



Parliamentary Commissioner Act 1967

1967 CHAPTER 13

Investigation by the Commissioner

7 Procedure in respect of investigations.

(1) Where the Commissioner proposes to conduct an investigation pursuant to a complaint under [^{F1}section 5(1) of] 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.

[^{F2}(1A) Where the Commissioner proposes to conduct an investigation pursuant to a complaint under section 5(1A) of this Act, he shall give the person to whom the complaint relates an opportunity to comment on any allegations contained in the complaint.]

(2) Every [^{F3}investigation under this Act] 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,

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 [^{F4}or the person to whom the complaint relates] , or any power or duty of [^{F5}that department, authority or person] to take further action with respect to any matters subject to the investigation; but where the person aggrieved

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Commissioner Act 1967, Section 7. (See end of Document for details)

has been removed from the United Kingdom under any Order in force under the ^{M1}Aliens Restriction Acts 1914 ^{M2}and 1919 or under [^{F6}the ^{M3}Immigration Act 1971], he shall, if the Commissioner so directs, be permitted to re-enter 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

- F1** Words in s. 7(1) inserted (18.10.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 47, 60, [Sch. 7 para. 3\(2\)](#); S.I. 2005/2848, [art. 2](#)
- F2** S. 7(1A) inserted (18.10.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 47, 60, [Sch. 7 para. 3\(3\)](#); S.I. 2005/2848, [art. 2](#)
- F3** Words in s. 7(2) substituted (18.10.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 47, 60, [Sch. 7 para. 3\(4\)](#); S.I. 2005/2848, [art. 2](#)
- F4** Words in s. 7(4) inserted (18.10.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 47, 60, [Sch. 7 para. 3\(5\)\(a\)](#); S.I. 2005/2848, [art. 2](#)
- F5** Words in s. 7(4) substituted (18.10.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 47, 60, [Sch. 7 para. 3\(5\)\(b\)](#); S.I. 2005/2848, [art. 2](#)
- F6** Words substituted by virtue of [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), [s. 17\(2\)\(a\)](#)

Modifications etc. (not altering text)

- C1** S. 7 applied with modifications (S.) by [National Health Service \(Scotland\) Act 1978 \(c. 29, SIF 113:2\)](#), [s. 95](#)

Marginal Citations

- M1** 1914 c. 12.
- M2** 1919 c. 92(62).
- M3** 1971 c. 77(62).

Changes to legislation:

There are currently no known outstanding effects for the Parliamentary Commissioner Act 1967, Section 7.