
Changes to legislation: There are currently no known outstanding effects for the Commissioner for Older People Act (Northern Ireland) 2011, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Investigation under section 4(4)

Modifications etc. (not altering text)

- C1** Schs. 1-3: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 1 Pt. 2** (with art. 9(2))

Commencement Information

- II** Sch. 2 in operation at 1.12.2012 by [S.R. 2012/388](#), **art. 2(x)**

Further action following report on investigation

4.—(1) Where the Commissioner has made a report under paragraph 3 which contains a recommendation in respect of a relevant authority, the Commissioner may by notice require that authority to provide the Commissioner within 3 months of the date of the notice with—

- (a) such information as will enable the Commissioner to determine whether the authority has complied with the recommendation or will be complying with it; or
- (b) a statement of the authority's reason for not complying with the recommendation.

(2) A notice under sub-paragraph (1) must include a statement that a failure by the authority to respond within the period mentioned in that sub-paragraph may be published in such manner as the Commissioner considers appropriate.

(3) If, on receipt of a response from the authority, the Commissioner considers that—

- (a) the action taken or proposed to be taken by the authority to comply with the recommendation is inadequate; or
- (b) the authority's reason for not complying with the recommendation is inadequate,

the Commissioner may send to the authority concerned a further notice setting out the inadequacy and requiring the authority to reconsider the matter and respond within one month of the date of the notice.

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(4) A notice under sub-paragraph (3) must include a statement that a failure by the authority—

(a) to provide what the Commissioner considers to be a satisfactory response;
or

(b) to provide any response within the period mentioned in that sub-paragraph, may be published in such manner as the Commissioner considers appropriate.

(5) The Commissioner must include in the register maintained under section 16(5) details of—

(a) recommendations (together with the reasons for them) contained in reports made under paragraph 3;

(b) action taken by the Commissioner under sub-paragraphs (1) and (3); and

(c) the results of any such action.

Commencement Information

II Sch. 2 para. 4 in operation at 1.12.2012 by [S.R. 2012/388](#), art. 2(x)

Changes to legislation:

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