



# Public Services Ombudsman (Wales) Act 2019

2019 anaw 3

## PART 3

### INVESTIGATIONS

*Decisions not to investigate etc*

#### 17 Decisions not to investigate or to discontinue investigation

- (1) If the Ombudsman —
  - (a) decides not to begin an investigation, or to discontinue an investigation, into a matter under section 3(5), or
  - (b) where the Ombudsman has consulted a person under section 4(2)(c), decides not to begin an investigation, or to discontinue an investigation, into a matter under section 4(3)(a),the Ombudsman must prepare a statement of the reasons for the decision.
- (2) The Ombudsman must send a copy of the statement to—
  - (a) any person who made a complaint to the Ombudsman in respect of the matter, and
  - (b) the listed authority to which the matter relates.
- (3) The Ombudsman may send a copy of the statement to any other persons the Ombudsman thinks appropriate.
- (4) The Ombudsman may publish a statement under this section if, after taking account of the interests of the person aggrieved (if any) and any other persons the Ombudsman thinks appropriate, the Ombudsman considers it to be in the public interest to do so.
- (5) The Ombudsman may supply a copy of a statement published under subsection (4), or any part of such a statement, to any person who requests it.

*Changes to legislation: Public Services Ombudsman (Wales) Act 2019, Section 17 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (6) The Ombudsman may charge a reasonable fee for supplying a copy of a statement, or part of a statement, under subsection (5).
- (7) If a statement prepared under subsection (1)—
- (a) mentions the name of any person other than the listed authority to which the matter relates, or
  - (b) includes any particulars which, in the opinion of the Ombudsman, are likely to identify any such person and which, in the Ombudsman's opinion, can be omitted without impairing the effectiveness of the statement,
- that information must not be included in a version of the statement sent to a person under subsection (2) or (3) or published under subsection (4), subject to subsection (8).
- (8) Subsection (7) does not apply in relation to a version of the statement if, after taking account of the interests of the person aggrieved (if any) and any other persons the Ombudsman thinks appropriate, the Ombudsman considers it to be in the public interest to include that information in that version of the statement.

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**Commencement Information**

**II** S. 17 in force at 23.7.2019 by [S.I. 2019/1096](#), [reg. 2](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2023 asc 3 Sch. 2 para. 6](#)
- Act modified by [2023 asc 3 Sch. 12 para. 7\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(a\)](#) (Welsh language text)
- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(b\)](#) (English language text)