



Local Government Act 1974

1974 CHAPTER 7

PART III

LOCAL GOVERNMENT ADMINISTRATION

33 Consultation between Local Commissioners, the Parliamentary Commissioner and the Health Service Commissioners

- (1) If, at any stage in the course of conducting an investigation under this Part of this Act, a Local Commissioner forms the opinion that the complaint relates partly to a matter which could be the subject of an investigation—
- (a) by the Parliamentary Commissioner, in accordance with section 5 of the Act of 1967, or
 - (b) by the Health Service Commissioner for England or the Health Service Commissioner for Wales, in accordance with section 34 of the Act of 1973,
- he shall consult with the appropriate Commissioner about the complaint and, if he considers it necessary, inform the person initiating the complaint under this Part of this Act of the steps necessary to initiate a complaint under the Act of 1967 or under Part III of the Act of 1973, as the case may be.
- (2) Where, by virtue of subsection (1) above, a Local Commissioner consults the Parliamentary Commissioner or one of the Health Service Commissioners in relation to a complaint under this Part of this Act, he may consult that Commissioner about any matter relating to the complaint, including—
- (a) the conduct of any investigation into the complaint, and
 - (b) the form, content and publication of any report of the results of such an investigation.
- (3) If, at any stage in the course of conducting an investigation under—
- (a) the Act of 1967, or
 - (b) Part III of the Act of 1973,
- the Commissioner conducting the investigation forms the opinion that the complaint relates partly to a matter which could be the subject of an investigation under this

Status: This is the original version (as it was originally enacted).

Part of this Act, he shall consult with the appropriate Local Commissioner about the complaint and, if he considers it necessary, inform the person initiating the complaint under the Act of 1967 or Part III of the Act of 1973, as the case may be, of the steps necessary to initiate a complaint under this Part of this Act.

- (4) Where, by virtue of subsection (3) above, a Local Commissioner is consulted about a complaint under the Act of 1967 or Part III of the Act of 1973, subsection (2) above shall apply (with the necessary modifications) as it applies in relation to consultations held by virtue of subsection (1) above.
- (5) Nothing in section 11(2) of the Act of 1967, in that section as applied by section 36 of the Act of 1973, or in section 32(2) of this Act (restrictions of disclosure of information) shall apply in relation to the disclosure of information by any of the Commissioners mentioned in this section, or by any of their officers, in the course of consultations held in accordance with this section.
- (6) In this section the " Act of 1967 " means the Parliamentary Commissioner Act 1967 and the " Act of 1973 " means the National Health Service Reorganisation Act 1973.