



## Ombudsmen Amendment Act 2015

Public Act 2015 No 30  
Date of assent 25 March 2015  
Commencement see section 2

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### The Parliament of New Zealand enacts as follows:

- 1 Title**  
This Act is the Ombudsmen Amendment Act 2015.
- 2 Commencement**  
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act**  
This Act amends the Ombudsmen Act 1975 (the **principal Act**).

**4 Section 17 replaced (Ombudsman may refuse to investigate complaint)**

Replace section 17 with:

**“17 Ombudsman may refuse to investigate complaint**

- “(1) An Ombudsman may refuse to investigate or further investigate a complaint if it appears to the Ombudsman that,—
- “(a) under the law or existing administrative practice, the complainant has an adequate remedy or right of appeal (other than the right to petition the House of Representatives) and it is, or would have been, reasonable for the complainant to resort to that remedy or right of appeal; or
  - “(b) the complaint relates to a decision, recommendation, act, or omission that the complainant has known about for more than 12 months; or
  - “(c) the subject matter of the complaint is trivial; or
  - “(d) the complaint is frivolous or vexatious or is not made in good faith; or
  - “(e) the complainant does not have a sufficient personal interest in the subject matter of the complaint; or
  - “(f) having regard to all the circumstances of the case,—
    - “(i) following preliminary inquiries, an investigation is unnecessary; or
    - “(ii) having commenced an investigation, further investigation is unnecessary.
- “(2) If an Ombudsman refuses to investigate or further investigate a complaint, the Ombudsman must inform the complainant of the decision and give his or her reasons for it.”
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**Legislative history**

19 March 2015	Divided from Statutes Amendment Bill (No 4) (Bill 188–2)
24 March 2015	Third reading
25 March 2015	Royal assent

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This Act is administered by the Ministry of Justice.

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