

2014

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Shane Rattenbury)

Officers of the Assembly Legislation Amendment Bill 2014

Contents

		Page
Part 1	Preliminary	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
Part 2	Auditor-General Act 1996	
4	Administration Part 4	3
5	Section 30	3

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Contents

	Page	
6	Independent auditor Section 31, note	3
7	Independent financial audits Section 32 (1)	4
Part 3	Financial Management Act 1996	
8	Application of pts 2 to 5—Office of the Legislative Assembly and officers of the Assembly Section 4 (1) (b) (ii)	5
9	New section 4 (1A)	5
10	New section 20AD	5

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Officers of the Assembly Legislation Amendment Bill 2014

A Bill for

An Act to amend the *Auditor-General Act 1996 and the* and the *Financial Management Act 1996*

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Officers of the Assembly Legislation Amendment Act*
4 *2014*.

5 **2 Commencement**

6 This Act commences immediately after the commencement of the
7 *Officers of the Assembly Legislation Amendment Act 2013*,
8 section 3.

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

11 **3 Legislation amended**

12 This Act amends the *Auditor-General Act 1996* and the *Financial*
13 *Management Act 1996*.

Part 2 Auditor-General Act 1996

4 Administration Part 4

omit

5 Section 30

substitute

30 Meaning of *independent financial audit*—div 5.2

In this division:

independent financial audit, of the auditor-general, means an audit of an annual financial statement prepared by the auditor-general under the [Financial Management Act](#), section 27 (Annual financial statements of directorates).

Note The [Financial Management Act](#) (FMA), s 27 applies to the auditor-general as if a reference in that section to a directorate included a reference to the auditor-general (see [FMA](#), s 4 (1) (b) (i)).

6 Independent auditor Section 31, note

substitute

Note The [FMA](#), s 4 (1A) applies that [Act](#), div 3.2 to the auditor-general as if a reference in that division to the auditor-general were a reference to the independent auditor.

The [FMA](#), s 29 requires the independent auditor to give the auditor-general audit opinions about annual financial statements.

- 1 **7 Independent financial audits**
- 2 **Section 32 (1)**
- 3 *omit*
- 4 section 21 (Application of Financial Management Act)
- 5 *substitute*
- 6 the [Financial Management Act](#), division 3.2 (Financial reports and
- 7 performance statements of directorates)

1 Part 3 Financial Management Act 1996

2 **8 Application of pts 2 to 5—Office of the Legislative** 3 **Assembly and officers of the Assembly** 4 **Section 4 (1) (b) (ii)**

5 *omit*

6 Speaker

7 *substitute*

8 Legislative Assembly

9 **9 New section 4 (1A)**

10 *insert*

11 (1A) Division 3.2 (Financial reports and performance statements of
12 directorates) applies to the auditor-general as if a reference in that
13 division to the auditor-general were a reference to the independent
14 auditor engaged under the *Auditor-General Act 1996*, section 31
15 (Independent auditor).

16 *Note* Div 3.2, s 30A and s 30E do not apply to the auditor-general (see
17 s 30A (3) and s 30E (5)).

18 **10 New section 20AD**

19 *insert*

20 **20AD Additional amounts for officer of the Assembly functions**

21 (1) If at any time during a financial year an officer of the Assembly is
22 of the opinion that the amount appropriated for the officer for the
23 financial year is insufficient for the officer to adequately exercise
24 the officer's functions, the officer may tell the Speaker and the chair
25 of the relevant Assembly committee.

- 1 (2) The Speaker, after consulting with the chair of the relevant
2 Assembly committee, may advise the Treasurer that an additional
3 amount is needed for the officer of the Assembly to adequately
4 exercise the officer's functions.
- 5 (3) Following the Speaker's advice, the Treasurer may authorise
6 payment of the additional amount under section 18 (Treasurer's
7 advance) if the Treasurer is satisfied of the matters mentioned in
8 section 18 (2).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 10 April 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.
