

2000

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Osborne)

Auditor-General Amendment Bill 2000

**A BILL
FOR**

An Act to amend the *Auditor-General Act 1996*

The Legislative Assembly for the Australian Capital Territory
enacts as follows:

1 Name of Act

This Act is the *Auditor-General Amendment Act 2000*.

5 2 Commencement

This Act commences on the day it is notified in the Gazette.

Job No 2000/190

3 Act amended

This Act amends the *Auditor-General Act 1996*.

4 Substitution

Section 17 is omitted and the following section substituted:

5 "17 Reports for Legislative Assembly

"(1) The auditor-general may at any time prepare a report for the Legislative Assembly on any matter arising in connection with the performance of the auditor-general's functions.

10 "(2) The report must include the substance of any written comments made by the responsible chief executive that were taken into account by the auditor-general when finalising the report.

"(3) The report may deal with anything that, in the auditor-general's opinion, should be brought to the attention of the Legislative Assembly.

15 "(4) If the Legislative Assembly is sitting when the auditor-general has finished the report—

(a) the auditor-general must give the report to the Speaker; and

(b) the Speaker must present the report to the Legislative Assembly on the next sitting day; and

20 (c) the Legislative Assembly must refer the report to the Public Accounts Committee for inquiry and such report as the committee considers appropriate.

"(5) If the Legislative Assembly is not sitting when the auditor-general has finished the report—

25 (a) the auditor-general must give the report, and a copy for each member of the Legislative Assembly, to the Speaker; and

(b) the report is taken for all purposes to have been presented to the Legislative Assembly on the day the auditor-general gives it to the Speaker (the *report day*); and

30 (c) publication of the report is taken to have been ordered by the Legislative Assembly on the report day; and

- (d) the Speaker must arrange for a copy of the report to be given to each member of the Legislative Assembly on the report day; and
- (e) the report is taken for all purposes to have been referred to the Public Accounts Committee by the Legislative Assembly for inquiry and such report as the committee considers appropriate; and
- (f) the Speaker may give directions for the printing and circulation, and in relation to the publication, of the report; and
- (g) despite paragraph (b), the Speaker must present the report to the Legislative Assembly on the next sitting day.

“(6) The auditor-general may give a copy of the report to a Minister who, in the auditor-general’s opinion, has a special interest in the report.

“(7) If, under section 4, the report is given to the Deputy Speaker or the clerk, a reference in this section to the *Speaker* is a reference to the Deputy Speaker or clerk.”.

5 Insertion

After section 18 the following section is inserted:

“18A Auditor-general to appear before committee

If a report prepared by the auditor-general for the Legislative Assembly is referred to a committee of the Legislative Assembly, the auditor-general must appear before the committee as a witness to discuss the report.”.

6 Insertion

After section 22 the following section is inserted:

“22A Additional amounts for certain audits

“(1) If the auditor-general is of the opinion that the appropriation available for the operations of the auditor-general for a financial year is insufficient for the auditor-general to conduct audits under sections 11 and 12 promptly, the auditor-general must tell the presiding member of the Public Accounts Committee.

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“(2) The committee may advise the Treasurer that an additional amount is needed for the auditor-general to conduct audits under sections 11 and 12 promptly.

5 “(3) If the committee advises the Treasurer under subsection (2), the Treasurer must authorise payment of the additional amount under section 18 (Treasurer’s advance) of the Financial Management Act, unless the Treasurer is satisfied that paragraph 18 (1) (c) or (d) of that Act prevents authorisation of the amount.”

7 Schedule

10 Clause 1 of the Schedule is amended by omitting subclauses (3) and (4) and substituting the following subclauses:

“(3) The auditor-general is to be appointed for 7 years.

“(4) A person who has been appointed auditor-general is not eligible for reappointment.”

Endnote

Act amended

1 Republished as in force on 1 March 1999.