

*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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