

Status: Point in time view as at 14/07/2005.

Changes to legislation: Government of Wales Act 1998, Cross Heading: Consultation and co-operation with other Ombudsmen is up to date with all changes known to be in force on or before 24 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 9

WELSH ADMINISTRATION OMBUDSMAN

Commencement Information

- II** Sch. 9 wholly in force at 1.7.1999; Sch. 9 not in force at Royal Assent see s. 158; Sch. 9 Pt. I in force (1.2.1999) by S.I. 1999/118, art. 2; Sch. 9 para. 17(9) in force 1.5.1999 and Sch. 9 paras. 14-16, 17(1)-(8)(10), 18-17 in force at 1.7.1999 by S.I. 1999/1290, arts. 3, 4

PART II

INVESTIGATION OF COMPLAINTS

Modifications etc. (not altering text)

- C1** Sch. 9 Pt. II extended (1.7.1999 subject to art. 4(2)-(6) of the amending Act) by S.I. 1999/1791, art. 4(1)

Consultation and co-operation with other Ombudsmen

- 27 (1) Where the Welsh Administration Ombudsman, 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 Parliamentary Commissioner for Administration under the ^{M1}Parliamentary Commissioner Act 1967,
 - (b) by a Health Service Commissioner under the ^{M2}Health Service Commissioners Act 1993, ^{F1} . . .
 - (c) by a Local Commissioner under Part III of the ^{M3}Local Government Act 1974, ^{F2} or
 - (d) by the Social Housing Ombudsman for Wales under regulations under section 51B of the Housing Act 1996, ^{F3} or
 - (d) by the Scottish Public Services Ombudsman under the Scottish Public Services Ombudsman Act 2002,]

he shall consult about the complaint with the appropriate Commissioner [^{F4}or Ombudsman]^{F5} or Scottish Public Services Ombudsman as the case may require] and, if he considers it necessary, he shall inform the person who made the complaint of the steps necessary to make a complaint to that Commissioner [^{F6}or Ombudsman]^{F7} or the Scottish Public Services Ombudsman] .

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- (2) Where the Welsh Administration Ombudsman consults with a Commissioner [^{F8}or Ombudsman]^{F9} or the Scottish Public Services Ombudsman] in accordance with subparagraph (1), the consultations may extend to any matter relating to the complaint, including—
- (a) the conduct of any investigation pursuant to the complaint, and
 - (b) the form, content and publication of any report of such an investigation.
- (3) Where a body subject to investigation by the Welsh Administration Ombudsman is also—
- (a) an authority to which the ^{M4}Parliamentary Commissioner Act 1967 applies,
 - (b) a body subject to investigation by a Health Service Commissioner under the ^{M5}Health Service Commissioners Act 1993, or
 - (c) an authority to which Part III of the ^{M6}Local Government Act 1974 applies,
- the Welsh Administration Ombudsman and the Parliamentary Commissioner for Administration, the Health Service Commissioner concerned or the Local Commissioner concerned shall co-operate with each other to any such extent as appears appropriate when exercising any function in relation to the body.
- (4) Nothing in paragraph 25(1) applies in relation to the disclosure of information in the course of consultations or other co-operation under this paragraph.

Textual Amendments

- F1** Word in Sch. 9 para. 27(1)(b) repealed (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), **art. 20(a)(i)** (same word "or" is expressed to be omitted (prosp.) by Housing Act 2004 (c. 34), ss. 265(1), 266, 270, Sch. 15 para. 45(2)(a), **Sch. 16**)
- F2** Sch. 9 para. 27(1)(d) and preceding word inserted (14.7.2005 for W.) by virtue of Housing Act 2004 (c. 34), ss. 265(1), 270, **Sch. 15 para. 45(2)(d)**; S.I. 2005/1814, **art. 2(f)(v)**
- F3** Sch. 9 para. 27(1)(d) and preceding word inserted (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), **art. 20(a)(ii)**
- F4** Words in Sch. 9 para. 27(1) inserted (14.7.2005 for W.) by Housing Act 2004 (c. 34), ss. 265(1), 270, **Sch. 15 para. 45(2)(c)**; S.I. 2005/1814, **art. 2(f)(v)**
- F5** Words in Sch. 9 para. 27(1) inserted (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), **art. 20(a)(iii)**
- F6** Words in Sch. 9 para. 27(1) inserted (14.7.2005 for W.) by Housing Act 2004 (c. 34), ss. 265(1), 270, **Sch. 15 para. 45(2)(d)**; S.I. 2005/1814, **art. 2(f)(v)**
- F7** Words in Sch. 9 para. 27(1) inserted (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), **art. 20(a)(iv)**
- F8** Words in Sch. 9 para. 27(2) inserted (14.7.2005 for W.) by Housing Act 2004 (c. 34), ss. 265(1), 270, **Sch. 15 para. 45(3)**; S.I. 2005/1814, **art. 2(f)(v)**
- F9** Words in Sch. 9 para. 27(2) inserted (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), **art. 20(b)**

Marginal Citations

- M1** 1967 c. 13.
M2 1993 c. 46.
M3 1974 c. 7.
M4 1967 c. 13.
M5 1993 c. 46.

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M6 1974 c. 7.

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