



2011 CHAPTER 1

Formal investigations

Formal investigations: exclusions

14.—(1) The Commissioner may not conduct a formal investigation for the purposes of the Commissioner's functions under section 6 in relation to the operation of the advocacy, complaint, inspection or whistle-blowing arrangements of a relevant authority in the case of any older person if the Commissioner has under section 10 or 11 brought or intervened in, or provided assistance in relation to, any proceedings—

- (a) against the relevant authority which relate to the operation of the arrangements in question in the case of that older person; or
- (b) in which the correctness in law of any action of the relevant authority in relation to the operation of any such arrangements in the case of that older person is called into question.

(2) The Commissioner may not conduct a formal investigation into a complaint under section 8(1) in respect of any action of a relevant authority if the Commissioner has under section 10 or 11 brought, intervened in or provided assistance in relation to any proceedings—

- (a) against the relevant authority in respect of that action; or
- (b) in which the correctness in law of that action is called into question.