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STATUTORY INSTRUMENTS

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**1999 No. 1351**

**The Scotland Act 1998 (Transitory and Transitional Provisions) (Complaints of Maladministration) Order 1999**

**Consultation and co-operation with other Commissioners**

**16.**—(1) Where the Scottish Commissioner, at any stage in the course of conducting an investigation, forms the opinion that the complaint relates partly to a matter which could be the subject of an investigation—

- (a) by the Commissioner for Local Administration in Scotland under the Local Government (Scotland) Act 1975<sup>(1)</sup> or
- (b) by any of the Health Service Commissioners under the Health Service Commissioners Act 1993<sup>(2)</sup> or
- (c) by the Parliamentary Commissioner under the 1967 Act,

he shall consult the appropriate Commissioner about the complaint and, if he considers it necessary, he shall inform the person initiating the complaint of the steps necessary to initiate a complaint to that Commissioner.

(2) Where a Commissioner consults with another Commissioner in accordance with this article, the consultations may extend to 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 result of such an investigation.

(3) Where an authority which is subject to investigation by the Scottish Commissioner is also an authority to which the 1967 Act applies, the Scottish Commissioner and the Parliamentary Commissioner shall co-operate with each other to any such extent as appears appropriate when exercising any function in relation to the authority.

(4) Nothing in article 15 applies in relation to the disclosure of information in the course of consultation or co-operation under this article.

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(1) 1975 c. 30.

(2) 1993 c. 46.