

2009

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Brendan Smyth)

Auditor-General Amendment Bill 2009

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 2009*.

2 Commencement

This Act commences on 1 January 2010.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

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

4 Section 22

substitute

21A Public accounts committee to report about recommended appropriation

(1) Before 1 February each financial year, the auditor-general must give the presiding member of the public accounts committee the following:

- (a) a statement of the appropriation that the auditor-general considers should be made for the auditor-general for the next financial year, including the reasons for the appropriation;
- (b) the draft financial statements mentioned in the Financial Management Act, section 12 (1) (a) for the auditor-general for the next financial year;
- (c) the financial statements for the auditor-general for the financial year.

- 1 (2) The public accounts committee must, not later than 1 March each
2 financial year, report to the Legislative Assembly about the
3 appropriation that the committee recommends should be made for
4 the auditor-general for the next financial year.
- 5 (3) The report mentioned in subsection (2) must also contain the
6 following:
 - 7 (a) the reasons for the recommended appropriation;
 - 8 (b) copies of the statements mentioned in subsection (1);
 - 9 (c) any other matter the public accounts committee considers
10 relevant.

11 **21B Presentation of report—Legislative Assembly not sitting**

- 12 (1) This section applies if—
 - 13 (a) the recommended appropriation report for the next financial
14 year has not been presented to the Legislative Assembly by
15 7 days before 1 March of the financial year; and
 - 16 (b) there are no sitting days of the Legislative Assembly during the
17 7 days.
- 18 (2) The presiding member of the public accounts committee must give
19 the report, and a copy for each member of the Legislative Assembly,
20 to the Speaker before 1 March.
- 21 (3) The Speaker must arrange for a copy of the report to be given to
22 each member of the Legislative Assembly on the day the presiding
23 member gives it to the Speaker.
- 24 (4) The presiding member must present the report to the Legislative
25 Assembly—
 - 26 (a) on the next sitting day after 1 March; or

- 1 (b) if the next sitting day is the first meeting of the Legislative
2 Assembly after a general election of members of the
3 Assembly—on the second sitting day after the election.

4 (5) In this section:

5 *Speaker*, for a report given to the Deputy Speaker or clerk under
6 section 4 (Reports to be given to Speaker), means the Deputy
7 Speaker or clerk.

8 **22 Assembly vote about recommended appropriation**

9 (1) The presiding member of the public accounts committee must move
10 a motion about a presented recommended appropriation report for
11 the next financial year in the Legislative Assembly.

12 (2) The Speaker must ensure that the motion is moved and debated, and
13 the question put to the Legislative Assembly by the Speaker about
14 the motion decided, before 31 March of the financial year.

15 (3) In this section:

16 *presented recommended appropriation report* means a
17 recommended appropriation report for the next financial year that
18 is—

19 (a) presented to the Legislative Assembly before 1 March of the
20 financial year; or

21 (b) given to the Speaker under section 21B before 1 March of the
22 financial year.

23 **5 Dictionary, note 2**

24 *insert*

- 25 • financial year

- 1 **6 Dictionary, new definition of *recommended appropriation***
- 2 ***report***
- 3 *insert*
- 4 *recommended appropriation report* means a report by the public
- 5 accounts committee about the appropriation that the committee
- 6 recommends should be made for the auditor-general for a financial
- 7 year.

Endnotes

- 1 **Presentation speech**
Presentation speech made in the Legislative Assembly on 2009.
- 2 **Notification**
Notified under the Legislation Act on 2009.
- 3 **Republications of amended laws**
For the latest republication of amended laws, see www.legislation.act.gov.au.