



2016 CHAPTER 4

PART 2

INVESTIGATIONS

Listed authorities

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12.—(1) Each of the authorities listed in Schedule 3 is a listed authority for the purposes of this Act.

(2) The Office of the First Minister and deputy First Minister may by order amend Schedule 3 by—

- (a) adding or omitting an authority, or
- (b) altering its description.

(3) But an order under subsection (2) may not add an authority unless the authority—

- (a) exercises functions on behalf of the Crown,
- (b) is a body whose members, in whole or in part, are public appointees,
- (c) is substantially financed out of public funds, or
- (d) exercises functions conferred by a statutory provision.

(4) For the purposes of this section, a public appointee is a person appointed by—

- (a) the Crown,
- (b) a Minister,
- (c) a Minister of the Crown,

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

- (d) a Northern Ireland department,
 - (e) a department of the Government of the United Kingdom,
 - (f) the Assembly, or
 - (g) the Assembly Commission.
- (5) For the purposes of this section, a body is financed out of public funds if—
- (a) its expenses are defrayed out of moneys appropriated by Act of the Assembly,
 - (b) its expenses are defrayed out of moneys appropriated by Act of Parliament,
 - (c) its expenses are charged on and issued out of the Consolidated Fund, or
 - (d) its expenses are charged on and issued out of the Consolidated Fund of the United Kingdom.
- (6) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman, the authority concerned, and any other person it thinks appropriate.

Meaning of action taken by a listed authority

13.—(1) For the purposes of this Act, action is taken by a listed authority if it is taken by—

- (a) that authority,
- (b) a member, officer or member of staff of the authority acting in the discharge of functions of the authority,
- (c) a person to whom the authority has delegated any function, in the discharge of that function,
- (d) any other person acting on behalf of the authority.

(2) In this Act references to action taken by a listed authority include a failure to act on the part of the authority; and such other expressions connoting action are to be construed accordingly.

Changes to legislation:

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