



Public Services Ombudsman (Wales) Act 2019

2019 anaw 3

PUBLIC SERVICES OMBUDSMAN (WALES) ACT 2019

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Changes to legislation: Public Services Ombudsman (Wales) Act 2019 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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SCHEDULE 1 — PUBLIC SERVICES OMBUDSMAN FOR WALES: APPOINTMENT ETC

Appointment

- 1 The Ombudsman is to be appointed by Her Majesty on...

Status

- 2 (1) The Ombudsman is a corporation sole.

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Term of office

- 3 (1) A person's term of office as the Ombudsman is...

Acting Public Services Ombudsman for Wales

- 4 (1) If the office of the Ombudsman becomes vacant, Her...

Further provision: appointment

- 5 The Assembly must determine the terms that apply to an...

Disqualification

- 6 (1) A person is disqualified from being the Ombudsman or...
7 (1) A person who holds office as the Ombudsman or...
8 (1) A person who has ceased to hold office as...
9 The references in paragraphs 7 and 8 to a paid...

Remuneration etc

- 10 (1) The Assembly must— (a) pay a person who is...

Special financial provisions

- 11 (1) Any sums payable by the Ombudsman in consequence of...

Staff

- 12 (1) The Ombudsman may appoint such staff as is necessary...

Advisers

- 13 (1) The Ombudsman may obtain advice from any person who,...

Delegation

- 14 (1) Any function of the Ombudsman may be discharged on...

Annual and extraordinary reports

- 15 (1) The Ombudsman— (a) must annually prepare a general report...

Estimates

- 16 (1) For each financial year, the Ombudsman must prepare an...

Accounts

- 17 (1) The Ombudsman must— (a) keep proper accounting records, and...

Audit

- 18 (1) The accounts prepared by the Ombudsman for a financial...

Accounting officer

- 19 (1) The Ombudsman is the accounting officer for the office...

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Examinations into the use of resources

- 20 (1) The Auditor General for Wales may carry out examinations...

Supplementary powers

- 21 The Ombudsman may do anything (including acquire or dispose of...

Previous Ombudsman to continue to be Ombudsman

- 22 (1) This paragraph applies to the person who is the...

SCHEDULE 2 — EXCLUDED MATTERS: PART 3

- 1 Action taken by or with the authority of the Welsh...
- 2 The commencement or conduct of proceedings before a court of...
- 3 Action taken by a member of the administrative staff of...
- 4 Action taken in respect of appointments, removals, pay, discipline, superannuation...
- 5 Action relating to the determination of the amount of rent...
- 6 (1) Action taken by an authority specified in sub-paragraph (2)...
- 7 Action taken by a Local Health Board in the discharge...

SCHEDULE 3 — LISTED AUTHORITIES

Government of Wales The Welsh Government. The National Assembly for...

SCHEDULE 4 — EXCLUDED MATTERS: PART 5

- 1 The commencement or conduct of proceedings before a court of...
- 2 Action taken in respect of appointments or removals, pay, discipline,...

SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS

PART 1 — INVESTIGATIONS

Care Standards Act 2000 (c.14)

- 1 Insert new section 75ZB— Working jointly with the Public Services...
- 2 Insert new section 75ZC— Working jointly with the Public Services...

Public Audit (Wales) Act 2004 (c.23)

- 3 Insert new section 67B— Protection from defamation claims For the purposes of the law of defamation, the publication...

Public Audit (Wales) Act 2013 (anaw 3)

- 4 Insert new section 29A— Working with the Public Services Ombudsman...

Well-being of Future Generations (Wales) Act 2015 (anaw 2)

- 5 In section 25, after subsection 1(c), insert—
PART 2 — MISCELLANEOUS

Parliamentary Commissioner Act 1967 (c.13)

- 6 In section 4 (departments etc. subject to investigation), in subsection...

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- 7 In section 11A (consultations between Parliamentary Commissioner and other Commissioners...

Local Government Act 1974 (c.7)

- 8 In section 34M (consultation with other Commissioners), in subsection (1)(d),...
9 In section 34T (interpretation of Part 3A), in subsection (1),...

Ancient Monuments and Archaeological Areas Act 1979 (c.46)

- 10 In Schedule A2 (decisions on reviews by person appointed by...

Local Government and Housing Act 1989 (c.42)

- 11 In section 5 (designation and reports of monitoring officer)—
12 In section 5A (reports of monitoring officer – local authorities...

Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)

- 13 In Schedule 1B (decisions on reviews by person appointed by...
14 In Schedule 3 (determination of certain appeals by person appointed...

Health Service Commissioners Act 1993 (c.46)

- 15 In section 18 (consultation during investigations), in subsection (1)(ba), at...

Housing Act 1996 (c.52)

- 16 In section 50C (grounds for giving notice), in subsection (10),...
17 In section 51 (schemes for investigation of complaints), in subsection...

Freedom of Information Act 2000 (c.36)

- 18 In section 76 (disclosure of information between Commissioner and ombudsmen),...

Local Government Act 2000 (c.22)

- 19 In section 68 (Public Services Ombudsman for Wales), in subsection...
20 In section 70 (investigations: further provisions), in subsection (2)(b), for...

Health and Social Care (Community Health and Standards) Act 2003 (c.43)

- 21 In section 113 (complaints about health care), in subsection (4)(aa)—...

National Health Service (Wales) Act 2006 (c.42)

- 22 In section 187 (independent advocacy services), in subsection (3)—

Commissioner for Older People (Wales) Act 2006 (c.30)

- 23 In section 18 (power to disclose information), in subsection (1)(b),...

Government of Wales Act 2006 (c.32)

- 24 In Schedule 8 (Auditor General for Wales), in paragraph 17(8)(ba),...

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Local Government and Public Involvement in Health Act 2007 (c.28)

- 25 In section 223A (independent advocacy services), in subsection (10)—

Social Services and Well-being (Wales) Act 2014 (anaw 4)

- 26 In section 171 (complaints about social services), in subsection (3)(a)
—...
- 27 In section 177 (further consideration of representations), in
subsection (4)(a)—...

Data Protection Act 2018 (c.12)

- 28 In Schedule 2 (exemptions etc from the GDPR), in paragraph...

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 3 words substituted by [2022 asc 1 Sch. 4 para. 41](#)
- Sch. 5 para. 13 omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)
- Sch. 5 para. 14 omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)
- Sch. 5 para. 10 and cross-heading omitted by [2023 asc 3 Sch. 13 para. 195\(a\)](#)
- Sch. 5 para. 13 cross-heading omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2023 asc 3 Sch. 2 para. 6](#)
- Act modified by [2023 asc 3 Sch. 12 para. 7\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(a\)](#) (Welsh language text)
- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(b\)](#) (English language text)