



Commissioner for Older People (Wales) Act 2006

2006 CHAPTER 30

Functions

3 Review of discharge of functions

- (1) For the purpose of safeguarding and promoting the interests of older people in Wales, the Commissioner may review the effect on them of—
 - (a) the discharge or proposed discharge of a function of the [F1Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government]F1, including the making or proposed making of subordinate legislation;
 - (b) a failure by the [F1Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government]F1 to discharge a function;
 - (c) the discharge or proposed discharge in relation to Wales of a relevant function of a person mentioned in Schedule 2;
 - (d) a failure by such a person to discharge a relevant function in relation to Wales.
- (2) A relevant function is—
 - (a) in the case of a person who is a family health service provider in Wales, a function dischargeable in relation to the provision of any of the family health services which the person has entered into a contract, undertaken, or made arrangements, to provide;
 - (b) in the case of a person who is an independent provider in Wales, a function dischargeable in relation to the provision of any of the independently provided services which the person has made arrangements to provide;
 - (c) in the case of any other person mentioned in Schedule 2, any function of the person.
- (3) “Subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30).

Changes to legislation: There are currently no known outstanding effects for the Commissioner for Older People (Wales) Act 2006, Section 3. (See end of Document for details)

- (4) The references in subsection (1) to the discharge of a function, or a failure to do so, include the discharge of a function, or a failure to do so, at a time before this section comes into force.

Textual Amendments

- F1** Words in s. 3(1)(a)(b) substituted (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#)) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1(2)(3), 3, **Sch. 1 para. 126**

Changes to legislation:

There are currently no known outstanding effects for the Commissioner for Older People (Wales) Act 2006, Section 3.