



# info sheet Good Governance

## WHAT IS THE GOOD GOVERNANCE MANDATE OF THE OFFICE?

The good governance function of the Office or the traditional and core function of the Ombudsman is to foster good administration within Government ministries and agencies to the satisfaction of the stakeholders – the people of Samoa. The Public Sector must be accountable to the public which is generally those affected by its decisions or actions as well as the applicable rules of law.

Therefore, the Ombudsman through the Good Governance Unit may receive and investigate complaints from members of the public about administrative actions and non-actions of all government Ministries and agencies, and helps resolve decisions that are wrong, unjust, unlawful, discriminatory or unfair. It may also look into matters referred to it by the Prime Minister or a Parliamentary committee relating to a petition.

In proper perspective and on the assumption that it is the Executive's intention in the first place to implement its various agendas fairly and justly, the Ombudsman is not a foe to be circumvented but a neutral observer who would look independently at "questionable" situations that arise, for a fair and reasonable resolution.

***Objective: "To enhance the lawful delivery of State Agency mandates to the reasonable satisfaction of members of the public."***

The Good Governance Unit however, does not investigate complaints against

- private individuals or companies or other non governmental organizations;
- decisions of the Courts;
- decisions of statutory tribunals.

Furthermore, it may refuse to investigate complaints when for example:

- The complaint has an existing remedy or appeal which ought to be used in the first instance;
- The subject matter of the complaint is more than 12 months old;
- There is insufficient personal interest;
- If considering all circumstances it is considered further inquiries are not necessary.

More information about the role and powers of the Good Governance Unit can be found under Part 3 (sections 18-32) of the *Ombudsman Act 2013*.

### ***Agencies investigated***

Complaints against all Government agencies excluding those under section 21 of the *Ombudsman Act 2013* and the private sector are handled by this Unit