



2016 CHAPTER 4

PART 4

MISCELLANEOUS AND GENERAL

Reports

Reports on investigations

43.—(1) The Ombudsman must send a report of—

- (a) an investigation,
- (b) the reasons for discontinuing an investigation,
- (c) the reasons for not investigating a complaint,

as the case may be, to the persons referred to in subsection (2).

(2) Those persons are—

- (a) a person aggrieved,
- (b) the listed authority investigated, or which it was proposed be investigated,
- (c) any other person alleged to have taken the action to which a complaint relates, and
- (d) any other person that the Ombudsman considers appropriate.

(3) A report of the reasons for not investigating a complaint need only be sent to a person referred to in subsection (2)(b) or (c) if the Ombudsman considers it appropriate to do so.

(4) Where a report is to be sent to a person referred to in subsection (2)(c), the Ombudsman may determine to only send to that person the part of the report which relates to that person, if the Ombudsman considers it appropriate to do so.

Publication of reports on investigations in the public interest

44.—(1) This section—

- (a) applies where the Ombudsman proposes to publish a report of a type referred to in section 43(1), but
- (b) does not apply in respect of an investigation conducted under section 8.

(2) The Ombudsman must give notice of this proposal to the persons referred to in section 43(2).

(3) The notice must set out why the Ombudsman believes it would be in the public interest to publish the report.

(4) The Ombudsman may publish the report if, after taking account of the interests of any person aggrieved and any other person considered appropriate, the Ombudsman considers it to be in the public interest to do so.

(5) The Ombudsman may, for a reasonable fee, supply a copy of the report, or any part of it, to any person who requests it.

Publication of reports on own initiative investigations

45.—(1) The Ombudsman must publish a report of an investigation conducted under section 8.

(2) The Ombudsman may, for a reasonable fee, supply a copy of the report, or any part of it, to any person who requests it.

Reports to the Assembly

46.—(1) The Ombudsman must lay before the Assembly annually a general report on the exercise of the Ombudsman's functions.

(2) If, after conducting an investigation (other than one under section 8) it appears to the Ombudsman that—

- (a) an injustice has been sustained by a person aggrieved, and
- (b) the injustice has not been, or will not be, remedied or adequately remedied,

the Ombudsman may lay before the Assembly a special report on the investigation.

(3) Where the Ombudsman has conducted an investigation under section 8, the Ombudsman must lay the report on that investigation before the Assembly.

(4) The Ombudsman may lay before the Assembly such other reports on the exercise of the Ombudsman's functions as the Ombudsman thinks fit.

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

Modifications etc. (not altering text)

- C1** S. 46(1) applied (with modifications) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(1\)\(5\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 7 para. 5](#) (with ss. 23, 50(3), Sch. 2 para. 9))
- C2** S. 46(1) applied by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(5\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 7 para. 5](#) (with ss. 23, 50(3), Sch. 2 para. 9))
- C3** S. 46(4) applied (with modifications) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(1\)\(5\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 7 para. 5](#) (with ss. 23, 50(3), Sch. 2 para. 9))
- C4** S. 46(4) applied by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\), s. 63\(5\)](#) (as substituted (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 7 para. 5](#) (with ss. 23, 50(3), Sch. 2 para. 9))

Commencement Information

- II** S. 46 wholly in operation at 1.4.2018; s. 46(1)(2)(4) in operation at 1.4.2016 see s. 64(1); s. 46(3) in operation at 1.4.2018 see s. 64(5)(g)

Reports and privileged information

47.—(1) This section applies where the Ombudsman has obtained documents or evidence under section 31(1) by virtue of section 32(2).

(2) A report made by the Ombudsman under sections 43 to 46—

- (a) may disclose that documents or evidence of this nature were obtained, but
- (b) must not disclose the content of those documents or that evidence.

Changes to legislation:

There are currently no known outstanding effects for the Public Services Ombudsman Act (Northern Ireland) 2016, Cross Heading: Reports.