1995) by S.I. 1995/401, art. 9

Act modified (S.) (27.5.1997) by 1997 c. 8, ss. 48, 131, 154, 169, 180, **Sch. 4 para. 8(2)** (with ss. 64, 219)

Act modified (S.) (27.5.1997) by 1997 c. 9, ss. 20(4), 35(5), Sch. 3 para. 7(2) (with s. 45(5))

Act modified (S.) (27.5.1997) by 1997 c. 10, ss.19, 40(2), Sch. para. 7(2) (with ss. 9(3), 10(5), 38(6))

Act modified (3.3.1999) by S.I. 1999/527, art. 6

Act modified (1.4.2002) by S.I. 2001/3962, art. 7(2)

Commencement Information

II Act wholly in force at 1.4.1967 see s. 14(2).

The Parliamentary Commissioner for Administration

1 Appointment and tenure of office.

- (1) For the purpose of conducting investigations in accordance with the following provisions of this Act there shall be appointed a Commissioner, to be known as the Parliamentary Commissioner for Administration.
- (2) Her Majesty may by Letters Patent from time to time appoint a person to be the Commissioner, and any person so appointed shall (subject to [F1Subsections (3) and (3A)] of this section) hold office during good behaviour.
- (3) A person appointed to be the Commissioner may be relieved of office by Her Majesty at his own request, or may be removed from office by Her Majesty in consequence of Addresses from both Houses of Parliament, and shall in any case vacate office on completing the year of service in which he attains the age of sixty-five years.
- [F2(3A)] Her Majesty may declare the office of Commissioner to have been vacated if satisfied that the person appointed to be the Commissioner is incapable for medical reasons—
 - (a) of performing the duties of his office; and
 - (b) of requesting to be relieved of it.]

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Textual Amendments

- F1 Words substituted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 2(1)(a)
- F2 S. 1(3A) inserted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 2(1)(b)
- F3 S. 1(4) repealed by House of Commons Disqualification Act 1975 (c. 24, SIF 89), Sch. 3 and Northern Ireland Assembly Disqualification Act 1975 (c. 25, SIF 29:3), Sch. 3 Pt. I
- F4 S. 1(5) repealed by Tribunals and Inquiries Act 1971 (c. 62, SIF 127), Sch. 4 Pt. I

2 Salary and pension.

- [F5(1) There shall be paid to the holder of the office of Commissioner the same salary as if he were employed in the civil service of the State in such appointment as the House of Commons may by resolution from time to time determine; and a resolution under this subsection may take effect from the date on which it is passed or from such other date as may be specified in the resolution.
 - (2) In relation to any time before the first resolution under subsection (1) above takes effect, the salary payable to the holder of the office of Commissioner shall be the same salary as if he were employed in the civil service of the State as a Permanent Secretary.]

- (3) The provisions of Schedule 1 to this Act shall have effect with respect to the pensions and other benefits to be paid to or in respect of persons who have held office as Commissioner.
- (4) The salary payable to a holder of the office of Commissioner shall be abated by the amount of any pension payable to him in respect of any public office in the United Kingdom or elsewhere to which he had previously been appointed or elected; . . . ^{F6}
- [F7(4A) In computing the salary of a former holder of the office of Commissioner for the purposes of the said Schedule 1—
 - (a) any abatement of that salary under subsection (4) above,
 - (b) any temporary abatement of that salary in the national interest, and
 - (c) any voluntary surrender of that salary in whole or in part, shall be disregarded.]
 - (5) Any salary, pension or other benefit payable by virtue of this section shall be charged on and issued out of the Consolidated Fund.

Textual Amendments

- F5 S. 2(1)(2) substituted (1.1.1975) by Parliamentary and other Pensions and Salaries Act 1976 (c. 48, SIF 89), s 6(2)(5)
- **F6** Words repealed (1.1.1975) by Parliamentary and other Pensions and Salaries Act 1976 (c. 48, SIF 89), s 6(4)(5), **Sch.**
- F7 S. 2(4A) inserted (1.1.1975) by Parliamentary and other Pensions and Salaries Act 1976 (c. 48, SIF 89), s. 6(4)(5).

3 Administrative provisions.

- (1) The Commissioner may appoint such officers as he may determine with the approval of the Treasury as to numbers and conditions of service.
- (2) Any function of the Commissioner under this Act may be performed by any officer of the Commissioner authorised for that purpose by the Commissioner [F8] or may be performed by any officer so authorised—
 - (a) of the Health Service Commissioner for England;
 - (b) of the Health Service Commissioner for Scotland; or
 - (c) of the Health Service Commissioner for Wales].
- (3) The expenses of the Commissioner under this Act, to such amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament.

Textual Amendments

F8 Words added by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 3

[F93A Appointment of acting Commissioner.

(1) Where the office of Commissioner becomes vacant, Her Majesty may, pending the appointment of a new Commissioner, appoint a person under this section to act as the

Commissioner at any time during the period of twelve months beginning with the date on which the vacancy arose.

- (2) A person appointed under this section shall hold office during Her Majesty's pleasure and, subject to that, shall hold office—
 - (a) until the appointment of a new Commissioner or the expiry of the period of twelve months beginning with the date on which the vacancy arose, whichever occurs first; and
 - (b) in other respects, in accordance with the terms and conditions of his appointment which shall be such as the Treasury may determine.
- (3) A person appointed under this section shall, while he holds office, be treated for all purposes, except those of section 2 of this Act, as the Commissioner.
- (4) Any salary, pension or other benefit payable by virtue of this section shall be charged on and issued out of the Consolidated Fund].

Textual Amendments

F9 S. 3(3A) inserted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 6(1)

Investigation by the Commissioner

[F104 Departments etc. subject to investigation.

- (1) Subject to the provisions of this section and to the notes contained in Schedule 2 to this Act, this Act applies to the government departments, corporations and unincorporated bodies listed in that Schedule; and references in this Act to an authority to which this Act applies are references to any such corporation or body.
- (2) Her Majesty may by Order in Council amend Schedule 2 to this Act by the alteration of any entry or note, the removal of any entry or note or the insertion of any additional entry or note.
- (3) An Order in Council may only insert an entry if—
 - (a) it relates—
 - (i) to a government department; or
 - (ii) to a corporation or body whose functions are exercised on behalf of the Crown; or
 - (b) it relates to a corporation or body—
 - (i) which is established by virtue of Her Majesty's prerogative or by an Act of Parliament or an Order in Council or order made under an Act of Parliament or which is established in any other way by a Minister of the Crown in his capacity as a Minister or by a government department;
 - (ii) at least half of whose revenues derive directly from money provided by Parliament, a levy authorised by an enactment, a fee or charge of any other description so authorised or more than one of those sources; and

- (iii) which is wholly or partly constituted by appointment made by Her Majesty or a Minister of the Crown or government department.
- (4) No entry shall be made in respect of a corporation or body whose sole activity is, or whose main activities are, included among the activities specified in subsection (5) below.
- (5) The activities mentioned in subsection (4) above are—
 - (a) the provision of education, or the provision of training otherwise than under the MI Industrial Training Act 1982;
 - (b) the development of curricula, the conduct of examinations or the validation of educational courses;
 - (c) the control of entry to any profession or the regulation of the conduct of members of any profession;
 - (d) the investigation of complaints by members of the public regarding the actions of any person or body, or the supervision or review of such investigations or of steps taken following them.
- (6) No entry shall be made in respect of a corporation or body operating in an exclusively or predominantly commercial manner or a corporation carrying on under national ownership an industry or undertaking or part of an industry or undertaking.
- (7) Any statutory instrument made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this Act—
 - (a) any reference to a government department to which this Act applies includes a reference to any of the Ministers or officers of such a department; and
 - (b) any reference to an authority to which this Act applies includes a reference to any members or officers of such an authority].

Textual Amendments

F10 S. 4 substituted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 1(1)

Marginal Citations

M1 1982 c. 10(43:1).

5 Matters subject to investigation.

- (1) Subject to the provisions of this section, the Commissioner may investigate any action taken by or on behalf of a government department or other authority to which this Act applies, being action taken in the exercise of administrative functions of that department or authority, in any case where—
 - (a) a written complaint is duly made to a member of the House of Commons by a member of the public who claims to have sustained injustice in consequence of maladministration in connection with the action so taken; and
 - (b) the complaint is referred to the Commissioner, with the consent of the person who made it, by a member of that House with a request to conduct an investigation thereon.

- (2) Except as hereinafter provided, the Commissioner shall not conduct an investigation under this Act in respect of any of the following matters, that is to say—
 - (a) any action in respect of which the person aggrieved has or had a right of appeal, reference or review to or before a tribunal constituted by or under any enactment or by virtue of Her Majesty's prerogative;
 - (b) any action in respect of which the person aggrieved has or had a remedy by way of proceedings in any court of law:

Provided that the Commissioner may conduct an investigation notwithstanding that the person aggrieved has or had such a right or remedy if satisfied that in the particular circumstances it is not reasonable to expect him to resort or have resorted to it.

- (3) Without prejudice to subsection (2) of this section, the Commissioner shall not conduct an investigation under this Act in respect of any such action or matter as is described in Schedule 3 to this Act.
- (4) Her Majesty may by Order in Council amend the said Schedule 3 so as to exclude from the provisions of that Schedule such actions or matters as may be described in the Order; and any statutory instrument made by virtue of this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In determining whether to initiate, continue or discontinue an investigation under this Act, the Commissioner shall, subject to the foregoing provisions of this section, act in accordance with his own discretion; and any question whether a complaint is duly made under this Act shall be determined by the Commissioner.
- [F11(6) For the purposes of this section, administrative functions exercisable by any person appointed by the Lord Chancellor as a member of the administrative staff of any court or tribunal shall be taken to be administrative functions of the Lord Chancellor's Department or, in Northern Ireland, of the Northern Ireland Court Service.]

Textual Amendments

F11 S. 5(6) added by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 110(1)

Modifications etc. (not altering text)

C9 S. 5(2)(a) extended by Fair Employment (Northern Ireland) Act 1976 (c. 25, SIF 43:1), s. 58(2)(a)

C10 S. 5(2)(b) excluded by Northern Ireland Constitution Act 1973 (c. 36, SIF 29:3), s. 22

6 Provisions relating to complaints.

- (1) A complaint under this Act may be made by any individual, or by any body of persons whether incorporated or not, not being—
 - (a) a local authority or other authority or body constituted for purposes of the public service or of local government or for the purposes of carrying on under national ownership any industry or undertaking or part of an industry or undertaking;
 - (b) any other authority or body whose members are appointed by Her Majesty or any Minister of the Crown or government department, or whose revenues consist wholly or mainly of moneys provided by Parliament.

- (2) Where the person by whom a complaint might have been made under the foregoing provisions of this Act has died or is for any reason unable to act for himself, the complaint may be made by his personal representative or by a member of his family or other individual suitable to represent him; but except as aforesaid a complaint shall not be entertained under this Act unless made by the person aggrieved himself.
- (3) A complaint shall not be entertained under this Act unless it is made to a member of the House of Commons not later than twelve months from the day on which the person aggrieved first had notice of the matters alleged in the complaint; but the Commissioner may conduct an investigation pursuant to a complaint not made within that period if he considers that there are special circumstances which make it proper to do so.
- (4) [F12Except as provided in subsection (5) below] A complaint shall not be entertained under this Act unless the person aggrieved is resident in the United Kingdom (or, if he is dead, was so resident at the time of his death) or the complaint relates to action taken in relation to him while he was present in the United Kingdom or on an installation in a designated area within the meaning of the M2Continental Shelf Act 1964 or on a ship registered in the United Kingdom or an aircraft so registered, or in relation to rights or obligations which accrued or arose in the United Kingdom or on such an installation, ship or aircraft.
- [F13(5) A complaint may be entertained under this Act in circumstances not falling within subsection (4) above where—
 - (a) the complaint relates to action taken in any country or territory outside the United Kingdom by an officer (not being an honorary consular officer) in the exercise of a consular function on behalf of the Government of the United Kingdom; and
 - (b) the person aggrieved is a citizen of the United Kingdom and Colonies who, under section 2 of the M3Immigration Act 1971, has the right of abode in the United Kingdom.]

Textual Amendments

F12 Words inserted by Parliamentary Commissioner (Consular Complaints) Act 1981 (c. 11, SIF 89), s. 1.

F13 S. 6(5) inserted by Parliamentary Commissioner (Consular Complaints) Act 1981 (c. 11, SIF 89) s. 1.

Modifications etc. (not altering text)

C11 S. 6(3) modified by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 10(4)

Marginal Citations

M2 1964 c. 29(86). M3 1971 c. 77(101A:1)

7 Procedure in respect of investigations.

(1) Where the Commissioner proposes to conduct an investigation pursuant to a complaint under this Act, he shall afford to the principal officer of the department or authority concerned, and to any other person who is alleged in the complaint to have taken or authorised the action complained of, an opportunity to comment on any allegations contained in the complaint.

- (2) Every such investigation shall be conducted in private, but except as aforesaid the procedure for conducting an investigation shall be such as the Commissioner considers appropriate in the circumstances of the case; and without prejudice to the generality of the foregoing provision the Commissioner may obtain information from such persons and in such manner, and make such inquiries, as he thinks fit, and may determine whether any person may be represented, by counsel or solicitor or otherwise, in the investigation.
- (3) The Commissioner may, if he thinks fit, pay to the person by whom the complaint was made and to any other person who attends or furnishes information for the purposes of an investigation under this Act—
 - (a) sums in respect of expenses properly incurred by them;
 - (b) allowances by way of compensation for the loss of their time,

 n accordance with such scales and subject to such conditions as may be det
 - in accordance with such scales and subject to such conditions as may be determined by the Treasury.
- (4) The conduct of an investigation under this Act shall not affect any action taken by the department or authority concerned, or any power or duty of that department or authority to take further action with respect to any matters subject to the investigation; but where the person aggrieved has been removed from the United Kingdom under any Order in force under the M4Aliens Restriction Acts 1914 M5 and 1919 or under [F14the M6Immigration Act 1971], he shall, if the Commissioner so directs, be permitted to reenter and remain in the United Kingdom, subject to such conditions as the Secretary of State may direct, for the purposes of the investigation.

Textual Amendments

F14 Words substituted by virtue of Interpretation Act 1978 (c. 30, SIF 115:1), s. 17(2)(a)

Modifications etc. (not altering text)

C12 S. 7 applied with modifications (S.) by National Health Service (Scotland) Act 1978 (c. 29, SIF 113:2),s. 95

Marginal Citations

M4 1914 c. 12.

M5 1919 c. 92(62).

M6 1971 c. 77(62).

8 Evidence.

- (1) For the purposes of an investigation under this Act the Commissioner may require any Minister, officer or member of the department or authority concerned or any other person who in his opinion is able to furnish information or produce documents relevant to the investigation to furnish any such information or produce any such document.
- (2) For the purposes of any such investigation the Commissioner shall have the same powers as the Court in respect of the attendance and examination of witnesses (including the administration of oaths or affirmations and the examination of witnesses abroad) and in respect of the production of documents.
- (3) No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in Her Majesty's service, whether

imposed by any enactment or by any rule of law, shall apply to the disclosure of information for the purposes of an investigation under this Act; and the Crown shall not be entitled in relation to any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

- (4) No person shall be required or authorised by virtue of this Act to furnish any information or answer any question relating to proceedings of the Cabinet or of any committee of the Cabinet or to produce so much of any document as relates to such proceedings; and for the purposes of this subsection a certificate issued by the Secretary of the Cabinet with the approval of the Prime Minister and certifying that any information, question, document or part of a document so relates shall be conclusive.
- (5) Subject to subsection (3) of this section, no person shall be compelled for the purposes of an investigation under this Act to give any evidence or produce any document which he could not be compelled to give or produce in [F15civil] proceedings before the Court.

Textual Amendments

F15 Word inserted (E.W.) by Civil Evidence Act 1968 (c. 64, SIF 47), s. 17(1)(b)

Modifications etc. (not altering text)

C13 S. 8 applied with modifications (S.) by National Health Service (Scotland) Act 1978 (c. 29, SIF 113:2),s. 95

9 Obstruction and contempt.

- (1) If any person without lawful excuse obstructs the Commissioner or any officer of the Commissioner in the performance of his functions under this Act, or is guilty of any act or omission in relation to an investigation under this Act which, if that investigation were a proceeding in the Court, would constitute contempt of court, the Commissioner may certify the offence to the Court.
- (2) Where an offence is certified under this section, the Court may inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, deal with him in any manner in which the Court could deal with him if he had committed the like offence in relation to the Court.
- (3) Nothing in this section shall be construed as applying to the taking of any such action as is mentioned in subsection (4) of section 7 of this Act.

Modifications etc. (not altering text)

C14 S. 9 applied with modifications (S.) by National Health Service (Scotland) Act 1978 (c. 29, SIF 113:2),s. 95

10 Reports by Commissioner.

(1) In any case where the Commissioner conducts an investigation under this Act or decides not to conduct such an investigation, he shall send to the member of the House of Commons by whom the request for investigation was made (or if he is no

- longer a member of that House, to such member of that House as the Commissioner thinks appropriate) a report of the results of the investigation or, as the case may be, a statement of his reasons for not conducting an investigation.
- (2) In any case where the Commissioner conducts an investigation under this Act, he shall also send a report of the results of the investigation to the principal officer of the department or authority concerned and to any other person who is alleged in the relevant complaint to have taken or authorised the action complained of.
- (3) If, after conducting an investigation under this Act, it appears to the Commissioner that injustice has been caused to the person aggrieved in consequence of maladministration and that the injustice has not been, or will not be, remedied, he may, if he thinks fit, lay before each House of Parliament a special report upon the case.
- (4) The Commissioner shall annually lay before each House of Parliament a general report on the performance of his functions under this Act and may from time to time lay before each House of Parliament such other reports with respect to those functions as he thinks fit.
- (5) For the purposes of the law of defamation, any such publication as is hereinafter mentioned shall be absolutely privileged, that is to say—
 - (a) the publication of any matter by the Commissioner in making a report to either House of Parliament for the purposes of this Act;
 - (b) the publication of any matter by a member of the House of Commons in communicating with the Commissioner or his officers for those purposes or by the Commissioner or his officers in communicating with such a member for those purposes;
 - (c) the publication by such a member to the person by whom a complaint was made under this Act of a report or statement sent to the member in respect of the complaint in pursuance of subsection (1) of this section;
 - (d) the publication by the Commissioner to such a person as is mentioned in subsection (2) of this section of a report sent to that person in pursuance of that subsection.

11 Provision for secrecy of information.

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- (2) Information obtained by the Commissioner or his officers in the course of or for the purposes of an investigation under this Act shall not be disclosed except—
 - (a) for the purposes of the investigation and of any report to be made thereon under this Act;
 - (b) for the purposes of any proceedings for an offence under [F17the Official Secrets Acts 1911 to 1989] alleged to have been committed in respect of information obtained by the Commissioner or any of his officers by virtue of this Act or for an offence of perjury alleged to have been committed in the course of an investigation under this Act or for the purposes of an inquiry with a view to the taking of such proceedings; or
 - (c) for the purposes of any proceedings under section 9 of this Act; and the Commissioner and his officers shall not be called upon to give evidence in any proceedings (other than such proceedings as aforesaid) of matters coming to his or their knowledge in the course of an investigation under this Act.

- [F18(2A) Where the Commissioner also holds office as a Health Service Commissioner and a person initiates a complaint to him in his capacity as such a Commissioner which relates partly to a matter with respect to which that person has previously initiated a complaint under this Act, or subsequently initiates such a complaint, information obtained by the Commissioner or his officers in the course of or for the purposes of investigating the complaint under this Act may be disclosed for the purposes of his carrying out his functions in relation to the other complaint.]
 - (3) A Minister of the Crown may give notice in writing to the Commissioner, with respect to any document or information specified in the notice, or any class of documents or information so specified, that in the opinion of the Minister the disclosure of that document or information, or of documents or information of that class, would be prejudicial to the safety of the State or otherwise contrary to the public interest; and where such a notice is given nothing in this Act shall be construed as authorising or requiring the Commissioner or any officer of the Commissioner to communicate to any person or for any purpose any document or information specified in the notice, or any document or information of a class so specified.
 - (4) The references in this section to a Minister of the Crown include references to the Commissioners of Customs and Excise and the Commissioners of Inland Revenue.

Textual Amendments

- **F16** S. 11(1) repealed by Official Secrets Act 1989 (c. 6, SIF 39:2), s. 16(4), **Sch. 2**
- F17 Words substituted by Official Secrets Act 1989 (c. 6, SIF 39:2), s. 16(3), Sch. 1 para. 1
- F18 S. 11(2A) inserted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 4(1)

Modifications etc. (not altering text)

- C15 S. 11 applied with modifications (S.) by National Health Service (Scotland) Act 1978 (c. 29, SIF 113;2), s. 95
- C16 S. 11(2) excluded (S.) by Local Government (Scotland) Act 1975 (c. 30, SIF 81:2), s. 31(5)

[F1911A Consultations between Parliamentary Commissioner and Health Service Commissioners.

- (1) Where, at any stage in the course of conducting an investigation under this Act, the Commissioner forms the opinion that the complaint relates partly to a matter within the jurisdiction of the Health Service Commissioner for England, Wales or Scotland, he shall—
 - (a) unless he also holds office as that Commissioner, consult about the complaint with him; and
 - (b) if he considers it necessary, inform the person initiating the complaint under this Act of the steps necessary to initiate a complaint under [F20] the Health Service Commissioners Act 1993.]
- (2) Where by virtue of subsection (1) above the Commissioner consults with the Health Service Commissioner in relation to a complaint under this Act, he may consult him about any matter relating to the complaint, including—
 - (a) the conduct of any investigation into the complaint; and

- (b) the form, content and publication of any report of the results of such an investigation.
- (3) Nothing in section 11(2) of this Act shall apply in relation to the disclosure of information by the Commissioner or any of his officers in the course of consultations held in accordance with this section].

Textual Amendments

- F19 S. 11A inserted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 4(2)
- **F20** Words in s. 11A(1)(b) substituted (5.2.1994) by 1993 c. 46, ss. 20, 22(4), **Sch. 2 para.1**

VALID FROM 01/08/2007

[F2111ZAGollaborative working between the Parliamentary Commissioner and other Commissioners

- (1) If at any stage in the course of conducting an investigation under this Act the Commissioner forms the opinion that the complaint relates partly to a matter within the jurisdiction of
 - (a) the Health Service Commissioner for England,
 - (b) a Local Commissioner, or
 - (c) both,

he may, subject to subsection (2) of this section, conduct an investigation under this Act jointly with that Commissioner or those Commissioners.

- (2) The Commissioner must obtain the consent of the person aggrieved or any person acting on his behalf in accordance with subsection (2) of section 6 of this Act before agreeing to a joint investigation referred to in subsection (1) of this section.
- (3) If the Commissioner forms the opinion that a complaint which is being investigated by—
 - (a) the Health Service Commissioner for England,
 - (b) a Local Commissioner, or
 - (c) both,

relates partly to a matter within his jurisdiction, he may, subject to subsection (4) of this section, conduct an investigation under this Act jointly with that Commissioner or those Commissioners.

- (4) The Commissioner may not investigate a complaint jointly with another person under subsection (3) of this section unless the complaint has been made in accordance with section 5 of this Act.
- (5) If the Commissioner conducts an investigation of a complaint jointly with another person, the requirements of section 10 (so far as relating to a case where the Commissioner conducts an investigation under this Act) may be satisfied by a report made jointly with that person.
- (6) Apart from identifying the government department or other authority concerned, a report prepared by virtue of subsection (5) of this section by the Commissioner and a Local Commissioner shall not—

- (a) mention the name of any person, or
- (b) contain any particulars which, in the opinion of the Commissioner and the Local Commissioner, are likely to identify any person,

unless, after taking into account the public interest as well as the interests of the complainant and of persons other than the complainant, the Commissioner and the Local Commissioner consider it necessary to mention the name of that person or to include in the report any such particulars.

- (7) Nothing in subsection (6) of this section prevents a report—
 - (a) mentioning the name of, or
 - (b) containing particulars likely to identify,

the Mayor of London or any member of the London Assembly.]

Textual Amendments

F21 S. 11ZAA inserted (1.8.2007) by The Regulatory Reform (Collaboration etc. between Ombudsmen) Order 2007 (S.I. 2007/1889), art. 2

VALID FROM 30/01/2001

[F2211AADisclosure of information by Parliamentary Commissioner to Information Commissioner.

- (1) The Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Commissioner under or for the purposes of this Act if the information appears to the Commissioner to relate to—
 - (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
 - (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (2) Nothing in section 11(2) of this Act shall apply in relation to the disclosure of information in accordance with this section.]

Textual Amendments

F22 S. 11AA inserted (30.1.2001) by 2000 c. 36, ss. 76(2), 87(2)(b), Sch. 7 para. 2 (with ss. 56, 78)

VALID FROM 08/11/1995

[F2311B] The Criminal Injuries Compensation Scheme.

- (1) For the purposes of this Act, administrative functions exercisable by an administrator of the Criminal Injuries Compensation Scheme ("Scheme functions") shall be taken to be administrative functions of a government department to which this Act applies.
- (2) For the purposes of this section, the following are administrators of the Scheme—
 - (a) a claims officer appointed under section 3(4)(b) of the Criminal Injuries Compensation Act 1995;
 - (b) a person appointed under section 5(3)(c) of that Act;
 - (c) the Scheme manager, as defined by section 1(4) of that Act, and any person assigned by him to exercise functions in relation to the Scheme.
- (3) The principal officer in relation to any complaint made in respect of any action taken in respect of Scheme functions is—
 - (a) in the case of action taken by a claims officer, such person as may from time to time be designated by the Secretary of State for the purposes of this paragraph;
 - (b) in the case of action taken by a person appointed under section 5(3)(c) of the Act of 1995, the chairman appointed by the Secretary of State under section 5(3)(b) of that Act; or
 - (c) in the case of action taken by the Scheme manager or by any other person mentioned in subsection (2)(c) of this section, the Scheme manager.
- (4) The conduct of an investigation under this Act in respect of any action taken in respect of Scheme functions shall not affect—
 - (a) any action so taken; or
 - (b) any power or duty of any person to take further action with respect to any matters subject to investigation.]

Textual Amendments

F23 S. 11B inserted (8.11.1995) by 1995 c. 53, s. 10(1)

Modifications etc. (not altering text)

C17 S. 11B(3)(a) extended (1.7.1999) by S.I. 1999/1351, arts. 1, 17(1)(d); S.I. 1998/3178, art. 3

Supplemental

12 Interpretation.

(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say—

"action" includes failure to act, and other expressions connoting action shall be construed accordingly;

"the Commissioner" means the Parliamentary Commissioner for Administration;

"the Court" means, in relation to England and Wales the High Court, in relation to Scotland the Court of Session, and in relation to Northern Ireland the High Court of Northern Ireland;

"enactment" includes an enactment of the Parliament of Northern Ireland, and any instrument made by virtue of an enactment;

"officer" includes employee;

"person aggrieved" means the person who claims or is alleged to have sustained such injustice as is mentioned in section 5(1)(a) of this Act;

"tribunal" includes the person constituting a tribunal consisting of one person.

- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.
- (3) It is hereby declared that nothing in this Act authorises or requires the Commissioner to question the merits of a decision taken without maladministration by a government department or other authority in the exercise of a discretion vested in that department or authority.

13 Application to Northern Ireland.

- (1) Subject to the provisions of this section, this Act extends to Northern Ireland.
- (2) Nothing in this section shall be construed as authorising the inclusion among the departments and authorities to which this Act applies of any department of the Government of Northern Ireland, or any authority [F24 or body] established by or with the authority of the Parliament of Northern Ireland; but this Act shall apply to any such department [F25 authority or body], in relation to any action taken by them as agent for a department or authority to which this Act applies, as it applies to the last-mentioned department or authority.
- (3) In section 6 of this Act the references to a Minister of the Crown or government department and to Parliament shall include references to a Minister or department of the Government of Northern Ireland and to the Parliament of Northern Ireland.
- (4) In section 8 of this Act the references to the Cabinet shall include references to the [F26]Northern Ireland Executive] and in relation to [F26]that Executive] for the reference to the Prime Minister there shall be substituted a reference to the Prime Minister of Northern Ireland.

Textual Amendments

- F24 Words inserted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 1(3)
 (a)(i)
- F25 Words substituted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 1(3)(a)(ii)
- **F26** Words substituted by S.I. 1973/2163, **Sch. 5**, para. 18

Modifications etc. (not altering text)

C18 References to N.I. Prime Minister and Minister to be construed as references to Chief Executive member and heads of N.I. departments respectively: Northern Ireland Constitution Act 1973 (c. 36, SIF 29:3), Sch. 5 paras. 5, 7(2)

14 Short title and commencement.

- (1) This Act may be cited as the Parliamentary Commissioner Act 1967.
- (2) This Act shall come into force on such date as Her Majesty may by Order in Council appoint.
- (3) A complaint under this Act may be made in respect of matters [F27] whenever arising]; and for the purposes of subsection (3) of section 6 of this Act any time elapsing between the date of the passing and the date of the commencement of this Act (but not any time before the first of those dates) shall be disregarded.

Textual Amendments

F27 Words substituted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 1(3)(b)

Modifications etc. (not altering text)

C19 1.4.1967 appointed under s. 14(2) by S.I. 1967/485

SCHEDULES

SCHEDULE 1

PENSIONS AND OTHER BENEFITS

Modifications etc. (not altering text)

C20 Sch. 1 extended by National Health Service Act 1977 (c. 49, SIF 113:2), s. 107(2) and (S.) National Health Service (Scotland) Act 1978 (c. 29, SIF 113:2), s. 91(2)

A person appointed to be the Commissioner may, within such period and in such manner as may be prescribed by regulations under this Schedule, elect between the statutory [F28] scheme of pensions and other benefits applicable to the judicial offices listed in [F29] section 1 of the M7 Judicial Pensions Act 1981] and the scheme of pensions and other benefits applicable by virtue of section 1 of the M8 Superannuation Act 1972 to the civil service of the State] (in this Schedule referred to respectively as the judicial scheme and the civil service scheme), and if he does not so elect shall be treated as having elected for the civil service scheme.

Textual Amendments

F28 Words substituted by Superannuation Act 1972 (c. 11, SIF 101A:1), Sch. 6 para. 63

F29 Words substituted by Judicial Pensions Act 1981 (c. 20, SIF 71:2), Sch. 3 para. 3(2)

Marginal Citations

M7 1981 c. 20(71:2).

M8 1972 c. 11(101A:1).

- Where a person so appointed elects for the judicial scheme, a pension may be granted to him on ceasing to hold office as Commissioner if he has held that office for not less than five years and either—
 - (a) has attained the age of sixty-five years; or
 - (b) is disabled by permanent infirmity for the performance of the duties of that office;

and (subject to regulations under this Schedule) the provisions of the [F30] sections 2 to 4 and 17 to 24 of the M9 Judicial Pensions Act 1981,] shall apply in relation to him and his service as Commissioner as they apply in relation to the holders of judicial offices listed in F30 [section 1 of the Judicial Pensions Act 1981 and service in any such office].

Textual Amendments

F30 Words substituted by Judicial Pensions Act 1981 (c. 20, SIF 71:2), Sch. 3 para. 3(3)

Marginal Citations

M9 1981 c. 20(71:2).

Where a person so appointed elects for the civil service scheme, [F31] the principal civil service pension scheme within the meaning of section 2 of the M10 Superannuation Act 1972 and for the time being in force] shall (subject to regulations under this Schedule) apply as if his service as Commissioner were service in [F31] employment] in the civil service of the State.

Textual Amendments

F31 Words substituted by Superannuation Act 1972 (c. 11, SIF 101A:1), Sch. 6 para. 64

Marginal Citations

M10 1972 c. 11(101A:1).

- The Treasury may by statutory instrument make regulations for purposes supplementary to the foregoing provisions of this Schedule; and such regulations may, without prejudice to section 38 of the MII Superannuation Act 1965 (employment in more than one public office), make special provision with respect to the pensions and other benefits payable to or in respect of persons to whom the judicial scheme or the civil service scheme has applied or applies in respect of any service other than service as Commissioner, including provisions—
 - (a) for aggregating other service falling within the judicial scheme with service as Commissioner, or service a Commissioner with such other service, for the purposes of determining qualification for or the amount of benefit under that scheme;
 - (b) for increasing the amount of the benefit payable under the judicial scheme, in the case of a person to whom that scheme applied in respect of an office held by him before appointment as Commissioner, up to the amount which would have been payable thereunder if he had retired from that office on the ground of permanent infirmity immediately before his appointment;
 - (c) for limiting the amount of benefit payable under the judicial scheme, in the case of a person to whom the civil service scheme applied in respect of service before his appointment as Commissioner, by reference to the difference between the amount of the benefit granted in his case under the civil service scheme and the amount which would be payable under the judicial scheme if that service had been service as Commissioner.

Marginal Citations

M11 1965 c. 74(101A:1).

Status: Point in time view as at 05/02/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: Parliamentary Commissioner Act 1967 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Any statutory instrument made by virtue of this Schedule shall be subject to annulment in pursuance of a resolution of the House of Commons.

[F32X1F33]SCHEDULE 2

DEPARTMENTS ETC. SUBJECT TO INVESTIGATION

Editorial Information

X1 Sch. 2: due to the large number of entries contained in Sch. 2 and the frequency with which it has been amended, no separate versions are retained in respect of amendments coming into force after 25.11.2002 or which are not yet in force. Historic information relating to all such amendments is reflected in the current version (except that text replaced by substituted words or entries is not reproduced in the current version but is preserved in preceding versions).

Textual Amendments

F32 Sch. 2 substituted (14.3.2005) by The Parliamentary Commissioner Order 2005 (S. I. 2005/249), art. 2, Sch. 1

F33 Sch. 2 substituted by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), s. 1(2), Sch. 1

Modifications etc. (not altering text)

C21 Sch. 2 amended (6.11.2000) by 2000 c. 26, s. 127(4), Sch. 8 Pt. II para. 10; S.I. 2000/2957, art. 2(1), Sch. 1

[F34X2 Accounts Commission for Scotland]

[F35Advisory Board on Family Law]

[F35 Advisory Committee on Novel Foods and Processes]

Advisory, Conciliation and Arbitration Service.

[F35Advisory Council on Public Records]

[F35 Agricultural Dwelling House Advisory Committees]

[F36 Agricultural Wages Board for England and Wales]

Agricultural wages committees.

[F37Ministry of Agriculture, Fisheries and Food]

[F36Alcohol Education and Research Council]

[F35Apple and Pear Research Council]

[F38 Arts Council of England]

[F39 Arts Council of Wales (Cyngor Celfyddydau Cymru)]

Arts Council of Great Britain.

[F40Scottish Arts Council]

[F41Director of the Assets Recovery Agency.]

[F35] Authorised Conveyancing Practitioners Board]

[F35]Boundary Commission for Northern Ireland]

[F36Britain-Russia Centre and the British East-West Centre]

Status: Point in time view as at 05/02/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: Parliamentary Commissioner Act 1967 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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[F36British Association for Central and Eastern Europe] British Council.
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[F35British Educational Communications and Technology Agency]

[F35British Hallmaking Council]

British Library Board.

[F35British Museum]

[F35British Potato Council]

[F35British Tourist Authority]

[F35Broadcasting Standards Commission]

[F42Building Societies Commission.]

[F36Cabinet Office]

Central Police Training and Development Authority

[F43F35] Central Rail Users' Consultative Committee]

Certification Officer.

[F44F45] Central Statistical Office of the Chancellor of the Exchequer]

Charity Commission.

[F44Children and Family Court Advisory and Support Service.]

[F35Civil Aviation Authority]

[F35Civil Justice Council]

[F46Office of the Minister for the Civil Service]

Civil Service Commission.

[F35Clinical Standards Advisory Group]

[F47Commission for Health Improvement]

[F48The Commission for Patient and Public Involvement in Health.]

[F49]Commissioner for Protection Against Unlawful Industrial Action]

[F35Commissioner for the Rights of Trade Union Members]

[F35Committee for Monitoring Agreements on Tobacco Advertising and Sponsorship]

[F35Committee of Investigation for Great Britain]

[F35Committee on Standards in Public Life]

[F35Commonwealth Scholarship Commission in the United Kingdom]

[F35Community Development Foundation]

[F36Competition Commission]

[F35Consumer Panel]

[F35Consumers' Committee for Great Britain under the Agricultural Marketing Act 1958]

[F51Coal Authority.]

Co-operative Development Agency.

[F52Countryside Agency]

[F53Countryside Commission for Scotland]

[F54Countryside Council for Wales.]

Crafts Council.

[F55Crofters Commission]

Status: Point in time view as at 05/02/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: Parliamentary Commissioner Act 1967 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Crown Estate Office.

[F56Department for Culture, Media, and Sport.]

Customs and Excise.

[F57]F58Data Protection Commissioner]]

[F59Deer Commission for Scotland]

Ministry of Defence.

[F35Design Council]

Development Commission.

[F60 Disability Rights Commission]

[F61United Kingdom Ecolabelling Board]

[F62The Department for Education and Employment.]

[F35Docklands Light Railway]

[F63Education Assets Board.]

[F64Department for Education]

[F65 Department for Education and Skills]

Central Bureau for Educational Visits and Exchanges.

[F66Electoral Commission.]

[F67F35 East Midlands Region Electricity Consumers' Committee]

[F67F35 Eastern Region Electricity Consumers' Committee]

[F67]F68Office of the Director General of Electricity Supply.]]

[F69Department of Employment]

[F70 Department of Energy]

[F71Department of the Environment]

[F72 Department for Environment, Food and Rural Affairs]

[F73Department for Transport]

[F74Department for Work and Pensions]

[F75 English National Board for Nursing, Midwifery and Health Visiting]

I^{F76}English Naturel

[F77]F78The Department of the Environment, Transport and the Regions.]]

[F79Environment Agency]

[F79]Scottish Environment Protection Agency]

Equal Opportunities Commission.

Export Credits Guarantee Department.

British Film Institute.

[F35Fleet Air Arm Museum]

[F35Food Advisory Committee]

[F35Food from Britain]

[F81Food Standards Agency]

[F35Football Licensing Authority]

Foreign and Commonwealth Office.

Forestry Commission.

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[F42]F82Friendly Societies Commission]]
[F42Registry of Friendly Societies.]
[F35Further Education Funding Council for England]
[F36Gaming Board for Great Britain]
[F67]F35Gas Consumers' Council.]]
[F83Gas and Electricity Consumer Council.]
[F83Gas and Electricity Markets Authority.]
[F67Office of the Director General of Gas Supply.]
[F35Geffrye Museum]
[F35Gene Therapy Advisory Committee]
[F84General Social Care Council.]
[F34General Teaching Council for Scotland]
[F85Department of Health.]
Health and Safety Commission.
Health and Safety Executive.
F86
[F87Highlands and Islands Development Board]
[F35Higher Education Funding Council for England]
Historic Buildings and Monuments Commission for England.
[F35Historic Royal Palaces]
[F35Home-Grown Cereals Authority]
Home Office.
[F35Horniman Museum and Gardens]
Horserace Betting Levy Board.
[F35Horticultural Development Council]
Housing Corporation.
[F88 Housing for Wales]
[F89]Human Fertilisation and Embryology Authority.]
[F90 The Immigration Services Commissioner]
[F35Imperial War Museum]
Central Office of Information.
[F91Information Commissioner.]
Inland Revenue.
[F92Department for International Developement.]
[F93 Intervention Board for Agricultural Produce.]
[F35Investors in People UK]
[F35]Joint Nature Conservation Committee]
Land Registry.
[F94Legal Aid Board]
[F95Scottish Legal Aid Board.]
[F96Legal Services Commission]
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[F97The Legal Services Complaints Commissioner]
The following general lighthouse authorities—
(a) the Corporation of the Trinity House of Deptford Strond;
(b) the Commissioners of Northern Lighthouses.
[F34Local Government Boundary Commission for Scotland]
[F98Local Government Commission for England.]
[F67]F35London Region Electricity Consumers' Committee]]
[F35London Regional Passengers' Committee]
[F35]Lord Chancellor's Advisory Committee on Legal Education and Conduct]
The Lord Chancellor's Department.
Lord President of the Council's Office.
... F99
[F35Marshall Aid Commemoration Commission]
[F35Meat and Livestock Commission]
[F101 Medical Practices Committee.]
[F102 Scottish Medical Practices Committee.]
[F35Medical Workforce Standing Advisory Committee]
[F67] F35 Merseyside and North Wales Region Electricity Consumers' Committee]
[F67] F35 Midlands Region Electricity Consumers' Committee]
[F35Milk Development Council]
[F35Millennium Commission]
[F103 Monopolies and Mergers Commission]
Museums and Galleries Commission.
[F35Museum of London]
[F35Museum of Science and Industry in Manchester]
[F35National Army Museum]
[F35National Biological Standards Board (UK)]
[F104] National Care Standards Commission.]
[F35National Consumer Council]
National Debt Office.
[F35] National Employers' Liaison Committee]
[F35] National Endowment for Science, Technology and the Arts]
[F35National Film and Television School]
[F35] National Forest Company
[F34National Galleries of Scotland]
[F35] National Gallery
[F34National Library of Scotland]
[F34National Museums of Scotland]
[F105] National Rivers Authority]
[F106] Department of National Heritage.]
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Trustees of the National Heritage Memorial Fund.

[F107] Office of the Director General of the National Lottery]

[F108] National Lottery Commission]

[F35National Lottery Charities Board]

Department for National Savings.

[F109 Scottish Natural Heritage.]

[F35National Maritime Museum]

[F35National Museum of Science and Industry]

[F35National Museums and Galleries on Merseyside]

[F35] National Portrait Gallery

[F35National Radiological Protection Board]

[F35Natural History Museum]

Nature Conservancy Council.

[F110 F111 Nature Conservancy Council for England.]]

[F112] Nature Conservancy Council for Scotland]

[F35New Millennium Experience Company Ltd]

[F35New Opportunities Fund]

Commission for the New Towns.

Development corporations for new towns.

[F67] F35 North Eastern Region Electricity Consumers' Committee]]

[F67]F36North of Scotland Region Electricity Consumers' Committee]]

[F67] F35 North Western Region Electricity Consumers' Committee]

Northern Ireland Court Service.

[F35Northern Ireland Human Rights Commission]

Northern Ireland Office.

[F113]Northern Ireland Policing Board]

[F38Occupational pensions Board]

[F114The Occupational Pensions Regulatory Authority]

[F115Office of the Commissioner for Protection Against Unlawful Industrial Action]

[F35Oil and Pipelines Agency]

[F35Parliamentary Boundary Commission for England]

[F36Parliamentary Boundary Commission for Scotland]

[F35Parliamentary Boundary Commission for Wales]

[F35Parole Board]

[F34Parole Board for Scotland]

[F116The Pensions Compensation Board]

Ordnance Survey.

[F45Office of Population Censuses and Surveys]

[F117 Consumer Council for Postal Services]

[F118 Police Information Technology Organisation]

[F119]F35Post Office Users' Council for Northern Ireland]]

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[F119]F35Post Office Users' Council for Scotland]]
[F119]F35Post Office Users' Council for Wales]]
[F119]F35Post Office Users' National Council]
[F120Postal Services Commission]
[F35Probation Board for Northern Ireland]
[F121] Commissioner for Protection Against Unlawful Industrial Action]
Registrar of Public Lending Right.
Public Record Office.
[F122 Office of Fair Trading]
[F123 Office of Public Service][F124 and Science].
[F35Qualifications Curriculum Authority]
[F125The International Rail Regulator.]
[F43[F126The Director of Passenger Rail Franchising.]]
[F127The Rail Regulator.]
Scottish Record Office.
Commission for Racial Equality.
[F128 Rail Passengers' Committees.]
[F128 Rail Passengers' Council.]
[F43] F35 Rail Users' Consultative Committee for Eastern England]]
[F43]F35Rail Users' Consultative Committee for North Eastern England]]
[F43]F35Rail Users' Consultative Committee for North Western England]]
[F43]F35Rail Users' Consultative Committee for Scotland]]
[F43] F35 Rail Users' Consultative Committee for Southern England]]
[F43]F35Rail Users' Consultative Committee for the Midlands]
[F43[F35Rail Users' Consultative Committee for Wales]]
[F43] F35 Rail Users' Consultative Committee for Western England]]
[F35Remploy Ltd]
[F129 Red Deer Commission]
[F102] Department of the Registers of Scotland]
[F102General Register Office, Scotland]
[F130 Agriculture and Food Research Council]
[F38Biotechnology and Biological Sciences Research Council]
[F38Council for the Central Laboratory of Research Councils]
Economic and Social Research Council.
[F38Engineering and Physical Sciences Research Council]
Medical Research Council.
Natural Environment Research Council.
[F38Particle Physics and Astronomy Research Council]
[F131 Science and Engineering Research Council]
[F132The International Rail Regulator]
[F133 Regional development agencies]
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[F134 (other than the London Development Agency)]
Residuary Bodies.
[F35Reviewing Committee on the Export of Works of Art]
I<sup>F135</sup>Office of the Commissioner for the Rights of Trade Union Members1
[F35Royal Air Force Museum]
[F35Royal Armouries Museum]
[F34Royal Botanic Garden, Edinburgh]
[F35Royal Botanic Gardens, Kew]
[F35 Royal Commission on Historical Manuscripts]
[F34Royal Commission on the Ancient and Historical Monuments of Scotland]
[F35]Royal Commission on the Historical Monuments of England]
[F35Royal Marines Museum]
Royal Mint.
[F35Royal Naval Museum]
[F35Royal Navy Submarine Museum]
[F136Office of Her Majesty's Chief Inspector of Schools in Wales.]
[F35Scientific Committee on Tobacco and Health]
[F34Scottish Agricultural Wages Board]
[F34Scottish Children's Reporter Administration]
[F34Scottish Community Education Council]
[F34Scottish Consultative Council on the Curriculum]
[F34Scottish Council for Educational Technology]
[F102 Scottish Courts Administration.]
[F137 Scottish Environmental Protection Agency]
[F34Scottish Further Education Funding Council]
[F34Scottish Further Education Unit]
[F34Scottish Higher Education Funding Council]
[F138] Scottish Homes.]
Scottish Office.
[F34Scottish Qualifications Authority]
[F34Scottish Screen Ltd]
[F34Scottish Studentship Selection Committee]
[F34Scottish Water and Sewerage Customers' Council]
[F35Sea Fish Industry Authority]
[F139Office of the Secretary of State for Scotland]
[F140 The Service Authority for the National Crime Squad.]
[F140 The Service Authority for the National Criminal Intelligence Service.]
[F35Sir John Soane's Museum]
Council for Small Industries in Rural Areas.
[F85Department of Social Security.]
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Central Council for Education and Training in Social Work.

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[F67]F35South Eastern Region Electricity Consumers' Committee]
[F67]F35South of Scotland Region Electricity Consumers' Committee]
[F67]F35South Wales Region Electricity Consumers' Committee]]
[F67] F35 South Western Region Electricity Consumers' Committee]
[F67] F35 Southern Region Electricity Consumers' Committee]
Sports Council.
[F141 English Sports Council]
Scottish Sports Council.
[F141 United Kingdom Sports Council.]
[F142 Sports Council for Wales.]
[F143 The Staff Commission for Wales (Comisiwn Staff Cymru).]
[F144Standards Board for England.]
I<sup>F35</sup>Standing Dental Advisory Committee]
[F35Standing Medical Advisory Committee]
[F35Standing Nursing and Midwifery Advisory Committee]
[F35Standing Pharmaceutical Advisory Committee]
Stationery Office.
[F145Strategic Rail Authority.]
[F146 The Office for National Statistics.]
[F35Tate Gallery]
[F35Teacher Training Agency]
Office of the Director General of Telecommunications.
[F35The Great Britain-China Centre]
[F35The Simpler Trade Procedures Board]
English Tourist Board.
[F102 Scottish Tourist Board.]
[F142Wales Tourist Board]
Board of Trade.
Department of Trade and Industry.
Agricultural Training Board.
Clothing and Allied Products Industry Training Board.
Construction Industry Training Board.
Engineering Industry Training Board.
Hotel and Catering Industry Training Board.
Plastics Processing Industry Training Board.
Road Transport Industry Training Board.
   F147
[F148 Traffic Director for London.]
[F71Department of Transport, Local Government and the Regions]
[F35Treasure Valuation Committee]
Treasury.
Treasury Solicitor.
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[F35United Kingdom Atomic Energy Authority]
[F35United Kingdom Register of Organic Food Standards]
[F35United Kingdom Xenotransplantation Interim Regulatory Authority]
[F35Unrelated Live Transplant Regulatory Authority]
Urban development corporations [F149 established for urban development areas wholly in
England].
[F150 Urban Regeneration Agency.]
[F35Victoria and Albert Museum]
[F151 Development Board for Rural Wales]
[F35Wallace Collection]
[F35War Pensions Committees]
[F152Office of the Director General of Water Services.]
[F153] Bwrdd yr Iaith Gymraeg (Welsh Language Board)]
Welsh Office.
I<sup>F35</sup>Westminster Foundation for Democracy]
[F35Wine Standards Board of the Vintners' Company]
[F35Women's National Commission]
[F35Yorkshire Region Electricity Consumers' Committee]
[F154 Youth Justice Board]
[F36Youth Justice Board for England and Wales]
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Editorial Information

X2 Sch. 2: this version of this provision contains details of amendments coming into force on or after 1.10.1991 and before 16.12.2003 (repealed text is retained). For previous amendment history, please refer to the earlier version.

Textual Amendments

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F34 Sch. 2: entries inserted (15.3.1999) by S.I. 1999/277, art. 2 and entries repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch. 2 Pt. I para. 39(5)(a), Pt. IV; S.I. 1998/3178, art. 3
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- F35 Entries in Sch. 2 inserted (15.3.1999) by S.I. 1999/277, art. 2
- **F36** Entries in Sch. 2 inserted (19.8.1999) by S.I. 1999/2028, art. 2
- **F37** Entry in Sch. 2 repealed (27.3.2002) by S.I. 2002/794, art. 5(2), Sch. 2 (with art. 6)
- F38 Sch. 2: entries inserted (31.7.1995) by virtue of S.I. 1995/1615, art. 2
- F39 Sch. 2: entry inserted (31.7.1995) by virtue of S.I. 1995/1615, art. 2; and entry repealed (1.7.1999) by 1998 c. 38, s. 152, Sch. 18 Pt. I (with ss. 139(2), 143(2)); S.I. 1999/1290, art. 4
- **F40** Sch. 2: entry inserted (31.7.1995) by virtue of S.I. 1995/1615, **art. 2** and entry repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 39(5)(a)**, Pt. IV; S.I. 1998/3178, **art. 3**
- **F41** Sch. 2: entry inserted (24.2.2003) by 2002 c. 29, ss. 456, 458(1), Sch. 11 para. 2(2); S.I. 2003/120, art. 2, Sch. (subject to arts. 3-7)
- **F42** Entries in Sch. 2 repealed (1.12.2001) by S.I. 2001/3649, art. 274
- **F43** Entries in Sch. 2 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions in Sch. 2 Pt. II)
- F44 Entry in Sch. 2 inserted (1.4.2001) by 2000 c. 43, s. 11, Sch. 2 para. 17; S.I. 2001/919, art. 2(a)(e)
- F45 Sch. 2: entries repealed (1.4.1996) by S.I. 1996/273, art. 5(1), Sch. 2 para. 15(a)
- **F46** Sch. 2: entry (which was inserted by S.I. 1987/2039, **art. 4(1)(b))** omitted (6.7.1992) by virtue of S.I. 1992/1296, art. 6(1), **Sch. para. 3(b)**

Status: Point in time view as at 05/02/1994. This version of this Act contains provisions that are not valid for this point in time. **Changes to legislation:** Parliamentary Commissioner Act 1967 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Sch. 2: entry inserted (1.11.1999 for E.W. and otherwise 11.5.2001) by 1999 c. 8, s. 19, Sch. 2 para. 17; S.I. 1999/2793, art. 2(1)(b), Sch. 2; S.I. 2001/1985, art. 2(3)(b)
- F48 Entry in Sch. 2 inserted (1.1.2003) by 2002 c. 17, ss. 20(11), 42(3), Sch. 6 para. 17; S.I. 2002/3190, art. 2
- Entry in Sch. 2 inserted (15.3.1999) by S.I. 1999/277, art. 2 and entry repealed (25.10.1999) by S.I. 1999 c. 26, s. 44, Sch. 9(6); S.I. 1999/2830, art. 2(3), Sch. 2 Pt. I (with Sch. 3 para. 4)
- F50 Sch. 2: entry repealed (7.1.2003) by 2002 c. 39, ss. 1(4), 3, 4(2), Sch. 1 para. 1, Sch. 3
- F51 Sch. 2: entry inserted (5.7.1994) by 1994 c. 21, s. 1, Sch. 1 Pt. I, para. 10
- Sch. 2: "Countryside Agency" substituted for "Countryside Commission" (20.2.1999) by S.I. 1999/416, art. 3(d), Sch. 1 para. 3 (and by S.I. 1999/2028, art. 2 it is provided (19.8.1999) that the words "Countryside Commission"shall be deleted and the words "Countryside Agency"shall be inserted)
- Sch. 2: entry repealed (1.4.1992) by Natural Heritage (Scotland) Act 1991 (c. 28), s. 27(2), Sch. 11; S.I. 1991/2633, art. 4
- F54 Entry inserted (1.4.1991) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 128(5), Sch. 6 para. 23(a) and entry repealed (1.7.1999) by 1998 c. 38, s. 152, Sch. 18 Pt. I (with ss. 139(2), 143(2)); S.I. 1999/1290, art. 4
- F55 Entry in Sch. 2 repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch. 2 Pt. I para. 39(5) Pt. IV; S.I. 1998/3178, art. 3
- Sch. 2: entry inserted (22.8.1997) by S.I. 1997/1744, art. 2(2), Sch. para. 2
- Entry in Sch. 2 repealed (30.1.2001) by 2000 c. 36, ss. 18(4), 86, 87(2)(c)(d), Sch. 2 Pt. I para. 4, Sch. **8 Pt. II** (with ss. 56, 78)
- F58 Sch. 2: "Data Protection Commissioner" substituted for "Data Protection Registrar" (1.3.2000) by 1998 c. 29, s. 74(1), Sch. 15 para. 2; S.I. 2000/183, art. 2(1)
- F59 Sch. 2: entry inserted (18.10.1996) by 1996 c. 44, ss. 13(1), 14(2), Sch. 1 para. 3(b) and entry repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch. 2 Pt. I para. 39(5)(a), Pt. IV; S.I. 1998/3178, art. 3
- F60 Entry in Sch. 2 inserted (13.4.2000) by S.I. 2000/739, art. 2
- Sch. 2: entry inserted (1.11.1992) by S.I. 1992/2383, reg. 2, Sch. Pt. I para. 9 and omitted (19.5.1999) by virtue of S.I. 1999/931, reg. 7
- F62 Sch. 2: entry inserted (1.1.1996) by S.I. 1995/2986, art. 11, Sch. para. 5 and entry repealed (27.6.2002) by S.I. 2002/1397, art. 12, Sch. 1 Pt. I para. 4(a)
- F63 Entry inserted by Education Reform Act 1988 (c. 40, SIF 40:1), ss. 231(7), 235(6), 237(1), Sch. 12 para.
- F64 Sch. 2: entry substituted (6.7.1992) ("Department for Education" substituted for "Department for Education and Science") by S.I. 1992/1296, art. 6(1), Sch. para. 3 and entry repealed (1.1.1996) by S.I. 1995/2986, art. 11, Sch. para. 5(a)
- **F65** Entry in Sch. 2 inserted (27.6.2002) by S.I. 2002/1397, art. 12, Sch. Pt. I para. 4(b)
- Entry in Sch. 2 inserted (16.2.2001) by 2000 c. 41, s. 158(1), Sch. 21 para. 2; S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)
- F67 Entries in Sch. 2 repealed (7.11.2000) by 2000 c. 27, s. 108, Sch. 8; S.I. 2000/2974, art. 2, Sch. (subject to arts. 3-12)
- F68 Entry inserted by Electricity Act 1989 (c. 29, SIF 44:1), ss. 1(5), 112(3), Sch. 1 para. 7, Sch. 17 para. 35(1)
- F69 Sch. 2: entry repealed (1.1.1996) by S.I. 1995/2986, art. 11, Sch. para. 5(a)
- F70 Sch. 2: entry repealed (5.7.1992) by S.I. 1992/1314, art. 5
- Sch. 2: entries repealed (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. para. 2(a)
- F72 Entry in Sch. 2 inserted (27.3.2002) by S.I. 2002/794, art. 5(1), Sch. 1 para. 14 (with arts. 5(3), 6)
- F73 Entry in Sch. 2 inserted (13.8.2001) by S.I. 2001/2568, art. 16, Sch. para. 2(b)
- F74 Entry in Sch. 2 inserted (27.6.2002) by S.I. 2002/1397, art. 12, Sch. Pt. I para. 4(b)
- F75 Entry in Sch. 2 inserted (15.3.1999) by S.I. 1999/277, art. 2 and entry omitted (in accordance with art. 1(2)(3) of the amending S.I.) by virtue of S.I. 2002/253, art. 54, Sch. 5 (with art. 3(18))
- Entry in Sch. 2 inserted (30.1.2001) by 2000 c. 37, ss. 73(4), 103(2), Sch. 8 para. 2(c)
- Entry in Sch. 2 repealed (13.8.2001) by S.I. 2001/2568, art. 16, Sch. para. 2(a)
- F78 Sch. 2: entry inserted (26.1.1998) by S.I. 1997/2791, art. 6(1), Sch. para. 2(b)

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Sch. 2: entries inserted (1.4.1996) by 1995 c. 25, s. 120(1), Sch. 22 para. 11(a) (with ss. 7(6), 115, 117,
       120, Sch. 23 para. 10(3)); S.I. 1996/186, art. 3
F80
      Sch. 2: entry repealed (1.4.2003) by 2002 c. 40, s. 278, Sch. 26; S.I. 2003/766, art. 2, Sch. (with art. 3)
     Sch. 2: entry inserted (1.4.2000) by 1999 c. 28, s. 40(1)(2), Sch. 5 para. 3; S.I. 2000/1066, art. 2
F82 Sch. 2: entry inserted (8.6.1992) by Friendly Societies Act 1992 (c. 40), s. 1, Sch. 1 para. 12; S.I.
       1992/1325, art. 2
F83
      Entries in Sch. 2 inserted (1.11.2000) by 2000 c. 27, s. 108, Sch. 6 Pt. III para. 43; S.I. 2000/2917,
       art. 2, Sch.
F84 Entry in Sch. 2 inserted (7.5.2001 for E.) by 2000 c. 14, ss. 6, 54, 66, 122, Sch. 1 para. 24; S.I. 2001/1536,
       art. 2(2)(a)(ii)
F85 Entry inserted by S.I. 1988/1843, art. 5(2)(b) and entry repealed (27.6.2002) by S.I. 2002/1397, art. 12,
       Sch. Pt. I para. 4(a)
      Entry repealed by S.I. 1988/1843, art. 5(2)(a)
F86
      Words repealed (1.4.1991) by Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 38(2),
       Sch. 5 Pt. III
      Sch. 2: entry repealed (1.11.1998) by 1998 c. 38, s. 152, Sch. 18 Pt. VI (with ss. 139(2), 143(2)); S.I.
F88
       1998/2244, art. 5
      Entry inserted by Human Fertilisation and Embryology Act 1990 (c. 37, SIF 83:1), s. 5(3), Sch. 1 para. 14
      Sch. 2: entry inserted (22.5.2000) by 1999 c. 33, s. 83, Sch. 5 para. 25; S.I. 2000/1282, art. 2, Sch.
F91
      Entry in Sch. 2 inserted (30.1.2001) by 2000 c. 36, ss. 18(4), 87(2)(c), Sch. 2 Pt. I para. 4 (with ss.
       7(1)(7), 56, 78)
      Sch. 2: entry inserted (22.8.1997) by S.I. 1997/1749, art. 8
F93 Entry in Sch. 2 repealed (15.11.2001) by S.I. 2001/3686, reg. 6(2)
F94 Sch. 2: entry repealed (1.4.2000) by 1999 c. 22, s. 106, Sch. 15 Pt. I; S.I. 2000/774, art. 2(c), Sch.
F95 Entry inserted by S.I. 1988/585, art. 2 and entry repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4,
       Sch. 2 Pt. I para. 39(5)(a), Pt. IV; S.I. 1998/3178, art. 3
F96
      Sch. 2: entry inserted (1.4.2000) by 1999 c. 22, s. 24, Sch. 4 para. 2; S.I. 2000/774, art. 2(a)
F97
      Sch. 2: entry inserted (1.11.2003) by 1999 c. 22, ss. 51, 108(1), Sch. 8 para. 9; S.I. 2003/2571, art. 2
      Sch. 2: entry inserted (6.3.1992) by Local Government Act 1992 (c. 19), s. 12, Sch. 2 para. 11
      Entry repealed by S.I. 1987/2039, art. 4(1)(a)
F100 Entry repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), Sch. 4
F101 Entry in Sch. 2 repealed (1.4.2002) by 2001 c. 15, s. 67, Sch. 6 Pt. 1 (with ss. 64(a), 65(4)); S.I.
       2002/1095, art. 2(3), Sch.
F102 Sch. 2: entries repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch. 2 Pt. I para. 39(5)(a), Pt. IV;
       S.I. 1998/3178, art. 3
F103 Sch. 2: entry inserted (15.3.1999) by S.I. 1999/277, art. 2; and deleted (19.8.1999) by S.I. 1999/2028,
F104 Entry in Sch. 2 inserted (9.4.2001 for E.) by 2000 c. 14, ss. 6, 54, 66, 122, Sch. 1 para. 24; S.I. 2001/1193,
       art. 2(3)(b)
F105 Sch. 2: entry repealed (1.4.1996) by 1995 c. 25, s. 120(1)(3), Sch. 22 para. 11(c)(i), Sch. 24 (with ss.
       7(6), 115, 117, 120, Sch. 23 para. 10(3)); S.I. 1996/186, art. 3
F106 Sch. 2: entry inserted (3.7.1992) by S.I. 1992/1311, art. 12(1)(a)
F107 Sch. 2: entry inserted (25.10.1993) by 1993 c. 39, s. 3, Sch. 2 para. 7; S.I. 1993/2632, art. 2 and entry
       repealed (1.4.1999) by 1998 c. 22, ss. 1, 26, Sch. 1 Pt. III para. 9(b); Sch. 5 Pt. I; S.I. 1999/650, art. 2
F108 Sch. 2: entry inserted (1.4.1999) by 1998 c. 22, s. 1(5), Sch. 1 Pt. III para. 9(a); S.I. 1999/650, art. 2
F109 Sch. 2: entry inserted (27.11.1991) by Natural Heritage (Scotland) Act 1991 (c. 28), s. 27(1), Sch. 10
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para. 3; S.I. 1991/2633, art. 3, Sch. and entry repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch.

F110 Entry in Sch. 2 repealed (30.1.2001) by 2000 c. 37, ss. 73(4), 102, 103(2), Sch. 8 para. 2(c), **Sch. 16 Pt. III F111** Sch. 2: entry inserted (1.4.1991) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 128(5), **Sch.**

F112 Sch. 2: entry repealed (1.4.1992) by Natural Heritage (Scotland) Act 1991 (c. 28), s. 27(2), Sch. 11; S.I.

6 para. 23(b) and repealed (30.1.2001) by 2000 c. 37, ss. 102, 103(2), Sch. 16 Pt. III

2 Pt. I para. 39(5)(a), Pt. IV; S.I. 1998/3178, art. 3

1991/2633, art. 4

Status: Point in time view as at 05/02/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation: Parliamentary Commissioner Act 1967 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F113 Entry in Sch. 2 inserted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 2; S.R. 2001/396, art. 2, Sch.
- **F114** Sch. 2: entry inserted (1.4.1996) by 1995 c. 26, s. 1(5), **Sch. 1 para. 10**; S.I. 1996/778, art. 2(3), **Sch. Pt. III**
- **F115** Sch. 2: entry inserted (30.8.1993) by 1993 c. 19, s. 49(2), **Sch. 8 para. 2**; and repealed (25.10.1999) by S.I. 1999 c. 26, s. 44, **Sch. 9(6)**; S.I. 1999/2830, art. 2(3), **Sch. 2 Pt. I** (with Sch. 3 para. 4)
- F116 Sch. 2: entry inserted (1.8.1996) by 1996 c. 26, s. 78(8), Sch. 2 para. 9; S.I. 1996/1412, art. 2(1), Sch. Pt. I
- F117 Entry in Sch. 2 inserted (1.1.2001) by 2000 c. 26, s. 127(4), Sch. 8 Pt. II para. 9; S.I. 2000/2957, art. 2(2), Sch. 2
- F118 Sch. 2: entry inserted (1.4.1998) by 1997 c. 50, s. 134(1), Sch. 9 para. 7; S.I. 1998/354, art. 2
- F119 Entries in Sch. 2 repealed (1.1.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2000/2957, art. 2(2), Sch. 2
- F120 Sch. 2: entry inserted (1.4.2000) by S.I. 1999/2107, reg. 3(4)
- F121 Sch. 2: entry inserted (15.3.1999) by S.I. 1999/277, art. 2 and entry repealed (25.10.1999) by 1999 c. 26, s. 44, Sch. 9(6); S.I. 1999/2830, art. 2(3), Sch. 2 Pt. I
- **F122** Entry in Sch. 2 inserted (1.4.2003) by 2002 c. 40, ss. 1, 279, Sch. 1 para. 14; S.I. 2003/766, **art. 2**, Sch. (with art. 3)
- F123 Sch. 2: words inserted (6.7.1992) by S.I. 1992/1296, art. 6(1), Sch. para. 3(c) and deleted (19.8.1999) by S.I. 1999/2028, art. 2
- **F124** Sch. 2: words inserted (6.7.1992) by S.I. 1992/1296, art. 6(1), **Sch. para. 3(c)** and entry repealed (1.1.1996) by S.I. 1995/2985, art. 5(1), **Sch. para. 2(a)**
- F125 Sch. 2: entry inserted (1.1.1993) by S.I. 1992/3060, reg. 7(6), Sch. 2 para. 7
- F126 Sch. 2: entry inserted (5.11.1993) by 1993 c. 43, s. 1(6), Sch. 1 para. 7(a)
- F127 Sch. 2: entry inserted (5.11.1993) by 1993 c. 43, s. 1(6), Sch. 1 para. 7(b)
- F128 Entries in Sch. 2 inserted (1.2.2001) by 2000 c. 38, s. 227, Sch. 22 para. 16; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to transitional provisions in Sch. 2 Pt. II)
- F129 Sch. 2: entry repealed (18.10.1996) by 1996 c. 44, ss. 13(1)(2), 14(2), Sch. 1 para. 3(b), Sch. 2
- **F130** Sch. 2: entry deleted (31.7.1995) by S.I. 1995/1615, art. 2
- **F131** Sch. 2: entry deleted (31.7.1995) by S.I. 1995/1615, art. 2
- F132 Sch. 2: entry inserted (27.7.1998) by S.I. 1998/1340, reg. 9(6), Sch. 2 para. 7
- **F133** Sch. 2: entry inserted (25.11.1998 for specified purposes and otherwise 3.7.2000) by 1998 c. 45, s. 32, Sch. 7 para. 2; S.I. 1998/2952, art. 2(2); S.I. 2000/1173, art. 2(2)(c)
- F134 Sch. 2: words inserted (8.5.2000) by 1999 c. 29, s. 394(6); S.I. 2000/801, art. 2(b), Sch. Pt. 2
- **F135** Entry inserted by Employment Act 1988 (c. 19, SIF 43:5), s. 19, **Sch. 1 para. 12** and repealed (25.10.1999) by 1999 c. 26, s. 44, **Sch. 9(6)**; S.I. 1999/2830, art. 2(3), **Sch. 2 Pt. I** (with Sch. 3 para. 4)
- **F136** Sch. 2: entry inserted (E.W.) (31.8.1992) by 1992 c. 38, ss. 1(b), **Sch. 1 para. 8**; S.I. 1992/1157, art. 2, **Sch.** (and the said Sch. 1 para. 8 expressed to be brought into force as respects Scotland (1.5.1993) by S.I. 1993/1190, **art. 2**); amendment continued (1.11.1996) by 1996 c. 57, ss. 47(1), 48(2), **Sch. 6 para. 1** and entry repealed (1.7.1999) by 1998 c. 38, s. 152, **Sch. 18 Pt. I** (with ss. 139(2), 143(2)); S.I. 1999/1290, **art. 4**
- **F137** Sch. 2: entry inserted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 11(a)** (with ss. 7(6), 115, 117, 120, Sch. 23 para. 10(3)); S.I. 1996/186, **art. 3** and entry repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 39(5)(a)**, Pt. IV; S.I. 1998/3178, **art. 3**
- **F138** Entry inserted (E.W.S.) by Housing (Scotland) Act 1988 (c. 43, SIF 61), ss. 1, 3, Sch. 2 para. 2(a) and entry repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, Sch. 2 Pt. I para. 39(5)(a), Pt. IV; S.I. 1998/3178, art. 3
- **F139** Entry in Sch. 2 inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 39(5)(b)**; S.I. 1998/3178, **art. 3**
- F140 Entries in Sch. 2 inserted (1.4.2001) by 2001 c. 16, s. 128, Sch. 6 Pt. 3 para. 56; S.I. 2002/344, art. 3(k)
- F141 Sch. 2: entries inserted (18.11.1996) by S.I. 1996/2601, art. 2
- **F142** Sch. 2: entries repealed (1.7.1999) by 1998 c. 38, s. 152, **Sch. 18 Pt. I** (with ss. 139(2), 143(2)); S.I. 1999/1290, **art. 4**
- **F143** Sch. 2: entry inserted (5.7.1994) by 1994 c. 19, s. 40(4), Sch. 14, para. 11

- **F144** Entry in Sch. 2 inserted (19.12.2000 for E. and 19.12.2000 for specified purposes for W. and otherwise 28.7.2001) by 2000 c. 22, ss. 57, 108(4), **Sch. 4 para. 17**; S.I. 2000/3335, **art. 1(2)**, 2
- F145 Entry in Sch. 2 inserted (15.1.2001) by 2000 c. 38, s. 204, Sch. 14 para. 27; S.I. 2000/3376, art. 2
- F146 Sch. 2: entry inserted (1.4.1996) by S.I. 1996/273, art. 5(1), Sch. 2 para. 15(b)
- **F147** Entry inserted by Employment Act 1988 (c. 19, SIF 43:5), s. 33, Sch. 3 para. 8 and entry repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), Sch. 7 Pt I
- **F148** Sch. 2: entry inserted (1.10.1991) by Road Traffic Act 1991 (c. 40), s. 52(2), **Sch. 5 para. 11**; S.I. 1991/2054, art. 3, **Sch.**
- **F149** Sch. 2: words in entry "Urban development corporations" inserted (1.7.1999) by 1998 c. 38, s. 125, **Sch. 12 para. 9(a)** (with ss. 139(2), 143(2)); S.I. 1999/1290, **art. 4**
- F150 Sch. 2: entry inserted (10.11.1993) by 1993 c. 28, s. 187(1), Sch. 21 para. 3(1); S.I. 1993/2762, art. 3
- F151 Sch. 2: entry repealed (1.10.1998) by 1998 c. 38, s. 152, Sch. 18 Pt. IV (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 4
- **F152** Entry inserted by Water Act 1989 (c. 15, SIF 130), ss. 5, 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 190, 193(1), Sch. 3 para. 6, Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- **F153** Sch. 2: entry inserted (21.12.1993) by 1993 c. 38, ss. 4, 36(1), **Sch. 1 para. 5**; and entry repealed (1.7.1999) by 1998 c. 38, s. 152, **Sch. 18 Pt. I** (with ss. 139(2), 143(2)); S.I. 1999/1290, **art. 4**
- **F154** Sch. 2: entry inserted (15.3.1999) by S.I. 1999/277, art. 2 and entry deleted (19.8.1999) by S.I. 1999/2028, art. 2

NOTES

VALID FROM 24/02/2003

In the case of the Director of the Assets Recovery Agency an investigation under this Act may be conducted only in respect of the exercise of functions vested in him by virtue of a notice served on the Commissioners of Inland Revenue under section 317(2), 321(2) or 322(2) of the Proceeds of Crime Act 2002 (Inland Revenue functions).]

Textual Amendments

F155 Sch. 2 Note A1 inserted (24.2.2003) by 2002 c. 29, ss. 456, 458(1), Sch. 11 para. 2(3); S.I. 2003/120, art. 2, Sch. (subject to arts. 3-7)

VALID FROM 16/12/2003

- A2 The reference to the Department for Constitutional Affairs includes the Lord Chancellor's Department and the Public Trustee
- The reference to the Ministry of Defence includes the Defence Council, the Admiralty Board, the Army Board and the Air Force Board.

VALID FROM 01/04/1996

[F1561A

The reference to the Environment Agency is a reference to that Agency in relation to all its functions other than its flood defence functions, within the meaning of the M12Water Resources Act 1991.]

Textual Amendments

F156 Sch. 2 Note 1A inserted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 11(b)** (with ss. 7(6), 115, 117, 120, Sch. 23 para. 10(3)(*temp.*)); S.I. 1996/186, **art. 3**

Marginal Citations

M12 1991 c. 57.

VALID FROM 01/07/1999

 $[^{F157}1B]$

In the case of the Forestry Commission no investigation under this Act shall be conducted in respect of any action in connection with functions of the Forestry Commissioners in relation to Wales (within the meaning of the Government of Wales Act 1998).]

Textual Amendments

F157 Sch. 2 Note 1B inserted (1.7.1999) by 1998 c. 38, ss. 125, 158(1) Sch. 12 para. 9(c) (with ss. 139(2), 143(2)); S.I. 1999/1290, art. 4

- The reference to the Registry of Friendly Societies includes the Central Office, the Office of the Assistant Registrar of Friendly Societies for Scotland and the Office of the Chief Registrar and the Industrial Assurance Commissioner.
- In the case of the Corporation of the Trinity House of Deptford Strond an investigation under this Act may only be conducted in respect of action in connection with their functions as a general lighthouse authority.
- The reference to the Lord Chancellor's Department includes the department of the Accountant General of the Supreme Court and the department of the Public Trustee (whether or not either office is held by the Permanent Secretary to the Lord Chancellor).
- The reference to the Lord President of the Council's Office F158... does not include the Privy Council Office.

Textual Amendments

F158 Words in Sch. 2 Note 5 omitted (3.7.1992) by virtue of S.I. 1992/1311, art. 12(1)(b)

The references to the [F159Office of Public Service and Science] and the Treasury do not include the Cabinet Office, but subject to that include the subordinate departments of the [F159Office of Public Service and Science] and of the Treasury and the office of any Minister whose expenses are defrayed out of moneys provided by Parliament for service of the [F159Office of Public Service and Science] or the Treasury.

Textual Amendments

F159 Words in Sch. 2 Note 6 substituted (6.7.1992) by virtue of S.I. 1992/1296, art. 6(1), Sch. para. 3(d)

- In the case of the Commission for the New Towns, a development corporation for a new town or the Development Board for Rural Wales, no investigation shall be conducted under this Act in respect of any action in connection with functions in relation to housing.
- 8 The reference to the Treasury Solicitor does not include a reference to Her Majesty's Procurator General.
- [F1608A In the case of Scottish Homes no investigation shall be conducted under this Act in respect of any of its actions as a landlord.]

Textual Amendments

F160 Note 8A inserted (1.4.1989) (E.W.S.) after Note 8 by Housing (Scotland) Act 1988 (c. 43, SIF 61), ss. 1, 3, Sch. 2 para. 2(b)

[F1619] The reference to the National Rivers Authority is a reference to that Authority in relation to all its functions other than its flood defence functions [F162] (within the meaning of the Water Resources Act 1991)].]

Textual Amendments

- **F161** Note 9 inserted (7.7.1989 (E.W.), 1.9.1989 (S.) (N.I.)) after Note 8 by Water Act 1989 (c. 15, SIF 130), ss. 1, 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 190, 193(1), Sch. 1 para. 11(b), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F162 Note 9: words substituted (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3(1), 4(2), Sch. 1 para. 17

- In the case of an urban development corporation no investigation under this Act shall be conducted in respect of any action in connection with functions in relation to town and country planning.
- In relation to any function exercised on behalf of the Crown by a department or authority to which this Act applies which was previously exercisable on behalf of the Crown by a department or authority to which this Act does not apply, the reference to the department or authority to which this Act applies includes a reference to the other department or authority if the other department or authority—
 - (a) ceased to exercise the function before the commencement of this Act; or
 - (b) where it exercised the function after the commencement of this Act, only did so when it was a department or authority to which this Act applied.
- [F16311 In the case of the Urban Regeneration Agency no investigation under this Act shall be conducted in respect of any action in connection with functions in relation to town and country planning.]

Textual Amendments

F163 Sch. 2 Note 11 inserted (10.11.1993) by 1993 c. 28, s. 187(1), Sch. 21 para. 3(2); S.I. 1993/2762, art.3

VALID FROM 15/11/2004

- In the case of the Government Actuary's Department an investigation may be conducted under this Act only in respect of the giving of advice by the Government Actuary's Department on or before 26 April 2001 relating to the exercise of functions under-
 - (a) Part 2 of the Insurance Companies Act 1982 F164, or
 - (b) any other enactment relating to the regulation of insurance companies within the meaning of that Act.

Textual Amendments

F164 1982 c. 50; repealed by S.I. 2001/3649.

SCHEDULE 3

MATTERS NOT SUBJECT TO INVESTIGATION

Action taken in matters certified by a Secretary of State or other Minister of the Crown to affect relations or dealings between the Government of the United Kingdom and any other Government or any international organisation of States or Governments.

Action taken, in any country or territory outside the United Kingdom, by or on behalf of any officer representing or acting under the authority of Her Majesty in respect of the United Kingdom, or any other officer of the Government of the United Kingdom [F165] other than action which is taken by an officer (not being an honorary consular officer) in the exercise of a consular function on behalf of the government of the United Kingdom . . . F166.]

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Textual Amendments
F165 Words added by S.I. 1979/915, art. 2
F166 Words repealed by S.I. 1988/1985, art. 2
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- Action taken in connection with the administration of the government of any country or territory outside the United Kingdom which forms part of Her Majesty's dominions or in which Her Majesty has jurisdiction.
- Action taken by the Secretary of State under the M13 Extradition Act 1870 [F167, the Fugitive Offenders Act 1967 or the Extradition Act 1989].

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Textual Amendments
F167 Words substituted by Extradition Act 1989 (c. 33, SIF 48), s. 36(1)

Modifications etc. (not altering text)
C22 Para. 4 extended by Fugitive Offenders Act 1967 (c. 68, SIF 48), s. 21(4)

Marginal Citations
M13 1870 c. 52(48).
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Action taken by or with the authority of the Secretary of State for the purposes of investigating crime or of protecting the security of the State, including action so taken with respect to passports.

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Modifications etc. (not altering text)

C23 Sch. 3 para. 5 extended (13.5.1999) by S.I. 1999/1351, art. 9(6)(a)
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The commencement or conduct of civil or criminal proceedings before any court of law in the United Kingdom, of proceedings at any place under the M14Naval Discipline Act 1957, the M15Army Act 1955 or the M16Air Force Act 1955, or of proceedings before any international court or tribunal.

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Marginal Citations
M14 1957 c. 53(7:1).
M15 1955 c. 18(7:1).
M16 1955 c. 19(7:1).
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[F1686A Action taken by any person appointed by the Lord Chancellor as a member of the administrative staff of any court or tribunal, so far as that action is taken at the direction, or on the authority (whether express or implied), of any person acting in a judicial capacity or in his capacity as a member of the tribunal.]

Textual Amendments

F168 Sch. 3 para. 6A inserted by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 110(2)

VALID FROM 05/09/1994

- [F1696B(1) Action taken by any member of the administrative staff of a relevant tribunal, so far as that action is taken at the direction, or on the authority (whether express or implied), of any person acting in his capacity as a member of the tribunal.
 - (2) In this paragraph, "relevant tribunal" has the meaning given by section 5(8) of this Act.]

Textual Amendments

F169 Sch. 3 para. 6B inserted (5.9.1994) by 1994 c. 14, ss. 1(2), 3(2)

Modifications etc. (not altering text)

C24 Sch. 3 para. 6B(2) extended (13.5.1999) by S.I. 1999/1351, art. 9(6)(b)

VALID FROM 08/11/1995

[F1706C

Action taken by any person appointed under section 5(3)(c) of the Criminal Injuries Compensation Act 1995, so far as that action is taken at the direction, or on the authority (whether express or implied), of any person acting in his capacity as an adjudicator appointed under section 5 of that Act to determine appeals.]

Textual Amendments

F170 Sch. 3 para. 6C inserted (8.11.1995) by 1995 c. 53, s. 10(2)(3)

- Any exercise of the prerogative of mercy or of the power of a Secretary of State to make a reference in respect of any person to the Court of Appeal, the High Court of Justiciary or the Courts-Martial Appeal Court.
- Action taken on behalf of the Minister of Health or the Secretary of State by a [F171]Regional Health Authority, an Area Health Authority [F172] District Health Authority], a special health authority [F173] except the Rampton Hospital Review Board][F174]... F175 the Rampton Hospital Board], [F176] the Broadmoor Hospital

Board or the Moss Side and Park Lane Hospitals Board,] a Family Practitioner Committee, a Health Board or the Common Services Agency for the Scottish Health Service][F177] by the Dental Practice Board or the Scottish Dental Practice Board], or by the Public Health Laboratory Service Board.

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Textual Amendments
F171 Words substituted by National Health Service Reorganisation Act 1973 (c. 32, SIF 113:2), Sch 4. para. 109
F172 Words added (E.W.S.) by Health Services Act 1980 (c. 53, SIF 113:2), Sch. 1 para. 16
F173 Words inserted by S.I. 1981/736, art. 2
F174 Words inserted by S.I. 1986/1168, art. 2
F175 Word repealed by S.I. 1987/661, art. 2(a)
F176 Words inserted by S.I. 1987/661, art. 2(b)
F177 Words in Sch. 3 para. 8 inserted (5.2.1994) by 1993 c. 46, ss. 20, 22(4), Sch. 2 para.2
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- Action taken in matters relating to contractual or other commercial transactions, whether within the United Kingdom or elsewhere, being transactions of a government department or authority to which this Act applies or of any such authority or body as is mentioned in paragraph (a) or (b) of subsection (1) of section 6 of this Act and not being transactions for or relating to—
 - (a) the acquisition of land compulsorily or in circumstances in which it could be acquired compulsorily;
 - (b) the disposal as surplus of land acquired compulsorily or in such circumstances as aforesaid.

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Modifications etc. (not altering text)

C25 Sch. 3 para. 9 extended (13.5.1999) by S.I. 1999/1351, art. 9(6)(c)
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- [F178(1)] Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters, in relation to—
 - (a) service in any of the armed forces of the Crown, including reserve and auxiliary and cadet forces;
 - (b) service in any office or employment under the Crown or under any authority [F179 to which this Act applies]; or
 - (c) service in any office or employment, or under any contract for services, in respect of which power to take action, or to determine or approve the action to be taken, in such matters is vested in Her Majesty, any Minister of the Crown or any such authority as aforesaid.
 - [F180(2) Sub-paragraph (1)(c) above shall not apply to any action (not otherwise excluded from investigation by this Schedule) which is taken by the Secretary of State in connection with:—
 - (a) the provision of information relating to the terms and conditions of any employment covered by an agreement entered into by him under section 12(1) of the M17Overseas Development and Co-operation Act 1980 or

(b) the provision of any allowance, grant or supplement or any benefit (other than those relating to superannuation) arising from the designation of any person in accordance with such an agreement.]

Textual Amendments

F178 Sch. 3 para. 10 renumbered as Sch. 3 para. 10(1) by S.I. 1983/1707, art. 2(a)

F179 Words substituted by Parliamentary and Health Service Commissioners Act 1987 (c. 39 SIF 89), s. 1(3)(c)

F180 Sch. 3 para. 10(2) inserted by S.I. 1983/1707, art. 21(b)

Modifications etc. (not altering text)

C26 Sch. 3 para. 10 extended (13.5.1999) by S.I. 1999/1351, art. 9(6)(c)

Marginal Citations

M17 1980 c. 63(88).

The grant of honours, awards or privileges within the gift of the Crown, including the grant of Royal Charters.

VALID FROM 03/04/2006

- [F181]12(1) Action not otherwise within this Schedule which is taken in the course of administrative functions exercised at the direction, or on the authority (whether express or implied), of a judge of any court established under the law of England and Wales or Northern Ireland.
 - (2) In this paragraph "judge" includes—
 - (a) a person appointed under section 89 of, and Part 2 or 3 of Schedule 2 to, the Supreme Court Act 1981, and
 - (b) a Master or District Judge appointed under section 70 of, and Schedule 3 to, the Judicature (Northern Ireland) Act 1978.]

Textual Amendments

F181 Sch. 3 para. 12 inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 145, 148, **Sch. 17 para.** 6(4); S.I. 2006/1014, art. 2(a), Sch. 1 para. 28

VALID FROM 30/01/2008

[F182] SCHEDULE 4

Section 5

RELEVANT TRIBUNALS FOR THE PURPOSES OF SECTION 5(7)

Textual Amendments

F182 Sch. 4 substituted (30.1.2008) by The Parliamentary Commissioner Order 2007 (S.I. 2007/3470), art. 3, Sch. 2

VALID FROM 14/03/2005

SCHEDULE 4

Section 5(8)

RELEVANT TRIBUNALS FOR THE PURPOSES OF SECTION 5(7)

VALID FROM 05/09/1994

[F222] SCHEDULE 4

RELEVANT TRIBUNALS FOR PURPOSES OF SECTION 5(7)

Textual Amendments

F222 Sch. 4 inserted (5.9.1994) by 1994 c. 14, s. 1(3)

Status:

Point in time view as at 05/02/1994. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation:

Parliamentary Commissioner Act 1967 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.