



# Parliamentary Commissioner Act 1967

## 1967 CHAPTER 13

### *Investigation by the Commissioner*

#### **[<sup>F1</sup>11ZAA Collaborative working between the Parliamentary Commissioner and other Commissioners**

- (1) If at any stage in the course of conducting an investigation under this Act the Commissioner forms the opinion that the complaint relates partly to a matter within the jurisdiction of —
  - (a) the Health Service Commissioner for England,
  - (b) a Local Commissioner, or
  - (c) both,he may, subject to subsection (2) of this section, conduct an investigation under this Act jointly with that Commissioner or those Commissioners.
- (2) The Commissioner must obtain the consent of the person aggrieved or any person acting on his behalf in accordance with subsection (2) of section 6 of this Act before agreeing to a joint investigation referred to in subsection (1) of this section.
- (3) If the Commissioner forms the opinion that [<sup>F2</sup>matters which are the subject of an investigation] by—
  - (a) the Health Service Commissioner for England,
  - (b) a Local Commissioner, or
  - (c) both,[<sup>F3</sup>include] a matter within his jurisdiction, he may, subject to subsection (4) of this section, conduct an investigation [<sup>F4</sup>of that matter] under this Act jointly with that Commissioner or those Commissioners.
- (4) The Commissioner may not investigate [<sup>F5</sup>a matter] jointly with another person under subsection (3) of this section unless [<sup>F6</sup>a complaint about the matter] has been made in accordance with section 5 of this Act.
- (5) If the Commissioner conducts an investigation <sup>F7</sup>. . . jointly with another person, the requirements of section 10 (so far as relating to a case where the Commissioner

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*Changes to legislation: There are currently no known outstanding effects for the Parliamentary Commissioner Act 1967, Section 11ZAA. (See end of Document for details)*

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conducts an investigation under this Act) may be satisfied by a report made jointly with that person.

(6) Apart from identifying the government department or other authority concerned, a report prepared by virtue of subsection (5) of this section by the Commissioner and a Local Commissioner shall not—

- (a) mention the name of any person, or
- (b) contain any particulars which, in the opinion of the Commissioner and the Local Commissioner, are likely to identify any person,

unless, after taking into account the public interest as well as the interests of the complainant and of persons other than the complainant, the Commissioner and the Local Commissioner consider it necessary to mention the name of that person or to include in the report any such particulars.

(7) Nothing in subsection (6) of this section prevents a report—

- (a) mentioning the name of, or
- (b) containing particulars likely to identify,

the Mayor of London or any member of the London Assembly.]

#### Textual Amendments

- F1** S. 11ZAA inserted (1.8.2007) by [The Regulatory Reform \(Collaboration etc. between Ombudsmen\) Order 2007 \(S.I. 2007/1889\)](#), [art. 2](#)
- F2** Words in s. 11ZAA(3) substituted (1.4.2008) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 182, 245, [Sch. 12 para. 13\(4\)\(a\)\(i\)](#); S.I. 2008/917, [art. 2\(1\)\(n\)](#) (with art. 6(5))
- F3** Word in s. 11ZAA(3) substituted (1.4.2008) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 182, 245, [Sch. 12 para. 13\(4\)\(a\)\(ii\)](#); S.I. 2008/917, [art. 2\(1\)\(n\)](#) (with art. 6(5))
- F4** Words in s. 11ZAA(3) inserted (1.4.2008) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 182, 245, [Sch. 12 para. 13\(4\)\(a\)\(iii\)](#); S.I. 2008/917, [art. 2\(1\)\(n\)](#) (with art. 6(5))
- F5** Words in s. 11ZAA(4) substituted (1.4.2008) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 182, 245, [Sch. 12 para. 13\(4\)\(b\)\(i\)](#); S.I. 2008/917, [art. 2\(1\)\(n\)](#) (with art. 6(5))
- F6** Words in s. 11ZAA(4) substituted (1.4.2008) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 182, 245, [Sch. 12 para. 13\(4\)\(b\)\(ii\)](#); S.I. 2008/917, [art. 2\(1\)\(n\)](#) (with art. 6(5))
- F7** Words in s. 11ZAA(5) repealed (1.4.2008) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 182, 241, 245, Sch. 12 para. 13(4)(c), [Sch. 18 Pt. 14](#); S.I. 2008/917, [art. 2\(1\)\(n\)\(v\)\(ii\)](#) (with art. 6(5))

**Changes to legislation:**

There are currently no known outstanding effects for the Parliamentary Commissioner Act 1967, Section 11ZAA.