



New South Wales

OMBUDSMAN ACT 1974 No 68—PROCLAMATION

(L.S.) GORDON SAMUELS, Governor.

I, the Honourable Gordon Samuels AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 14 of the *Ombudsman Act 1974*, do, by this my Proclamation, amend Schedule 1 to that Act by omitting from clause 12 the words “to the Ombudsman or to another person who has referred the disclosure to the Ombudsman under Part 4 of that Act for investigation or other action”.

Signed and sealed at Sydney, this 3 day of June 1998.

By His Excellency's Command,

Bob Carr, M.P.,
Premier.

GOD SAVE THE QUEEN!

EXPLANATORY NOTE

Under section 12 of the *Ombudsman Act 1974* a person may not complain to the Ombudsman about the conduct of a public authority if the conduct is (among other things) of a class described in Schedule 1 to that Act. By virtue of clause 12 of Schedule 1 a person may not complain to the Ombudsman about conduct of a public authority relating to:

- (a) the appointment or employment of a person as an officer or employee, or
- (b) matters affecting a person as an officer or employee,

unless such conduct arises from the making of a protected disclosure (within the meaning of the *Protected Disclosures Act 1994*) to the Ombudsman or to another person who has referred the disclosure to the Ombudsman under Part 4 of that Act for investigation or other action.

The object of this Proclamation is to omit the words “to the Ombudsman or to another person who has referred the disclosure to the Ombudsman under Part 4 of that Act for investigation or other action” from clause 12 so enabling a complaint to be made about conduct rising from a protected disclosure regardless of to whom the protected disclosure was made.