

**Written Submission
to the Legislative Council Bills Committee
on Financial Reporting Council Bill
by The Ombudsman**

The Ombudsman notes that clause 76 of the FRC Bill includes the proposed Financial Reporting Council (“the FRC”) in the schedule of public organisations subject to her jurisdiction and welcomes the inclusion. This will enable members of the public who feel aggrieved by administrative acts of the FRC to put their complaint to The Ombudsman for investigation, if warranted. Through doing so, this will allow The Ombudsman to assist the FRC to maintain a high standard of administration.

To ensure that the Office of The Ombudsman can properly and effectively discharge its functions and duties in respect of the FRC, it is of paramount importance that The Ombudsman can avail herself of the full range of investigation powers provided by The Ombudsman Ordinance (Cap. 397). In particular, powers for requiring the FRC to furnish information and to produce documents should be the same as those in respect of other organisations within our jurisdiction. We note that Clause 51(8) of the Bill ensures that The Ombudsman’s investigation powers will not be affected by the FRC’s duty to maintain secrecy.

In this connection, we wish to emphasize that The Ombudsman and her staff are bound to maintain secrecy under section 15(1) of The Ombudsman Ordinance.

The Office of The Ombudsman
31 August 2005