



Northern Ireland
Assembly

Public Services Ombudsperson Bill
Notice of Amendments tabled on
13 October 2015 for Consideration Stage

Schedule 7, Page 40, Line 19

At end insert -

‘3. After section 56 insert—

“Adjudication hearings

Adjudication hearings

56A.—(1) Where the Commissioner proposes to make an adjudication under section 55(5)(c), the Commissioner may first hold an adjudication hearing.

(2) The adjudication hearing must be held in public save to the extent that the Commissioner determines that this would not be in the public interest.

(3) Subject to—

(a) subsection (2), and

(b) the provisions of the 2015 Act which apply to adjudication hearings by virtue of section 63,

the procedure for an adjudication hearing is to be such as the Commissioner considers appropriate in the circumstances of the case.”’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 40, Line 19

At end insert -

‘4. In section 59 (decision following report) after subsection (7) insert—

“(7A) Where the Commissioner censures a person under subsection (4), the Commissioner must give notice to the clerk of the council concerned—

(a) stating that the person has failed to comply with the code of conduct;

(b) specifying the details of that failure; and

(c) stating that the person is censured in the terms the Commissioner has decided.”.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 40, Line 19

At end insert -

‘5. In section 59(10)—

(a) in subsection (a) omit “and”,

(b) in subsection (b), at the end insert—

“and

(c) may be published elsewhere.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 40, Line 22

Leave out line 22 and insert -

‘63.—(1) The provisions of the 2015 Act set out below have effect in relation to this Part as follows, and as if the references to the Ombudsperson in the 2015 Act were references to the Commissioner.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 40, Line 34

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 40, Line 40

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 41, Line 4

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 41

Leave out lines 10 to 12 and insert -

‘(c) applies as if the reference in section 40(2)(e) to section 42 (consultation and co-operation with other ombudspersons) only applied in respect of the persons listed in section 42(4)(i) and (j) (local government auditor and Comptroller and Auditor General),

(d) applies as if the references to section 45 to 46 (court proceedings) were omitted.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 41, Line 16

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

Chair, Committee for the Office of the First Minister and deputy First Minister

Schedule 7, Page 41, Line 21

At end insert -

‘(9) The following provisions of the 2015 Act apply in relation to an adjudication hearing under section 56A as they apply in relation to an investigation under the 2015 Act—

(a) section 30(7)(b) of the 2015 Act (legal representation),

(b) section 30(8) of the 2015 Act (payments to persons giving evidence),

(c) section 31(3) of the 2015 Act (power to compel witnesses and require production of documents), and

(d) section 33 of the 2015 Act (obstruction and contempt) except for subsection (3).’.

Chair, Committee for the Office of the First Minister and deputy First Minister