

1991

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

OMBUDSMAN REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

Circulated by authority of the Deputy Chief Minister

Mr Bernard Collaery MLA

OMBUDSMAN REGULATIONS (AMENDMENT)

The Ombudsman Regulations (Amendment) proposes to bring ACTTAB Limited under the jurisdiction of the Ombudsman Act 1989 by amending the Ombudsman Regulations.

Specifically, these amendments allow for the inclusion of ACTTAB Limited as a prescribed authority for the purposes of the Ombudsman Act 1989. ACTTAB Limited is a government owned company which provides totalizator betting services in the ACT.

Details of the amending clauses are listed below.

Principal Regulations

Clause 1 provides that a reference in the Regulations to the "Principle Regulations" means the Ombudsman Regulations.

Insertion

Clause 2 inserts a new Regulation 1A after Regulation 1 of the Principal Regulations. This new Regulation 1A deals with the interpretation of these Regulations. Specifically, it cites that unless an intention to the contrary appears, "the Act" in these Regulations means the Ombudsman Act 1989.

Insertion

Clause 3 amends Regulation 2 of the Principal Regulations by substituting "Act" for "Ombudsman Act 1989". This Regulation outlines that the persons holding or performing the duties of an office listed in Schedule 1 are not prescribed authorities for the purposes of the Act.

Certain persons not to be prescribed authorities

Clause 4 inserts a new Regulation 2A after Regulation 2 of the Principal Regulations. The new Regulation 2A specifies that pursuant to subsection 3(1)(b) of the Ombudsman Act 1989, which defines 'prescribed authority', a body specified under the new Schedule 1A of these Regulations is declared to be a prescribed authority.

Principal officer

Clause 5 amends Regulation 3 of the Principal Regulations by substituting "Act" for "Ombudsman Act 1989". Regulation 3 outlines that those offices specified in Column 2 of Schedule 2 are declared to be principal officers.

Insertion

Clause 6 inserts Schedule 1A titled "Prescribed Authorities" after Schedule 1 of the Principal Regulations. This clause lists ACTTAB Limited as a prescribed authority for the purposes of these Regulations.