

# OMBUDSMAN (NORTHERN TERRITORY) ORDINANCE 1978

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No. 60 of 1978

## An Ordinance to amend the *Ombudsman* (*Northern Territory*) Ordinance

[Assented to 1 July 1978]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Ombudsman (Northern Territory) Ordinance 1978*. Short title
2. The *Ombudsman (Northern Territory) Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. This Ordinance shall come into operation on the date of commencement of the Principal Ordinance.\* Commencement
4. Section 3(1) of the Principal Ordinance is amended by omitting from paragraph (b) of the definition of "authority" the words "other than a law of the Commonwealth, being a law specified in a determination that is in force under section 4ZE(2) of the *Northern Territory (Administration) Act 1910*" and substituting "not being a body which is a prescribed authority within the meaning of the *Ombudsman Act 1976* of the Commonwealth". Interpretation
5. Section 4(7) of the Principal Ordinance is amended by omitting "by him" and substituting "by the Administrator". Ombudsman
6. Section 5 of the Principal Ordinance is amended by omitting "as to remuneration or otherwise". Leave of absence
7. After section 14 of the Principal Ordinance the following section is inserted:  
"14A.(1) The Ombudsman may, by arrangement with the Ombudsman within the meaning of the *Ombudsman Act 1976* of the Commonwealth, deal with a complaint made to, or conduct or complete an investigation commenced by, that second-mentioned Ombudsman in relation to an action taken by a department or authority, where the complaint was made to, or the investigation was commenced by, that second-mentioned Ombudsman, as though the complaint had been made or the investigation had been commenced under this Ordinance." Transfer of complaints and investigations to Ombudsman

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\*The date fixed was 1 July 1979

(2) Where the Ombudsman deals with a complaint or conducts or completes an investigation under sub-section (1), he may have regard to any evidence adduced, information, documents or records furnished, or submissions or arguments made, in the course of investigations conducted by the second-mentioned Ombudsman.”.

Non-disclosure  
of certain  
matters

8. Section 22(2) of the Principal Ordinance is amended by omitting “Crown Law Officer” and substituting “Crown Solicitor”.

Secrecy

9. Section 23(a) of the Principal Ordinance is amended—

- (a) by omitting from the end of sub-paragraph (i) “or” (last occurring);
- (b) by omitting from the end of sub-paragraph (ii) “and” and substituting “or”; and
- (c) by inserting after sub-paragraph (ii) the following sub-paragraph:
  - “(iii) for the purposes of—
    - (A) a matter arising under an Act of the Commonwealth or of a State; or
    - (B) an undertaking that is being carried out jointly by the Territory and the Commonwealth or a State, to a person exercising, under a law of the Commonwealth or a State, functions similar to the functions exercised by the Ombudsman under this Ordinance; and”.

Procedure on  
completion of  
investigation

10. Section 26(5)(b) of the Principal Ordinance is amended by omitting “Council” and substituting “council”.

References to  
the executive  
member

11. Sections 3(1) and 19(5) of the Principal Ordinance are amended by omitting the words “the executive member” (wherever occurring) and substituting “the minister”.

References to  
Administrator  
in Council

12. Sections 3(1), (2) and 32 of the Principal Ordinance are amended by omitting “Administrator in Council” and substituting “Administrator”.

References to  
responsible  
Executive  
Member

13. Sections 3(1), 19(1)(a), (5), (7)(b) and 26(3) of the Principal Ordinance are amended by omitting “responsible Executive Member” (wherever occurring) and substituting “responsible minister”.

References to  
an Executive  
Member

14. Sections 3(1), 14(5), 19(5), 22(1)(a)(ii) and (b)(ii) of the Principal Ordinance are amended by omitting “an Executive Member” and “an executive member” (wherever occurring) and substituting “a minister”.

References to  
Administrator

15. Sections 4(7), (8), 5, 6, 7, 8(2), 12(1), 26(5), (6), 28(1), (2) and (3) of the Principal Ordinance are amended by omitting “Administrator” (wherever occurring other than where it is amended by section 5 of this Ordinance) and substituting “Minister”.