



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 14 of 1974

An Act to amend the Ombudsman Act, 1972.

[Assented to 4th April, 1974]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Ombudsman Act Amendment Act, 1974". Short titles.

(2) The Ombudsman Act, 1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Ombudsman Act, 1972-1974".

2. Section 3 of the principal Act is amended—

(a) by inserting in the definition of "Authority" in subsection (1) after the passage "constituting that body" the passage "and includes the Council of The University of Adelaide";

(b) by striking out from the definition of "Department" in subsection (1) the passage "as amended, specified in the schedule to this Act and includes a Department as so defined that is for the time being declared by proclamation to be a Department for the purposes of this Act" and inserting in lieu thereof the passage "—1973, but does not include any such Department for the time being declared by proclamation to be a Department to which this Act does not apply";

and

(c) by inserting immediately after subsection (2) the following subsection:—

(3) The Governor may by proclamation vary or revoke any proclamation—

(a) declaring a Department to be a Department to which this Act does not apply;

or

Amendment of
principal Act,
s. 3—
Interpretation.

(b) declaring a Council to be a Council to which this Act applies,

and that proclamation shall have effect according to its tenor.

Enactment of s. 4a of principal Act—

3. The following section is enacted and inserted in the principal Act immediately after section 4 thereof:—

Branches, sections, etc. of Departments may be excluded from Act.

4a (1) The Governor may by proclamation declare any branch, section or part of a Department not to be a part of that Department for the purposes of this Act and upon the making of that proclamation that branch, section or part of that Department shall, for those purposes, be deemed not to be a part of that Department.

(2) The Governor may by proclamation vary or revoke any proclamation referred to in subsection (1) of this section and that proclamation shall have effect according to its tenor.

Repeal of s. 29 of principal Act and enactment of section in its place—
Annual report.

4. Section 29 of the principal Act is repealed and the following section is enacted and inserted in its place:—

29. (1) Without limiting or restricting the power elsewhere conferred on the Ombudsman to cause a report to be laid before a House of Parliament, the Ombudsman shall once in each year prepare a report on the exercise of his powers and functions during the preceding twelve months and transmit that report to the President of the Legislative Council and the Speaker of the House of Assembly and the President and the Speaker shall forthwith lay the same before their respective Houses.

(2) The Ombudsman shall cause a copy of every report, transmitted pursuant to subsection (1) of this section, to be transmitted to the Minister.

Amendment of principal Act, s. 30—
Protection of Ombudsman and officers.

5. Section 30 of the principal Act is amended by striking out from subsection (2) the word “Neither” and inserting in lieu thereof the passage “Except for the purposes of the hearing and determination of an application under section 28 of this Act, neither”.

Repeal of schedule of principal Act.

6. The schedule to the principal Act is repealed.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor