



# Constitutional Reform Act 2005

## 2005 CHAPTER 4

### PART 5

#### JUDICIAL APPOINTMENTS AND REMOVALS: NORTHERN IRELAND

### CHAPTER 1

#### APPOINTMENTS

#### *Complaints and references*

#### 129 Report procedure

After section 9E of the 2002 Act insert—

#### **“9F Report procedure**

- (1) This section applies to a report under section 9E.
- (2) The Ombudsman must submit a draft of the report—
  - (a) to the Lord Chancellor, and
  - (b) if the complaint was a Commission complaint, to the Commission.
- (3) In finalising the report the Ombudsman—
  - (a) must have regard to any proposal by the Lord Chancellor or the Commission for changes in the draft report;
  - (b) must include in the report a statement of any such proposal not given effect to.
- (4) The report must be signed by the Ombudsman.
- (5) If the complaint was a Commission complaint the Ombudsman must send the report in duplicate to the Lord Chancellor and the Commission.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Otherwise the Ombudsman must send the report to the Lord Chancellor.
- (7) The Ombudsman must send a copy of the report to the complainant, but that copy must not include information—
  - (a) which relates to an identified or identifiable individual other than the complainant, and
  - (b) whose disclosure by the Ombudsman to the complainant would (apart from this subsection) be contrary to section 91.”