



Public Audit (Wales) Act 2004

2004 CHAPTER 23

PART 2

LOCAL GOVERNMENT BODIES IN WALES

CHAPTER 4

GENERAL

52 Rights of Auditor General for Wales to documents and information

- (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.
- (2) The documents relating to a body to which the right conferred by subsection (1) applies may include in particular—
 - (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 [^{F1}the Welsh Ministers].
- (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.
- (4) The Auditor General for Wales may require a person whom he thinks has information of the kind mentioned in subsection (5)—

Changes to legislation: There are currently no known outstanding effects for the Public Audit (Wales) Act 2004, Section 52. (See end of Document for details)

- (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—
 - (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.
- (5) The information is information which relates to—
- (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.
- ^{F2}(6)
- (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.
- (8) Before making an order under subsection (2)(c) [^{F3}the Welsh Ministers] must consult—
- (a) the Auditor General for Wales, and
 - (b) any associations of local authorities in Wales which appear to it to be concerned.
- [^{F4}(9) A statutory instrument containing an order under subsection (2)(c) is (unless a draft of the order has been laid before, and approved by a resolution of the National Assembly for Wales) subject to annulment in pursuance of a resolution of the Assembly.]

Textual Amendments

- F1** Words in s. 52(2)(c) substituted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 53(2)** (with Sch. 3 paras. 2, 3); S.I. 2013/1466, art. 3(1)
- F2** S. 52(6) omitted (1.4.2014) by virtue of Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 53(3)** (with Sch. 3 paras. 2, 3); S.I. 2013/1466, art. 3(1)
- F3** Words in s. 52(8) substituted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 53(4)** (with Sch. 3 paras. 2, 3); S.I. 2013/1466, art. 3(1)
- F4** S. 52(9) inserted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 53(5)** (with Sch. 3 paras. 2, 3); S.I. 2013/1466, art. 3(1)

Changes to legislation:

There are currently no known outstanding effects for the Public Audit (Wales) Act 2004, Section 52.