



AUSTRALIAN CAPITAL TERRITORY

Ombudsman (Amendment) Act 1993

No. 38 of 1993

An Act to amend the *Ombudsman Act 1989*

[Notified in ACT Gazette S111: 29 June 1993]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Ombudsman (Amendment) Act 1993*.

Commencement

2. This Act commences on the day on which the *Commissioner for the Environment Act 1993* commences.

Principal Act

3. In this Act, “Principal Act” means the *Ombudsman Act 1989*.¹

Interpretation

4. Section 3 of the Principal Act is amended—
 - (a) by inserting in subsection (1) the following definition:

“ ‘Commissioner’ means the Commissioner for the Environment appointed under the *Commissioner for the Environment Act 1993*;”; and

- (b) by inserting “, other than the office of Commissioner,” after “office” in paragraph (c) of the definition of “prescribed authority” in subsection (1).

Functions of Ombudsman

5. Section 5 of the Principal Act is amended by inserting after paragraph 2 (cb) the following paragraphs:

“(cc) action taken by the Commissioner;” and

“(cd) action taken by the Territory or a Territory authority for the management of the environment;”.

Insertion

6. After section 37 of the Principal Act the following section is inserted:

Referral to Commissioner

“37A. Where the Ombudsman forms the opinion that a complaint falls within the jurisdiction of the Commissioner, the Ombudsman shall, whether or not he or she has commenced an inquiry, refer the complaint, together with relevant documents and information, to the Commissioner.”.

NOTE

1. Reprinted as at 31 August 1991.

[Presentation speech made in Assembly on 13 May 1993]

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