



2011 CHAPTER 1

Functions of the Commissioner

Assistance in relation to legal proceedings

11.—(1) This section applies to—

- (a) proceedings involving law or practice concerning the interests of older persons which an older person has commenced, or wishes to commence; or
- (b) proceedings in the course of which an older person relies, or wishes to rely, on such law or practice.

(2) Where the older person applies to the Commissioner for assistance in relation to proceedings to which this section applies, the Commissioner may, subject to subsection (3), grant the application if the Commissioner is satisfied that—

- (a) the case raises a question of principle;
- (b) it would be unreasonable to expect the older person to deal with the case without assistance because of its complexity, or because of that person's position in relation to another person involved, or for some other reason; or
- (c) there are other special circumstances which make it appropriate for the Commissioner to provide assistance.

(3) The Commissioner may not grant an application for assistance under subsection (2) unless it appears to the Commissioner that there is no other person or body likely to provide such assistance.

(4) Where the Commissioner grants an application under subsection (2) the Commissioner may arrange for the provision of legal advice or representation and any other assistance which the Commissioner thinks appropriate.

Changes to legislation: There are currently no known outstanding effects for the Commissioner for Older People Act (Northern Ireland) 2011, Section 11. (See end of Document for details)

(5) Arrangements made by the Commissioner for the provision of assistance to an older person may, if the Commissioner thinks it reasonable in the circumstances, include provision for recovery of expenses from the older person.

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Modifications etc. (not altering text)

C1 Ss. 2-29: 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))

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Commencement Information

II S. 11 in operation at 1.12.2012 by S.R. 2012/388, **art. 2(j)**

Changes to legislation:

There are currently no known outstanding effects for the Commissioner for Older People Act (Northern Ireland) 2011, Section 11.