
STATUTORY INSTRUMENTS

1999 No. 1791

**The Government of Wales Act (Complaints
of Maladministration) (Transitional
and Saving Provisions) Order 1999**

Miscellaneous

4.—(1) Subject to the following provisions of this article, where a complaint or an investigation is transferred by virtue of article 3, it shall thereafter be subject to the provisions of Part II of Schedule 9 to the Act.

(2) Where a complaint or an investigation is transferred by virtue of article 3, the Welsh Ombudsman shall send to the member of Parliament by whom the complaint was referred and the request for an investigation was made (or if he is no longer a member of Parliament, to such member as the Welsh Ombudsman considers appropriate) a copy of the report of the investigation or, as the case may be, of the statement of his reasons for not conducting an investigation and paragraph 24(2) (b) and (c) of Schedule 9 to the Act shall apply for these purposes to a member of Parliament as it applies to a member of the Assembly.

(3) A transfer by virtue of article 3 shall not affect the validity of anything done (or having effect as if done) by or in relation to a complaint or an investigation by the Parliamentary Commissioner before 1st July 1999.

(4) Anything (including legal proceedings) which, on 1st July 1999, is in the process of being done by or in relation to the Parliamentary Commissioner may, so far as it relates to anything transferred by virtue of article 3, be continued by or in relation to the Welsh Ombudsman.

(5) Anything done (or having effect as if done) by or in relation to the Parliamentary Commissioner for the purposes of or in connection with anything transferred by virtue of article 3 shall, if in force on 1st July 1999, have effect, for the purposes of Part II of Schedule 9 of the Act, as if done by or in relation to the Welsh Ombudsman insofar as that is required for continuing its effect on or after 1st July 1999.

(6) In relation to any complaint or investigation transferred by virtue of article 3,—

- (a) no person shall be required or authorised to furnish any information or answer any question relating to proceedings of the Cabinet or of any committee of the Cabinet or to produce so much of any document as relates to such proceedings; and for the purposes of this paragraph a certificate issued by the Secretary of the Cabinet with the approval of the Prime Minister and certifying that any information, question, document or part of a document so relates shall be conclusive; and
- (b) the Parliamentary Commissioner and his officers shall not, on or after 1st July 1999, be called upon to give evidence in any proceedings (other than proceedings specified in paragraph 25(1) of Schedule 9 to the Act) of matters coming to his or their knowledge in the course of investigating such complaint under the 1967 Act prior to 1st July 1999.