



Parliamentary Commissioner Act 1994

1994 CHAPTER 14

An Act to include among the matters subject to investigation by the Parliamentary Commissioner for Administration actions taken in the exercise of administrative functions by the administrative staff of certain tribunals. [5th July 1994]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Extension of jurisdiction

(1) After subsection (6) of section 5 of the Parliamentary Commissioner Act 1967 there shall be inserted the following subsections—

“(7) For the purposes of this section, administrative functions exercisable by any person appointed as a member of the administrative staff of a relevant tribunal—

- (a) by a government department or authority to which this Act applies; or
- (b) with the consent (whether as to remuneration and other terms and conditions of service or otherwise) of such a department or authority, shall be taken to be administrative functions of that department or authority.

(8) In subsection (7) of this section, “relevant tribunal” means a tribunal listed in Schedule 4 to this Act.

(9) Her Majesty may by Order in Council amend the said Schedule 4 by the alteration or removal of any entry or the insertion of any additional entry; and any statutory instrument made by virtue of this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

(2) After paragraph 6A of Schedule 3 to that Act (matters not subject to investigation) there shall be inserted the following paragraph—

“6B (1) Action taken by any member of the administrative staff of a relevant tribunal, so far as that action is taken at the direction, or on the authority (whether express or implied), of any person acting in his capacity as a member of the tribunal.

(2) In this paragraph, “relevant tribunal” has the meaning given by section 5(8) of this Act.”

(3) After Schedule 3 to that Act there shall be inserted the following Schedule—

“SCHEDULE 4

RELEVANT TRIBUNALS FOR PURPOSES OF SECTION 5(7)

Tribunals constituted in Great Britain under regulations made under section 4 of the Vaccine Damage Payments Act 1979.

Child support appeal tribunals constituted under section 21 of the Child Support Act 1991.

Social security appeal tribunals constituted under section 41 of the Social Security Administration Act 1992.

Disability appeal tribunals constituted under section 43 of that Act.

Medical appeal tribunals constituted under section 50 of that Act.”

2 Financial provisions

There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums payable out of money so provided under the Parliamentary Commissioner Act 1967.

3 Short title, commencement and extent

(1) This Act may be cited as the Parliamentary Commissioner Act 1994.

(2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.

(3) This Act extends to Northern Ireland.