

For example, under the Leadership Code:

- ⇒ Leaders must not place themselves in a position where a conflict of interest may arise. If a leader does have an interest in a matter, that leader must disclose the interest.
- ⇒ Leaders must not use their Office for the benefit of themselves, their family or associates and they must apply public funds as they were intended.

### Who is a Leader?

- ⇒ Members of the Parliament, Provincial Assemblies and Local Level Governments,
- ⇒ Constitutional office holders, e.g. Ombudsman
- ⇒ Heads of National Public Service Departments, statutory authorities and Provincial Administrators,
- ⇒ The Commissioner of Police, Commander of the Defence Force and Public Curator,
- ⇒ Ambassadors, High Commissioners and senior diplomatic officials,
- ⇒ Personal staff of the Governor-General, Ministers, the Leader and Deputy Leader of the Opposition,
- ⇒ CEOs of registered political parties.

### How do you lodge a complaint?

Anybody who is concerned about the actions of a Leader may lodge a written complaint to the Ombudsman Commission. A complainant must:

- ⇒ Identify the Leader being complained about,
- ⇒ Outline the complaint against the Leader (specify dates and relevant people),
- ⇒ Include copies of letters or any other documentation relevant to the complaint.

### What happens to your complaint?

Once a Leadership complaint is identified it is referred to the Leadership Division for investigation. Leadership investigations are confidential; a complainant will not be advised of the progress or outcome of an investigation.

Once an investigation is complete, if the Commission finds enough evidence that the Leadership Code has been breached the Leader is referred to the Public Prosecutor, with a recommendation that the matter go to a Leadership Tribunal.

The Commission can be contacted in writing, via telephone or at one of the Commission Offices. All written complaints should be addressed to "Ombudsman Commission of Papua New Guinea".

## Contact Information

### Head Office

**Petromin Haus**, Level 3  
Hubert Murray Highway, Port Moresby  
PO Box 1831

**Port Moresby 121**, NCD  
Telephone: 308 2600 or 320 3255

Email: [complaints@ombudsman.gov.pg](mailto:complaints@ombudsman.gov.pg)  
[leadership@ombudsman.gov.pg](mailto:leadership@ombudsman.gov.pg)

### Regional Offices

Momase Regional Office  
Vele Rumana Building, 4th Street  
PO Box 2259

**Lae 411**, Morobe Province

Telephone: 472 1695  
Facsimile: 472 2755

Highlands Regional Office  
Agilta Kona Building, Hagen Drive  
PO Box 745

**Mt Hagen 281**, WHP

Telephone: 542 1986  
Facsimile: 542 2497

New Guinea Islands Regional Office  
Tropicana Building  
Section 6 Lot 22, Tagigira Street  
P. O. Box 359

**Kokopo 613**, ENBP

Telephone: 982 8792  
Facsimile: 982 8953

AROB Regional Office  
Kubu Hill-Buka  
PO Box 170, **Buka**, AROB  
Telephone: 79222226/76273465

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# Ombudsman Commission of Papua New Guinea

Ombudsman Commission  
Deloitte Tower, Section 5 Lot 16  
Douglas Street,  
PO Box 1831,  
PORT MORESBY 121,  
National Capital District.

Telephone: 308 2600  
320 3255  
Facsimile: 320 3211

# Roles & Functions



## What is the Ombudsman Commission of Papua New Guinea?

The Ombudsman Commission is an independent constitutional institution created by the Constitution in 1975. It consists of the Chief Ombudsman and two Ombudsmen, one of whom must have an accounting qualification.

The main functions of the Commission are to:-

1. Investigate complaints about the administrative actions of governmental bodies and agencies.
2. Administer the Leadership Code (outlined in the *Constitution*) by conducting investigations into the actions of Leaders.
3. Investigate discriminatory practices under the *Discriminatory Practices Act* and the *HIV/AIDS Management and Prevention Act*.

All complaints received by the Commission are confidential except where information must be revealed to conduct an investigation.

## Administrative Complaints

### What is an administrative complaint?

Administrative complaints are complaints about the decisions and procedures of governmental bodies and agencies. The Commission has no power to investigate complaints about:-

- ⇒ Court proceedings or decisions,
- ⇒ Conduct that amounts to criminal behaviour (e.g. misappropriation),
- ⇒ Private Individuals, companies,
- ⇒ Personnel matters of public servants (contact the Public Service Commission).

### Who can lodge a complaint?

Anybody directly affected by a decision or the actions of a governmental body or agency may complain to the Commission. A complaint must be lodged within 2 years of the matter arising.

### How do you lodge a complaint?

A complaint must be made in writing to the Commission. A complainant must:-

- ⇒ Identify the agency being complained about,
- ⇒ Outline the complaint (specify the decision or conduct the complainant is dissatisfied with, names of people involved and dates),
- ⇒ Outline how the complainant has tried to resolve the matter with the agency,
- ⇒ State the outcome the complainant seeks,
- ⇒ Include copies of any letters or other documentation relevant to the complaint.

If a person is unsure how to lodge a complaint they may go to one of the Commission Offices for assistance.

### What happens to your complaint?

Complaints are assessed by the Intake and Screening Unit to determine whether they should be investigated or excluded. Complainants are advised in writing if a complaint will be investigated or not, or if further information is required.

If a complaint requires investigation it is referred to the Complaints and Administrative Investigations Division. Once the investigation is completed complainants are advised of the Commission's decision in writing.

### What are the possible outcomes after an investigation?

The Commission has the power to issue recommendations to the Minister and Administrative head of the Agency upon completion of an investigation.

The Commission does not have the power to force an Agency to comply with recommendations made. However, where a recommendation is made to improve administrative procedure an Agency will generally accept that recommendation.

## Discriminatory Practice Complaints

### What is a discriminatory practice complaint?

Discriminatory practice complaints are complaints about discrimination on the grounds of "colour, sex, race or

ethnic, tribal or national origin" or where a person has HIV or AIDS. The Commission only investigates complaints about discrimination by governmental bodies or agencies.

### How do you lodge a complaint?

A complaint must be made in writing to the Commission. A complainant must:

- ⇒ Identify the agency being complained about,
- ⇒ Outline the complaint (specify the discriminatory practice being complained about, the names of people involved and dates),
- ⇒ Include copies of any letters or other documentation relevant to the complaint.

### What happens to your complaint?

Once a discriminatory practice complaint is identified it is referred to the Anti-Discrimination and Human Rights Unit for investigation.

Complainants are advised in writing whether or not a complaint will be investigated, or if further information is required. Complainants are also advised of the outcome of an investigation once it has been completed.

### What are the possible outcomes?

The same outcomes apply to discriminatory practice complaints as administrative complaints (outlined above).

## Leadership Complaints

### What is a Leadership complaint?

A leadership complaint is a complaint about the conduct of a Leader which breaches the duties and responsibilities of Leaders established under the Leadership Code.

Leaders are required to maintain a standard conduct under the Leadership Code that ensures the public remain confident, the Leaders of PNG are free from corruption and continue to work for the benefit of the PNG people.