

2014

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

Auditor-General Amendment Bill 2014

A Bill for

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

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

1 **1 Name of Act**

2 This Act is the *Auditor-General Amendment Act 2014*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see [Legislation Act](#), s 75 (1)).

7 **3 Legislation amended**

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

9 **4 Section 18**

10 *substitute*

11 **18 Comments on proposed reports**

12 (1) This section applies if the auditor-general is preparing a report for
13 the Legislative Assembly under section 17.

14 (2) The auditor-general must give a draft of the report (the *proposed*
15 *report*), or, if the auditor-general considers that only part of the
16 proposed report relates to a person, a part of the proposed report, to
17 the following people:

18 (a) if the proposed report is about an audit under
19 section 12 (Performance audits—Territory)—the responsible
20 director-general for the directorate, territory authority, public
21 sector company, joint venture or trust;

- 1 (b) if the proposed report is about an audit under section 13C
2 (Minister or public accounts committee may request audit of
3 non-public sector entity) or section 13D (Non-public sector
4 entity audits—initiated by auditor-general)—
- 5 (i) if the non-public sector entity is—
- 6 (A) an individual—the individual; or
- 7 (B) not an individual—the chief executive officer
8 (however described) of the non-public sector entity;
9 and
- 10 (ii) the responsible director-general for the public sector
11 entity that gave the property to the non-public sector
12 entity;
- 13 (c) if the proposed report is about a multi-entity audit—the head of
14 service.
- 15 (3) The auditor-general may also give all or part of the proposed report
16 to anyone else the auditor-general considers has a direct interest in
17 the proposed report.
- 18 (4) However, if the auditor-general must give all or part of the proposed
19 report to a non-public sector entity under subsection (2) (b) (i), the
20 auditor-general must not give the report, or the part of the report, to
21 anyone else under subsection (2) or (3) until after—
- 22 (a) the time for comments under the non-public sector entity’s
23 proposed report notice has ended; and
- 24 (b) the auditor-general has considered any comments received
25 from the non-public sector entity.

- 1 (5) If the auditor-general gives a person all or part of a proposed report
2 under subsection (2) or (3), the auditor-general must also give the
3 person written notice (a *proposed report notice*) stating that the
4 person may give written comments about the proposed report to the
5 auditor-general before the end of—
- 6 (a) 14 days after the day the notice is given to the person; or
7 (b) a longer period stated in the notice.
- 8 *Note* Comments received under this section must be taken into consideration
9 and included in the final report (see s (7) and s 17 (2)).
- 10 (6) However, the auditor-general need not give a proposed report notice
11 in relation to more than 1 proposed report, or part of a proposed
12 report, given to a person.
- 13 (7) If the auditor-general receives comments under this section, the
14 auditor-general must consider the comments in preparing the final
15 report.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 5 June 2014.

2 Notification

Notified under the [Legislation Act](#) on 2014.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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