

*These notes refer to the Public Services Ombudsman Act (Northern Ireland) 2016 (c.4) which received Royal Assent on 19 February 2016*

# Public Services Ombudsman Act (Northern Ireland) 2016

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## EXPLANATORY NOTES

### COMMENTARY ON CLAUSES

#### **Part 1: The Northern Ireland Public Services Ombudsman**

Part 1 of the Act establishes the office of the Northern Ireland Public Services Ombudsman ('the NIPSO') and sets out how it is constituted.

#### ***Section 1: The Northern Ireland Public Services Ombudsman***

This section provides that there is to be a Public Services Ombudsman. Schedule 1 sets out the administrative details about the NIPSO and provides that the NIPSO is to be a corporation sole. The main function of the NIPSO is to investigate alleged maladministration in government, public and quasi-public bodies (these are collectively referred to as listed authorities and the full list of them is contained in Schedule 3).

#### ***Section 2: Independence***

The NIPSO is independent of government. There are some exceptions to this, for example the Assembly Commission sets the NIPSO salary and other terms and conditions; the Assembly may request that the NIPSO be removed from office and the NIPSO is accountable for his or her budget.

#### ***Section 3: Appointment***

The Assembly and the Assembly Commission are responsible for determining who is nominated for appointment as the NIPSO. The formal appointment is by Her Majesty. Appointment is for a single seven year term. Schedule 1 sets out how the NIPSO may leave office.

#### ***Section 4: Abolition of existing offices***

As a consequence of the establishment of the NIPSO, the existing offices of the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints are abolished. Those offices were regulated by the Ombudsman (Northern Ireland) Order 1996 and the Commissioner for Complaints (Northern Ireland) Order 1996. Both these Orders are repealed by

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this Act. Schedule 2 sets out how the staff, assets and liabilities of those existing offices are transferred to the office of the NIPSO.