



# Commissioner for Older People (Wales) Act 2006

## 2006 CHAPTER 30

*Disclosure of information etc.*

### **19 Protection against defamation**

- (1) For the purposes of the law of defamation, the following are absolutely privileged—
  - (a) the publication of a matter by the Commissioner in a report made under regulations made under section 15 or paragraph 8 of Schedule 1;
  - (b) the publication in communications between the Commissioner and the Public Services Ombudsman for Wales or another ombudsman of a matter which the Commissioner is permitted to disclose to that ombudsman by virtue of subsection (3)(a) of section 18;
  - (c) the publication in communications from the Commissioner to a person mentioned in subsection (3) of a matter in connection with an examination by the Commissioner into a case under regulations made under section 10.
- (2) For the purposes of the law of defamation, the publication in communications from a person mentioned in subsection (3) to the Commissioner of a matter in connection with an examination by the Commissioner into a case under regulations made under section 10 has qualified privilege.
- (3) The persons referred to in subsections (1)(c) and (2) are—
  - (a) the person whose case is being examined;
  - (b) a person whose conduct is the subject of the examination;
  - (c) a person with whom the Commissioner is communicating for the purpose of obtaining information about the case; and
  - (d) a person acting on behalf of a person falling within paragraphs (a) to (c).
- (4) In this section “other ombudsman” has the same meaning as in section 17.

**Changes to legislation:**

There are currently no known outstanding effects for the Commissioner for Older People (Wales) Act 2006, Section 19.