

1993

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

OMBUDSMAN (AMENDMENT) BILL 1993

EXPLANATORY MEMORANDUM

**Circulated by Authority of the Minister for the
Environment, Land and Planning**

Bill Wood MLA

OMBUDSMAN (AMENDMENT) BILL, 1993

EXPLANATORY MEMORANDUM

Outline

The Ombudsman (Amendment) Bill 1993 is an amendment to the Ombudsman Act 1989 for the purpose of allowing for the commencement of the Commissioner for the Environment Bill 1993.

This Bill is to commence on the day on which the Commissioner for the Environment Act 1993 commences.

Financial Considerations

There are no financial implications from the Ombudsman (Amendment) Bill.

Details of the Ombudsman (Amendment) Bill 1993

Section 3 Subsection 1

"Commissioner" has been included to mean the Commissioner for the Environment. The Commissioner for the Environment will be appointed under the Commissioner for the Environment Act 1993.

Section 3 Subsection 1 paragraph (c)

Provision is made for the office of the Commissioner as a prescribed authority.

Section 5 paragraph 2 (cd)

Amendments to this Section of the Ombudsman Act 1989 refer to functions of the Ombudsman and provide for the Ombudsman not to investigate actions taken by the Commissioner or by the Territory or a Territory Authority for the management of the environment.

Section 37 of the Ombudsman Act 1989

Allows for the Ombudsman to refer complaints that the Ombudsman considers fall within the jurisdiction of the Commissioner, to the Commissioner with relevant documents and information, regardless of whether the Ombudsman has commenced an inquiry or not.