

Legislative Council Members' meeting with The Ombudsman

**on Wednesday, 14 December 2005, at 9:00 am
in Conference Room A of the Legislative Council Building**

Review of The Ombudsman Ordinance

(raised by Hon Emily LAU Wai-hing, JP)

At last year's meeting with Members, The Ombudsman indicated that an internal review of The Ombudsman Ordinance ("the Ordinance") was underway. The Ombudsman also mentions about the review in paragraph 2.27 of The Ombudsman's Annual Report this year, and reckons that proposals will be made to the Administration for: (a) adding more organizations to Schedule 1 to the Ordinance to place them within The Ombudsman's purview; (b) relaxing some of the restrictions on the Office's investigative powers in Schedule 2 to the Ordinance; and (c) resolving some of the difficulties and uncertainties encountered by the staff of the Office in discharging their duties. Since the review has been underway for one year, The Ombudsman is requested to advise on the present progress and timetable of the review as well as:

- (a) the organizations being considered to be placed within the Office's purview;
- (b) the restrictions on the Office's investigative powers that have to be relaxed; and
- (c) the difficulties and uncertainties encountered by the staff of the Office in discharging their duties.

(A copy of the relevant part of the Annual Report is at the **Annex**.)

Chapter 2 — Authority and Restrictions
Extract from the Annual Report of The Ombudsman,
Hong Kong, issued in June 2005

Jurisdictional Review

2.27 In my Annual Report of 2004, I stated that with 15 years behind us since our establishment in 1989, it was time to review the functions and purview of The Ombudsman. I am pleased to say that such a review of The Ombudsman's jurisdiction has commenced. Based on our operational experience and practices of my counterparts overseas, we are examining the need for and feasibility of the points below for proposals to the Administration:

- (a) adding more organisations to Schedule 1 to the Ordinance to place them within my purview;
- (b) relaxing some of the restrictions on my investigative powers in Schedule 2 to the Ordinance; and
- (c) resolving some of the difficulties or uncertainties encountered by our officers in discharging their duties.