Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.

Number 26 *of* 1980

OMBUDSMAN ACT 1980

REVISED

Updated to 2 April 2025

This Revised Act is an administrative consolidation of the *Ombudsman Act 1980*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Merchant Shipping (Investigation of Marine Accidents) Act 2025* (2/2025), enacted 14 April 2025, and all statutory instruments up to and including the *Policing, Security and Community Safety Act 2024 (Commencement) Order 2025* (S.I. No. 107 of 2025), made 2 April 2025, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 26 *of* 1980

OMBUDSMAN ACT 1980

REVISED

Updated to 2 April 2025

ARRANGEMENT OF SECTIONS

Section

1. Definitions.
1A. Reviewable agency.
2. Appointment and terms of office of the Ombudsman.
3. Salary and pension.
4. Functions of the Ombudsman.
4A. Duty on reviewable agencies to give assistance and guidance, etc.
5. Exclusions.
6. Reports etc., by the Ombudsman.
7. Powers of the Ombudsman in respect of examinations and investigations.
8. Conduct of investigations.
8A. Reference of questions of law to High Court.
9. Secrecy of information.
10. Staff of the Ombudsman.
10A. Use of title of ombudsman.
11. Expenses.
12. Short title and commencement.

FIRST SCHEDULE

Departments of State and other persons subject to investigation

SECOND SCHEDULE

Persons not subject to investigation

Number 26 *of* 1980

OMBUDSMAN ACT 1980

REVISED

Updated to 2 April 2025

AN ACT TO PROVIDE FOR THE APPOINTMENT AND FUNCTIONS OF AN OMBUDSMAN, AND FOR PURPOSES CONNECTED THEREWITH. [14*th July,* 1980]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

C1 Ombudsman exempted from data protection restrictions (4.05.2022) by *Data Protection Act 2018 (Section 60(6)) (Office of the Ombudsman) Regulations 2022* (S.I. No. 221 of 2022), reg. 7.

Restriction of rights and obligations

7. (1) Subject to paragraph (2), the rights and obligations provided for in Articles 12 to 22 and Article 34, and Article 5 (in so far as any of its provisions correspond to the rights and obligations in Articles 12 to 22), of the Data Protection Regulation, in respect of processing to which these Regulations apply, are restricted to the extent that is -

(a) necessary to safeguard a relevant objective, and

(b) proportionate to the need to safeguard the relevant objective,

including, but not limited to, where the exercise of the right or compliance with the obligation, as the case may be -

(i) may interfere with -

(I) the performance by the Ombudsman of a relevant function,

(II) the independence of the Ombudsman in carrying out a relevant function, or

(III) the prohibitions and restrictions on the disclosure of information and documents under section 9(1) of the Ombudsman Act 1980,

(ii) would disclose that the Ombudsman is exercising a function in pursuit of a relevant objective, where such disclosure may prejudice the achievement of the relevant objective, or

(iii) would prevent the Ombudsman processing personal data for a period of time, where such delay to the processing may prejudice the achievement of a relevant objective.

...

C2 Application of collectively cited *Ombudsman Acts* extended (1.01.2014) by *Child and Family Agency Act 2013* (40/2013), s. 69(2), S.I. No. 502 of 2013.

Referral of complaints to Ombudsman or Ombudsman for Children

69. (1) Nothing in this Part prohibits or prevents any person who is dissatisfied with a recommendation made or step taken in response to a complaint under this Part or with a review under this Part from referring the complaint to the Ombudsman or the Ombudsman for Children.

(2) For the purposes of the Ombudsman Acts 1980 to 2012 and the Ombudsman For Children Act 2002, any action taken by a service provider in relation to a service in respect of which the service provider has entered into an arrangement under section 56 or 58 is deemed to have been taken by the Agency.

C3 Act applied with modifications (23.09.2011) by *Disability Act 2005 (Code of Practice) (Declaration) Order 2011* (S.I. No. 484 of 2011), art. 2 and sch.

Section 40. Application of Ombudsman Act 1980

40. — Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State:

(a) in section 1, in subsection (1), the following shall be inserted after the definitions of "functions":

" 'head', in relation to a public body, and 'public body', have the meanings assigned to them by the Disability Act 2005 ;";

(b) in section 4, in subsection (2), the words from and including "(being an action taken in the performance of administrative functions)" to the end of the subsection and subsection (4) shall be deleted;

(c) in section 5, in subsection (1)(a), subparagraph (iii) shall be deleted;

(d) in section 6, the following subsection shall be substituted for subsection (3):

"(3) Where, following an investigation under this Act into an action, it appears to the Ombudsman that, by reason of a failure to comply with a provision of Part 3 of the Disability Act 2005 or of a sectoral plan under that Part, the action adversely affected a person by or on whose behalf a complaint was made under section 38, or in accordance with the procedure for complaints provided for pursuant to section (31)(4)(b), of that Act or any other person and the Ombudsman considers that in all the circumstances he or she should do so, he or she may recommend to the head of the public body concerned or to any other person concerned—

(a) that the matter in relation to which the action was taken be further considered,

(b) that measures or specified measures be taken to remedy, mitigate or alter the adverse effect of the action,

or

(c) that the reasons for taking the action be given to the Ombudsman,

and, if the Ombudsman thinks fit to do so, he or she may request the head of the public body or that other person to notify him or her within a specified time of his or her response to the recommendation.";

and

(e) in section 7, the following subsection shall be inserted after subsection (1):

"(1A)(a) An officer of the Ombudsman authorised in writing in that behalf by the Ombudsman may, for the purposes of a preliminary examination or an investigation under section 4 in relation to a public body or any other person concerned carried out by virtue of section 40 of the Disability Act 2005 —

(i) at all reasonable times enter any premises occupied by the body or other person aforesaid,

(ii) search the premises and any books, documents or other records found there by him or her,

(iii) require any person on the premises who is employed by the body or other person to give to him or her such information within his or her knowledge or procurement (including, in the case of such information in a non-legible form, a reproduction of it in a legible form), or such records as aforesaid in his or her possession or within his or her procurement, as he or she may reasonably require for the purposes aforesaid,

(iv) examine and take copies of, or of extracts from, any such records as aforesaid and remove and retain any such records for such period as may be reasonable for further examination,

(v) require any such person as aforesaid who has in his or her possession any such records to retain them for such reasonable period as he or she may direct, and

(vi) take on to the premises and use there a camera or other recording apparatus or any other equipment, for the purpose of facilitating the proof of any non-compliance with Part 3 of the Disability Act 2005 found or suspected by the officer on the premises

(b) In paragraph (a), a 'premises' includes a structure or place and a vehicle, ship or other vessel and the reference to occupied in that paragraph shall be construed, in relation to a vehicle, ship or other vessel, as a reference to owned, used or operated.

(c) A person who—

(i) obstructs or impedes an officer of the Ombudsman while he or she is performing a function under this section,

(ii) fails or refuses to comply with a requirement under this section,

(iii) alters, disposes of or destroys any books, documents or other records which the person has been required under this section to give to such an officer or may reasonably expect to be required so to do, or

(iv) gives to such an officer information which is false or misleading in a material respect,

is guilty of an offence and is liable on summary conviction to a fine not exceeding €3,000.

(d) When performing any of his or her functions under this subsection, an officer of the Ombudsman shall, if so requested by any person affected, produce to the person his or her authorisation under paragraph (a) or a copy of it".

C4 Functions transferred and references to Minister for Finance construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 26 of 1980	Ombudsman Act 1980	The whole Act
...	...	...

The history of the Ministers concerned with the collectively cited *Ombudsman Acts* can be traced as follows:

• Functions transferred and references to the Minister for the **Public Service** construed as **Finance** (19.03.1987) by *Public Service (Transfer of Departmental Administration and Ministerial Functions) Order 1987* (S.I. No. 81 of 1987).

C5 Application of collectively cited *Ombudsman Acts* extended (1.01.2007) by *Health Act 2004* (42/2004), s. 54(2), S.I. No. 651 of 2006.

Referral of complaints to Ombudsman or Ombudsman for Children.

54.—(1) Nothing in this Part prohibits or prevents any person who is dissatisfied with a recommendation made or step taken in response to a complaint under this Part or with a review under this Part from referring the complaint to the Ombudsman or the Ombudsman for Children.

(2) For the purposes of the Ombudsman Acts 1980 to 1984 and the Ombudsman for Children Act 2002, any action taken by a service provider in relation to a health or personal social service in respect of which the service provider has entered into an arrangement under section 38 or received assistance under section 39 is deemed to have been taken by the Executive.

C6 Act applied with modifications (31.12.2005) by *Disability Act 2005* (14/2005), s. 40, S.I. No. 474 of 2005.

Application of Ombudsman Act 1980

40.—Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a **[**reviewable agency (within the meaning of that Act)**]**:

(*a*) in section 1, in subsection (1), the following shall be inserted after the definition of "functions":

"'head', in relation to a public body, and 'public body', have the meanings assigned to them by the Disability Act 2005;";

(*b*) in section 4, in subsection (2), the words from and including 'in the performance' to the end of the subsection and subsection (4) shall be deleted;

(*c*) in section 5, in subsection (1)(a), subparagraph (iii) shall be deleted;

(*d*) in section 6, the following subsection shall be substituted for **[**subsections (3) and (3A)**]**:

"(3) Where, following an investigation under this Act into an action, it appears to the Ombudsman that, by reason of a failure to comply with a provision of *Part 3* of the *Disability Act 2005* or of a sectoral plan under that Part, the action adversely affected a person by or on whose behalf a complaint was made under *section 38*, or in accordance with the procedure for complaints provided for pursuant to *section 31 (4)(b)*, of that Act or any other person and the Ombudsman considers that in all the circumstances he or she should do so, he or she may recommend to the head of the public body concerned or to any other person concerned—

(*a*) that the matter in relation to which the action was taken be further considered,

(*b*) that measures or specified measures be taken to remedy, mitigate or alter the adverse effect of the action, or

(*c*) that the reasons for taking the action be given to the Ombudsman,

and, if the Ombudsman thinks fit to do so, he or she may request the head of the public body or that other person to notify him or her within a specified time of his or her response to the recommendation.";

and

(*e*) in section 7, the following subsection shall be inserted after subsection (1):

"(1A) (*a*) An officer of the Ombudsman authorised in writing in that behalf by the Ombudsman may, for the purposes of a preliminary examination or an investigation under section 4 in relation to a public body or any other person concerned carried out by virtue of *section 40* of the *Disability Act 2005*—

(i) at all reasonable times enter any premises occupied by the body or other person aforesaid,

(ii) search the premises and any books, documents or other records found there by him or her,

(iii) require any person on the premises who is employed by the body or other person to give to him or her such information within his or her knowledge or procurement (including, in the case of such information in a non-legible form, a reproduction of it in a legible form), or such records as aforesaid in his or her possession or within his or her procurement, as he or she may reasonably require for the purposes aforesaid,

(iv) examine and take copies of, or of extracts from, any such records as aforesaid and remove and retain any such records for such period as may be reasonable for further examination,

(v) require any such person as aforesaid who has in his or her possession any such records to retain them for such reasonable period as he or she may direct, and

(vi) take on to the premises and use there a camera or other recording apparatus or any other equipment, for the purpose of facilitating the proof of any non-compliance with *Part 3* of the *Disability Act 2005* found or suspected by the officer on the premises.

(*b*) In paragraph (*a*), 'premises' includes a structure or place and a vehicle, ship or other vessel and the reference to occupied in that paragraph shall be construed, in relation to a vehicle, ship or other vessel, as a reference to owned, used or operated.

(*c*) A person who—

(i) obstructs or impedes an officer of the Ombudsman while he or she is performing a function under this section,

(ii) fails or refuses to comply with a requirement under this section,

(iii) alters, disposes of or destroys any books, documents or other records which the person has been required under this section to give to such an officer or may reasonably expect to be required so to do, or

(iv) gives to such an officer information which is false or misleading in a material respect,is guilty of an offence and is liable on summary conviction to a fine not exceeding €3,000.

(*d*) When performing any of his or her functions under this subsection, an officer of the Ombudsman shall, if so requested by any person affected, produce to the person his or her authorisation under paragraph (*a*) or a copy of it.".

C7 Application of Act restricted (1.12.2005) by *Ombudsman (Defence Forces) Act 2004* (36/2004), s. 4(7), S.I. No. 568 of 2005.

Functions of Ombudsman.

4.—...

(7) A member of the Defence Forces—

(*a*) who makes a complaint to the Ombudsman concerning an action taken by or on behalf of a civil servant shall not, subsequently, make a complaint about the same matter to the Ombudsman appointed under the Act of 1980, or

(*b*) who makes a complaint to the Ombudsman appointed under the Act of 1980 in relation to an action taken by or on behalf of a civil servant shall not, subsequently, make a complaint about the same matter to the Ombudsman.

C8 Act applied with modifications (9.07.2005) by *Commission to Inquire into Child Abuse (Amendment) Act 2005* (17/2005), s. 28(4), commenced on enactment.

Application for grants and consequential matters.

28.— ...

(4) Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a decision of the Board under *section 27 (1)* with the following and any other necessary modifications as if it were an action taken by a **[**reviewable agency (within the meaning of that Act)**]**—

(*a*) in section 4, in subsection (2), the words from and including **[**"in the performance"**]** to the end of the subsection shall be deleted,

(*b*) in section 5, in subsection (1)(*a*), subparagraph (iii) shall be deleted, and

(*c*) in section 6, the following subsection shall be substituted for **[**subsections (3) and (3A)**]**:

"(3) Where, following an investigation under this Act into an action, it appears to the Ombudsman that the action adversely affected a person by whom or on whose behalf an application was made under *section 27* of the *Commission to Inquire into Child Abuse (Amendment) Act 2005* and the Ombudsman considers that in all the circumstances he should do so, he may recommend to the Education (Former Residents of Certain Institutions for Children) Finance Board—

(*a*) that its decision on foot of that application be further considered,

(*b*) that measures or specified measures be taken to remedy, mitigate or alter the adverse effect of the action, or

(*c*) that the reasons for taking the action be given to the Ombudsman,and, if the Ombudsman thinks fit to do so, he may request that Board to notify him within a specified time of its response to the recommendation.".

C9 Functions transferred (1.01.2005) by *Health Act 2004* (42/2004), s. 59, S.I. No. 887 of 2004.

Transfer of functions of specified bodies to Executive.

59.—(1) The functions that, immediately before the establishment day, were the functions of a specified body under or in connection with the enactments referred to in *Schedule 3* are, by this Act, transferred to the Executive on that day.

(2) If a provision of an enactment referred to in *Schedule 3*, or a provision of an instrument made under such enactment, does not come into effect until on or after the establishment day, a function that on the passing of that enactment or the making of that instrument was assigned under or in connection with that provision to a specified body is, by this Act, transferred to the Executive on the commencement of that provision.

(3) The functions transferred by this Act to the Executive include the functions specified in any enactment referred to in *Schedule 3* as a function of the following:

(*a*) the chief executive officer of a health board;

(*b*) the Regional Chief Executive of the Eastern Regional Health Authority;

(*c*) the area chief executive of an Area Health Board.

(4) This section does not apply in relation to the functions of the Hospital Bodies Administrative Bureau.

...

SCHEDULE 3

Transfer of Functions and References to Functional Areas

...

44. Ombudsman Acts 1980 to 1984

...

C10 Act applied to certain bodies with modifications (2.12.1999) by *British-Irish Agreement Act 1999* (1/1999), s. 50, S.I. No. 377 of 1999.

Application of Data Protection Act, 1988.

50. (1) In this section—

"the Act of 1980" means the Ombudsman Act, 1980;

"the Northern Ireland Ombudsman" means the person who performs in Northern Ireland functions corresponding to those of the Ombudsman.

(2) The Act of 1980 shall apply in relation to the Bodies with any necessary modifications and as if there were a reference to each of them in Part I of the First Schedule to that Act, but such application shall be restricted to actions taken in the State by or on behalf of a Body.

(3) During a preliminary examination or an investigation under the Act of 1980 of an action taken by or on behalf of a Body, the Ombudsman shall consult with the Northern Ireland Ombudsman in relation to the conduct of the examination or investigation and, where he or she considers it appropriate to do so, may make available to the Northern Ireland Ombudsman information (including a copy of a document) furnished to him or her for the purposes of the examination or investigation; but, any decision or recommendation falling to be made following such an examination or investigation shall be made solely by the Ombudsman and he or she shall furnish a statement in writing of any such decision or recommendation to the Northern Ireland Ombudsman.

(4) Where a complaint is made to the Northern Ireland Ombudsman in relation to an action taken in the State by or on behalf of a Body and the matter is referred to the Ombudsman by the Northern Ireland Ombudsman, the Act of 1980 shall apply as if a complaint in relation to the matter had been duly made under that Act to the Ombudsman.

(5) Where a complaint is made to the Ombudsman in relation to an action taken in Northern Ireland by or on behalf of a Body, he or she shall refer the matter to the Northern Ireland Ombudsman and shall furnish to him or her any information (including a copy of a document) in relation to the matter in his or her possession.

(6) The Ombudsman shall, when so requested by the Northern Ireland Ombudsman in relation to the investigation by the Ombudsman for Northern Ireland of an action taken in Northern Ireland by or on behalf of a Body, liaise and consult with him or her in relation to the matter.

C11 Application of Act restricted (15.07.1999) by *Postal and Telecommunications Services (Amendment) Act 1999* (5/1999), s. 10, S.I. No. 220 of 1999. The company was Bord Telecom Éireann p.l.c.

Non-application of certain Acts.

10.—The Ombudsman Act, 1980, the Ethics in Public Office Act, 1995, the Prompt Payment of Accounts Act, 1997, and section 521 of the Taxes Consolidation Act, 1997, shall not apply to the company.

C12 Application of Act confirmed (6.04.1997) by *Taxes Consolidation Act 1997* (39/1997), s. 1093, commenced as per s. 1097(2)(b)(i).

Disclosure of information to Ombudsman.

1093.—Any obligation to maintain secrecy or other restriction on the disclosure or production of information (including documents) obtained by or furnished to the Revenue Commissioners, or any person on their behalf, for taxation purposes, shall not apply to the disclosure or production of information (including documents) to the Ombudsman for the purposes of an examination or investigation by the Ombudsman under the Ombudsman Act, 1980, of any action (within the meaning of that Act) taken by or on behalf of the Revenue Commissioners, being such an action taken in the performance of administrative functions in respect of any tax or duty under the care and management of the Revenue Commissioners.

Editorial Notes:

E1 Ombudsman may prosecute certain offences as provided (29.07.2005) by *Disability Act 2005* (14/2005), s. 55(4)(b), S.I. No. 474 of 2005.

E2 Previous affecting provision: certain records relating to an investigation or examination carried out by the Ombudsman under this Act excluded from application of *Freedom of Information Act 1997* (21.04.1998) by *Freedom of Information Act 1997* (13/1997), s. 46(1)(c)(iii), commenced as per s. 1(2); repealed (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 5 and sch. 4, commenced on enactment, subject to transitional provisions in ss. 43(1), 55.

Definitions.

1.—(1) In this Act, save where the context otherwise requires—

"action" includes decision, failure to act and omission and cognate words shall be construed accordingly;

"civil servant" has the meaning assigned to it by the Civil Service Regulation Act, 1956;

F1**[**"eligible person" means—

(*a*) a person other than a reviewable agency or an exempt agency, and

(*b*) a person (being an individual who constitutes, or is a member, officer, employee or agent of, a reviewable agency or an exempt agency) in that person's private capacity;

"entity" means a person, body of persons, organisation or group, including, in particular, an organ of government, or an element of an organ of government, at national or local level;

"exempt agency" means—

(*a*) an entity specified in the *Second Schedule*,

(*b*) an element of a reviewable agency that is excluded from review by—

(i) *Part II* of the *First Schedule*, or

(ii) an order under *section 1A* or *4(10)*;**]**

"functions" includes powers and duties and a reference to the performance of a function includes, with respect to powers, a reference to the exercise of a power;

"local authority" means a local authority for the purposes of the F2**[**Local Government Act 2001**]**;

F2**[**"Minister" means the Minister for Public Expenditure and Reform;

"reviewable agency" means—

(*a*) an entity (whether established before or after the enactment of the Ombudsman (Amendment) Act 2012) within the meaning of *Part I* of the *First Schedule*, except to the extent that any element of that entity is expressed

by *Part II* of that Schedule or an order under *section 4(10)* to be excluded from review, and

(*b*) an entity declared by an order under *section 1A* to be a reviewable agency, except to the extent that any element of that entity is expressed by that order to be excluded.**]**

(2) Save where the context otherwise requires, references in this Act to any Department of State include references to the Minister of the Government having charge of that Department of State and to officers of that Minister of the Government and, if and so long as any of the functions of that Minister of the Government stand delegated to a Minister of State at a Department of State, include references to that Minister of State at a Department of State.

(3) Save where the context otherwise requires, references in this Act to F2**[**an entity (other than a Department of State) that is a reviewable agency or an exempt agency**]** include—

(*a*) as respects the business and functions of F2**[**the entity**]**, references to the Department of State in which any of them are comprised and to the Minister of the Government having charge of that Department of State, and

(*b*) as respects functions in relation to F2**[**the entity**]** performed by a Department of State, references to that Department of State and to the Minister of the Government having charge of it,

and to officers of those Ministers of the Government and members, officers and staff of F2**[**the entity**]** and, if and so long as any of the functions of any of those Ministers of the Government stand delegated to a Minister of State at a Department of State, to that Minister of State at a Department of State.

Annotations

Amendments:

F1 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 3(a)(i), commenced as per s. 1(3).

F2 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 3(a)(ii), (iii), (b)(i), (ii), commenced as per s. 1(3).

Modifications (not altering text):

C13 Act applied with modifications (31.12.2005) by *Disability Act 2005* (14/2005), s. 40(a), S.I. No. 474 of 2005.

Application of Ombudsman Act 1980

40.—Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State:

(*a*) in section 1, in subsection (1), the following shall be inserted after the definition of "functions":

" 'head', in relation to a public body, and 'public body', have the meanings assigned to them by the *Disability Act 2005*;";

...

F3**[**Reviewable agency.

1A.—(1) Subject to *subsections (2)* and *(3)*, the Minister may, after consultation with the Ombudsman, the Ombudsman for Children and such committee of the Houses of the Oireachtas as he or she considers appropriate, and with the consent of such other Minister (if any) as appears to the Minister to be responsible for the entity

in question, and having regard to the need to ensure appropriate accountability and oversight of entities referred to in this subsection, may by order declare to be a reviewable agency—

(*a*) an entity, being—

(i) a company established under the Companies Acts in pursuance of powers conferred by or under another enactment, or

(ii) any other entity, whether financed wholly or partly, or directly or indirectly, by means of moneys provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government,

(*b*) any other entity on which functions in relation to the general public or a class of the general public stand conferred by any enactment (but only in respect of those functions),

(*c*) a subsidiary (within the meaning of the Companies Acts) of a company to which *paragraph (a)(i)* relates, or

(*d*) an entity (other than a subsidiary to which *paragraph (c)* relates) that is directly or indirectly controlled by an entity to which *paragraph (a)(ii)* or *(b)* relates.

(2) An order made under *subsection (1)* may exclude certain elements of that entity from review.

(3) Where an order is proposed to be made under *subsection (1)* and such order excludes certain elements of an entity from review, the proposed order shall be laid before each House of the Oireachtas and the order shall not be made until a resolution approving of the draft has been passed by each such House.**]**

Annotations

Amendments:

F3 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 4, in effect as per s. 1(3).

Editorial Notes:

E3 Power pursuant to subs. (1) exercised (24.08.2015) by *Ombudsman Act 1980 (Section 1A) (No. 2) Order 2015* (S.I. No. 300 of 2015), in effect as per art. 2.

E4 Previous affecting provision: power pursuant to section exercised by *Ombudsman Act 1980 (Section 1A) Order 2015* (S.I. 270 of 2015); revoked (24.08.2015) by *Ombudsman Act 1980 (Section 1A) (No. 2) Order 2015* (S.I. No. 300 of 2015), art. 7, in effect as per art. 2.

Appointment and term of office of the Ombudsman.

2.—(1) There is hereby established the office of Ombudsman and the holder of the office shall be known as the Ombudsman.

(2) The appointment of a person to be the Ombudsman shall be made by the President upon resolution passed by Dáil Éireann and by Seanad Éireann recommending the appointment of the person.

F4**[**(2A) Such appointment may be preceded by consideration by a committee of the Houses of the Oireachtas as may be designated by the Minister of a person proposed by the Government for such appointment.**]**

(3) A person appointed to be the Ombudsman—

(*a*) may at his own request be relieved of office by the President,

(*b*) may be removed from office by the President but shall not be removed from office except for stated misbehaviour F5**[**(including stated misbehavior in his or her capacity as the holder of the office of Protected Disclosures Commissioner established by section 10A of the Protected Disclosures Act 2014)**]**, incapacity or bankruptcy and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for his removal,

F6**[**(*c*) shall in any case vacate the office on attaining the age of 70 years or, where a higher age is prescribed by order under section 3A(2) of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 for the purposes of that Act, that age but, where the person is a new entrant (within the meaning of that Act) appointed on or after 1 April 2004, the requirement to vacate office on grounds of age shall not apply.**]**

(4) Subject to the provisions of this section, a person appointed to be the Ombudsman shall hold office for a term of 6 years and may be re-appointed to the office for a second or subsequent term.

(5) (*a*) Where a person who holds the office of Ombudsman is nominated either as a candidate for election to either House of the Oireachtas, the F4**[**European Parliament**]** or a local authority or as a member of Seanad Éireann or is appointed as a member of the F4**[**European Parliament**]** or a local authority, he shall thereupon cease to hold the office of Ombudsman.

(*b*) A person who is for the time being entitled—

(i) under the Standing Orders of either House of the Oireachtas to sit therein,

(ii) under the rules of procedure of the F4**[**European Parliament**]** to sit therein, or

(iii) under the standing orders of a local authority to sit as a member thereof,

shall, while so entitled, be disqualified for holding the office of Ombudsman.

(6) A person who holds the office of Ombudsman shall not hold any other office or employment in respect of which emoluments are payable or be a member of the Reserve Defence Force.

(7)F7**[**...**]**

Annotations

Amendments:

F4 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 5, in effect as per s. 1(3).

F5 Inserted (1.01.2023) by *Protected Disclosures (Amendment) Act 2022* (27/2022), s. 34, S.I. No. 510 of 2022.

F6 Substituted by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004), ss. 2(7), 11(2) and sch. 2 part 3, as inserted (26.12.2018) by *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018), s. 7 and sch., commenced on enactment.

F7 Deleted by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004) ss. 2(7), 11(2) and sch. 2 part 3, as inserted (26.12.2018) by *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018), s. 7 and sch., commenced on enactment.

Modifications (not altering text):

C14 Application of subs. (6) restricted (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 43(5)(b), commenced as per s. 1(2)-(4).

Continuance of office of Information Commissioner

43....

(5) ...

(*b*) Section 2 (6) of the Ombudsman Act 1980 shall not apply to a person who holds the office of Ombudsman and also holds the office of Commissioner.

...

Editorial Notes:

E5 Subs. (3)(b) is a relevant provision for purposes of inquiry into removal of certain office holders as provided (25.09.2013) by *Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013* (33/2013), s. 9(6)(d), S.I. No. 362 of 2013.

E6 Previous affecting provision: subss. (3)(c), (7) substituted (1.01.2013) by *Public Service Pensions (Single Scheme and Other Provisions) Act 2012* (37/2012), s. 61, S.I. No. 574 of 2012; subsituted (26.12.2018) as per F-note above.

E7 Previous affecting provision: subss. (3)(c), (7) substituted (25.03.2004) by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004), s. 3 and sch. 2 part 2, commenced on enactment; substituted (1.01.2013) as per E-note above.

E8 Previous affecting provision: application of subs. (6) restricted (21.04.1998) by *Freedom of Information Act 1997* (13/1997), s. 33(5), commenced as per s. 1(2); repealed (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 5 and sch. 4, commenced on enactment, subject to transitional provisions in ss. 43(1), 55.

Salary and pension.

3.—F8**[**(1) There shall be paid to the holder of the office of Ombudsman such remuneration and allowances for expenses as the Minister may determine.**]**

(2) (*a*) The Minister shall make and carry out, in accordance with its terms, a scheme or schemes for the granting of pensions, gratuities or other allowances on retirement or death to or in respect of persons who have held the office of Ombudsman.

(*b*) The Minister may at any time make and carry out, in accordance with its terms, a scheme or schemes amending or revoking a scheme under this section.

(*c*) A scheme under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and if either such House, within the next twenty-one days on which that House has sat after the scheme is laid before it, passes a resolution annulling the scheme, the scheme shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

Annotations

Amendments:

F8 Substituted (1.01.2012) by *Financial Emergency Measures in the Public Interest (Amendment) Act 2011* (39/2011), s. 13(1), S.I. No. 683 of 2011, subject to transitional provision in subs. (2).

Editorial Notes:

E9 Power pursuant to subs. (2) exercised (16.04.2003) by *Ombudsman Superannuation (Amendment) Scheme 2003* (S.I. No. 167 of 2003).

E10 Power pursuant to subs. (2) exercised (5.10.1987 with retrospective effect from 1.01.1984) by *Ombudsman (Spouses' and Children's) Contributory Pension Scheme 1989* (S.I. No. 269 of 1989), in effect as per art. 2.

E11 Power pursuant to subs. (2) exercised (1.01.1984) by *Ombudsman Superannuation Scheme 1987* (S.I. No. 70 of 1987), in effect as per art. 2.

Functions of the Ombudsman.

4.—(1) The Ombudsman shall be independent in the performance of his functions.

F9**[**(2) Subject to this Act, the Ombudsman may investigate any action taken by or on behalf of a reviewable agency in the performance of administrative functions where, having carried out a preliminary examination of the matter, it appears to the Ombudsman—

(*a*) that the action has or may have adversely affected an eligible person, and

(*b*) that the action was or may have been—

(i) taken without proper authority,

(ii) taken on irrelevant grounds,

(iii) the result of negligence or carelessness,

(iv) based on erroneous or incomplete information,

(v) improperly discriminatory,

(vi) based on an undesirable administrative practice,

(vii) a failure to comply with section 4A, or

(viii) otherwise contrary to fair or sound administration.

(3) The Ombudsman shall not investigate an action unless—

(*a*) a complaint in relation to the action has been made to the Ombudsman by or on behalf of an eligible person, or

(*b*) it appears to the Ombudsman (on his or her own motion or on foot of a communication from a person who is not, in respect of the complaint, an eligible person or a person referred to in subsection (4A)), having regard to all the circumstances, that an investigation under this section into the action would be warranted.

(4) The Ombudsman shall not investigate an action taken by or on behalf of an exempt agency, or an action taken by or on behalf of a reviewable agency excluded from review under this Act.**]**

F10**[**(4A) The Ombudsman shall not investigate a complaint by or on behalf of an individual into any action of or on behalf of another person where—

(*a*) that action—

(i) affects such individual by virtue of being a member, officer, employee or agent of an entity or entities, and

(ii) relates to the performance by such individual, whether alone or with others, of his or her functions as a member, officer, employee or agent of such entity or entities,

and

(*b*) any such entity is financed wholly or partly, whether directly or indirectly, by means of moneys provided by, or loans made or guaranteed by, a Minister of the Government,

but the restriction by virtue of this subsection on the investigation of that action shall only be to the extent that it relates to the performance of such functions.**]**

(5) The Ombudsman may—

(*a*) having carried out a preliminary examination of the matter, decide not to carry out an investigation under this Act into an action in respect of which a complaint is made, or

(*b*) discontinue an investigation under this Act into such an action,

if he becomes of opinion that—

(i) the complaint is trivial or vexatious,

(ii) the person making the complaint has an insufficient interest in the matter, F11**[**...**]**

F9**[**(iii) the person making the complaint has not taken reasonable steps to seek redress in respect of the subject matter of the complaint or, having done so, has not been refused redress, or**]**

(iv) F10**[**satisfactory measures to remedy, mitigate or alter the adverse effect of the action on the person making the complaint have been, or are proposed to be, taken by the reviewable agency concerned.**]**

(6) It shall not be necessary for the Ombudsman to investigate an action under this Act if he is of opinion that the subject matter concerned has been, is being or will be sufficiently investigated in another investigation by the Ombudsman under this Act.

(7) An examination or investigation by the Ombudsman shall not affect the validity of the action investigated or any power or duty of the person who took the action to take further action with respect to any matters the subject of the examination or investigation.

(8) In determining whether to initiate, continue or discontinue an investigation under this Act, the Ombudsman shall, subject to the provisions of this Act, act in accordance with his own discretion.

(9) F11**[**...**]**

F10**[**(9A) Without prejudice to *section 6(7)*, the Minister may designate a committee of the Houses of the Oireachtas to receive periodic reports from the Ombudsman and make recommendations to the Ombudsman regarding the exercise of his or her functions under this Act.**]**

F10**[**(10) (*a*) The Minister, after consultation with the Ombudsman, the Ombudsman for Children and such committee of the Houses of the Oireachtas as he or she considers appropriate, and with the consent of such other Minister (if any) as appears to the Minister to have responsibility for that entity, and having regard to the public interest and the need to ensure a balance between—

(i) appropriate accountability and oversight of entities subject to this Act, and

(ii) the ability of those entities to conduct adequately their affairs,

may by order declare an entity—

(I) to be an exempt agency (including an entity that immediately before the making of the order was a reviewable agency),

(II) specified in the Second Schedule to be a reviewable entity, or

(III) specified in Part II of the First Schedule to be a reviewable agency on the basis of different elements of that agency's functions to those specified in that Part.

(*b*) An order made under paragraph (*a*) may specify the inclusion or exclusion of elements of an entity.

(*c*) Where an order is proposed to be made under paragraph (*a*), a draft of the order shall be laid before each House of the Oireachtas and the order shall not be made until a resolution approving of the draft has been passed by each such House.

(*d*) The Minister shall consult such committee of the Houses of the Oireachtas as he or she considers appropriate prior to taking any action under paragraph (*c*).**]**

F10**[**(11) Where a dispute arises between an entity and the Ombudsman as to whether an entity is a reviewable agency, the question shall be submitted to the Minister whose determination shall be binding.**]**

Annotations

Amendments:

F9 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 6(a), (b), (c), in effect as per s. 1(3).

F10 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 6(a), (b), (c), in effect as per s. 1(3).

F11 Deleted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 6(b), (c), in effect as per s. 1(3).

Modifications (not altering text):

C15 Section applied with modifications (31.12.2005) by *Disability Act 2005* (14/2005), s. 40(b), S.I. No. 474 of 2005.

Application of Ombudsman Act 1980

40.—Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State: ...

(*b*) in section 4, in subsection (2), the words from and including "(being an action taken in the performance of administrative functions)" to the end of the subsection and subsection (4) shall be deleted;

...

Editorial Notes:

E12 Power pursuant to subs. (10) exercised (4.09.2013) by *Ombudsman Act 1980 (Section 4(10)) Order 2013* (S.I. No. 341 of 2013).

E13 Power pursuant to subs. (10) exercised (1.04.1985) by *Ombudsman Act 1980 (Second Schedule) (Amendment) Order 1985* (S.I. No. 69 of 1985), in effect as per art. 1(2).

E14 Power pursuant to subs. (10) exercised (1.04.1985) by *Ombudsman Act 1980 (First Schedule) (Amendment) Order 1986* (S.I. No. 66 of 1985), in effect as per art. 1(2).

E15 Power pursuant to subs. (10) exercised (1.04.1985) by *Ombudsman Act (First Schedule) (Amendment) Order 1984* (S.I. No. 332 of 1984), in effect as per art. 1(2).

E16 Previous affecting provision: subs. (10)(c) substituted (21.11.1984) *Ombudsman (Amendment) Act 1984* (19/1984), s. 1, commenced on enactment; subsection substituted (31.10.2012, 30.04.2013) as per F-note above.

F12**[**Duty on reviewable agencies to give assistance and guidance, etc.

4A.—(1) This section applies when an action taken by or on behalf of a reviewable agency ("the agency") in the performance of administrative functions affects—

(*a*) a right, privilege or other benefit to which an eligible person is or may be entitled, or

(*b*) an obligation, liability, penalty or other detriment to which an eligible person is or may be subject.

(2) The agency shall, consistent with the resources available to the agency—

(*a*) give reasonable assistance and guidance to that person in any dealings of the person with the agency in relation to the action taken by the agency, having particular regard to the needs of the person as a result of any disability,

(*b*) ensure that the business of the person with the agency in relation to that action is dealt with properly, fairly, impartially and in a timely manner, and

(*c*) provide information to the person on any rights of appeal or review in respect of that action and on the procedures for, and any time limits applying to, the exercise of those rights.**]**

Annotations

Amendments:

F12 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 7, in effect as per s. 1(3).

Exclusions.

5.—F13**[**(1) Subject to subsection (2), the Ombudsman shall not investigate any action taken by or on behalf of a person—

(*a*) if the action is one in relation to which—

(i) the person affected by the action has initiated in any court civil legal proceedings and the proceedings have not been dismissed for failure to disclose a cause of action or a complaint justiciable by that court whether the proceedings have been otherwise concluded or have not been concluded,

(ii) the person affected by the action has a right, conferred by or under an enactment, of appeal, reference or review to or before a court in the State (not being an appeal, reference or review in relation to a decision of a court), or

(iii) the person affected by the action has a right of appeal, reference or review to or before a person, other than a reviewable agency, who is

independent in the performance of his or her functions in relation to the appeal, reference or review,

(*b*) if the action relates to or affects national security or military activity or (in the opinion of the Ombudsman) arrangements regarding participation in organisations of states or governments,

(*c*) subject to *subsection (2A)*, if the action relates to or affects—

(i) recruitment or appointment to any office or employment, or

(ii) the terms and conditions (including the terms and conditions upon and subject to which pensions, gratuities or other superannuation benefits are payable), being—

(I) the terms and conditions upon and subject to which a person holds any office or is employed in any capacity, or

(II) the terms and conditions of a contract for services,

(*d*) if—

(i) in a case where a complaint is made to the Ombudsman in relation to the action, the complaint is not made before the expiration of 12 months from the time of the action or the time when the person making the complaint became aware of the action, whichever is the later, or

(ii) in any other case, a period of 12 months has elapsed since the time of the action,

(*e*) if the action was taken before the date on which the reviewable agency concerned first became subject to review under this Act, or was taken on a date on which the reviewable agency concerned was otherwise not subject to review under this Act,

(*f*) if the action is one to which section 8 of the Ombudsman for Children Act 2002 applies,

(*g*) if the action—

(i) falls within a category of complaint or dispute to which paragraph (a), (b) or (c) of subsection (2) of section 131 of the Pensions Act 1990 applies, and

(ii) is not excluded from the jurisdiction of the Pensions Ombudsman by virtue of regulations under paragraph (b) or (c) of subsection (7) of that section.

(2) Notwithstanding subsection (1), the Ombudsman—

(*a*) may investigate insurability and entitlement to benefit under the Social Welfare Consolidation Act 2005, and

(*b*) if it appears to the Ombudsman that special circumstances make it proper to do so, may investigate an action to which paragraph (a) or (d) of that subsection applies.**]**

F14**[**(2A) Subsection (1)(c) does not affect the power of the Ombudsman to investigate an action, taken within a reviewable agency having responsibility for the administration of laws relating to employment, that relates to a complaint made under such a law.**]**

(3) Where a Minister of the Government so requests in writing (and attaches to the request a statement in writing setting out in full the reasons for the request),

the Ombudsman shall not investigate, or shall cease to investigate, an action specified in the request, being an action of—

(*a*) a Department of State whose functions are assigned to that Minister of the Government, or

(*b*) F13**[**a reviewable agency (other than a Department of State)**]** whose business and functions are comprised in such a Department of State or in relation to which functions are performed by that Department of State,

(whether or not all or any of the functions of that Minister of the Government stand delegated to a Minister of State at a Department of State).

Annotations

Amendments:

F13 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 8(a), (b), in effect as per s. 1(3).

F14 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 8(a), in effect as per s. 1(3).

Modifications (not altering text):

C16 Act applied with modifications (31.12.2005) by *Disability Act 2005* (14/2005), s. 40(c), S.I. No. 474 of 2005.

Application of Ombudsman Act 1980

40.—Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State: ...

(*c*) in section 5, in subsection (1)(*a*), subparagraph (iii) shall be deleted;

...

Editorial Notes:

E17 Previous affecting provision: subss. (1)(f), (g), amended, (gg) inserted (25.03.2004) by *Ombudsman For Children Act 2002* (22/2002), s. 12; subsection substituted (31.10.2012, 30.04.2013) as per F-note above.

E18 Previous affecting provision: subs. (1)(gg) renumbered as (ggg) (28.03.2003) by *Social Welfare (Miscellaneous Provisions) Act 2003* (4/2003), s. 22, commenced on enactment; subsection substituted (31.10.2012, 30.04.2013) as per F-note above.

E19 Previous affecting provision: subs. (1)(gg) inserted (2.09.2002) by *Pensions (Amendment) Act 2002* (18/2002), s. 58(c), S.I. No. 398 of 2003; subsection substituted (31.10.2012, 30.04.2013) as per E-note above.

E20 Previous affecting provision: subss. (1)(f), (g) amended (2.09.2002) by *Pensions (Amendment) Act 2002* (18/2002), s. 58(a), (b), S.I. No. 398 of 2003; substituted (25.03.2004) as per E-note above.

Reports etc., by the Ombudsman.

6.—(1) In any case where a complaint is made to the Ombudsman in relation to an action and the Ombudsman decides not to carry out an investigation under this Act into the action or to discontinue such an investigation, he shall send to the person who made the complaint a statement in writing of his reasons for the decision and, if the decision follows the receipt by the Ombudsman of a request under section 5 (3) of this Act, a copy of the request and of the statement in writing of the reasons for the request attached to the request and he shall send to such other (if any) person

as he considers appropriate such statement in writing in relation to the matter as he considers appropriate.

F15**[**(2) In any case where the Ombudsman conducts an investigation under this Act, the Ombudsman shall send a statement in writing of the results of the investigation to—

(*a*) the reviewable agency concerned,

(*b*) the Department of State in which are comprised the business and functions of, or which performs functions in relation to, a reviewable agency (other than a Department of State) to whom a statement is sent under paragraph (a),

(*c*) any other person who has or, in a case where a complaint in relation to the action the subject of the investigation has been made to the Ombudsman, is alleged in the complaint to have taken or authorised the action, and (d) any other person to whom the Ombudsman considers it appropriate to send the statement.

(3) Where, following an investigation under this Act into an action, it appears to the Ombudsman that the action adversely affected an eligible person and was of a kind referred to in section 4(2)(b), the Ombudsman—

(*a*) may recommend to the reviewable agency concerned—

(i) that the matter in relation to which the action was taken be further considered,

(ii) that measures or specified measures be taken to remedy, mitigate or alter the adverse affect of the action, or

(iii) that the reasons for taking the action be given to the Ombudsman,

and

(*b*) may also request that reviewable agency to notify the Ombudsman within a specified time of the agency's response to the recommendation.

(3A) Where the Ombudsman makes a recommendation to a reviewable agency under subsection (3)(a)(ii) in relation to an action of a particular kind, the Ombudsman—

(*a*) may make a recommendation in general terms to such reviewable agencies as the Ombudsman considers appropriate with regard to remedying, mitigating or altering the adverse effect on eligible persons of actions of that kind by any such reviewable agency, and

(*b*) may also request any such reviewable agency to notify him or her within a specified time of the response of that reviewable agency to the recommendation.

(4) Where the Ombudsman carries out an investigation under this Act into an action the subject of a complaint referred to in section 4(3)(a), the Ombudsman shall notify the person who made the complaint of—

(*a*) the result of the investigation,

(*b*) the recommendation (if any) made under subsection (3)(a) in relation to the matter, and

(*c*) the response (if any) made to that recommendation by the reviewable agency concerned.**]**

(5) Where it appears to the Ombudsman that the measures taken or proposed to be taken in response to a recommendation under subsection (3) of this section are not satisfactory, he may, if he so thinks fit, cause a special report on the case to be included in a report under subsection (7) of this section.

(6) The Ombudsman shall not make a finding or criticism adverse to a person in a statement, recommendation or report under subsection (1), (3) or (5) of this section without having afforded to the person an opportunity to consider the finding or criticism and to make representations in relation to it to him.

(7) The Ombudsman shall cause a report on the performance of his functions under this Act to be laid before each House of the Oireachtas annually and may from time to time cause to be laid before each such House such other reports with respect to those functions as he thinks fit. The terms of a request under section 5 (3) of this Act and of the statement in writing of the reasons for the request attached to the request shall be included in a report under this section.

(8) For the purposes of the law of defamation, any such publication as is hereinafter mentioned shall be absolutely privileged, that is to say—

(*a*) the publication of any matter by the Ombudsman in making a report to either House of the Oireachtas for the purpose of this Act,

(*b*) the publication by the Ombudsman—

(i) to a person mentioned in subsection (1) of this section of a statement sent to that person in pursuance of that subsection,

(ii) to a person mentioned in subsection (2) of this section of a statement sent to that person in pursuance of that subsection,

(iii) to a person mentioned in subsection (3) of this section of a recommendation made to that person by the Ombudsman in pursuance of that subsection,

(iv) to a person mentioned in subsection (4) of this section of a notification given to that person pursuant to that subsection.

Annotations

Amendments:

F15 Substituted and inserted (31.10.2012) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 9, in effect as per s. 1(3).

Modifications (not altering text):

C17 Act applied with modifications (31.12.2005) by *Disability Act 2005* (14/2005), s. 40(d), S.I. No. 474 of 2005.

Application of Ombudsman Act 1980

40.—Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State: ...

(*d*) in section 6, the following subsection shall be substituted for subsection (3):

"(3) Where, following an investigation under this Act into an action, it appears to the Ombudsman that, by reason of a failure to comply with a provision of *Part 3* of the *Disability Act 2005* or of a sectoral plan under that Part, the action adversely affected a person by or on whose behalf a complaint was made under *section 38*, or in accordance with the procedure for complaints provided for pursuant to *section 31 (4)(b)*, of that Act or any other person and the Ombudsman considers

that in all the circumstances he or she should do so, he or she may recommend to the head of the public body concerned or to any other person concerned—

(*a*) that the matter in relation to which the action was taken be further considered,

(*b*) that measures or specified measures be taken to remedy, mitigate or alter the adverse effect of the action, or

(*c*) that the reasons for taking the action be given to the Ombudsman,and, if the Ombudsman thinks fit to do so, he or she may request the head of the public body or that other person to notify him or her within a specified time of his or her response to the recommendation.";

...

Powers of the Ombudsman in respect of examinations and investigations.

7.—(1) (*a*) The Ombudsman may, for the purposes of a preliminary examination, or an investigation, by him under this Act, require any person who, in the opinion of the Ombudsman, is in possession of information, or has a document or thing in his power or control, that is relevant to the examination or investigation to furnish that information, document or thing to the Ombudsman and, where appropriate, may require the person to attend before him for that purpose and the person shall comply with the requirements.

F16**[**(*aa*) A requirement under paragraph (*a*) shall be made by notice in writing given to the person to whom it is directed and shall specify the period within which and the place at which any information, document or thing is to be furnished to the Ombudsman or the place at which a person is to attend before the Ombudsman.**]**

(*b*) Paragraph (*a*) of this subsection does not apply to information or so much of a document as relates to decisions and proceedings of the Government or of any committee of the Government and for the purposes of this paragraph, a certificate given by the Secretary to the Government and certifying that any information or document or part of a document so relates shall be conclusive.

F16**[**(*c*) If it appears to the Ombudsman that a person has failed to comply with a requirement under paragraph (*a*), the Ombudsman may apply to the Circuit Court for an order under paragraph (d).

(*d*) If, on an application under paragraph (*c*), the Circuit Court is satisfied as to the failure of the person concerned to comply with the requirement concerned, the Court may, subject to subsection (2), make an order directing that person to comply with the requirement.

(*e*) An application under paragraph (*c*) shall be made to the judge of the Circuit Court for the Dublin Circuit.**]**

(2) Subject to the provisions of this Act, a person to whom a requirement is addressed under this section shall be entitled to the same immunities and privileges as if he were a witness before the High Court.

(3) A person shall not by act or ommission obstruct or hinder the Ombudsman in the performance of his functions or do any other thing which would, if the Ombudsman were a court having power to commit for contempt of court, be contempt of such court.

(4) Any obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to a Department of State or civil servant imposed by the Official Secrets Act, 1963, shall not apply to an examination or investigation by the Ombudsman under this Act, and, subject to section 9 (2) of this Act, the State shall not be entitled in relation to any such examination or investigation to any such

privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

(5) The Ombudsman may, if he thinks fit, pay to the person affected by an action in respect of which an investigation is held by the Ombudsman under this Act and to any other person who attends or furnishes information for the purposes of the investigation—

(*a*) sums in respect of travelling and subsistence expenses properly incurred by them, and

(*b*) allowances by way of compensation for loss of their time,

of such amount as may be determined by the Minister.

(6) A statement or admission made by a person in a preliminary examination, or investigation, under this Act by the Ombudsman shall not be admissible as evidence against that person in any criminal proceedings.

(7) Nothing in subsection (3) of this section shall be construed as applying to the taking of any such action as is mentioned in section 4 (7) of this Act.

Annotations

Amendments:

F16 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 10, in effect as per s. 1(3).

Modifications (not altering text):

C18 Act applied with modifications (31.12.2005) by *Disability Act 2005* (14/2005), s. 40(e), S.I. No. 474 of 2005.

Application of Ombudsman Act 1980

40.—Notwithstanding anything contained in the Ombudsman Act 1980, that Act shall apply to a determination of an inquiry officer or a decision of a complaints officer in relation to a sectoral plan with the following and any other necessary modifications as if it were an action taken by or on behalf of a Department of State: ...

(*e*) in section 7, the following subsection shall be inserted after subsection (1):

"(1A) (*a*) An officer of the Ombudsman authorised in writing in that behalf by the Ombudsman may, for the purposes of a preliminary examination or an investigation under*section 4* in relation to a public body or any other person concerned carried out by virtue of *section 40* of the *Disability Act 2005*—

(i) at all reasonable times enter any premises occupied by the body or other person aforesaid,

(ii) search the premises and any books, documents or other records found there by him or her,

(iii) require any person on the premises who is employed by the body or other person to give to him or her such information within his or her knowledge or procurement (including, in the case of such information in a non-legible form, a reproduction of it in a legible form), or such records as aforesaid in his or her possession or within his or her procurement, as he or she may reasonably require for the purposes aforesaid,

(iv) examine and take copies of, or of extracts from, any such records as aforesaid and remove and retain any such records for such period as may be reasonable for further examination,

(v) require any such person as aforesaid who has in his or her possession any such records to retain them for such reasonable period as he or she may direct, and

(vi) take on to the premises and use there a camera or other recording apparatus or any other equipment, for the purpose of facilitating the proof of any non-compliance with *Part 3* of the *Disability Act 2005* found or suspected by the officer on the premises.

(*b*) In paragraph (a), 'premises' includes a structure or place and a vehicle, ship or other vessel and the reference to occupied in that paragraph shall be construed, in relation to a vehicle, ship or other vessel, as a reference to owned, used or operated.

(*c*) A person who—

(i) obstructs or impedes an officer of the Ombudsman while he or she is performing a function under this section,

(ii) fails or refuses to comply with a requirement under this section,

(iii) alters, disposes of or destroys any books, documents or other records which the person has been required under this section to give to such an officer or may reasonably expect to be required so to do, or

(iv) gives to such an officer information which is false or misleading in a material respect,is guilty of an offence and is liable on summary conviction to a fine not exceeding €3,000.

(*d*) When performing any of his or her functions under this subsection, an officer of the Ombudsman shall, if so requested by any person affected, produce to the person his or her authorisation under *paragraph (a)* or a copy of it.".

C19 Application of section extended (25.04.2004) by *Ombudsman For Children Act 2002* (22/2002), s. 14, S.I. No. 925 of 2004.

Powers in respect of preliminary examinations and investigations.

14.—The Ombudsman for Children shall, in respect of preliminary examinations, or investigations, by him or her under this Act in relation to any action taken by or on behalf of a public body, school or voluntary hospital, have all the powers of the Ombudsman under section 7 of the Act of 1980 in respect of preliminary examinations, or investigations, by him or her under that Act, and that section shall apply to such examinations, or investigations, under this Act as it applies to such examinations, or investigations, under that Act with the following modifications—

(*a*) the reference in subsection (5) of that section to the Minister shall be construed as a reference to the Minister for Health and Children, with the consent of the Minister for Finance,

(*b*) the reference in subsection (7) of that section to section 4(7) of that Act shall be construed as a reference to section 10 (4),

and any other necessary modifications.

Conduct of investigations.

8.—(1) An investigation by the Ombudsman under this Act shall be conducted otherwise than in public.

(2) Where the Ombudsman proposes to carry out an investigation under this Act into an action he shall afford—

(*a*) any F17**[**reviewable agency concerned**]**, and

(*b*) any other person who appears or, in a case where a complaint in relation to the action has been made to the Ombudsman, is alleged, to have taken or authorised the action,

an opportunity to comment on the action and, if a complaint in relation to the action has been made to the Ombudsman, on any allegations contained in the complaint.

(3) Subject to the provisions of this Act, the procedure for conducting an investigation shall be such as the Ombudsman considers appropriate in all the circumstances of the case.

(4) The Ombudsman may determine whether any person may be represented, by counsel, solicitor or otherwise, in an investigation by him under this Act.

Annotations

Amendments:

F17 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 11, in effect as per s. 1(3).

Modifications (not altering text):

C20 Application of section extended (25.04.2004) by *Ombudsman For Children Act 2002* (22/2002), s. 15, S.I. No. 925 of 2004.

Conduct of investigations.

15.—Section 8 of the Act of 1980 shall apply to the conduct by the Ombudsman for Children of investigations by him or her under this Act as it applies to the conduct by the Ombudsman of investigations by him or her under that Act with the modification that the reference in subsection (2)(a) of that section to any Department of State, or other person specified in Part 1 of the First Schedule to that Act, concerned shall be construed as a reference to any public body, school or voluntary hospital concerned, and with any other necessary modifications.

F18**[**Reference of questions of law to High Court.

8A.— The Ombudsman may refer any question of law arising in an investigation under this Act to the High Court for determination.**]**

Annotations

Amendments:

F18 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 12, in effect as per s. 1(3).

Secrecy of information.

9.—(1) Information or a document or thing obtained by the Ombudsman or his officers in the course of, or for the purpose of, a preliminary examination, or investigation, under this Act shall not be disclosed except for the purposes of—

(*a*) the examination or investigation and of any statement, report or notification to be made thereon under this Act, or

(*b*) any proceedings for an offence under the Official Secrets Act, 1963, alleged to have been committed in respect of information or a document or thing obtained by the Ombudsman or any of his officers by virtue of this Act,

and the Ombudsman or his officers shall not be called upon to give evidence in any proceedings (other than such proceedings as aforesaid) of matters coming to his or their knowledge in the course of a preliminary examination, or an investigation, under this Act.

(2) (*a*) A Minister of the Government may give notice in writing to the Ombudsman, with respect to any F19**[**exempt record**]** specified in the notice, or any class of F19**[**exempt record**]** so specified, that, in the opinion of the Minister of the Government, the disclosure (other than to the Ombudsman or officers of the Ombudsman) of that F19**[**exempt record**]** or of F19**[**exempt records**]** of that class, would, for the reasons stated in the notice, be prejudicial to the public interest.

(*b*) The Revenue Commissioners may give notice in writing to the Ombudsman, with respect to any F19**[**exempt record**]** in their power or control specified in the notice, or any class of such F19**[**exempt record**]** so specified, that in the opinion of the Revenue Commissioners the disclosure (other than to the Ombudsman or officers of the Ombudsman) of that F19**[**exempt record**]** or of F19**[**exempt records**]** of that class, would, for the reasons stated in the notice, be prejudicial to the public interest.

(*c*) Where a notice is given under this subsection, nothing in this Act shall be construed as authorising or requiring the Ombudsman or any officer of the Ombudsman to communicate to any person or for any purpose any F19**[**exempt record**]** specified in the notice or any F19**[**exempt record**]** of a class so specified.

F19**[**(*d*) In this subsection, "exempt record" has the meaning given by section 2 of the Freedom of Information Act 1997.**]**

Annotations

Amendments:

F19 Substituted (31.10.2012) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 13, in effect as per s. 1(3).

Modifications (not altering text):

C21 Application of section extended (25.04.2004) by *Ombudsman For Children Act 2002* (22/2002), s. 16, S.I. No. 925 of 2004.

Secrecy of information.

16.—Section 9 of the Act of 1980 shall apply to information, documents or things obtained by the Ombudsman for Children or members of his or her staff under this Act as it applies to information, documents or things obtained by the Ombudsman or his or her officers under that Act with any necessary modifications.

C22 Application of Act restricted (19.04.1989) by *Data Protection Act 1988 (Restriction of Section 4) Regulations 1989* (S.I. No. 81 of 1989), reg. 3 and sch., in effect as per reg. 2.

Data Protection Act, 1988 (Restriction of Section 4) Regulations, 1989

...

3. The prohibition and restrictions on the disclosure, and the authorisations of the withholding, of information contained in the provision of the enactments specified in the Schedule to these Regulations shall prevail in the interests of the data subjects concerned and any other individuals concerned.

Schedule

...

Section 9 of the Ombudsman Act, 1980 (No. 26 of 1980)

...

Editorial Notes:

E21 Previous affecting provision: application of section restricted (19.04.1989) by *Data Protection Act 1988 (Restriction of Section 4) Regulations 1989* (S.I. No. 81 of 1989), reg. 3 and sch., in effect as per reg. 2; revoked other than for excepted purposes (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 7(3) and sch. 1, S.I No. 174 of 2018, subject to s. 7(4).

Staff of the Ombudsman.

10.—F20**[**(1) (*a*) The power of appointing a person to be an officer or servant of the Ombudsman shall be vested in the Ombudsman.

(*b*) The Minister for Finance shall from time to time determine the number of officers and servants appointed to the Office of the Ombudsman and all such officers and servants shall hold office on such terms and conditions as the Minister for Finance shall determine.**]**

(2) Officers and servants of the Ombudsman shall be civil servants in the Civil Service of the State.

(3) The Ombudsman may delegate to any of his officers any of his functions under this Act save those conferred by subsections (5) and (7) of section 6 of this Act or by this section.

(4) F21**[**...**]**

Annotations

Amendments:

F20 Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 20, S.I. No. 363 of 2006.

F21 Deleted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 14, in effect as per s. 1(3).

Modifications (not altering text):

C23 Functions transferred and reference to Minister for Finance construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year	Short Title	Provision
(1)	(2)	(3)
...	...	...

No. 26 of 1980	Ombudsman Act 1980	The whole Act
...	...	...

Editorial Notes:

E22 Previous affecting provision: delegation of ministerial powers under section ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), ss. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

E23 Previous affecting provision: subs. (4) amended (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2 part 1, commenced on enactment; deleted (31.10.2012, 30.04.2013) as per F-note above.

F22**[**Use of title of ombudsman.

10A.—(1) A person shall not, in connection with any trade, profession, business or occupation, use the title of ombudsman, either alone or in conjunction with another word or phrase, unless the person—

(*a*) is authorised to do so by or under an Act of the Oireachtas,

(*b*) has, by reason of the functions to be performed by him or her, obtained the prior consent in writing of the Minister to do so, or

(*c*) had commenced so to use that title before 9 July 2008.

(2) The Minister shall, for the purposes of deciding whether to give consent under *subsection (1)(b)*, consult both—

(*a*) the Ombudsman, and

(*b*) such other Ministers of the Government as the Minister considers appropriate, having regard to the functions to be performed by the person who is seeking that consent.

(3) A person who contravenes *subsection (1)* commits an offence and is liable on summary conviction to a fine not exceeding €5,000 or imprisonment for a term not exceeding 6 months or both.**]**

Annotations

Amendments:

F22 Inserted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 14, in effect as per s. 1(3).

Expenses.

11.—Any expenses incurred in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Annotations

Modifications (not altering text):

C24 Functions transferred and reference to Minister for Finance construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 26 of 1980	Ombudsman Act 1980	The whole Act
...	...	...

Short title and commencement.

12.—(1) This Act may be cited as the Ombudsman Act, 1980.

(2) This Act shall come into operation on such day as may be appointed by the Government by order.

Annotations

Editorial Notes:

E24 Power pursuant to subs. (2) exercised (7.07.1983) by *Ombudsman Act 1980 (Appointed Day) Order 1983* (S.I. No. 424 of 1983), in effect as per art. 2. (An tOrdú um an AchtOmbudsman, 1980 (An Lá Ceaptha), 1983.)

2. The 7th day of July, 1983, is hereby appointed as the day on which the Ombudsman Act, 1980 (No. 26 of 1980) is commenced.

2. Ceaptar leis seo gurb é an 7ú lá d'Iúil, 1983 an lá a thiocfaidh an tAcht Ombudsman, 1980 (Uimh. 26 de 1980) i ngníomh.

Section 4.

F23[FIRST SCHEDULE

Reviewable Agencies

PART I

(*a*) a Department of State;

(*b*) an entity established by or under any enactment, statutory instrument or charter (other than the Companies Acts) or any scheme administered by a Minister of the Government:

(*c*) a company (within the meaning of the Companies Acts) a majority of the shares in which are held by or on behalf of a Minister of the Government;

(*d*) any entity (other than an entity to which *paragraph* (*a*) or (*b*) relates) established or appointed by the Government or a Minister of the Government;

(*e*) a subsidiary (within the meaning of the Companies Acts) of a company to which *paragraph* (*c*) relates;

(*f*) an entity (other than a subsidiary to which *paragraph* (*e*) relates) that is directly or indirectly controlled by an entity to which *paragraph* (*b*), (*c*), (*d*) or (*e*) relates;

(*g*) an entity on which functions are conferred by or under statute, statutory instrument or charter, but only in respect of those functions;

(*h*) a higher education institution in receipt of public funding;

(*i*) an entity that immediately prior to the enactment of the Ombudsman (Amendment) Act 2012 was subject to review by the Ombudsman.**]**

F24**[**Residential Institutions Statutory Fund Board**]**

Annotations

Amendments:

F23 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 16 and sch. part 1, in effect as per s. 1(3).

F24 Inserted (8.03.2013) by *Residential Institutions Statutory Fund Act 2012* (35/2012), s. 28, S.I. No. 79 of 2013, art. 2(a).

Modifications (not altering text):

C25 Prospective affecting provision: references to Employment Appeals Tribunal construed by *Workplace Relations Act 2015* (16/2015), s. 66(2), not commenced as of date of revision.

Transfer of functions from Employment Appeals Tribunal

66 ...

(2) (a) References in any enactment or instrument under an enactment to the Employment Appeals Tribunal in so far as they relate to a function transferred by *paragraph (a)* of *subsection (1)* shall be construed as references to the Commission.

(b) References in any enactment or instrument under an enactment to the Employment Appeals Tribunal in so far as they relate to a function transferred by *paragraph (b)* of *subsection (1)* shall be construed as references to the Labour Court.

...

C26 References to "the Bodies" construed as if there were a reference to each of them in Part I of the First Schedule (2.12.1999) by *British-Irish Agreement Act 1999* (1/1999), s. 50(2), S.I. No. 377 of 1999.

Application of Ombudsman Act, 1980.

50.— ...

(2) The Act of 1980 shall apply in relation to the Bodies with any necessary modifications and as if there were a reference to each of them in Part I of the First Schedule to that Act, but such application shall be restricted to actions taken in the State by or on behalf of a Body.

...

Editorial Notes:

E25 Previous affecting provision: part amended (2.08.2011) by *Communications Regulation (Postal Services) Act 2011* (21/2011), s. 5 and sch. 2; part substituted (31.10.2012, 30.04.2025) as per F-note above.

E26 Previous affecting provision: part amended (6.07.2011) by *Ministers and Secretaries (Amendment) Act 2011* (10/2011), s. 61, S.I. No. 401 of 2011; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E27 Previous affecting provision: part amended (4.11.2006) by *Registration of Deeds and Title Act 2006* (12/2006), s. 78, S.I. No. 511 of 2006; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E28 Previous affecting provision: part amended (30.06.2006) by *Health (Repayment Scheme) Act 2006* (17/2006), s. 23, S.I. No. 338 of 2006; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E29 Previous affecting provision: part amended (1.01.2005) by *Health Act 2004* (42/2004), s. 75 and sch. 6 part 8 item 1, S.I. No. 887 of 2004; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E30 Previous affecting provision: part amended (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61, commenced on enactment; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E31 Previous affecting provision: part amended (9.07.2001) by *Agriculture Appeals Act 2001* (29/2001), s. 18, commenced on enactment; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E32 Previous affecting provision: part amended (1.04.1985) by *Ombudsman Act (First Schedule) (Amendment) Order 1984* (S.I. No. 332 of 1984), art. 2(a), in effect as per art. 1(2); part substituted (31.10.2012, 30.04.2013) as per F-note above.

F25[PART II

Part I of this Schedule does not include a reference to—

(*a*) the Adoption Authority of Ireland, insofar as it relates to the making of an adoption order or the recognition of an intercountry adoption effected outside the State, within the meaning of the Adoption Act 2010;

(*b*) An Bord Altranais, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of nurses under the Nurses Act 1985 and to its role as the

competent authority for the purposes of mutual recognition of nursing qualifications obtained in or recognised by a Member State;

(*c*) Bord na Radharcmhastóirí, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of optometrists and dispensing opticians under the Opticians Acts 1956 and 2003 and to its role as competent authority for the purposes of the mutual recognition of relevant qualifications obtained in or recognised by a Member State;

(*d*) the Courts Service, except as it relates to an action taken in the performance of administrative functions under section 5 of the Courts Service Act 1998;

(*e*) the Dental Council, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of dentists and dental practitioners under the Dentists Act 1985 and to its role as the competent authority for the purposes of mutual recognition of dental qualifications obtained in or recognised by a Member State;

(*f*) the Department of Justice and Equality, insofar as it relates to an action—

(i) taken in the administration of the law relating to immigration or naturalisation,

(ii) taken in the administration of the prisons or other places for the custody of persons committed to custody by the Courts,

(iii) involving the exercise of the right or power referred to in Article 13.6 of the Constitution, or

(iv) involving the remission of any forfeiture or disqualification imposed by a court exercising criminal jurisdiction;

(*g*) the Health and Safety Authority, except as it relates to an action taken in the performance of administrative functions under section 34 of the Safety, Health and Welfare at Work Act 2005;

(*h*) the Health and Social Care Professionals Council, except as it relates to an action taken in the performance of administrative functions under Part 4 of the Health and Social Care Professionals Act 2005;

(*i*) the Health Service Executive, insofar as it relates to an action taken—

(i) by persons when acting on behalf of the Health Service Executive and (in the opinion of the Ombudsman) solely in the exercise of clinical judgement in connection with the diagnosis of illness or the care or treatment of a patient, whether such opinion is formed by the person taking the action or by any other person; or

(ii) an action taken by the Health Service Executive when acting on the advice of persons referred to in *subparagraph (i)*, being actions of the Health Service Executive that, in the opinion of the Ombudsman, were taken solely on such advice;

(*j*) the Legal Aid Board, insofar as it relates to the provision of legal services (advice or representation) by solicitors of the Legal Aid Board, or by private solicitors working under the auspices of the Legal Aid Board, to clients;

(*k*) a local authority (within the meaning of the Local Government Act 2001), insofar as it relates to the performance of reserved functions within the meaning of that Act;

(*l*) the Medical Council, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of medical practitioners under the Medical Practitioners Act 2007 and to its role as the competent authority for the purposes of mutual recognition of medical qualifications obtained in or recognised by a Member State;

(*m*) the Personal Injuries Assessment Board, except as it relates to an action taken in the performance of administrative functions under Part 3 of the Personal Injuries Assessment Board Act 2003;

(*n*) the Pharmaceutical Society of Ireland, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of registers of pharmacists, pharmaceutical assistants and retail pharmacy businesses under the Pharmacy Act 2007 and to its role as the competent authority for the purposes of the mutual recognition of relevant qualifications obtained in or recognised by a Member State;

(*o*) the Pre-Hospital Emergency Care Council, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of registers of pre-hospital emergency care practitioners under the Pre-Hospital Emergency Care Council (Establishment) Order) 2000 (S.I. No. 109 of 2000) and to its role as the competent authority for the purposes of mutual recognition of relevant qualifications obtained in or recognised by a Member State;

(*p*) the Private Residential Tenancies Board, except as it relates to an action taken in the performance of administrative functions under Part 7 of the Residential Tenancies Act 2004;

(*q*) the Property Services Appeal Board, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of licensed property service providers under the Property Services (Regulation) Act 2011 and to the specification of qualification and other requirements for property service providers under that Act;

(*r*) the Property Services Regulatory Authority, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of licensed property service providers under the Property Services (Regulation) Act 2011 and to its role relating to the specification of qualification and other requirements for property service providers under that Act;

(*s*) the Radiological Protection Institute of Ireland, except as it relates to an action taken in the performance of administrative functions under section 7 of the Radiological Protection (Amendment) Act 2002;

(*t*) the Veterinary Council of Ireland, except as it relates to an action taken in the performance of administrative functions relating to the establishment and maintenance of a register of veterinary practitioners and a register of veterinary nurses under the Veterinary Practice Act 2005 and to its role as the competent authority for the purposes of the mutual recognition of veterinary qualifications obtained in or recognised by a Member State.**]**

Annotations

Amendments:

F25 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 16 and sch. part 1, in effect as per s. 1(3).

Modifications (not altering text):

C27 References to "Private Residential Tenancies Board" construed as "Residential Tenancies Board" (7.03.2016) by *Residential Tenancies (Amendment) Act 2015* (42/2015), s. 13(3), S.I. No. 151 of 2016.

Change of name of Board

13.— ...

(3) In any enactment or any instrument under an enactment, references to the Private Residential Tenancies Board shall be construed as references to the Residential Tenancies Board.

...

C28 References to "Rent Tribunal" construed as "Residential Tenancies Board" (8.01.2016) by *Residential Tenancies (Amendment) Act 2015* (42/2015), s. 76(3), S.I. No. 4 of 2016

Transfer of functions of Tribunal to Board

76.

...

(3) References to the Tribunal in any enactment or instrument under an enactment relating to any function or administration and business transferred by this section shall, on the commencement of this Part, be construed as references to the Board.

...

C29 Application of para. (f)(ii) restricted (4.09.2013) by *Ombudsman Act 1980 (Section 4(10)) Order 2013* (S.I. No. 341 of 2013), art. 4.

4. It is declared that the Department of Justice and Equality is a reviewable agency in respect of any action taken by or on behalf of it, being action that—

(*a*) consists of the administration of prisons or other places for the custody of persons committed to custody by the Courts, and

(*b*) relates to a person under the age of 18 years who is committed to custody in such a prison or other place mentioned in subparagraph (*a*),

and, accordingly, there are excluded from paragraph (*f*)(ii) of Part II the elements of that Department of State that fall within both subparagraphs (*a*) and (*b*).

C30 Term "Medical Council" construed (3.07.2008) by *Medical Practitioners Act 2007* (25/2007), s. 108(3), S.I. No. 231 of 2008.

Construction of references to registered medical practitioner and Medical Council, etc.

108.— ...

(3) Every reference to—

(*a*) the Medical Council, or

(*b*) the Medical Registration Council,

contained in any other enactment or any statutory instrument shall be construed as the Council within the meaning of *section 2*.

Editorial Notes:

E33 Previous affecting provision: part 2 amended (1.11.2010) by *Adoption Act 2010* (21/2010), s. 167(a), S.I. No. 511 of 2010; substituted (31.10.2012, 30.04.2013) as per F-note above.

E34 Previous affecting provision: part 2 amended (1.05.2007) by *Consumer Protection Act 2007* (19/2007), s. 40, and sch. 3 part 1, S.I. No. 178 of 2007; part substituted (31.10.2012, 30.04.2013) as per F-note above.

E35 Previous affecting provision: part 2 amended (1.04.1985) by *Ombudsman Act 1980 (First Schedule) (Amendment) Order 1985* (S.I. No. 66 of 1985), art. 2(a), in effect as per art. 1(2); part substituted (31.10.2012, 30.04.2013) as per F-note above.

E36 Previous affecting provision: part 2 amended (1.04.1985) by *Ombudsman Act (First Schedule) (Amendment) Order 1984* (S.I. No. 332 of 1984), art. 2(b), in effect as per art. 1(2); part substituted (31.10.2012, 30.04.2013) as per F-note above.

Section 4.

F26[SECOND SCHEDULE

Exempt Agencies

1. Abbey Theatre
2. Aer Lingus
3. An Bord Pleanála
4. An Post
5. Army Pensions Board
6. Arramara Teoranta
7. Bantry Bay Harbour Commissioners
8. Bord Gais Éireann
9. Bord na gCon
10. Bord na Móna
11. Broadcasting Authority of Ireland
12. Bus Átha Cliath — Dublin Bus
13. Bus Éireann
14. Central Bank of Ireland
15. Coillte Teoranta
16. Coimisinéir Teanga
17. Commission for Aviation Regulation
18. Commission for Communications Regulation
19. Commission for Energy Regulation
20. Commission for Public Service Appointments

21. Commission to Inquire into Child Abuse

22. Commissioners of Irish Lights

23. Comptroller and Auditor General

24. Córas Iompair Éireann

25. Cork Airport Authority plc.

26. Coroners appointed under the Coroners Act 1962

27. Criminal Assets Bureau

28. Data Protection Commissioner

29. Defence Forces

30. Director of Public Prosecutions

31. Drogheda Port Company

32. Dublin Airport Authority plc.

33. Dublin Port Company

34. Dun Laoghaire Harbour Company

35. EirGrid plc.

36. Electricity Supply Board

37. Employment Appeals Tribunal

38. Environmental Protection Agency

39. Equality Tribunal

40. Financial Services Ombudsman

41. Galway Harbour Company

42. F27**[**...**]**

43. Garda Síochána

F28**[**44. Fiosrú - Oifig an Ombudsman Póilíneachta**]**

45. Health Insurance Authority

46. Horse Racing Ireland

47. Housing Finance Agency plc.

48. Human Rights Commission

49. Iarnród Éireann — Irish Rail

50. Irish Auditing and Accounting Supervisory Authority

51. Irish Aviation Authority

52. Irish Bank Resolution Corporation Limited

53. Irish Film Board

54. Irish Financial Services Appeals Tribunal

55. Irish National Petroleum Corporation Limited

56. Irish National Stud Company Limited

57. Judge Advocate-General

58. Judicial Appointments Advisory Board

59. Judicial Studies Institute

60. Labour Court

61. Labour Relations Commission

62. Law Reform Commission

63. Marine Casualty Investigation Board

64. Medical Bureau of Road Safety

65. Mental Health (Criminal Law) Review Board

66. Mental Health Commission

67. Mining Board

68. National Advisory Committee on Drugs

69. National Asset Management Agency

70. National Concert Hall

71. F29**[**...**]**

72. National Disability Authority

73. National Economic and Social Development Office

74. National Lottery Company (within the meaning of the National Lottery Act 1986)

75. National Oil Reserves Agency

76. F30**[**...**]**

77. National Tourism Development Authority

78. National Treasury Management Agency

79. New Ross Port Company

80. Office of the Attorney General

81. Office of the Confidential Recipient

82. Office of the Director of Corporate Enforcement

83. Office of the Information Commissioner

84. Office of the Inspector of Prisons

85. Office of the Ombudsman

86. Office of the Ombudsman for Children

87. Office of the Ombudsman for the Defence Forces

88. Office of the President

89. Pensions Ombudsman

90. Poisons Council

91. Port of Cork Company

92. Port of Waterford Company

93. Private Security Authority

94. Private Security Appeal Board

95. Raidió Teilifís Éireann

96. Railway Procurement Agency

97. Referendum Commission

98. Refugee Appeals Tribunal

99. Refugee Applications Commissioner

100. Residential Institutions Redress Board

101. Rights Commissioners

102. Shannon Airport Authority plc.

103. Shannon Foynes Port Company

104. Social Welfare Tribunal

105. Standards in Public Office Commission

106. State Pathologist

107. Teilifís na Gaeilge

108. Valuation Tribunal

109. Voluntary Health Insurance Board

110. Wicklow Port Company**]**

F31**[**111. An tÚdarás Póilíneachta agus Sábháilteachta Pobail

112. Oifig an Scrúdaitheora Neamhspleáchum Reachtaíocht Slándála**]**

Annotations

Amendments:

F26 Substituted (31.10.2012, 30.04.2013) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 16 and sch. part 2, in effect as per s. 1(3).

F27 Deleted (2.04.2025) by *Policing, Security and Community Safety Act 2024* (1/2024), s. 267(a), S.I. No. 107 of 2025, art. 2.

F28 Substituted (2.04.2025) by *Policing, Security and Community Safety Act 2024* (1/2024), s. 267(b), S.I. No. 107 of 2025, art. 2.

F29 Deleted (27.01.2015) by *National Treasury Management Agency (Amendment) Act 2014* (23/2014), s. 5(1) and sch. 1 part 2 item 1(a), S.I. No. 22 of 2015, art. 2(a)(ii).

F30 Deleted (31.12.2021) by *National Treasury Management Agency (Amendment) Act 2014* (23/2014), s. 5(1) and sch. 1 part 2 item 1(b), S.I. No. 608 of 2021, art. 2(a)(i).

F31 Inserted (2.04.2025) by *Policing, Security and Community Safety Act 2024* (1/2024), s. 267(c), S.I. No. 107 of 2025, art. 2.

Modifications (not altering text):

C31 Prospective affecting provision: references to Employment Appeals Tribunal construed as Workplace Relations Commission or Labour Court by *Workplace Relations Act 2015* (16/2015), s. 66(2), not commenced as of date of revision.

Transfer of functions from Employment Appeals Tribunal

66 ...

(2) (a) References in any enactment or instrument under an enactment to the Employment Appeals Tribunal in so far as they relate to a function transferred by *paragraph (a)* of *subsection (1)* shall be construed as references to the Commission.

(b) References in any enactment or instrument under an enactment to the Employment Appeals Tribunal in so far as they relate to a function transferred by *paragraph (b)* of *subsection (1)* shall be construed as references to the Labour Court.

...

C32 References to "Bord na gCon" construed as "Rásaíocht Con Éireann" (1.10.2020) by *Greyhound Racing Act 2019* (15/2019), s. 8, S.I. No. 399 of 2020.

Change of name of Bord na gCon

8. ...

(2) References in any enactment, statutory instrument or legal proceedings or any other document to Bord na gCon shall, on and from the commencement of this section, be read as references to Rásaíocht Con Éireann.

C33 References to Data Protection Commissioner construed as Data Protection Commission (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 14(2), S.I. No. 174 of 2018.

Transfer of functions of Data Protection Commissioner to Commission

14. ...

(2) A reference in any enactment or instrument under an enactment to the Data Protection Commissioner or to the Office of the Data Protection Commissioner shall be construed as a reference to the Commission.

...

C34 References to Human Rights Commission construed as Irish Human Rights and Equality Commission (1.11.2014) by *Irish Human Rights and Equality Commission Act 2014* (25/2014), s. 44(2), S.I. No. 449 of 2014.

Transfer of functions to Commission

44. ...

(2) References in any enactment or instrument under an enactment to the Human Rights Commission or the Equality Authority, as the case may be (howsoever described) shall be construed as references to the Commission save where other provision is made as respects the construction of the first-mentioned references by any enactment passed before the passing of this Act.

...

C35 References to Dublin Airport Authority plc construed as daa (27.07.2014) by *State Airports (Shannon Group) Act 2014* (27/2014), s. 32(2), commenced on enactment.

Re-naming Dublin Airport Authority as daa

32. ...

(2) A reference in the Act of 2004 or any other enactment, statutory instrument or any other document or proceedings to Dublin Airport Authority is to be read as a reference to daa.

C36 References to Dublin Airport Authority construed as daa (27.07.2014) by *State Airports (Shannon Group) Act 2014*(27/2014), s. 33(4)(b), commenced on enactment.

Consequential amendments relating to preceding sections

33. ...

(4) A reference in any other enactment or instrument made under an enactment (other than an enactment referred to in this section) to— ...

(*b*) Dublin Airport Authority is to be read as a reference to daa.

...

C37 References to Bord Gáis Éireann construed as Ervia (19.06.2014) by *ESB (Electronic Communications Networks) Act 2014* (5/2014), s. 8, S.I. No. 286 of 2014.

Change of name of Bord Gáis Éireann to Ervia

8....

(2) References in any enactment, statutory instrument, legal proceedings or any other document to Bord Gáis Éireann or The Irish Gas Board shall, on and from the day appointed under *subsection (1)*, be construed as references to Ervia.

Editorial Notes:

E37 Previous affecting provision: schedule amended (6.07.2011) by *Inland Fisheries Act 2010* (10/2010), s. 8 and sch. 2 part 5, commenced as per s. 5(2) and S.I. No. 262 of 2010; substituted (31.10.2012, 30.04.2013) as per F-note above.

E38 Previous affecting provision: schedule amended (1.11.2010) by *Adoption Act 2010* (21/2010), s. 167(b), S.I. No. 511 of 2010; substituted (31.10.2012, 30.04.2013) as per F-note above.

E39 Previous affecting provision: schedule amended (1.05.2007) by *Consumer Protection Act 2007* (19/2007), s. 40 and sch. 3 part 1, S.I. No. 178 of 2007; substituted (31.10.2012, 30.04.2013) as per F-note above.

E40 Previous affecting provision: schedule amended (1.01.2005) by *Health Act 2004* (42/2004), s. 75 and sch. 6 part 8 item 2, S.I. No. 887 of 2004; substituted (31.10.2012, 30.04.2013) as per F-note above.

E41 Previous affecting provision: schedule amended (28.02.2002) by *ACC Bank Act 2001* (12/2001), s. 12 and sch. part 1, S.I. No. 69 of 2002; substituted (31.10.2012, 30.04.2013) as per F-note above.

E42 Previous affecting provision: schedule amended (7.12.2000) by *ICC Bank Act 2000* (32/2000), s. 7(1) and sch. part 1, S.I. No. 46 of 2001; substituted (31.10.2012, 30.04.2013) as per F-note above.

E43 Previous affecting provision: schedule amended (1.04.1985) by *Ombudsman Act 1980 (Second Schedule) (Amendment) Order 1985* (S.I. No. 69 of 1985), art 2(a), in effect as per art. 1(2); substituted (31.10.2012, 30.04.2013) as per F-note above.

E44 Previous affecting provision: "Bodies established under the Local Government Services (Corporate Bodies) Act, 1971 ", "Central Fisheries Board", "Fire Services Council", "Housing Finance Agency", "Irish Film Board", "National Concert Hall Company", "Postgraduate Medical and Dental Board", "Youth Employment Agency" inserted (1.04.1985) by *Ombudsman Act 1980 (Second Schedule) (Amendment) Order 1985* (S.I. No. 69 of 1985), art 2(b); superseded (31.10.2012) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 16 and sch., pt. 2, in effect as per s. 1(3).

E45 Previous affecting provision: "Bodies set up under the Health Acts" substituted for "Bodies (other than health boards) established by or under the Health Acts, 1947 to 1981" (1.04.1985) by *Ombudsman Act 1980 (Second Schedule) (Amendment) Order 1985* (S.I. No. 69 of 1985), art 2(c); superseded (31.10.2012) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 16 and sch., pt. 2, in effect as per s. 1(3).

ACTS REFERRED TO

Civil Service Commissioners Act, 1956	1956, No. 45
Civil Service Regulation Acts, 1956 and 1958	
Court Officers Acts, 1926 to 1961	
Court (Supplemental Provisions) Act, 1961	1961, No. 39
Fisheries (Consolidation) Act, 1959	1959, No. 14
Harbours Acts, 1946 to 1976	
Health Acts, 1947 to 1970	
Health (Corporate Bodies) Act, 1961	1961, No. 27
Interpretation Act, 1937	1937, No. 38
Local Government Act, 1941	1941, No. 23
Official secrets Act, 1963	1963, No. 1
Social Welfare Acts, 1952 to 1979	

Number 26 *of* 1980

OMBUDSMAN ACT 1980

REVISED

Updated to 2 April 2025

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Ombudsman Acts 1980 to 2012: this Act is one of a group of Acts included in this collective citation (*Ombudsman (Amendment) Act 2012* (38/2012), s. 1(2)). The Acts in the group are:

- *Ombudsman Act 1980* (26/1980)
- *Finance Act 1981* (16/1981), s. 52
- *Ombudsman (Amendment) Act 1984* (19/1984)
- *Ombudsman (Amendment) Act 2012* (38/2012)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Policing, Security and Community Safety Act 2024* (1/2024)
- *Protected Disclosures (Amendment) Act 2022* (27/2022)
- *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018)
- *Residential Tenancies (Amendment) Act 2015* (42/2015)
- *National Treasury Management Agency (Amendment) Act 2014* (23/2014)
- *Ombudsman (Amendment) Act 2012* (38/2012)
- *Residential Institutions Statutory Fund Act 2012* (35/2012)
- *Public Service Pensions (Single Scheme and Other Provisions) Act 2012* (37/2012)
- *Financial Emergency Measures in the Public Interest (Amendment) Act 2011* (39/2011)
- *Communications Regulation (Postal Services) Act 2011* (21/2011)
- *Ministers and Secretaries (Amendment) Act 2011* (10/2011)
- *Adoption Act 2010* (21/2010)
- *Inland Fisheries Act 2010* (10/2010)
- *Medical Practitioners Act 2007* (25/2007)
- *Consumer Protection Act 2007* (19/2007)
- *Health (Repayment Scheme) Act 2006* (17/2006)
- *Registration of Deeds and Title Act 2006* (12/2006)
- *Civil Service Regulation (Amendment) Act 2005* (18/2005)
- *Commission to Inquire into Child Abuse (Amendment) Act 2005* (17/2005)
- *Disability Act 2005* (14/2005)
- *Health Act 2004* (42/2004)
- *Ombudsman (Defence Forces) Act 2004* (36/2004)
- *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004)
- *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004)
- *Social Welfare (Miscellaneous Provisions) Act 2003* (4/2003)
- *Ombudsman For Children Act 2002* (22/2002)
- *Pensions (Amendment) Act 2002* (18/2002)
- *Agriculture Appeals Act 2001* (29/2001)
- *ACC Bank Act 2001* (12/2001)
- *ICC Bank Act 2000* (32/2000)
- *British-Irish Agreement Act 1999* (1/1999)
- *Freedom of Information Act 1997* (13/1997)
- *Ombudsman (Amendment) Act 1984* (19/1984)

All Acts up to and including *Merchant Shipping (Investigation of Marine Accidents) Act 2025* (2/2025), enacted 14 April 2025, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Ombudsman Act 1980 (Section 4(10)) Order 2013* (S.I. No. 341 of 2013)
- *Ombudsman Act 1980 (Section 1A) (No. 2) Order 2015* (S.I. No. 300 of 2015)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Ombudsman Superannuation (Amendment) Scheme 2003* (S.I. No. 167 of 2003)
- *Ombudsman (Spouses' and Children's) Contributory Pension Scheme 1989* (S.I. No. 269 of 1989)
- *Data Protection Act 1988 (Restriction of Section 4) Regulations 1989* (S.I. No. 81 of 1989)
- *Public Service (Transfer of Departmental Administration and Ministerial Functions) Order 1987* (S.I. No. 81 of 1987)
- *Ombudsman Superannuation Scheme 1987* (S.I. No. 70 of 1987)
- *Ombudsman Act 1980 (Second Schedule) (Amendment) Order 1985* (S.I. No. 69 of 1985)
- *Ombudsman Act 1980 (First Schedule) (Amendment) Order 1985* (S.I. No. 66 of 1985)
- *Ombudsman Act (First Schedule) (Amendment) Order 1984* (S.I. No. 332 of 1984)
- *Ombudsman Act 1980 (Appointed Day) Order 1983* (S.I. No. 424 of 1983)

All statutory instruments up to and including *Policing, Security and Community Safety Act 2024 (Commencement) Order 2025* (S.I. No. 107 of 2025), made 2 April 2025, were considered in the preparation of this revision.