Commissioner for Older People (Scotland) Bill

Bill Number: SP Bill 71
Introduced on: 20 September 2006
Introduced by: Alex Neil (Member’s Bill)
Fell: At dissolution 2 April 2007

Passage of the Bill

The Commissioner for Older People (Scotland) Bill [SP Bill 71] was introduced in the Parliament by Alex Neil MSP on 20 September 2006 and the Communities Committee designated as lead committee. The Parliamentary Bureau did not propose a timetable for the Bill and the Communities Committee decided that it was not in a position to conduct scrutiny of this bill given its already heavy workload.

Purpose and objectives of the Bill

The purpose of the Bill was to create a Commissioner for Older People in Scotland. Their role would be to promote and safeguard the rights and interests of older people, consider law, policy and practice, encourage recognition and use of older people’s skills and experience and challenge discrimination.

Provisions of the Bill

The Bill if passed would have established a Commissioner for Older People, nominated by the Parliament and appointed by the Sovereign. The Commissioner would have powers to investigate how service providers take account of the rights, interests and views of older people in the decisions they take and the work they do. The Commissioner would not be able to carry out investigations if the issues related to a reserved matter, an individual older person or a decision or proceedings in a court of tribunal. Under the powers outlined in the Bill, a Commissioner would be able to “require any person” to give evidence or produce documents. The Commissioner would be publicly funded by the Scottish Parliamentary Corporate Body from the Scottish Consolidated Fund.

Parliamentary consideration

The Bill was introduced on 20 September 2006 and the Communities Committee was designated as the lead committee. The Parliamentary Bureau did not propose a timetable for the Bill.
The Communities Committee decided that it was not in a position to conduct scrutiny of this bill, or of two other Member’s Bills as part of its work programme, given its already heavy workload.

The Committee agreed to approach the Procedures Committee to request that it conduct an inquiry into the adequacy of the existing Rules which cover the Member’s Bills process and in particular the appropriateness of the deadline for the submission of such bills.

The Finance Committee had begun consideration of the Bill on 31 October 2006 and reported on the Financial Memorandum of the Bill on 25 January 2007. Whilst recognising the position of the Communities Committee the Finance Committee published its report with a view to informing a future bill introduced in the next session.