



# Parliamentary Commissioner Act 1967

## 1967 CHAPTER 13

### *Investigation by the Commissioner*

#### **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;

[<sup>F1</sup>(b) any other authority or body within subsection (1A) below.

(1A) An authority or body is within this subsection if—

(a) its members are appointed by—

- (i) Her Majesty;
- (ii) any Minister of the Crown;
- (iii) any government department;
- (iv) the Scottish Ministers;
- (v) the First Minister; or
- (vi) the Lord Advocate, or

(b) its revenues consist wholly or mainly of—

- (i) money provided by Parliament; or
- (ii) sums payable out of the Scottish Consolidated Fund (directly or indirectly).]

(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

*Status: Point in time view as at 18/10/2005.*

*Changes to legislation: Parliamentary Commissioner Act 1967, Section 6 is up to date with all changes known to be in force on or before 28 July 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)*

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) [<sup>F2</sup>Except 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 <sup>M1</sup>Continental 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.

[<sup>F3</sup>(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 <sup>M2</sup>Immigration Act 1971, has the right of abode in the United Kingdom.]

#### Textual Amendments

- F1** S. 6(1)(b)(1A) substituted for s. 6(1)(b) (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 39(4)**
- F2** Words inserted by Parliamentary Commissioner (Consular Complaints) Act 1981 (c. 11, SIF 89), **s. 1.**
- F3** S. 6(5) inserted by Parliamentary Commissioner (Consular Complaints) Act 1981 (c. 11, SIF 89) s. 1.

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

- C1** S. 6(3) modified by Parliamentary and Health Service Commissioners Act 1987 (c. 39, SIF 89), **s. 10(4)**

#### Marginal Citations

- M1** 1964 c. 29(86).
- M2** 1971 c. 77(101A:1)

**Status:**

Point in time view as at 18/10/2005.

**Changes to legislation:**

Parliamentary Commissioner Act 1967, Section 6 is up to date with all changes known to be in force on or before 28 July 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.