



## 2016 CHAPTER 4

### **PART 1**

#### **THE NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN**

##### **The Northern Ireland Public Services Ombudsman**

**1.**—(1) There is to be a Northern Ireland Public Services Ombudsman (in this Act “the Ombudsman”).

(2) The principal purpose of the Ombudsman is to investigate alleged maladministration in listed authorities.

(3) Schedule 1 makes further provision about the Ombudsman.

##### **Independence**

**2.**—(1) The Ombudsman is not subject to the direction or control of—

- (a) a Minister,
- (b) the Secretary of State,
- (c) a Northern Ireland department,
- (d) the Assembly, or
- (e) the Assembly Commission.

(2) But this is subject to—

- (a) the power of the Assembly Commission to determine the salary, pension and terms of appointment of the Ombudsman under paragraphs 6, 7 and 8 of Schedule 1,
- (b) the power of the Assembly to request Her Majesty to remove the Ombudsman from office under paragraph 9 of Schedule 1,

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*Changes to legislation: There are currently no known outstanding effects for the Public Services Ombudsman Act (Northern Ireland) 2016, PART 1. (See end of Document for details)*

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- (c) the power of the Department of Finance and Personnel to direct the form of accounts the Ombudsman must prepare, under paragraph 7 of Schedule 2, or sections 9 to 13 of the Government Resources and Accounts Act (Northern Ireland) 2001.
- [<sup>F1</sup>(d) the power of the Department of Finance under sections 8A and 8B of the Government Resources and Accounts Act (Northern Ireland) 2001 to issue directions in relation to estimates for the Ombudsman.]

#### Textual Amendments

- F1** S. 2(2)(d) inserted (31.3.2022) by [Financial Reporting \(Departments and Public Bodies\) Act \(Northern Ireland\) 2022 \(c. 8\), ss. 1\(5\), 3](#)

### Appointment

**3.—**(1) The Ombudsman is to be appointed by Her Majesty, on the nomination of the Assembly.

(2) Appointment is for a term of 7 years.

(3) A person appointed as the Ombudsman is not eligible for re-appointment.

(4) The Assembly Commission is to make arrangements for—

- (a) determining the criteria for appointment, and
- (b) ensuring that the person to be appointed has been identified by fair and open competition.

(5) The validity of the exercise of any function of the Ombudsman is not affected by any defect in appointment.

### Abolition of existing offices

**4.—**(1) The offices of—

- (a) Assembly Ombudsman for Northern Ireland, and
- (b) Northern Ireland Commissioner for Complaints,

are abolished.

(2) In this Act those offices are referred to as “existing offices”.

(3) Schedule 2 (which provides for the transfer of assets, liabilities, staff etc. of the existing offices to the Ombudsman, and which makes other transitional and savings arrangements) has effect.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Services Ombudsman Act (Northern Ireland) 2016, PART 1.