



# Parliamentary Commissioner Act 1967

## 1967 CHAPTER 13

### *Investigation by the Commissioner*

#### **10 Reports by Commissioner.**

- (1) In any case where the Commissioner conducts an investigation under this Act or decides not to conduct such an investigation, he shall send to the member of the House of Commons by whom the request for investigation was made (or if he is no longer a member of that House, to such member of that House as the Commissioner thinks appropriate) a report of the results of the investigation or, as the case may be, a statement of his reasons for not conducting an investigation.
- (2) In any case where the Commissioner conducts an investigation under [<sup>F1</sup>section 5(1) of] this Act, he shall also send a report of the results of the investigation to the principal officer of the department or authority concerned and to any other person who is alleged in the relevant complaint to have taken or authorised the action complained of.
- [<sup>F2</sup>(2A) In any case where the Commissioner conducts an investigation pursuant to a complaint under section 5(1A) of this Act, he shall also send a report of the results of the investigation to the person to whom the complaint relates.]
- (3) If, after conducting an investigation under [<sup>F3</sup>section 5(1) of] this Act, it appears to the Commissioner that injustice has been caused to the person aggrieved in consequence of maladministration and that the injustice has not been, or will not be, remedied, he may, if he thinks fit, lay before each House of Parliament a special report upon the case.
- [<sup>F4</sup>(3A) If, after conducting an investigation pursuant to a complaint under section 5(1A) of this Act, it appears to the Commissioner that—
  - (a) the person to whom the complaint relates has failed to perform a relevant duty owed by him to the person aggrieved, and
  - (b) the failure has not been, or will not be, remedied,the Commissioner may, if he thinks fit, lay before each House of Parliament a special report upon the case.
- (3B) For the purposes of subsection (3A) of this section “relevant duty” has the meaning given by section 5(1B) of this Act.]

*Status: Point in time view as at 08/09/2008.*

*Changes to legislation: Parliamentary Commissioner Act 1967, Section 10 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) The Commissioner shall annually lay before each House of Parliament a general report on the performance of his functions under this Act and may from time to time lay before each House of Parliament such other reports with respect to those functions as he thinks fit.
- (5) For the purposes of the law of defamation, any such publication as is hereinafter mentioned shall be absolutely privileged, that is to say—
- (a) the publication of any matter by the Commissioner in making a report to either House of Parliament for the purposes of this Act;
  - (b) the publication of any matter by a member of the House of Commons in communicating with the Commissioner or his officers for those purposes or by the Commissioner or his officers in communicating with such a member for those purposes;
  - (c) the publication by such a member to the person by whom a complaint was made under this Act of a report or statement sent to the member in respect of the complaint in pursuance of subsection (1) of this section;
  - (d) the publication by the Commissioner to such a person as is mentioned in subsection (2) [<sup>F5</sup>or (2A)] of this section of a report sent to that person in pursuance of that subsection.

#### Textual Amendments

- F1** Words in s. 10(2) inserted (18.10.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 47, 60, **Sch. 7 para. 5(2)**; S.I. 2005/2848, **art. 2(b)**
- F2** S. 10(2A) inserted (18.10.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 47, 60, **Sch. 7 para. 5(3)**; S.I. 2005/2848, **art. 2(b)**
- F3** Words in s. 10(3) inserted (18.10.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 47, 60, **Sch. 7 para. 5(4)**; S.I. 2005/2848, **art. 2(b)**
- F4** S. 10(3A)(3B) inserted (18.10.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 47, 60, **Sch. 7 para. 5(5)**; S.I. 2005/2848, **art. 2(b)**
- F5** Words in s. 10(5)(d) inserted (18.10.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 47, 60, **Sch. 7 para. 5(6)**; S.I. 2005/2848, **art. 2(b)**

**Status:**

Point in time view as at 08/09/2008.

**Changes to legislation:**

Parliamentary Commissioner Act 1967, Section 10 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.