

Status: Point in time view as at 04/07/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Audit (Wales) Act 2013, PART 3. (See end of Document for details)

SCHEDULE 2

RELATIONSHIP BETWEEN THE AUDITOR GENERAL AND THE WAO

PART 3

TEMPORARY EXERCISE OF THE FUNCTIONS OF AUDITOR GENERAL BY ANOTHER PERSON

- 5 The WAO, with the agreement of the National Assembly, may designate a person to exercise the functions of Auditor General temporarily in place of the Auditor General (“a temporary designation”).

Commencement Information

- I1** Sch. 2 para. 5 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

- 6 A temporary designation may occur only in the following circumstances—
- (a) the office of Auditor General is vacant,
 - (b) the Auditor General is unwilling to discharge the functions of the office,
 - (c) the WAO and the National Assembly consider that the Auditor General is unable to discharge the functions of the office, or
 - (d) the WAO and the National Assembly consider that there are grounds to remove the Auditor General from office because of misbehaviour.

Commencement Information

- I2** Sch. 2 para. 6 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

- 7 The functions of the Auditor General referred to in paragraph 5 include (but are not limited to)—
- (a) functions as chief executive of the WAO (see section 16);
 - (b) if relevant, functions as accounting officer of the WAO (see paragraph 33(1) of Part 8 of Schedule 1);
 - (c) the power to delegate under section 18.

Commencement Information

- I3** Sch. 2 para. 7 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

- 8 A person who is designated to exercise the functions of the Auditor General must be an employee of the WAO.

Commencement Information

- I4** Sch. 2 para. 8 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

- 9 A person who is designated to exercise those functions will continue to be employed by the WAO on the same terms.

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Commencement Information

I5 Sch. 2 para. 9 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

10 But that person will be designated to exercise functions on such additional terms (including terms as to remuneration) as are agreed by the WAO and the National Assembly.

Commencement Information

I6 Sch. 2 para. 10 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

11 The terms as to remuneration—

- (a) may provide for allowances, gratuities, and other benefits to cover expenses properly and necessarily incurred by the person in exercising the functions, and
- (b) may include a formula or other mechanism for adjusting one or more of those elements from time to time.

Commencement Information

I7 Sch. 2 para. 11 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

12 But the terms as to remuneration may not provide for payment of an additional salary or pension.

Commencement Information

I8 Sch. 2 para. 12 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

13 The WAO must pay the person such remuneration as may be provided for by or under any additional terms as to remuneration as are agreed.

Commencement Information

I9 Sch. 2 para. 13 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

14 The duration of a temporary designation in relation to a circumstance referred to in paragraph 6—

- (a) may not exceed 6 months, but
- (b) may be extended once by the WAO in relation to that circumstance, with the agreement of the National Assembly, for up to a further 6 months.

Commencement Information

I10 Sch. 2 para. 14 in force at 4.7.2013 by S.I. 2013/1466, art. 2(v)(iii)

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