

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3532 of 11th May, 2006

B. 17/06

BILL

FOR

AN ORDINANCE to amend the Gibraltar Health Authority (Complaints Review Panel) Ordinance 2004.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Ordinance may be cited as the Gibraltar Health Authority (Complaints Review Panel) (Amendment) Ordinance 2006.

Substitution of section 17.

2. The Gibraltar Health Authority (Complaints Review Panel) Ordinance 2004 is amended by substituting the following section for section 17 –

“Reports upon Complaints.

17.(1) The Review Panel shall complete its Investigation within twelve weeks of the referral to it of a Complaint.

(2) If for a reason outside its control the Review Panel is unable to complete its Investigation within the time stipulated in subsection (1), it shall nevertheless produce its report, stating the reasons why it has been unable to complete its Investigation, unless the Review Panel makes a request in writing to the Ombudsman for an extension of such time.

(3) In making a request pursuant to subsection (2), the Review Panel shall provide the Ombudsman with their reasons for making the request.

(4) The Ombudsman shall, within seven days of receipt of a request made under subsection (2), provide the Review Panel and the Chief Executive with a notice in writing by stating his decision for allowing or disallowing the request.

(5) Where the Ombudsman allows a request made under subsection (2), he shall notify the Review Panel and the Chief Executive of a new date for the completion of the report which shall in any event not be longer than twenty six weeks from the date of the referral of the Complaint to the Review Panel.

(6) Any question in respect of allowing or disallowing a request by the Review Panel for an extension to the time stipulated in subsection (1) shall be determined by the Ombudsman.

(7) The Review Panel shall send a copy of its report of an Investigation into a Complaint, within fourteen weeks of the referral of the Complaint to it or within two weeks of the date set by the Ombudsman under subsection (5) to—

- (a) the person aggrieved;
- (b) the Chief Executive;
- (c) any person who is alleged in the Complaint to have taken or authorised the action the subject matter of the Complaint.
- (d) any person criticised in the Report;
- (e) the Ombudsman; and
- (f) the Minister.

(8) No reports of the Review Panel shall be published by it or by the Ombudsman except in accordance with this section.”.

EXPLANATORY MEMORANDUM

This Bill amends section 17 of the Gibraltar Health Authority (Complaints Review Panel) Ordinance 2004 in order to provide that the Review Panel may seek an extension to the time for completion of its investigation beyond 12 weeks.

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