



PRIME MINISTER

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GOVERNMENT TO ESTABLISH OMBUDSMAN

The Government has decided to introduce legislation during the current session to establish a Commonwealth Ombudsman.

The Government is concerned that people should be able to seek appropriate redress from the administrative actions of Government Officials where there has been clear error, bias, neglect, inattention, delay, incompetence or arbitrariness.

The Ombudsman will investigate complaints by citizens against administrative acts by Commonwealth Officials. The Ombudsman's jurisdiction will extend to administrative acts by officials in the Australian Capital Territory and the Northern Territory.

The role of the Ombudsman will be complementary to that of the Administrative Appeals Tribunal and other Tribunals such as the Social Security Appeals Tribunal.

The Ombudsman will investigate the merits of a decision if there are no other established procedures for an appeal from that decision to another Tribunal. Even in those cases, the Ombudsman will have power to investigate complaints about such matters as delays in reaching a decision.

The Ombudsman will have power to question officials and to inspect departmental files in investigating a complaint.

If he thinks a complaint to be justified, and the department concerned does not rectify the matter to his satisfaction, the Ombudsman can report to the Prime Minister and to the Parliament.

The independent nature of the Ombudsman and the powers he will have will provide an assurance that all complaints will be fully investigated.

The Administrative Appeals Tribunal Act will come into force on 1 July. The Government hopes to be able to announce an early date for the appointment of a President to the Tribunal.

The Tribunal and the proposed Ombudsman are part of the Government's overall concern with administrative review.

The administrative review legislation arose from the finding of the Kerr Committee on administrative review.

The present Government will be the first Commonwealth Government to implement legislation to provide for administrative review.

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