

OMBUDSMAN (AMENDMENT) ACT, 1978, No. 81

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 81, 1978.

An Act to amend the Ombudsman Act, 1974, with respect to the conduct that may be investigated under that Act. [Assented to, 11th September, 1978.]

Ombudsman (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Ombudsman (Amendment) Short title Act, 1978".

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-
ment.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Police Regulation (Allegations of Misconduct) Act, 1978.

3. The Ombudsman Act, 1974, is amended in the manner set forth in Schedule 1. Amend-
ment of
Act No. 68,
1974.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE OMBUDSMAN ACT, 1974.

(1) (a) Section 5 (2) (b)—

Omit ", whether or not it is in accordance with any law or established practice".

(b) Section 5 (2) (b1)—

After section 5 (2) (b), insert :—

(b1) in accordance with any law or established practice but the law or practice is, or may be, unreasonable, unjust, oppressive or improperly discriminatory;

Ombudsman (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE OMBUDSMAN ACT, 1974—*continued.*

(2) Section 11 (a)—

After “this”, insert “or any other”.

(3) Section 34 (d)—

After “this”, insert “or any other”.

(4) (a) Section 37 (1) (a) and (c)—

After “this” wherever occurring, insert “or any other”.

(b) Section 37 (2) (f)—

After “Act”, insert “or of any other Act in so far as it confers or imposes on the Ombudsman or an officer or special officer of the Ombudsman any power, authority, duty or function”.
