



Public Audit (Wales) Act 2004

2004 CHAPTER 23

PART 2

LOCAL GOVERNMENT BODIES IN WALES

CHAPTER 2

STUDIES AND PERFORMANCE STANDARDS

Studies

41 Studies for improving economy etc in services

- (1) The Auditor General for Wales must for each financial year undertake or promote studies designed to enable him to make recommendations—
 - (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.
- (2) The studies which the Auditor General for Wales is required to undertake or promote under subsection (1) include in particular—
 - (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.

Status: This is the original version (as it was originally enacted).

- (3) The Auditor General for Wales may undertake or promote other studies relating to the provision of services by local government bodies in Wales.
- (4) Where the Auditor General for Wales undertakes or promotes a study under this section, he must publish or otherwise make available—
 - (a) the results of the study, and
 - (b) any recommendations made by him.
- (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—
 - (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.
- (6) The Auditor General for Wales and the Assembly 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 (c. 43) (reviews, investigations and studies by Assembly).

42 Studies on impact of statutory provisions etc

- (1) The Auditor General for Wales must undertake or promote studies designed to enable him to prepare reports as to the impact of —
 - (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.
- (2) The Auditor General for Wales must from time to time lay before the Assembly a report of any matters which, in his opinion—
 - (a) arise out of studies under this section, and
 - (b) ought to be drawn to the attention of the Assembly.
- (3) Before undertaking or promoting a study under this section, the Auditor General for Wales must consult—
 - (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.
- (4) The Auditor General for Wales and the Assembly 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 (c. 43) (studies by Assembly on impact of statutory provisions).

43 Co-operation with Audit Commission

The Auditor General for Wales must co-operate with the Audit Commission where it seems to him appropriate to do so for the efficient and effective discharge of his functions under sections 41 and 42.

44 Studies at request of local government bodies in Wales

- (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.
- (2) Before making the request the body must consult any associations of employees which appear to it to be appropriate.

45 Benefit administration studies for Secretary of State

- (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.
- (2) Benefit administration studies are studies designed to enable recommendations to be made for improving economy, efficiency, and effectiveness and quality of performance in the discharge by one or more local authorities in Wales of functions relating to the administration of housing benefit or council tax benefit (or both).
- (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.
- (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.
- (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.
- (6) The Secretary of State may publish a report of a benefit administration study in conjunction with the Auditor General for Wales.
- (7) The Auditor General for Wales may conduct, or assist the Secretary of State in conducting, a benefit administration study only if the Secretary of State has made arrangements for the payment to the Auditor General for Wales of a fee in respect of the study.
- (8) The amount of the fee must be a reasonable amount agreed between the Secretary of State and the Auditor General for Wales.