
STATUTORY INSTRUMENTS

1983 No. 1707

PARLIAMENTARY COMMISSIONER

The Parliamentary Commissioner Order 1983

<i>Made</i>	- - - -	<i>18th November 1983</i>
<i>Laid before Parliament</i>		<i>28th November 1983</i>
<i>Coming into Operation</i>		<i>19th December 1983</i>

At the Court of Saint James, the 18th day of November 1983

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of November 1983, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required.

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 5(4) of the Parliamentary Commissioner Act 1967 and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Parliamentary Commissioner Order 1983 and shall come into operation on 19th December 1983.

2. Paragraph 10 of Schedule 3 to the Parliamentary Commissioner Act 1967 shall be amended as follows:—

(a) by inserting the number “(1)” after the number “10” and

(b) by inserting after sub-paragraph (1) the following new sub-paragraph—

“(2) Sub-paragraph (1)(c) above shall not apply to any action (not otherwise excluded from investigation by this Schedule) which is taken by the Secretary of State in connection with:—

(a) the provision of information relating to the terms and conditions of any employment covered by an agreement entered into by him under section 12(1) of the Overseas Development and Co-operation Act 1980(1) or

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- (b) the provision of any allowance, grant or supplement or any benefit (other than those relating to superannuation) arising from the designation of any person in accordance with such an agreement.”

N.E. Leigh
Clerk of the Privy Council

EXPLANATORY NOTE

This Order narrows an exception to the jurisdiction of the Parliamentary Commissioner for Administration. Under paragraph 10(c) of Schedule 3 to the Parliamentary Commissioner Act 1967, the Parliamentary Commissioner is precluded from investigating complaints about personnel matters relating to service in any office or employment, or under any contract for services, in respect of which power to take action, or to determine or approve the action to be taken, in such matters is vested in Her Majesty, any Minister of the Crown or any authority listed in Schedule 2 to the 1967 Act. This Order enables the Parliamentary Commissioner to investigate any complaint in respect of action taken by the Secretary of State for Foreign and Commonwealth Affairs in connection with (a) the provision of information relating to the terms and conditions of any employment covered by an agreement entered into under section 12 of the Overseas Development and Co-operation Act 1980 (which enables the Secretary of State to enter into agreements with the Government of any overseas territory or with any inter-governmental organisation or with any other employing authority or body relating to the employment in public or social services in overseas territories of persons designated at any time by the Secretary of State), or (b) the provisions of any allowance, grant or supplement or any benefit (other than those relating to superannuation) arising from the designation of any person in accordance with such an agreement.