



OFFICE OF THE COMPLAINTS COMMISSIONER

(OMBUDSMAN)

TONY CLARKE'S BUILDING | WATERLOO ROAD | GRAND TURK

TURKS AND CAICOS ISLANDS | TKCA 1ZZ

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www.Complaintscommissiontci.com



Standard Procedure for the Investigation of Own Motion (Complaints)

“O.M.I. Own Motion Investigation”

(SECTION 7. SUBSECTION 2.B)

1. The following shall be the procedure for the Own Motion Investigation of Complaints initiated by the Complaints Commissioner (Ombudsman) of the Turks and Caicos Islands or other persons authorized by the Commissioner.
2. In accordance with section 7 subsection 2 B the Commissioner or other person of the Commission authorized by the Commissioner may investigate an administrative action by an authority on his or her own motion, where he or she: -
 - (a) considers that he ought to investigate any matter on the ground that a person or body of persons has or have sustained an injustice as a result of maladministration: or
 - (b) is satisfied that there are reasonable grounds to carry out an investigation in the public interest.
3. Before commencing an investigation the Commissioner or other person of the Commission authorized by the Commissioner shall conduct preliminary inquiries as he or she considers appropriate.
4. Once a decision to investigate is made, the Commissioner or person authorized by the Commissioner shall:
 - inform the Senior Officer and the Complainant of the Complaint and the intention to investigate
 - specify the administrative action that is the subject of the investigation



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- inform the Senior Officer and the complainant of the powers of the Commissioner or person authorized by the Commission regarding the investigation
 - give the Senior Officer an opportunity to comment on any allegations contained in the administrative action within (14) Fourteen days of the receipt of notice in writing
 - the notice must contain the following: -
 - obtain information from any person, and in the manner, he considers appropriate;
 - make such inquiries as he considers appropriate;
 - determine whether a person may be represented by his attorney or otherwise; and
 - on giving reasonable notice to a senior officer in the authority subject to the investigation, and at a reasonable time-
 - enter the premises occupied by the authority for inspection; and
 - carry out in those premises, any investigation which is within the jurisdiction of the Commissioner or person authorized by the Commissioner
5. Note: It must always be remembered that the Complaints Commissioner or other person authorized by the Commissioner has no power to enforce any decisions or recommendations, neither can the Commissioner or persons authorized by the Commissioner question the merits of a decision taken without MALADMINISTRATION by an authority in the exercise of a decision vested in that authority.

