

## SCHEDULE 1

### COMPLAINTS WHICH ARE ANONYMOUS, REPETITIOUS OR INCAPABLE OF INVESTIGATION

- 3.—(1) For the purposes of regulation 26 a complaint is a repetitious one if, and only if—
- (a) it is substantially the same as a previous complaint (whether made by or on behalf of the same or a different complainant);
  - (b) it contains no fresh allegations which significantly affect the account of the conduct complained of;
  - (c) no fresh evidence, being evidence which was not reasonably available at the time the previous complaint was made, is tendered in support of it; and
  - (d) such action as is referred to in sub-paragraph (2) has been taken, as respects the previous complaint.
- (2) The condition in sub-paragraph (1)(d) shall be satisfied if, as respects the previous complaint—
- (a) the requirements of—
    - (i) section 58 of the 1998 Act, and
    - (ii) section 59 of that Act or (as the case may be) regulation 27,were complied with; or
  - (b) the complainant gave such a notification as is mentioned in regulation 24(1); or
  - (c) the Ombudsman, under regulation 26, dispensed with the requirements mentioned in paragraph (1) of that regulation.