

Changes to legislation: Public Services Ombudsman (Wales) Act 2019, PART 2 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 5

CONSEQUENTIAL AMENDMENTS

PART 2

MISCELLANEOUS

Parliamentary Commissioner Act 1967 (c.13)

- 6 In section 4 (departments etc. subject to investigation), in subsection (3A), for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

- I1** Sch. 5 para. 6 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

- 7 In section 11A (consultations between Parliamentary Commissioner and other Commissioners or Ombudsmen), in subsection (1)(b), for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

- I2** Sch. 5 para. 7 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Local Government Act 1974 (c.7)

- 8 In section 34M (consultation with other Commissioners), in subsection (1)(d), at the end insert “ or the PSOWA 2019 ”.

Commencement Information

- I3** Sch. 5 para. 8 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

- 9 In section 34T (interpretation of Part 3A), in subsection (1), after the definition of “the PSOWA 2005” insert—
““the PSOWA 2019” means the Public Services Ombudsman (Wales) Act 2019,”.

Commencement Information

- I4** Sch. 5 para. 9 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Ancient Monuments and Archaeological Areas Act 1979 (c.46)

- 10 In Schedule A2 (decisions on reviews by person appointed by Welsh Ministers), in paragraph 7, for “the Public Services (Ombudsman) Wales Act 2005” substitute

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“ the Public Services Ombudsman (Wales) Act 2005 and the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I5 Sch. 5 para. 10 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Local Government and Housing Act 1989 (c.42)

- 11 In section 5 (designation and reports of monitoring officer)—
- (a) in subsection (2)(c), at the end insert “ or the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) in subsection (2AA), after “the Public Services Ombudsman (Wales) Act 2005” insert “ or the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I6 Sch. 5 para. 11 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

- 12 In section 5A (reports of monitoring officer – local authorities operating executive arrangements)—
- (a) in subsection (3)(c), at the end insert “ or the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) in subsection (4A), after “the Public Services Ombudsman (Wales) Act 2005” insert “ or the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I7 Sch. 5 para. 12 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)

- 13 In Schedule 1B (decisions on reviews by person appointed by Welsh Ministers), in paragraph 7, after “the Public Services Ombudsman (Wales) Act 2005” insert “ and the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I8 Sch. 5 para. 13 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

- 14 In Schedule 3 (determination of certain appeals by person appointed by Secretary of State), in paragraph 7(3), after “the Public Services Ombudsman (Wales) Act 2005” insert “ and the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I9 Sch. 5 para. 14 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

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Health Service Commissioners Act 1993 (c.46)

- 15 In section 18 (consultation during investigations), in subsection (1)(ba), at the end insert “ or the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I10 Sch. 5 para. 15 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Housing Act 1996 (c.52)

- 16 In section 50C (grounds for giving notice), in subsection (10), at the end insert “ or section 23 of the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I11 Sch. 5 para. 16 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

- 17 In section 51 (schemes for investigation of complaints), in subsection (7), for “section 41 of the Public Services Ombudsman (Wales) Act 2005” substitute “ section 78 of the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I12 Sch. 5 para. 17 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Freedom of Information Act 2000 (c.36)

- 18 In section 76 (disclosure of information between Commissioner and ombudsmen), in the second column of the row that refers to the Public Services Ombudsman for Wales in the table in subsection (1), at the end insert “ or Part 3 of the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I13 Sch. 5 para. 18 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Local Government Act 2000 (c.22)

- 19 In section 68 (Public Services Ombudsman for Wales), in subsection (3), for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I14 Sch. 5 para. 19 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

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Textual Amendments

- F1** Sch. 5 para. 20 omitted (5.5.2022) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 8 para. 10](#); S.I. 2022/98, art. 2(b) (with art. 3)

Health and Social Care (Community Health and Standards) Act 2003 (c.43)

- 21 In section 113 (complaints about health care), in subsection (4)(aa)—
- (a) for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) for “section 2(3)” substitute “ section 3(3) ”.

Commencement Information

- I15** Sch. 5 para. 21 in force at 23.7.2019 by [S.I. 2019/1096](#), [reg. 2](#)

National Health Service (Wales) Act 2006 (c.42)

- 22 In section 187 (independent advocacy services), in subsection (3)—
- (a) in the definition of “health service body”, for “the Public Services Ombudsman (Wales) Act 2005 (c.10)” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) in the definition of “independent palliative care provider”, for “section 34T of the Public Services Ombudsman (Wales) Act 2005” substitute “ section 64 of the Public Services Ombudsman (Wales) Act 2019 ”;
 - (c) in the definition of “independent provider”, for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

- I16** Sch. 5 para. 22 in force at 23.7.2019 by [S.I. 2019/1096](#), [reg. 2](#)

Commissioner for Older People (Wales) Act 2006 (c.30)

- 23 In section 18 (power to disclose information), in subsection (1)(b), at the end insert “ or section 66 of the Public Services Ombudsman (Wales) Act 2019 (working jointly with specified persons) ”.

Commencement Information

- I17** Sch. 5 para. 23 in force at 23.7.2019 by [S.I. 2019/1096](#), [reg. 2](#)

Government of Wales Act 2006 (c.32)

- 24 In Schedule 8 (Auditor General for Wales), in paragraph 17(8)(ba), for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”.

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Commencement Information

I18 Sch. 5 para. 24 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Local Government and Public Involvement in Health Act 2007 (c.28)

- 25 In section 223A (independent advocacy services), in subsection (10)—
- (a) in the definition of “health service body”, for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) in the definition of “independent provider”, for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”;
 - (c) in the definition of “Welsh health body”, for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”.

Commencement Information

I19 Sch. 5 para. 25 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Social Services and Well-being (Wales) Act 2014 (anaw 4)

- 26 In section 171 (complaints about social services), in subsection (3)(a)—
- (a) for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) for “section 2(3)” substitute “ section 3(3) ”.

Commencement Information

I20 Sch. 5 para. 26 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

- 27 In section 177 (further consideration of representations), in subsection (4)(a)—
- (a) for “the Public Services Ombudsman (Wales) Act 2005” substitute “ the Public Services Ombudsman (Wales) Act 2019 ”;
 - (b) for “section 2(3)” substitute “ section 3(3) ”.

Commencement Information

I21 Sch. 5 para. 27 in force at 23.7.2019 by S.I. 2019/1096, reg. 2

Data Protection Act 2018 (c.12)

- 28 In Schedule 2 (exemptions etc from the GDPR), in paragraph 10(2)(c)(iv), at the end insert “ or Part 5 of the Public Services Ombudsman (Wales) Act 2019 ”.

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I22 Sch. 5 para. 28 in force at 23.7.2019 by S.I. 2019/1096, **reg. 2**

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Changes and effects yet to be applied to :

- Sch. 5 para. 10 and cross-heading omitted by [2023 asc 3 Sch. 13 para. 195\(a\)](#)
- Sch. 5 para. 13 cross-heading omitted by [2023 asc 3 Sch. 13 para. 195\(b\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2023 asc 3 Sch. 2 para. 6](#)
- Act modified by [2023 asc 3 Sch. 12 para. 7\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(a\)](#) (Welsh language text)
- s. 65(7)(f) inserted by [2022 c. 30 Sch. 10 para. 6\(2\)\(b\)](#) (English language text)