



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

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Authors: Ian Summers, Donna Fanariotis and Martin Peters

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Principal statutory authorities for the work of the Auditor General for Wales and his appointed auditors

Contents

Development of the office of the Auditor General and the related statutory authorities	4
Office of Auditor General	5
Preparation and audit of accounts (non-local government)	12
Value for money/performance audit (non-local government)	18
Local government audit and inspection	24
Publication of reports	39
Other work	40
Fees and finance	43

Status of this report

This document sets out the main statutory authorities underpinning the work of the Auditor General for Wales and the Wales Audit Office. It is intended as a reference document for all Wales Audit Office staff and others who undertake work for the Auditor General by appointment or under contract.

The document does not purport to be a complete compendium of every relevant authority. The extracts from relevant legislation contained herein should not be taken out of context and need to be read in the context of the relevant enactment as a whole.

The statutory authorities change from time to time as new enactments are made and others are repealed. The Wales Audit Office' Compliance Team therefore intends to update this document every six months. The current version will be made available on the Wales Audit Office's intranet and by Auditor General Communication.

We accept no responsibility in the event that any person or organisation incurs claims or liabilities or sustains loss or damage as a result of their having relied on anything contained in this document.

Any queries relating to this document should be addressed to Donna Fanariotis 029 2067 8881

(email: donna.fanariotis@wao.gov.uk).

Development of the office of the Auditor General and the related statutory authorities

- 1.** The Government of Wales Act 1998 established the National Assembly for Wales and the office of the Auditor General. Under that Act, the National Assembly was constituted as a body corporate exercising government and scrutiny functions on behalf of the Crown. That National Assembly was not empowered to enact primary legislation but could make subordinate legislation where permitted by Acts of the UK Parliament.
- 2.** Under the 1998 Act, the Auditor General became the external auditor of the National Assembly and its sponsored and related public bodies (except for the annual audit of local NHS bodies) and was empowered to undertake economy, efficiency and effectiveness examinations. The National Audit Office undertook this work for the Auditor General on a statutory basis. The Audit Commission continued to appoint auditors of and undertake value for money examinations into NHS and local government bodies in Wales. Its work was extended when it acquired inspection powers under the Local Government Act 1999 (the Wales Programme for Improvement).
- 3.** The Public Audit (Wales) Act 2004, which came into effect on 1 April 2005, extended the Auditor General's remit to include the audit of NHS bodies in Wales and the local government audit and inspection functions previously exercised by the Audit Commission in Wales. The 2004 Act also provided for the transfer of the National Audit Office and the Audit Commission staff based in Wales to the Auditor General's employment to create the Wales Audit Office – a single audit body for Wales with responsibilities that span the devolved Welsh public sector.

4. Following the Report of the Richard Commission in 2004, Parliament enacted the Government of Wales Act 2006. That Act dissolved the National Assembly constituted by the 1998 Act and replaced it with a new National Assembly and a legally separate Executive known as the 'Welsh Assembly Government'. The 2006 Act had the effect of conferring government functions directly on Welsh Ministers – not on the National Assembly. Ministers exercise those functions on behalf of the Crown and are accountable to the National Assembly. This separation of the executive and scrutiny functions was intended to clarify the lines of accountability and the respective responsibilities of Ministers and National Assembly Members along the lines of the Whitehall/Westminster model.
5. The 2006 Act also gave the National Assembly the powers to pass new legislation (Assembly Measures) on specific matters specified by Orders in Council that have been approved by both Houses of Parliament. The Act also provides for the National Assembly to gain full law making powers within devolved competence in due course subject to a referendum of the Welsh electorate.
6. The separation brought with it a new financial framework for the devolved structures and new responsibilities for the Auditor General. These included the granting of approvals to draw from the newly created Welsh Consolidated Fund.
7. The statutory framework for accountability and audit in the devolved Welsh public sector will continue to evolve but with many future changes being made by the National Assembly rather than the UK Parliament.

Office of the Auditor General

8. The office of the Auditor General exists by virtue of Section 145 of the 2006 Act. Further provision relating to the Auditor General is contained in Schedule 8 to the 2006 Act and is summarised in Table 1. (Finance provisions are set out separately at paragraph 26 and Table 5.) Paragraph 16(2) of Schedule 8 defines the 'Wales Audit Office' as the Auditor General and his/her staff. The Wales Audit Office is not a legal person and does not have any functions of its own.

Table 1: Provisions relating to the office of Auditor General

Authority	Statutory reference	Provision
Appointment	Paragraph 1 of schedule 8 to the 2006 Act	(1) The Auditor General is to be appointed by Her Majesty on the nomination of the Assembly ¹ . (2) No nomination is to be made until the Assembly is satisfied that reasonable consultation has been undertaken with such bodies as appear to the Assembly to represent the interests of local government bodies in

¹ Throughout this document the term Assembly has the meaning given by section 1(1) of the Government of Wales Act 2006, ie, the National Assembly for Wales.

² Section 496 of the Companies Act 2006 will exempt 'not for profit companies' in the public sector from the requirements of Part 17 of that Act if they are audited by the Auditor General by agreement under paragraph 18 of schedule 8 to the 2006 Act or by Order under Section 144 of the 1998 Act.

Authority	Statutory reference	Provision
		Wales.

Authority	Statutory reference	Provision
Tenure	Paragraph 2 of schedule 8 to the 2006 Act	<p>(1) Subject as follows, a person appointed as Auditor General holds office until the end of the period for which the person was appointed.</p> <p>(2) Her Majesty may relieve a person from office as Auditor General before the end of the period for which the person was appointed:</p> <p>(a) at the person's request; or</p> <p>(b) on Her Majesty being satisfied that the person is incapable for medical reasons of performing the duties of the office and of requesting to be relieved of it.</p> <p>(3) Her Majesty may remove a person from office as Auditor General before the end of the period for which the person was appointed on the making of a recommendation, on the ground of the person's misbehaviour, that Her Majesty should do so.</p> <p>(4) A recommendation for the removal of a person from office as Auditor General may not be made unless:</p> <p>(a) the Assembly has resolved that the recommendation should be made; and</p> <p>(b) the resolution of the Assembly is passed on a vote in which the number of Assembly members voting in favour of it is not less than two-thirds of the total number of Assembly seats.</p>
Independence and status	Paragraph 3 of schedule 8 to the 2006 Act	<p>(1) The Auditor General is not, in the exercise of any functions, subject to the direction or control of the Assembly or the Welsh Assembly Government.</p> <p>(2) The Auditor General is not regarded as holding office under Her Majesty or as exercising any functions on behalf of the Crown; but the Auditor General is to be taken to be a Crown servant for the purposes of the Official Secrets Act 1989.</p>
Corporation Sole	Paragraph 4 of schedule 8 to the 2006 Act	The person for the time being holding the office of Auditor General shall by the name of that office be a corporation sole.
Staff	Paragraph 7 of schedule 8 to the 2006 Act	<p>(1) The Auditor General may appoint such staff or secure the provision of such services as the Auditor General considers necessary for assisting in the exercise of the Auditor General's functions.</p> <p>(2) The staff of the Auditor General are to be appointed on such terms and conditions as the Auditor General may determine.</p> <p><i>Under this paragraph Auditor General's staff are entitled to membership of the Principal Civil Service Pension Scheme but are not to be regarded as holding office under the Crown except for the purposes of the Official Secrets Act 1989.</i></p>

Authority	Statutory reference	Provision
Exercise of functions	Paragraph 8 of schedule 8 to the 2006 Act	<p>(1) Any function of the Auditor General may be exercised by:</p> <p>(a) a member of the Auditor General's staff; or</p> <p>(b) a person providing services to the Auditor General, who is authorised by the Auditor General for that purpose.</p> <p>(2) Any function of the Auditor General may be exercised jointly by the Auditor General and a person providing services to the Auditor General who is authorised by the Auditor General for that purpose.</p> <p>(3) Any provision made under sub-paragraph (1) for the exercise of any function does not affect the responsibility of the Auditor General on whose behalf the function is exercised.</p> <p><i>The Auditor General may not delegate the certification of accounts that are required to be laid before the National Assembly.</i></p>

Authority	Statutory reference	Provision
Access to documents	Paragraph 17 of schedule 8 to the 2006 Act	<p>(1) The Auditor General has the right of access at all reasonable times to every document relating to a relevant person which appears to the Auditor General necessary:</p> <ul style="list-style-type: none"> (a) for the purposes of the Auditor General's examination of any auditable accounts, (b) for the purposes of undertaking studies under section 145A (studies for improving economy etc. In services provided by relevant bodies) or 145C (studies relating to registered social landlords) of the Government of Wales Act 1998; or (c) for the purposes of carrying out, in accordance with any provision made by virtue of this or any other Act, other examinations or studies into the economy, efficiency and effectiveness with which a person has used resources in discharging the person's functions. <p>(2) The documents relating to a relevant person to which the right conferred by sub-paragraph (1) applies include (in particular):</p> <ul style="list-style-type: none"> (a) a document which is in the possession, or under the control, of a person who has received financial assistance from the relevant person by means of a grant, loan or guarantee or as a result of the taking of an interest in any property or body corporate; (b) a document which is in the possession, or under the control, of a person who has supplied goods or services to the relevant person in pursuance of a contract to which the relevant person was party or has supplied goods or services in pursuance of a relevant subcontract; and (c) a document of a description specified in an order made by the Welsh Ministers.

Authority	Statutory reference	Provision
		<p>(3) The Auditor General may require a person whom the Auditor General thinks has information of the kind mentioned in sub-paragraph (4):</p> <ul style="list-style-type: none"> (a) to give the Auditor General any assistance, information and explanation which the Auditor General thinks necessary for any of the purposes mentioned in sub-paragraph (1), (b) to attend before the Auditor General in person to give the assistance, information or explanation, or to produce any document which is in the possession, or under the control, of the person and to which the right conferred by that sub-paragraph applies, or c) to provide any facility which the Auditor General may reasonably require for any of the purposes mentioned in that sub-paragraph. <p>(4) The information referred to in sub-paragraph (3) is information which relates to—</p> <ul style="list-style-type: none"> (a) a relevant person, (b) a document to which the right conferred by sub paragraph (1) applies, or c) a person who possesses or controls such a document. <p>(5) The Auditor General may, for the purposes of an examination of any auditable accounts, require a relevant person to provide the Auditor General, at times specified by the Auditor General, with accounts of such of the person's transactions as the Auditor General may specify.</p> <p><i>This provision covers the Auditor General's rights of access to documents and information for the audit of accounts and performance examinations in all areas except in the local government sector where separate provision is made under the Public Audit (Wales) Act 2004. Part 3A of the 2004 Act also makes separate provision for the Auditor General's access to data for the purpose of data matching. Table 6 provides further information on data matching functions.</i></p>

Authority	Statutory reference	Provision
Other powers	Paragraph 18 of schedule 8 to the 2006 Act	<p>(1) Where:</p> <ul style="list-style-type: none"> (a) the Welsh Ministers are entitled to appoint the auditor of the accounts of any person (other than the Auditor General), and (b) the Auditor General would not otherwise be eligible to be appointed as auditor of those accounts, the Welsh Ministers may appoint the Auditor General to be auditor of those accounts. <p>(2) If in such a case the auditor is to be appointed annually, the Welsh Ministers may appoint the Auditor General:</p> <ul style="list-style-type: none"> (a) for a year; (b) for two or more years; or (c) indefinitely until further exercise of the power of appointment. <p>(3) The Auditor General may:</p> <ul style="list-style-type: none"> (a) examine, certify or report on a person's accounts; or (b) carry out examinations into the economy, efficiency and effectiveness with which a person has used resources in discharging the person's functions, if provision is made for the Auditor General to do so by an agreement entered into by the person with either the Welsh Ministers or a Minister of the Crown. <p>(4) In determining how to exercise functions under paragraph (b) of subparagraph (3) the Auditor General must take into account the Audit Committee's views as to the examinations which the Auditor General should carry out under that paragraph.</p> <p><i>(1) allows Welsh Ministers to appoint the Auditor General as the auditor of any public body where they have the power of appointment but would not otherwise be empowered to appoint the Auditor General (as is the case, for example with urban development corporations). (2) allows the Auditor General to audit accounts and undertake VFM work by agreement.</i></p>
Reports in the public interest	Paragraph 19 of schedule 8 to the 2006 Act	<p>(1) If the Auditor General thinks that it would be in the public interest to bring to the public's attention a matter coming to the Auditor General's notice in the course of an examination or study to which sub-paragraph (2) applies, the Auditor General may prepare a report on that matter.</p> <p>(2) This sub-paragraph applies to—</p> <ul style="list-style-type: none"> (a) an examination of auditable accounts (other than accounts falling to be examined under paragraph 18(3)(a)), and (b) an examination or study under section 135 or 140 of this Act, section 145 of the Government of Wales Act 1998 (c. 38) (examinations into use of resources by body specified in Schedule 17 to that Act) or section 145A of that Act (studies for improving economy etc. in services provided by relevant bodies), except one

Authority	Statutory reference	Provision
		<p>undertaken at the request of the body or bodies to which it relates.</p> <p>(3) The Auditor General must, as soon as practicable after preparing a report under sub-paragraph (1), lay the report before the Assembly.</p>
Ancillary powers	Paragraph 21 of schedule 8 to the 2006 Act	<p>(4) Arrangements may be made between the Auditor General and a relevant authority:</p> <p>(a) for any function of the authority to be exercised by, or by a member of the staff of, the Auditor General; or</p> <p>(b) for administrative, professional or technical services to be provided by the Auditor General to the authority or by the authority to the Auditor General.</p> <p>(5) Any arrangements under sub-paragraph (1)(a) for the exercise of any function of a relevant authority do not affect the responsibility of the relevant authority on whose behalf the function is exercised.</p> <p>(6) If the condition in sub-paragraph (4) is met, the Auditor General and:</p> <p>(a) a relevant authority;</p> <p>(b) a qualified auditor; or</p> <p>(c) an accountancy body, may make arrangements to co-operate with, and give assistance to, each other.</p> <p>(7) The condition is that:</p> <p>(a) the Auditor General considers that to do so would facilitate, or be conducive to, the exercise of the Auditor General's functions, and</p> <p>(b) the relevant authority, qualified auditor or accountancy body in question considers that to do so would facilitate, or be conducive to, the exercise of the functions of that authority, person or body.</p> <p>(8) The Auditor General may make arrangements under this paragraph on such terms and conditions, including conditions as to payment, as the Auditor General thinks fit.</p>
Transfer etc of functions of Welsh Ministers	Section 146A of the Government of Wales Act 1998	<p>(1) The Welsh Ministers may, with the consent of the Auditor General, by order provide for any of their supervisory functions in respect of a public body or a registered social landlord in Wales:</p> <p>(a) to be exercised on their behalf by the Auditor General for Wales; or</p> <p>(b) to be transferred to the Auditor General.</p> <p><i>This provision allows Welsh Ministers to transfer their own examination, inspection, and reviewing or study functions in relation to the bodies concerned to the Auditor General. The transfer order must have the Auditor General's consent and must be approved by the National Assembly.</i></p>

Preparation and audit of accounts (non-local government)

9. Table 2 summarises the legislation under which non-local government bodies are required to prepare accounts for audit by the Auditor General. Accounts prepared by local government bodies are not audited by the Auditor General and are excluded from this section.
10. Most of the accounts listed in Table 2 are audited by statute rather than by agreement. Those statutes normally require the Auditor General to examine, certify and report on the accounts and to lay them before the National Assembly. Any accounts laid in this way must be published by the National Assembly by virtue of Section 144 of the 2006 Act, and Section 143 brings them within the remit of the National Assembly's Audit Committee.
11. Under Section 144 of the Government of Wales Act 1998, Welsh Ministers may, by order, make provision about the accounts and audit of any public body listed in Schedule 17 to that Act. Ministers may also add certain public bodies to that schedule by Order subject to National Assembly approval. This provision may be used in future to extend the Auditor General's remit for example to further or higher education corporations or 'not for profit' companies² in the Welsh public sector. Public bodies in Table 2 that existed before the establishment of the first National Assembly in 1999 were, until that time, audited by the Comptroller and Auditor General. Those audits were transferred to the Auditor General by Order in Council made under Section 22 of the Government of Wales Act 1998.³
12. The audits of NHS bodies in Wales are undertaken under Section 61 of the Public Audit (Wales) Act 2004. This section requires the Auditor General, in auditing the accounts, to satisfy himself that the body concerned has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This requirement does not apply to other bodies listed in Table 3.

Table 2: Accounts audited by the Auditor General

Account	Authority for preparation	Accounts direction issued by	Authority for audit	Laid before the National Assembly
Welsh Ministers	Section 131 of the 2006 Act	Treasury	Section 131 of the 2006 Act	Yes
Welsh Consolidated Fund	Section 132 of the 2006 Act	Treasury	Section 132 of the 2006 Act	Yes
National Assembly for Wales Commission	Section 137 of the 2006 Act	Treasury	Section 137 of the 2006 Act	Yes

² Section 496 of the Companies Act 2006 will exempt 'not for profit companies' in the public sector from the requirements of Part 17 of that Act if they are audited by the Auditor General by agreement under paragraph 18 of schedule 8 to the 2006 Act or by Order under Section 144 of the 1998 Act.

³ Section 22 of the 1998 Act has now been repealed but the Orders made thereunder continue to have effect and are deemed to have been made under Section 58 of the 2006 Act.

Account	Authority for preparation	Accounts direction issued by	Authority for audit	Laid before the National Assembly
Whole of government of Wales account (<i>prepared by Welsh Ministers</i>)	Section 141 of the 2006 Act	Treasury	Section 142 of the 2006 Act	Yes
National Assembly Members Pension Fund	None	N/A – Trustees have opted to prepare accounts in compliance with the SORP for Financial Reports of Pension Schemes	By agreement as provided for under paragraph 18(3) of schedule 8 to the 2006 Act	Yes (<i>by the client</i>)
Arts Council of Wales	Article 11 of the Council's Royal Charter and the Charities (Accounts and Reports) Regulations 2005	Welsh Ministers	Article 11 of the Council's Royal Charter	Yes
Care Council for Wales	Paragraph 18 of schedule 1 to the Care Standards Act 2000	Welsh Ministers	Paragraph 18 of schedule 1 to the Care Standards Act 2000	Yes
Charitable bodies established by local authorities	Charities (Accounts and Reports) Regulations 2005	N/A – Trustees prepare accounts in accordance with the SORP on Accounting and Reporting by Charities	By agreement as provided for under paragraph 18(3) of schedule 8 to the 2006 Act	No
Children's Commissioner for Wales	Paragraph 7 of schedule 2 to the Care Standards Act 2000	Welsh Ministers	Paragraph 9 of schedule 2 to the Care Standards Act 2000	Yes

Account	Authority for preparation	Accounts direction issued by	Authority for audit	Laid before the National Assembly
Commissioner for Older People in Wales	Paragraph 10 of schedule 1 to the Commissioner for Older People (Wales) Act 2006	Welsh Ministers	Paragraph 12 of schedule 1 to the Commissioner for Older People (Wales) Act 2006	Yes
Countryside Council for Wales	Paragraph 21 of schedule 6 to the Environmental Protection Act 1990	Welsh Ministers	Paragraph 21 of schedule 6 to the Environmental Protection Act 1990	Yes
Estyn	Paragraph 5 of schedule 6 to the Government of Wales Act 1998	Treasury	Paragraph 6 of schedule 6 to the Government of Wales Act 1998	Yes
Forestry Commission Wales	Paragraph 5 of schedule 7 to the Government of Wales Act 1998	Treasury	Paragraph 5 of schedule 6 to the Government of Wales Act 1998	Yes
Funds held on trust by NHS bodies in Wales	Charities (Accounts and Reports) Regulations 2005	N/A – Trustees prepare accounts in accordance with the SORP on Accounting and Reporting by Charities	Section 43B of the Charities Act 1993	No

Account	Authority for preparation	Accounts direction issued by	Authority for audit	Laid before the National Assembly
General Teaching Council for Wales	Paragraph 14 of schedule 1 to the Teaching and Higher Education Act 1998	Welsh Ministers	Paragraph 14 of schedule 1 to the Teaching and Higher Education Act 1998 ⁴	Yes
Health Commission Wales (specialist Services)	Section 131 of the 2006 Act	Treasury	Section 131 of the 2006 Act	Yes
Higher Education Funding Council for Wales	Paragraph 16 of schedule 1 to the Further and Higher Education Act 1992	Welsh Ministers	Paragraph 16 of schedule 1 to the Further and Higher Education Act 1992	Yes
Local Government Boundary Commission for Wales	The Local Government Boundary Commission for Wales (Accounts, Audit and Reports) Order 2003	Welsh Ministers	The Local Government Boundary Commission for Wales (Accounts, Audit and Reports) Order 2003	Yes
Local Health Boards	Paragraph 3 of schedule 9 to the National Health Service (Wales) Act 2006	Welsh Ministers	Section 61 of the Public Audit (Wales) Act 2004	Yes
Summarised accounts of NHS bodies (<i>prepared by Welsh Ministers</i>)	Paragraph 5 of schedule 9 to the National Health Service (Wales) Act 2006	Treasury	Paragraph 5 of schedule 9 to the National Health Service (Wales) Act 2006	Yes (by Ministers)
NHS trusts	Paragraph 3 of schedule 9 to the National Health Service (Wales) Act 2006	Welsh Ministers	Section 61 of the Public Audit (Wales) Act 2004	Yes

⁴ See also the Auditor General for Wales (Transfer of Functions) (General Teaching Council for Wales) Order 2001

Account	Authority for preparation	Accounts direction issued by	Authority for audit	Laid before the National Assembly
National Library for Wales	Section 9 of the Museums and Galleries Act 1992	Welsh Ministers	Section 9 of the Museums and Galleries Act 1992	Yes
National Library Pension Fund	Occupational Pension Schemes (Requirement to obtain Audited Accounts and a Statement from the Auditor) Regulations 1996	N/A – Trustees prepare accounts in compliance with the SORP for Financial Reports of Pension Schemes	By agreement as provided for under paragraph 18(3) of schedule 8 to the 2006 Act	No
National Museums and Galleries of Wales	Section 9 of the Museums and Galleries Act 1992	Welsh Ministers	Section 9 of the Museums and Galleries Act 1992	Yes
Public Services Ombudsman for Wales	Paragraph 16 of schedule 1 to the Public Services Ombudsman (Wales) Act 2005	Treasury	Paragraph 17 of schedule 1 to the Public Services Ombudsman (Wales) Act 2005	Yes
Sports Council for Wales	Article 15 of the Council's Royal Charter	Welsh Ministers	By agreement as provided for under paragraph 18(3) of schedule 8 to the 2006 Act	Yes (by the client)
Sports Council for Wales Trust	Charities (Accounts and Reports) Regulations 2005	N/A Trustees are required to prepare accounts in accordance with the SORP for “Accounting and Reporting by Charities”	By agreement as provided for under paragraph 18(3) of schedule 8 to the 2006 Act	No

Account	Authority for preparation	Accounts direction issued by	Authority for audit	Laid before the National Assembly
Wales Centre for Health	Paragraph 23 of schedule 2 to the Health (Wales) Act 2003	Welsh Ministers	Paragraph 24 of schedule 2 to the Health (Wales) Act 2003	Yes
Welsh Language Board	Paragraph 12 of schedule 1 to the Welsh Language Act 1993	Welsh Ministers	Paragraph 12 of schedule 1 to the Welsh Language Act 1993	Yes
Welsh non-domestic rating (<i>prepared by Welsh Ministers</i>)	Paragraph 1 of schedule 8 to the Local Government Finance Act 1988	Treasury	Paragraph 1 of schedule 8 to the Local Government Finance Act 1988	Yes

Value for money/performance audit (non-local government)

13. Table 3 summarises the statutes under which the Auditor General is able to undertake performance or value for money audits of non-local government bodies in Wales. These are frequently referred to in the legislation as ‘economy, efficiency and effectiveness examinations’. In respect of the NHS sector, the legislation places mutual duties of co-operation and information sharing on the Auditor General, Audit Commission, Healthcare Commission and Welsh Ministers (Healthcare Inspectorate for Wales).⁵ This is intended to facilitate cross-border working.

Table 3: Authorities for value for money/performance audit work excluding local government bodies

Body	Statutory reference	Provision
Welsh Ministers and the Counsel General	Section 135 of the 2006 Act	<p>(1) The Auditor General may carry out examinations into the economy, efficiency and effectiveness with which the Welsh Ministers and the Counsel General have used their resources in discharging their functions.</p> <p>(2) Subsection (1) does not entitle the Auditor General to question the merits of the policy objectives of the Welsh Ministers or the Counsel General.</p> <p>(3) In determining how to exercise functions under this section the Auditor General must take into account the views of the Audit Committee as to the examinations to be carried out under this section.</p> <p>(4) The Auditor General may lay before the Assembly a report of the results of any examination carried out under this section.</p>
Assembly Commission	Section 140 of the 2006 Act	<p>(1) The Auditor General may carry out examinations into the economy, efficiency and effectiveness with which the Assembly Commission has used its resources in discharging its functions.</p> <p>(2) Subsection (1) does not entitle the Auditor General to question the merits of the policy objectives of the Assembly Commission.</p> <p>(3) In determining how to exercise functions under this section the Auditor General must take into account the views of the Audit Committee as to the examinations to be carried out under this section.</p> <p>(4) The Auditor General may lay before the Assembly a report of the results of any examination carried out under this section.</p>

⁵ Sections 62 and 64 of the Public Audit (Wales) Act 2004, Section 145(3) of the Government of Wales Act 2006 and Sections 69A and 145A of the Health and Social Care (Community Health and Standards Act 2003.

Body	Statutory reference	Provision
Bodies sponsored by Welsh Ministers , NHS Wales bodies and certain other non-local government bodies	Section 145 of the Government of Wales Act 1998	<p>(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which a body or office specified in Schedule 17 has used its resources in discharging its functions.</p> <p>(2) Subsection (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of any body or office in respect of which an examination is carried out.</p> <p>(3) In determining how to exercise his functions under this section, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this section.</p> <p>(4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this section.</p> <p><i>This section is without prejudice to the power conferred on the Auditor General for Wales by paragraph 18(3)(b) of Schedule 8 to the Government of Wales Act 2006 (agreement between a person and the Welsh Ministers etc. to permit the Auditor General to carry out an examination into the discharge of functions by that person).</i></p>
All public bodies where the Auditor General exercises functions other than local government bodies and registered social landlords	Section 145A of the Government of Wales Act 1998	<p>(1) The Auditor General for Wales may undertake or promote studies designed to enable him to make recommendations for improving economy, efficiency and effectiveness in the discharge of the functions of any relevant body or bodies.</p> <p>(2) The Auditor General for Wales may also undertake or promote other studies relating to the provision of services by any relevant body or bodies.</p> <p>(3) Subsections (1) and (2) do not entitle the Auditor General for Wales to question the merits of the policy objectives of any relevant body.</p> <p>(4) In determining how to exercise his functions under this section, the Auditor General for Wales shall take into account the views of the Audit Committee as to the studies which he should undertake or promote under this section.</p> <p>(5) For the purposes of this section each of the following is a 'relevant body':</p> <p>(a) a person who prepares accounts or statements of accounts falling to be examined by the Auditor General for Wales in accordance with any provision made by or under this or any other Act;</p> <p>(b) any other person (other than a local government body in Wales) in relation to whom, by virtue of provision made by or under this or any other Act, the Auditor General for Wales carries out examinations or studies relating to the economy, efficiency and effectiveness with which that person has used his resources in discharging his functions;</p>

Body	Statutory reference	Provision										
		<p>(c) a person (other than a registered social landlord in Wales) in respect of whom the Auditor General for Wales has functions by virtue of provision made under section 146A.</p> <p>(6) Where the Auditor General for Wales undertakes or promotes a study under this section he may arrange for a report containing:</p> <p>(a) the results of the study; and</p> <p>(b) his recommendations (if any), to be laid before the Assembly.</p>										
Educational bodies	Section 145B of the Government of Wales Act 1998	<p>(1) The Auditor General for Wales may undertake studies designed to enable him to make recommendations for improving economy, efficiency and effectiveness in the discharge of the functions of a body specified in the first column of the Table, if requested to do so by the body (or one of the bodies) specified in relation to it in the second column of the Table.</p> <table border="1" data-bbox="683 913 1463 1814"> <thead> <tr> <th data-bbox="683 913 1066 967">Subject of study</th> <th data-bbox="1066 913 1463 967">Requesting body</th> </tr> </thead> <tbody> <tr> <td data-bbox="683 967 1066 1070">The governing body of an institution in Wales within the higher education sector.</td> <td data-bbox="1066 967 1463 1070">The governing body or the Higher Education Funding Council for Wales.</td> </tr> <tr> <td data-bbox="683 1070 1066 1308">The governing body of an institution in Wales receiving financial support under section 86 of the Education Act 2005 from the Higher Education Funding Council for Wales.</td> <td data-bbox="1066 1070 1463 1308">The governing body or the Higher Education Funding Council for Wales</td> </tr> <tr> <td data-bbox="683 1308 1066 1706">A training provider (within the meaning of Part 3 of the Education Act 2005) receiving financial support under section 78 of that Act from the Training and Development Agency for Schools, except where that financial support is wholly derived from grants made to the Agency by the Secretary of State.</td> <td data-bbox="1066 1308 1463 1706">The training provider or the Training and Development Agency for Schools.</td> </tr> <tr> <td data-bbox="683 1706 1066 1814">The governing body of an institution in Wales within the further education sector.</td> <td data-bbox="1066 1706 1463 1814">The governing body or the National Assembly.</td> </tr> </tbody> </table>	Subject of study	Requesting body	The governing body of an institution in Wales within the higher education sector.	The governing body or the Higher Education Funding Council for Wales.	The governing body of an institution in Wales receiving financial support under section 86 of the Education Act 2005 from the Higher Education Funding Council for Wales.	The governing body or the Higher Education Funding Council for Wales	A training provider (within the meaning of Part 3 of the Education Act 2005) receiving financial support under section 78 of that Act from the Training and Development Agency for Schools, except where that financial support is wholly derived from grants made to the Agency by the Secretary of State.	The training provider or the Training and Development Agency for Schools.	The governing body of an institution in Wales within the further education sector.	The governing body or the National Assembly.
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Body	Statutory reference	Provision
		<p>(1A) The Auditor General for Wales may, if requested to do so by the Training and Development Agency for Schools, undertake studies designed to enable him to make recommendations for improving economy, efficiency and effectiveness in the discharge by the Agency of their functions relating to Wales.</p> <p>(2) Subsections (1) and (1A) do not entitle the Auditor General for Wales to question the merits of the policy objectives of a body.</p> <p>(3) Where the Auditor General for Wales undertakes a study under subsection (1) or (1A) he may, with the consent of the body that requested the study, arrange for a report containing -</p> <ul style="list-style-type: none"> (a) the results of the study, and (b) his recommendations (if any), to be laid before the Assembly.
Registered social landlords	Section 145C of the Government of Wales Act 1998	<p>(1) The Welsh Ministers and the Auditor General for Wales may agree on one or more programmes of studies designed to enable the Auditor General for Wales to make recommendations for improving economy, efficiency and effectiveness in the discharge of the functions of registered social landlords in Wales.</p> <p>(2) If a programme is agreed, the Auditor General for Wales shall ensure that studies giving effect to the programme are undertaken by him or on his behalf.</p> <p>(3) It shall be a term of every such programme that the Welsh Ministers make good to the Auditor General for Wales the full costs incurred by him in undertaking the programme.</p> <p>(4) This section does not entitle the Auditor General for Wales to question the merits of the policy objectives of a registered social landlord in Wales.</p> <p>(5) Where a study is undertaken under this section by the Auditor General for Wales or on his behalf, he may arrange for a report containing:</p> <ul style="list-style-type: none"> (a) the results of the study; and (b) his recommendations (if any), to be laid before the Assembly.
Estyn	Paragraph 8 of schedule 6 to the Government of Wales Act 1998	<p>(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Chief Inspector has used the resources of the Office of the Chief Inspector in discharging [his/her] functions.</p> <p>(2) Sub-paragraph (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Chief Inspector.</p> <p>(3) In determining how to exercise his functions under this paragraph, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this paragraph.</p>

Body	Statutory reference	Provision
		(4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.
Welsh Forestry	Paragraph 8 of schedule 7 to the Government of Wales Act 1998	<p>(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Forestry Commissioners have used their resources in discharging their functions in relation to Wales.</p> <p>(2) Sub-paragraph (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Forestry Commissioners.</p> <p>(3) In determining how to exercise his functions under this paragraph, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this paragraph.</p> <p>(4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.</p>
Environment Agency Wales	Schedule 1 of the National Assembly for Wales (Transfer of Functions) Order 1999 (in relation to section 46 of the Environment Act 1995)	<p>The functions of the Comptroller and Auditor General under sections 46(4) and 49(3) and (4) shall become functions also of the Auditor General for Wales so far as they relate to any of the Welsh functions of the Environment Agency or to any funding provided to that Agency by the Assembly and in relation thereto section 46(4) shall have effect as if—</p> <p>(a) paragraph (b) thereof empowered the Auditor General for Wales to report to the Assembly the result of any inspection carried out by him under paragraph (a) thereof; and</p> <p>(b) it empowered the Auditor General for Wales to carry out an examination under section 145 of the Government of Wales Act 1998 in relation to the Environment Agency's Welsh functions or to any funding provided to that Agency by the Assembly as if that Agency were to that extent a body specified in Schedule 17 to that Act.</p>

Body	Statutory reference	Provision
Ombudsman	Paragraph 19 of schedule 1 to the Public Services Ombudsman (Wales) Act 2005	<p>(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Ombudsman has used his resources in discharging his functions.</p> <p>(2) Sub-paragraph (1) is not to be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Ombudsman.</p> <p>(3) In determining how to discharge his functions under this paragraph, the Auditor General for Wales must take into account the views of the Audit Committee as to the examinations which he should carry out.</p> <p>(4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.</p>
Children's Commissioner	Paragraph 11 of schedule 2 to the Care Standards Act 2000	<p>(5) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Commissioner has used the resources of the Commissioner's Office in discharging his functions.</p> <p>(6) Sub-paragraph (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Commissioner.</p> <p>(7) In determining how to exercise his functions under this paragraph, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this paragraph.</p> <p>(8) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.</p>
Commissioner for Older People	Paragraph 13 of schedule 1 to the Commissioner for Older People (Wales) Act 2006	<p>(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Commissioner has used his resources in discharging his functions.</p> <p>(2) Sub-paragraph (1) is not to be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Commissioner.</p> <p>(3) In determining how to discharge his functions under this paragraph, the Auditor General for Wales must take into account the views of the Audit Committee as to the examinations which he should carry out.</p> <p>(4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.</p>

Local government audit and inspection

14. The audit arrangements for local government bodies in Wales (which include National Parks, police authorities, fire and rescue authorities and local probation boards) derive from Part 2 of the Public Audit (Wales) Act 2004. The arrangements differ from other public bodies in Wales in that the Auditor General does not audit those bodies but 'appoints' the auditors – and may not appoint himself!
15. Local Government bodies are defined in Section 12 of the 2004 Act and include national park authorities, police authorities, fire and rescue authorities and local probation boards.
16. The duties of appointed auditors are set out in Section 17 of the 2004 Act and include the requirement to comply with the provisions of the Code of Practice issued by the Auditor General.⁶ Section 17 also requires appointed auditors to satisfy themselves, by examination of the accounts and otherwise that the bodies concerned have made proper arrangements for securing economy, efficiency and effectiveness in the use of resources - in other words, to conclude on such arrangements. While appointed auditors are able under this section to supplement their accounts examination with examination of arrangements for securing value for money, such further work must be to that end. The section does not provide a general facility for local performance work.
17. In addition to appointing auditors, the Auditor General is also required to undertake economy, efficiency and effectiveness studies in the local government sector. In undertaking such work, the Welsh Ministers (Social Services Inspectorate), Auditor General and the Audit Commission are under mutual duties to co-operate and share information.⁷ This is intended to facilitate cross border working.
18. The Local Government Act 1999 imposes a best value inspection regime on certain local government bodies (defined in Section 1 of that Act) known locally as the 'Wales Programme for Improvement'. Under this regime in essence, appointed auditors are required to audit improvement plans produced by local authorities and the Auditor General 'inspects' the authorities to verify the improvements made.
19. Table 4 sets out the main statutory provisions relating to the audit of local government bodies in Wales whilst Table 5 outlines the statutory provisions for the WPI inspection regime.

⁶ This Code has statutory force for the work of local government appointed auditors but has been extended on a non-statutory basis to cover virtually all of the Auditor General's remit.

⁷ Sections 41 to 43 and 57 of the 2004 Act and Sections 51A and 51B of the Audit Commission Act 1998.

Table 4: Statutory authorities for local government audit

Function	Statutory reference	Provision
Audit of accounts of local government bodies in Wales	Section 13 of the Public Audit Wales Act 2004	(2) The Auditor General for Wales must appoint auditors to audit the accounts of local government bodies in Wales.
Appointment of auditors	Section 14 of the 2004 Act	<p>(2) The Auditor General for Wales may appoint a person only if the person is eligible for appointment under this section.</p> <p>(3) But the Auditor General for Wales may not appoint himself.</p> <p>(6) Before appointing an auditor to audit the accounts of a body the Auditor General for Wales must consult the body.</p> <p>(7) The Auditor General for Wales may require a body to make available for inspection by him or on his behalf any documents which he reasonably requires for the purpose of assisting him to decide on the appointment of auditors to audit the body's accounts.</p> <p>(4) The appointment of an auditor who is not a member of the staff of the Auditor General for Wales must be on the terms, and for the period, determined by the Auditor General for Wales.</p>
Persons to assist auditors	Section 15 of the 2004 Act	<p>(1) The Auditor General for Wales may approve arrangements for one or more persons to assist an auditor appointed under section 13 by carrying out the functions of the auditor under this Part which are specified in the arrangements.</p> <p>(2) Arrangements may be approved under subsection (1) either generally or for a particular case or cases.</p> <p>(3) References in the following provisions of this Part to an auditor include, in relation to a function of an auditor, a person carrying out the function under arrangements approved under subsection (1).</p>

Function	Statutory reference	Provision
Code of Practice	Section 16 of the 2004 Act	<p>(1) The Auditor General for Wales may issue a code of audit practice prescribing the way in which auditors are to carry out their functions under this Chapter.</p> <p>(2) A code issued under this section must embody what appears to the Auditor General for Wales to be the best professional practice with respect to the standards, procedures and techniques to be adopted by auditors.</p> <p>(3) A code issued under this section may make different provision for different cases.</p> <p>(4) The Auditor General for Wales must not issue a code under this section unless a draft of the code has been laid before, and approved by a resolution of, the Assembly.</p> <p>(5) In preparing a draft of a code under this section the Auditor General for Wales must consult any associations of local authorities in Wales which appear to him to be concerned.</p> <p>(6) The Auditor General for Wales must arrange for any code issued by him under this section to be published in such manner as he thinks appropriate.</p> <p>(8) The Auditor General for Wales may from time to time revise a code previously issued under this section; and subsections (2) to (7) apply to a revised code as they apply to a code as first prepared.</p> <p><i>There is separate provision for the Auditor General's Code of Data Matching Practice in section 64G of the Public Audit (Wales) Act 2004. That Code applies to all data matching, not just data matching in local government. Table 6 provides further information on data matching functions.</i></p>

Function	Statutory reference	Provision
General duties of auditors	Section 17 of the 2004 Act	<p>(2) An auditor must, by examination of the accounts and otherwise, satisfy himself of these things:</p> <ul style="list-style-type: none"> (a) that the accounts are prepared in accordance with regulations under section 39; (b) that they comply with the requirements of all other statutory provisions applicable to the accounts; (c) that proper practices have been observed in the compilation of the accounts; (d) that the body has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources; (e) that the body, if required to publish information in pursuance of a direction under section 47 (performance information) has made such arrangements for collecting and recording the information and for publishing it as are required for the performance of its duties under that section. <p>(3) An auditor must comply with any provisions of a code of audit practice issued under section 16 which:</p> <ul style="list-style-type: none"> (a) are applicable to the audit of the accounts being audited, and (b) are in force.
Auditors' rights to documents and information	Section 18 of the 2004 Act	<p>(1) An auditor has a right of access at all reasonable times to every document relating to a local government body in Wales which appears to him necessary for the purposes of his functions under this Chapter.</p> <p>(2) The documents relating to a body to which the right conferred by subsection (1) applies may include in particular:</p> <ul style="list-style-type: none"> (a) a document which is held or controlled by a person who has received financial assistance from the body by means of a grant, loan or guarantee or as a result of the taking of an interest in any property or body corporate; (b) a document which is held or controlled by a person who has supplied goods or services to the body in pursuance of a contract to which the body was party or who has supplied goods or services in pursuance of a relevant sub-contract; (c) a document of a description specified in an order made by the Welsh Ministers. <p>(3) For the purposes of subsection (2)(b) a contract is a relevant sub-contract if its performance fulfils, or contributes to the fulfilment of, an obligation to supply goods or services to the body in another contract.</p>

Function	Statutory reference	Provision
		<p>(4) An auditor may require a person whom he thinks has information of the kind mentioned in subsection (5):</p> <p>(a) to give him any assistance, information and explanation which the auditor thinks necessary for the purposes of his functions under this Chapter;</p> <p>(b) to attend before him in person to:</p> <p>(i) give the assistance, information or explanation; or</p> <p>(ii) produce any document which is held or controlled by the person and to which the right conferred by subsection (1) applies.</p> <p>(5) The information is information which relates to:</p> <p>(a) a local government body in Wales in relation to which the auditor has functions under this Chapter;</p> <p>(b) a document to which the right conferred by subsection (1) applies;</p> <p>(c) a person who holds or controls such a document.</p> <p>(6) Every local government body in Wales must provide an auditor with every facility and all information which he may reasonably need for the purposes of his functions under this Chapter.</p>
Immediate and other reports in public interest	Section 22 of the 2004 Act	<p>(1) In auditing accounts of a body under this Chapter, an auditor must consider whether, in the public interest, he should make a report on any matter which comes to his notice in the course of the audit, in order for it to be:</p> <p>(a) considered by the body; or</p> <p>(b) brought to the attention of the public.</p> <p>(2) If the auditor considers that, in the public interest, he should make a report such as is mentioned in subsection (1), he must consider whether the public interest requires the matter to be made the subject of an immediate report.</p> <p>(3) If the auditor considers that the public interest requires the matter to be made the subject of an immediate report, he must make the report immediately.</p> <p>(4) If the auditor considers that the public interest does not require the matter to be made the subject of an immediate report, he must make the report at the conclusion of the audit.</p> <p>(5) In a case within subsection (3), the auditor must send the report to the body, and a copy of the report to the Auditor General for Wales, immediately after making it.</p> <p>(6) In a case within subsection (4), the auditor must send the report to the body, and a copy of the report to the Auditor General for Wales, before the end of the period of 14 days starting with the day on which he concludes the audit.</p>

Function	Statutory reference	Provision
General report	Section 23 of the 2004 Act	<p>(2) If a statement of accounts is required to be prepared by regulations under section 39, the auditor must enter on the statement:</p> <ul style="list-style-type: none"> (a) a certificate that he has completed the audit in accordance with this Chapter, and (b) his opinion on the statement. <p>(3) In any other case, the auditor must enter on the accounts:</p> <ul style="list-style-type: none"> (a) a certificate that he has completed the audit in accordance with this Chapter, and (b) his opinion on the accounts. <p>(4) But if an auditor makes a report under section 22 at the conclusion of the audit, he may include the certificate and opinion referred to in subsections (2) and (3) in the report instead of making an entry on the statement or accounts.</p>
Inspection of documents and questions at audit	Section 30 of the 2004 Act	<p>(1) At an audit of accounts under this Chapter an interested person may:</p> <ul style="list-style-type: none"> (a) inspect the accounts to be audited and all books, deeds, contracts, bills, vouchers and receipts relating to them; (b) make a copy of all or any part of the accounts and of any of the other documents mentioned in paragraph (a). <p>(2) At the request of a local government elector for any area to which accounts to be audited under this Chapter relate, the auditor of those accounts must give the elector or any representative of his an opportunity to question the auditor about the accounts.</p> <p>(3) But nothing in this section entitles a person:</p> <ul style="list-style-type: none"> (a) to inspect any accounts or other document relating to a body to the extent that the accounts contain, or the document contains, personal information; (b) to require any personal information to be disclosed by a body's auditor in answer to any question.

Function	Statutory reference	Provision
Right to make objections at audit	Section 31 of the 2004 Act	<p>(1) At an audit of accounts under this Chapter a local government elector for the area to which the accounts relate, or any representative of his, may make objections before the auditor as to:</p> <ul style="list-style-type: none"> (a) any matter in respect of which the auditor has a power to apply for a declaration under section 32; (b) any other matter in respect of which the auditor has the power to make a report under section 22. <p>(2) A local government elector proposing to make an objection under subsection (1) must:</p> <ul style="list-style-type: none"> (a) give written notice to the auditor of the proposed objection and the grounds on which it is to be made; and (b) at the same time, send a copy of the notice to the body whose accounts are being audited.
Declaration that item of account is unlawful	Section 32 of the 2004 Act	<p>(1) Where it appears to an auditor carrying out an audit under this Chapter that an item of account is contrary to law, the auditor may apply to the court for a declaration that the item is contrary to law.</p> <p>(4) If an auditor decides not to make an application for a declaration under this section in relation to an item of account, he must notify a person who has made an objection under section 31(1)(a) in relation to the item of account of his decision.</p>
Advisory notices	Section 33 of the 2004 act	<p>(1) An auditor of accounts of a local government body in Wales may issue a notice under this section (an 'advisory notice') if he has reason to believe that one or more of the requirements specified in subsection (2) is met.</p> <p>(2) The requirements are that:</p> <ul style="list-style-type: none"> (a) the body or an officer of the body is about to make or has made a decision which involves or would involve the body incurring expenditure which is unlawful; (b) the body or an officer of the body is about to take or has begun to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency; (c) the body or an officer of the body is about to enter an item of account, the entry of which is unlawful. <p>(7) The auditor by whom an advisory notice is issued must before the end of the required period serve a statement of his reasons for the belief referred to in subsection (1) on:</p> <ul style="list-style-type: none"> (a) the body, and (b) if the advisory notice is addressed to an officer of the body, the officer.
Power of auditor to make a claim	Section 36 of The 2004 Act	<p>(1) An auditor appointed to audit accounts of a local government body in Wales may make a claim for judicial review with respect to a decision of the body or a failure</p>

Function	Statutory reference	Provision
for judicial review		of the body to act, if it is reasonable to believe that the decision or failure to act would have an effect on the body's accounts.
Extraordinary audit	Section 37 of the 2004 Act	<p>(1) The Auditor General for Wales may direct an auditor to hold an extraordinary audit of the accounts of a local government body in Wales if the condition in subsection (2) or the condition in subsection (3) is met.</p> <p>(2) The condition is that it appears to the Auditor General for Wales to be desirable to hold an extraordinary audit of the body's accounts.</p> <p>(3) The condition is that an application for an extraordinary audit of the body's accounts is made by a local government elector for the area of the body.</p> <p>(4) The Welsh Ministers may require the Auditor General for Wales to direct an auditor to hold an extraordinary audit of the accounts of a local government body in Wales if it appears to the Ministers to be desirable in the public interest for an extraordinary audit of the body's accounts to be held.</p>
Accounts and audit regulations	Section 39 of the 2004 Act	<p>(1) The Welsh Ministers may by regulations⁸ applying to local government bodies in Wales make provision with respect to:</p> <p>(a) the keeping of accounts;</p> <p>(b) the form, preparation and certification of accounts and of statements of accounts;</p> <p>(c) the deposit of the accounts of a body at the offices of the body or at another place;</p> <p>(d) the publication of information relating to accounts and the publication of statements of accounts;</p> <p>(e) the exercise of any rights of objection or inspection conferred by section 29, 30 or 31 and the steps to be taken by a body for informing local government electors for the area of the body of those rights.</p>
Documents relating to police authorities	Section 40 of the 2004 Act	<p>(1) If the Auditor General for Wales receives a copy of a report under section 22(5) or (6) and the report relates to a police authority for a police area in Wales, he must send a copy of the report to the Secretary of State and the Welsh Ministers.</p> <p>(2) If the Auditor General for Wales has sent a document (or a copy of a document) relating to one or more police authorities for police areas in Wales to a police authority for a police area in Wales, he may send a copy of the document to the Secretary of State and the Welsh Ministers.</p>

⁸ The extant regulations are the Accounts and Audit (Wales) Regulations 2005 (SI 2005/368).

Function	Statutory reference	Provision
Studies for improving economy etc. in services	Section 41 of the 2004 Act	<p>(1) The Auditor General for Wales must for each financial year undertake or promote studies designed to enable him to make recommendations:</p> <ul style="list-style-type: none"> (a) for improving economy, efficiency and effectiveness in the discharge of the functions of best value authorities in Wales; (b) for improving economy, efficiency and effectiveness in the provision of services provided by other local government bodies in Wales; (c) for improving the financial or other management of local government bodies in Wales. <p>(2) The studies which the Auditor General for Wales is required to undertake or promote under subsection (1) include in particular:</p> <ul style="list-style-type: none"> (a) studies designed to enable the Auditor General for Wales to determine what directions he should give under section 47; (b) studies of information published in pursuance of section 47 which are designed to enable the Auditor General for Wales to determine, in relation to each financial year, what comparative information to publish himself about the standards of performance achieved by bodies which are relevant bodies for the purposes of that section. <p>(3) The Auditor General for Wales may undertake or promote other studies relating to the provision of services by local government bodies in Wales.</p> <p>(4) Where the Auditor General for Wales undertakes or promotes a study under this section, he must publish or otherwise make available:</p> <ul style="list-style-type: none"> (a) the results of the study; and (b) any recommendations made by him. <p>(5) Before undertaking or promoting a study under this section, other than a study of a kind mentioned in paragraph (a) or (b) of subsection (2), the Auditor General for Wales must consult:</p> <ul style="list-style-type: none"> (a) any associations of local government bodies in Wales which appear to him to be concerned; and (b) any associations of employees which appear to him to be appropriate. <p>(6) The Auditor General for Wales and the Welsh Ministers must co-operate with each other with respect to the exercise of their respective functions under this section and sections 94 and 95 of the Health and Social Care (Community Health and Standards) Act 2003.</p>

Function	Statutory reference	Provision
Studies on impact of statutory provisions etc.	Section 42 of the 2004 Act	<p>(1) The Auditor General for Wales must undertake or promote studies designed to enable him to prepare reports as to the impact of:</p> <ul style="list-style-type: none"> (a) the operation of any statutory provisions, or (b) any directions or guidance given by the Assembly (whether or not under a statutory provision), on economy, efficiency and effectiveness in the discharge of the functions of local government bodies in Wales. <p>(2) The Auditor General for Wales must from time to time lay before the Assembly a report of any matters which, in his opinion—</p> <ul style="list-style-type: none"> (a) arise out of studies under this section; and (b) ought to be drawn to the attention of the Assembly. <p>(3) Before undertaking or promoting a study under this section, the Auditor General for Wales must consult:</p> <ul style="list-style-type: none"> (a) any associations of local government bodies in Wales which appear to him to be concerned; and (b) any associations of employees which appear to him to be appropriate. <p>(4) The Auditor General for Wales and the Welsh Ministers must co-operate with each other with respect to the exercise of their respective functions under this section and section 95(2) of the Health and Social Care (Community Health and Standards) Act 2003.</p>
Studies at request of local government bodies in Wales	Section 44 of the 2004 Act	<p>(1) The Auditor General for Wales may, at the request of a local government body in Wales, undertake or promote studies designed to enable him to make recommendations for improving economy, efficiency and effectiveness in the discharge of the functions of the body.</p> <p>(2) Before making the request the body must consult any associations of employees which appear to it to be appropriate.</p>

Function	Statutory reference	Provision
Benefit administration studies for Secretary of State	Section 45 of the 2004 Act	<p>(1) The Auditor General for Wales may, at the request of the Secretary of State, conduct, or assist the Secretary of State in conducting, benefit administration studies.</p> <p>(3) Any information obtained in the course of a benefit administration study may be disclosed by the Auditor General for Wales to the Secretary of State for the purposes of any functions of the Secretary of State which are connected with housing benefit or council tax benefit.</p> <p>(4) The Auditor General for Wales must send to the Secretary of State a copy of a report of a benefit administration study carried out by the Auditor General for Wales.</p> <p>(5) The Secretary of State or the Auditor General for Wales may send a copy of a report of a benefit administration study to any local authority to which the study relates.</p> <p>(6) The Secretary of State may publish a report of a benefit administration study in conjunction with the Auditor General for Wales.</p>
Publication of information as to standards of performance	Section 47 of the 2004 Act	<p>(1) The Auditor General for Wales must give any directions which he thinks fit for requiring relevant bodies to publish the information mentioned in subsection (2).</p> <p>(2) The information is information relating to their activities in a financial year which will, in the opinion of the Auditor General for Wales, facilitate the making of appropriate comparisons:</p> <p>(a) between the standards of performance achieved by different relevant bodies in the financial year; or</p> <p>(b) between the standards of performance achieved by relevant bodies in different financial years.</p>
Social security references and reports to Secretary of State	Section 51 of the 2004 Act	<p>(1) The Auditor General for Wales may refer to the Secretary of State any matter arising from an audit or study under this Part if it appears that the matter may be relevant for the purposes of any of the functions of the Secretary of State relating to social security.</p> <p>(2) An auditor may refer to the Secretary of State any matter arising from an audit under Chapter 1 if it appears that the matter may be relevant for the purposes of any of the functions of the Secretary of State relating to social security.</p> <p>(3) The Auditor General for Wales may send to the Secretary of State a copy of any report:</p> <p>(a) of which a copy is sent to the Auditor General for Wales under section 22(5) or (6); and</p> <p>(b) which contains observations on the administration by a local authority in Wales of housing benefit or council tax benefit.</p>

Function	Statutory reference	Provision
Rights of Auditor General to documents and information	Section 52 of the 2004 Act	<p>(1) The Auditor General for Wales has a right of access at all reasonable times to every document relating to a local government body in Wales which appears to him necessary for the purposes of his functions under this Part.</p> <p>(2) The documents relating to a body to which the right conferred by subsection (1) applies may include in particular:</p> <ul style="list-style-type: none"> (a) a document which is held or controlled by a person who has received financial assistance from the body by means of a grant, loan or guarantee or as a result of the taking of an interest in any property or body corporate; (b) a document which is held or controlled by a person who has supplied goods or services to the body in pursuance of a contract to which the body was party or who has supplied goods or services in pursuance of a relevant sub-contract; (c) a document of a description specified in an order made by the Welsh Ministers. <p>(3) For the purposes of subsection (2)(b) a contract is a relevant sub-contract if its performance fulfils, or contributes to the fulfilment of, an obligation to supply goods or services to the body in another contract.</p> <p>(4) The Auditor General for Wales may require a person whom he thinks has information of the kind mentioned in subsection (5):</p> <ul style="list-style-type: none"> (a) to give him any assistance, information and explanation which the Auditor General for Wales thinks necessary for the purposes of his functions under this Part; (b) to attend before him in person to: <ul style="list-style-type: none"> (i) give the assistance, information or explanation, or (ii) produce any document which is held or controlled by the person and to which the right conferred by subsection (1) applies. <p>(5) The information is information which relates to:</p> <ul style="list-style-type: none"> (a) a local government body in Wales; (b) a document to which the right conferred by subsection (1) applies; (c) a person who holds or controls such a document.

Function	Statutory reference	Provision
		<p>(6) For the purpose of assisting the Auditor General for Wales to maintain proper standards in the auditing of accounts of local government bodies in Wales, the Auditor General for Wales may require a local government body in Wales to make available for inspection by him or on his behalf:</p> <p>(a) the accounts of the body, and</p> <p>(b) any other documents relating to the body which might reasonably be required by an auditor for the purposes of an audit under Chapter 1.</p> <p>(7) Every local government body in Wales must provide the Auditor General for Wales with every facility and all information which he may reasonably need for the purposes of his functions under this Part.</p>

Table 5: Statutory authorities for the local government inspection regime

Function	Statutory reference	Provision
Audit of best value (WPI) performance plans	Section 7 of the Local Government Act 1999	<p>(1) A performance plan published by a best value authority for a financial year under section 6 shall be audited by the authority's auditor.</p> <p>(2) An audit of a performance plan is an inspection for the purpose of establishing whether the plan was prepared and published in accordance with section 6 and any order or guidance under that section.</p> <p>(3A) If an authority's auditor is appointed by the Auditor General for Wales, sections 18 and 19 of the Public Audit (Wales) Act 2004 (auditor's rights to documents and information) shall have effect in relation to the auditor's functions under this Part as those sections have effect in relation to his functions under Chapter 1 of Part 2 of that Act.</p> <p>(4) In relation to an authority's performance plan the auditor shall issue a report:</p> <p>(a) certifying that he has audited the plan;</p> <p>(b) stating whether he believes that it was prepared and published in accordance with section 6 and any order or guidance under that section;</p> <p>(c) if appropriate, recommending how it should be amended so as to accord with section 6 and any order or guidance under that section;</p> <p>(d) if appropriate, recommending procedures to be followed by the authority in relation to the plan;</p>

Function	Statutory reference	Provision
		<p>(ea) if the auditor is appointed by the Auditor General for Wales, recommending whether the Auditor General for Wales should carry out a best value inspection of the authority under section 10A; and</p> <p>(f) recommending whether the Welsh Ministers⁹ should give a direction under section 15.</p> <p>(5) An auditor shall send a copy of his report relating to an authority's performance plan:</p> <p>(a) to the authority;</p> <p>(ba) if the auditor is appointed by the Auditor General for Wales, to the Auditor General for Wales; and</p> <p>(c) if the report recommends that the Welsh Ministers give a direction under section 15, to the Welsh Ministers.</p> <p>(6) Copies of a report shall be sent in accordance with subsection (5):</p> <p>(a) by 30th June of the financial year to which the relevant performance plan relates; or</p> <p>(3) (b) by such other date as the Welsh Ministers may specify by order.</p>
Code of practice	Section 8A of the Local Government Act 1999	(1) The Auditor General for Wales may prepare, and keep under review, a code of practice prescribing the way in which auditors appointed by him are to carry out their functions under section 7.
Auditor's duty in relation to code	Section 8B of the Local Government Act 1999	(2) An auditor appointed by the Auditor General for Wales who is carrying out an audit of an authority's performance plan under section 7 shall have regard to any provisions of a code of practice under section 8A which:
		<p>(a) are applicable to the audit; and</p> <p>(b) are in force.</p>
Inspections: Auditor General for Wales	Section 10A of the Local Government Act 1999	<p>(1) The Auditor General for Wales may carry out an inspection of the compliance with the requirements of this Part by a best value authority in Wales.</p> <p>(2) If the Welsh Ministers direct the Auditor General for Wales to carry out an inspection of the compliance with the requirements of this Part by a specified best value authority in Wales in relation to specified functions, the Auditor General for Wales shall comply with the direction.</p> <p>(3) Before giving a direction under subsection (2) the Welsh Ministers shall consult the Auditor General for Wales.</p> <p>(4) In carrying out an inspection, and in deciding whether to do</p>

⁹ The 1999 Act makes a number of references to the Secretary of State. In fact, the interpretation section of that Act coupled with the effect of the 2006 Act, means that those functions are, for devolved public bodies in Wales, exercised by Welsh Ministers as indicated in Table 5. The main exception is in relation to police authorities in Wales where the functions are still exercised by the Secretary of State.

Function	Statutory reference	Provision
		<p>so, the Auditor General for Wales shall have regard to:</p> <ul style="list-style-type: none"> (a) any relevant recommendation under section 7(4)(ea); and (b) any guidance issued by the Welsh Ministers.
Inspectors' powers and duties	Section 11 of the Local Government Act 1999	<ul style="list-style-type: none"> (1) An inspector has a right of access at all reasonable times: <ul style="list-style-type: none"> (a) to any premises of the best value authority concerned; and (b) to any document relating to the authority which appears to him to be necessary for the purposes of the inspection. (2) An inspector: <ul style="list-style-type: none"> (a) may require a person holding or accountable for any such document to give him such information and explanation as he thinks necessary; and (b) may require that person to attend before him in person to give the information or explanation or to produce the document. (3) A best value authority shall provide an inspector with every facility and all information which he may reasonably require for the purposes of the inspection. (4) An inspector shall: <ul style="list-style-type: none"> (a) give three clear days' notice of any requirement under this section; and (b) must, if so required, produce documents identifying himself.
Reports of inspections under section 10A	Section 13A of the Local Government Act 1999	<ul style="list-style-type: none"> (1) Where the Auditor General for Wales has carried out an inspection of an authority under section 10A he shall issue a report. (2) A report: <ul style="list-style-type: none"> (a) shall mention any matter in respect of which the Auditor General for Wales believes as a result of an inspection that the authority is failing to comply with the requirements of this Part; and (b) may, if it mentions a matter under paragraph (a), recommend that the Welsh Ministers give a direction under section 15. (3) The Auditor General for Wales: <ul style="list-style-type: none"> (a) shall send a copy of a report to the authority concerned; and (b) may publish a report and any information in respect of a report. (4) If a report recommends that the Welsh Ministers give a direction under section 15, the Auditor General for Wales shall as soon as reasonably practicable: <ul style="list-style-type: none"> (a) arrange for the recommendation to be published; and (b) send a copy of the report to the Welsh Ministers. (5) If a report states that the Auditor General for Wales believes as a result of an inspection that an authority is failing to comply with the requirements of this Part, the next

Function	Statutory reference	Provision
		performance plan prepared by the authority under section 6 must record: (a) that fact; and (b) any action taken by the authority as a result of the report.
Coordination of inspections, &tc	Section 25 of the Local Government Act 1999	(1) In arranging for or carrying out: (a) inspections of best value authorities, or (b) inquiries or investigations in relation to best value authorities, a person or body to whom this section applies shall have regard to any guidance issued by Welsh Ministers for the purposes of securing the coordination of different kinds of inspection, inquiry and investigation.

Publication of reports

20. The various statutory authorities enable the Auditor General to put a report in the public domain. In the case of reports on accounts and performance reports in the non-local government sectors the legislation either requires or permits the Auditor General to lay the document concerned before the National Assembly. The National Assembly is required to publish such documents under Section 144 of the 2006 Act and they are absolutely privileged in relation to the law on defamation by virtue of Section 42. The laid documents are also brought within the remit of the National Assembly's Audit Committee which operates under Section 143.
21. The Auditor General may, under section 64E of the Public Audit (Wales) Act 2004, publish reports on data matching exercises under Part 3A of that Act. Such exercises may cover both non-local government and local government clients. The content of such reports is restricted in several important respects. For example, such reports may not include information relating to a particular person if the person can be identified from the information. There are also more general restrictions in section 64D of the 2004 Act on the disclosure of data matching information, which are not confined to publication. Table 6 provides further information on data matching functions.
22. For the local government sector, the Auditor General has a number of powers or duties to publish reports and other documents notably under sections 41, 42, 45, 49 and 56 of the Public Audit (Wales) Act 2004 and Section 13A of the Local Government Act 1999. Such reports are not laid before the National Assembly (except reports under Section 42 of the 2004 Act) and do not therefore come within the remit of its Audit Committee.
23. Reports made by local government appointed auditors are put into the public domain by virtue of Sections 26 to 29 of the 2004 Act. Reports to those charged with governance are required to be published by local authorities under the Accounts and Audit (Wales) Regulations 2005 (SI 2005/368).

24. Staff working for the Auditor General or his appointed auditors often provide reports to management or those charged with governance. These are not usually published but may find their way into the public domain by being published by the recipients or by being released under the Freedom of Information legislation.

Other work

25. Table 6 summarises the statutory authorities for significant Wales Audit Office work not included in the preceding sections. These are the audit of grant claims, audit by agreement of further and higher education institutions, collaboration with Estyn and the granting of approvals to draw on the Welsh Consolidated Fund.

Table 6: Statutory authorities for other work

Function	Statutory reference	Provision
Certification of claims, returns etc.	Paragraph 20 of schedule 8 to the 2006 Act	<p>(1) The Auditor General must, if so required by a relevant body, make arrangements for:</p> <p>(a) certifying any claim or return in respect of a grant made or subsidy paid to that body by the Welsh Ministers, any Minister of the Crown or any public authority;</p> <p>(b) certifying any account submitted by that body to the Welsh Ministers, any Minister of the Crown or any public authority with a view to obtaining payment under a contract between that body and the Welsh Ministers, the Minister of the Crown or the public authority;</p> <p>(c) certifying that body's calculation under paragraph 5(6)(a) of Schedule 8 to the Local Government Finance Act 1988 (c. 41) of the amount of its non-domestic rating contribution for a financial year, and for certifying the amount calculated; or</p> <p>(d) certifying any return by that body which, by or under any enactment, is required or authorised to be certified by the body's auditor or under arrangements made by the Auditor General.</p>

Function	Statutory reference	Provision
Audit of further and higher education corporations	Section 145B of the Government of Wales Act 1998	<p>(4) The Auditor General for Wales may, at the request of the Higher Education Funding Council for Wales, give the council advice in connection with the discharge of the council's functions under section 124B(2)(b) of the Education Reform Act 1988 or paragraph 18(2)(b) of Schedule 7 to that Act.</p> <p>(5) The Auditor General for Wales may, at the request of a higher education corporation or further education corporation in Wales:</p> <ul style="list-style-type: none"> (a) advise them in connection with the appointment of persons to audit their accounts; (b) arrange for their accounts for a financial year to be audited by one or more members of the staff of the Auditor General for Wales appointed by the corporation.
Estyn inspections involving collaboration with the Auditor General	Section 41A of the Education Act 1997	<p>(1) If requested to do so by the Chief Inspector, the Auditor General for Wales may assist with any inspection under section 38 of a local education authority in Wales; and subsections (2) to (5) below have effect where the Auditor General for Wales assists with any such inspection.</p> <p>(2) Section 40 shall apply to the Auditor General for Wales and to any authorised person as it applies to the inspector.</p> <p>(3) Any information obtained by virtue of section 40 by a person falling within one of the categories mentioned in subsection (4) may be disclosed for the purposes of the inspection, or the preparation or making of the report under section 39(1), to a person falling within the other category.</p> <p>(4) Those categories are:</p> <ul style="list-style-type: none"> (a) the Auditor General for Wales and any authorised person; and (b) the inspector and any person assisting him. <p>(5) Any report prepared under section 39(1) shall be prepared by the inspector acting in conjunction with the Auditor General for Wales.</p>

Function	Statutory reference	Provision
Approvals to draw from the Welsh Consolidated Fund	Section 129 of the 2006 Act	<p>(1) The Auditor General must grant approvals to draw payments out of the Welsh Consolidated Fund from time to time at the request of the Welsh Ministers.</p> <p>(2) An approval to draw may only be granted if, in the Auditor General's opinion, the proposed payment out of the Welsh Consolidated Fund would comply with section 124.</p> <p>(3) A request for the grant of an approval to draw is to be made in any manner which the Welsh Ministers, with the approval of the Auditor General, decide to adopt.</p> <p>(4) Where an approval to draw is granted the Paymaster General must make the funds available to the Welsh Ministers, the First Minister, the Counsel General, the Assembly Commission, the Auditor General or the Public Services Ombudsman for Wales (as appropriate).</p> <p>(5) The Paymaster General must make available to:</p> <ol style="list-style-type: none"> (a) the Auditor General; and (b) the principal accounting officer for the Welsh Ministers, a daily statement regarding all the issues made out of the Welsh Consolidated Fund in respect of sums charged on that Fund and other payments out of it.
Data Matching	Section 64A of the Public Audit (Wales) Act 2004	<p>(1) The Auditor General for Wales may conduct data matching exercises or arrange for them to be conducted on his behalf.</p> <p>(2) A data matching exercise is an exercise involving the comparison of sets of data to determine how far they match (including the identification of any patterns and trends).</p> <p>(3) The power in subsection (1) is exercisable for the purpose of assisting in the prevention and detection of fraud in or with respect to Wales.</p> <p>(4) That assistance may, but need not, form part of an audit.</p> <p>(5) A data matching exercise may not be used to identify patterns and trends in an individual's characteristics or behaviour which suggest nothing more than his potential to commit fraud in the future.</p> <p>(6) In the following provisions of this Part, reference to a data matching exercise is to an exercise conducted or arranged to be conducted under this section.</p> <p><i>See also other provisions in respect of data matching in part 3A of the Public Audit (Wales) Act 2004, notably:</i></p> <p><i>Section 64B, Mandatory provision of data;</i></p> <p><i>Section 64C, Voluntary provision of data;</i></p> <p><i>Section 64D, Disclosure of results of data matching;</i></p> <p><i>Section 64E, Publication;</i></p> <p><i>Section 64F, Fees for data matching;</i></p> <p><i>Section 64G Code of data matching practice</i></p>

Fees and finance

26. This section provides a summary of the authorities concerning the Wales Audit Office's own finances including the production of estimates and annual accounts, and our financial relationship with the Welsh Consolidated Fund (WCF). This summary is set out in Table 7.

Table 7: Auditor General finances

Area of finance	Statutory reference	Effect of provision
Relationship with the Welsh Consolidated Fund (WCF)	Section 120 of and Paragraph 9(3) of schedule 8 to the 2006 Act	All receipts collected by the Auditor General must be paid into the Welsh Consolidated Fund unless there is an Assembly resolution (part of the annual budget motion) that permits their retention. Paragraph 9(3) provides an express exemption to this requirement for "local government" income under Part 1 of the Local Government Act 1999 and Part 2 of the Public Audit (Wales) Act 2004.
	Sections 125 to 127 of the 2006 Act	Provides for the expenses of the Wales Audit Office, in so far as not met by income, to be payable from the WCF. The authority for use of resources, retention of income (see above) and issue of funds from the WCF is given by the National Assembly in an annual budget motion under Section 125. Section 126 allows for supplementary budget motions and Section 127 provides for continuity of service if the National Assembly has not passed a budget motion by 1 April.
	Paragraphs 6 and 9(1) of Schedule 8 to the 2006 Act	Provides for the salary and pension costs of the Auditor General and any amounts payable in consequence of a breach of duty to be a direct charge on the WCF (ie, not part of the Wales Audit Office accounts).

Area of finance	Statutory reference	Effect of provision
Fees	Sections 20 and 21 of the Public Audit (Wales) Act 2004	Section 20 allows the Auditor General to prescribe fee scales for local government audit work. Section 21 allows Welsh Ministers to override those fees scales if considered necessary.
	Section 64F of the Public Audit (Wales) Act 2004	Requires the Auditor General to prescribe fee scales in respect of data matching exercises.
	Sections 12A and 33 of the Local Government Act 1999	Section 12A allows the Auditor General to prescribe fee scales for local government inspection work. Section 33 allows Welsh Ministers to provide a grant to the Auditor General in support of inspection work.
	Paragraph 11 of schedule 8 to the 2006 Act	Allows the Auditor General to charge a fee: <ul style="list-style-type: none"> (1) for the audit of accounts - no restriction on amount; (2) work under paragraph 18(3) (financial or VFM agreement audits) or Section 145A of the Government of Wales Act 1998 (studies undertaken at the request of the body concerned) – fee not exceeding full cost; (3) work under paragraph 20 (grant claims), Section 145B of the Government of Wales Act 1998 (studies at the request of educational bodies) or Section 44 of the Public Audit (Wales) Act 2004(studies at the request of local government bodies) – must charge fee covering full cost
	Paragraph 21(5) of the 2006 Act (ancillary work) and Section 45 of the Public Audit (Wales) Act 2004 (benefit administration studies)	Fee may be determined by agreement

Area of finance	Statutory reference	Effect of provision
	Section 41A of the Education Act 1997 (inspections in collaboration with Estyn), Section 145C of the Government of Wales Act 1998 (Studies relating to social landlords) and Section 45 of the Public Audit (Wales) Act 2004 (benefit administration studies)	Fee must recover full cost
	Section 37 of the Public Audit (Wales) Act 2004 (extraordinary audit on local government bodies)	Fee may recover all or part of the cost at the discretion of the Auditor General
Borrowing	Paragraph 10 of schedule 8 to the 2006 Act	Auditor General may borrow to meet a temporary shortfall in cash.
Estimates	Paragraph 12 of schedule 8 to the 2006 Act	<p>Auditor General to prepare annual estimate of income and expenses for consideration by the National Assembly's Audit Committee by five months before the start of the year</p> <p>If the Committee wishes to modify the estimate it must consult the Auditor General and take account of any representations he may wish to make.</p> <p>The Committee may not modify the "local government element" of the estimate.</p>
Annual accounts	Paragraphs 14 and 15 of schedule 8 to the 2006 Act	Auditor General must prepare annual accounts, in a form directed by the Treasury, for audit by an auditor appointed by the National Assembly.
Accounting Officer	Paragraph 16 of schedule 8 to the 2006 Act	The Auditor General is the Accounting Officer for the Wales Audit Office. His responsibilities in this regard are specified by the National Assembly's Audit Committee.



Wales Audit Office
24 Cathedral Road
Cardiff CF11 9LJ
Tel: 029 2032 0500
Fax: 029 2032 0600
Textphone: 029 2032 0660
E-mail: info@wao.gov.uk
Website: www.wao.gov.uk