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**Changes to legislation:** There are currently no known outstanding effects for the Public Services Ombudsman (Wales) Act 2005, Paragraph 4. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

#### PUBLIC SERVICES OMBUDSMAN FOR WALES: APPOINTMENT ETC.

##### *Acting Public Services Ombudsman for Wales*

- 4 [F1(1) If the office of the Ombudsman becomes vacant, Her Majesty may, on the nomination of the Assembly, appoint a person to act as the Ombudsman.]
- (3) A person appointed to act as the Ombudsman (“an acting Ombudsman”) may have held office as the Ombudsman.
- (4) A person appointed as an acting Ombudsman is eligible for appointment as the Ombudsman (unless he has already held office as the Ombudsman).
- (5) The power to appoint a person as an acting Ombudsman is not exercisable after the end of the period of two years starting with the date on which the vacancy arose.
- (6) An acting Ombudsman holds office in accordance with the terms of his appointment, subject to sub-paragraph (7) (and paragraph 2, as applied by sub-paragraph (8)).
- (7) An acting Ombudsman must not hold office after—
- (a) the appointment of a person as the Ombudsman, or
  - (b) if sooner, the end of the period of two years starting with the date on which the vacancy arose.
- (8) While an acting Ombudsman holds office he is to be regarded (except for the purposes of paragraphs 1, 3, 5 to 9 and this paragraph) as the Ombudsman.

#### **Textual Amendments**

- F1** Sch. 1 para. 4(1) substituted for Sch. 1 para. 4(1)(2) by [Government of Wales Act 2006 \(c. 32\), s. 160\(1\), Sch. 10 para. 86\(4\)](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after “the 2007 election” (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(1)(4)(5) of the amending Act.

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