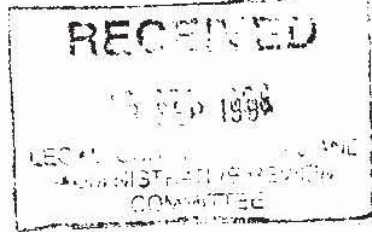


Deputy Chief Executive

Submission No 15



Spec 14-1

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The Chair
Legal, Constitutional and Administrative Review Committee
Parliament House
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Dear Sir

Report of the Strategic Review of the Queensland Ombudsman

I refer to the Executive Summary and Recommendations of the Report of the Strategic Review of the Queensland Ombudsman prepared by Professor Ken Wiltshire.

Queensland Rail was corporatised on 1 July 1995 in accordance with the provisions of Section 6 of the Government Owned Corporations Act 1993 and the Government Owned Corporations (Queensland Rail) Regulation 1995.

Section 182(1) of the Government Owned Corporations Act 1993 states that the Parliamentary Commissioner Act 1974 (under which the Ombudsman is formed and operates) does not apply to:

- "(a) a statutory GOC prescribed by regulation; or ...
- (c) a decision about a statutory GOC's commercial policy; or
- (d) a statutory GOC in relation to its commercially competitive activities."

The term "competitive commercial activity" is defined by section 182(2) to mean "an activity carried on, on a commercial basis, in competition with a person, other than -

- (a) the Commonwealth or a State; or
- (b) a State authority; or
- (c) a local government."

Recommendation 9 of Professor Wiltshire's report states that the Office of the Ombudsman should be invited to participate as an "observer and adviser" on reference groups established to design new policy initiatives. Similarly, Recommendation 7 states that the Ombudsman should work more closely with agencies as a "consultant and adviser".