

These notes refer to the Commissioner for Older People Act (Northern Ireland) 2011 (c.1) which received Royal Assent on 25 January 2011

Commissioner for Older People Act (Northern Ireland) 2011

EXPLANATORY NOTES

OVERVIEW

9. The Commissioner for Older People Act (Northern Ireland) 2011 has 29 sections and 3 Schedules. Sections 1 and 2 establish the Commissioner for Older People for Northern Ireland and set out the principal aim of the Commissioner. Sections 3 to 20 set out the functions (duties and powers) of the Commissioner. This includes the provision for three different types of investigation:
 - informal general investigations (section 4). These can be used in relation to any of the Commissioner’s functions (sections 3-12);
 - review of the adequacy and the effectiveness of the law and practice relating to the interests of older people and review of the adequacy and effectiveness of the services provided to older people by relevant authorities (section 3 and Schedule 2); This intermediate type of investigation has set procedures, but few associated formal powers;
 - formal investigations (sections 13 to 20). These relate specifically to a range of organisations listed or referenced in the Commissioner for Older People Act (Northern Ireland) 2011 as relevant authorities. Formal investigations cover the investigation of complaints (section 8), or the review of arrangements for complaints, inspections, whistle-blowing or advocacy, either in relation to individual cases (section 6) or general reviews (section 5). There are set procedures; formal powers of entry and evidence gathering; sanctions to deal with obstruction; and safeguards on the disclosure of information.
10. [Section 21](#) provides for reviews of the legislation and sections 22-29 deal with matters such as interpretation, commencement and short title of the Commissioner for Older People Act (Northern Ireland) 2011. Schedule 1 provides for the staffing, funding and other procedural and governance arrangements and Schedule 2 sets out the procedures in relation to investigations under section 3(2) or 3(3). Schedule 3 provides a list of relevant authorities which is additional to those defined in Section 26.