

## **OMBUDSMAN (AMENDMENT) BILL 2012**

### **EXPLANATORY MEMORANDUM**

Following the commencement of the *Ombudsman Act 2012*, a further review has shown that several corrections needed to be made. As not all were capable of being corrected by the Commissioner for Enactments Reprinting, it has been thought expedient to make all known corrections by way of an amending Bill.

**Clause 1** provides the short title.

**Clause 2** provides for the commencement. (It is anticipated that this Bill and the remaining provisions of the *Ombudsman Act 2012* which have not yet commenced, will come into effect at the same time.

**Clause 3** sets out the amendments—

The substantive changes are in—

- (a) subclause (6) that provides that the Ombudsman may but is not required to hold an inquiry into a matter referred by a party named in clause 7A(1) of the Act. The change is necessary in order that the Ombudsman may decline to proceed if, for example, it is inappropriate to do so, the request is too vague, or that it should be conducted by some other authority.
- (b) subclause (10) that requires the Ombudsman to inform the Complaints Officer if a matter is not to proceed to investigation rather than the agency as provided. The reason is to reserve the reporting line between the Ombudsman and the agency involved.

Other changes to the *Ombudsman Act 2012* are the correction of minor errors such as misspelling, incorrect punctuation and wrong cross-referencing where drafts of the Bill were changed.

3 August 2012