

Status: Point in time view as at 01/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Public Audit (Wales) Act 2013, Cross Heading: Government of Wales Act 2006. (See end of Document for details)

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Government of Wales Act 2006

70 The Government of Wales Act 2006 is amended as follows.

Commencement Information

I1 Sch. 4 para. 70 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

71 In section 37 (power to call), in subsection (1), after “functions” insert “, relevant to the exercise of any of the Auditor General for Wales' functions, or relevant to the oversight and supervision of the Auditor General for Wales, or to the oversight and supervision of the exercise of any of his or her functions”.

Commencement Information

I2 Sch. 4 para. 71 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

72 In subsection (1)(c) of section 120 (destination of receipts), for “the Auditor General” substitute “ the Wales Audit Office ”.

Commencement Information

I3 Sch. 4 para. 72 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

73 In subsection (3)(c) of section 124 (payments out of Welsh Consolidated Fund), for “the Auditor General” substitute “ the Wales Audit Office ”.

Commencement Information

I4 Sch. 4 para. 73 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

74 In subsection (4) of section 129 (approvals to draw), for “the Auditor General” substitute “ the Wales Audit Office ”.

Commencement Information

I5 Sch. 4 para. 74 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

75 In subsection (1) of section 143 (Audit Committee reports), omit paragraph (b).

Commencement Information

I6 Sch. 4 para. 75 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

76 (1) Subsection (2) of section 144 (publication of accounts and audit reports etc) is amended as follows.

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- (2) In paragraph (b) for “paragraph 14 of Schedule 8” substitute “ paragraph 34 of Schedule 1 to the Public Audit (Wales) Act 2013 ”.
- (3) In paragraph (c) omit “or estimate” and “or paragraph 12(3) of Schedule 8”.
- (4) After paragraph (c) insert—
- “(d) any estimate of income and expenses of the Wales Audit Office laid before the Assembly under section 20(1) of the Public Audit (Wales) Act 2013 (including any modifications made to that estimate under section 20(4) of that Act),
 - (e) any scheme for charging fees laid before the Assembly by the Wales Audit Office under section 24(4)(c) of the Public Audit (Wales) Act 2013,
 - (f) any annual plan laid before the Assembly by the Auditor General and the chair of the Wales Audit Office under section 26 of the Public Audit (Wales) Act 2013,
 - (g) any report laid before the Assembly under paragraph 3(6) of Schedule 2 to the Public Audit (Wales) Act 2013 (reports on the exercise of the functions of the Auditor General and the Wales Audit Office).”.

Commencement Information

I7 Sch. 4 para. 76 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

- 77 (1) Section 145 (Auditor General) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2) for “the Auditor General see Schedule 8” insert “ the Auditor General for Wales or Archwilydd Cyffredinol Cymru (referred to in this Act as “the Auditor General”) see Schedule 8 and the Public Audit (Wales) Act 2013 ”.

Commencement Information

I8 Sch. 4 para. 77 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

- 78 (1) Schedule 7 (Acts of the Assembly) is amended as follows.
- (2) In the table in paragraph 2(1) (provisions protected from modification by Assembly Act) of Part 2 (general restrictions), after the entry for the “Re-use of Public Sector Information Regulations 2005 (S.I. 2005/1505)” insert—

“The Public Audit (Wales) Act 2013 (anaw 3)

Sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and section 8(1) in so far as that section relates to the Auditor General's exercise of functions free from the direction or control of the Assembly or Welsh Assembly Government.”

- (3) After sub-paragraph (2) of paragraph 2, insert—

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“(2A) Sub-paragraph (1), so far as it applies in relation to sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and 8(1) of the Public Audit (Wales) Act 2013 does not apply in relation to any provision to which sub-paragraph (4) applies.

(2B) But, subject to sub-paragraph (2C), a provision to which sub-paragraph (4) applies cannot modify or confer power by subordinate legislation to modify section 8(1) of the Public Audit (Wales) Act 2013.

(2C) Sub-paragraph (2B) does not prevent the conferral of functions on a committee of the Assembly that—

(a) does not consist of or include any of the following persons—

(i) the First Minister or any person designated to exercise the functions of the First Minister,

(ii) a Welsh Minister appointed under section 48,

(iii) the Counsel General or any person designated to exercise the functions of the Counsel General, or

(iv) a Deputy Welsh Minister, and

(b) is not chaired by an Assembly member who is a member of a political group with an executive role.”.

(4) In paragraph 5 (restrictions regarding modification of the Government of Wales Act 2006) of Part 2—

(a) in sub-paragraph (2)(c), omit “, other than paragraphs 1(1) to (3), 2(2) to (4) and 3”, and

(b) omit sub-paragraphs (5) and (6).

Commencement Information

19 Sch. 4 para. 78 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

- 79 (1) Schedule 8 (Auditor General for Wales) is amended as follows.
- (2) Omit paragraphs 1 to 16.
- (3) In sub-paragraph (1) of paragraph 17 (access to documents), in paragraph (c), for “Act” substitute “enactment”.
- (4) In sub-paragraph (7) of paragraph 17—
- (a) for “Act” substitute “enactment”, and
- (b) at the end of the sub-paragraph, before the full stop, insert “, apart from accounts that fall to be examined under Part 2 of the Public Audit (Wales) Act 2004”.
- (5) In paragraph 18 (other powers)—
- (a) in sub-paragraph (1), after “the Welsh Ministers may”, insert “, having first consulted the Wales Audit Office,”, and
- (b) after sub-paragraph (3) insert—
- “(3A) But before entering into an agreement under sub-paragraph (3), the Welsh Ministers or a Minister of the Crown (as the case may be) must consult the Wales Audit Office.”.
- (6) Omit paragraph 21.

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- I10** Sch. 4 para. 79(1)(3)-(6) in force at 1.4.2014 by [S.I. 2013/1466](#), **art. 3(1)**
I11 Sch. 4 para. 79(2) in force at 4.7.2013 for specified purposes by [S.I. 2013/1466](#), **art. 2(x)**
I12 Sch. 4 para. 79(2) in force at 1.4.2014 in so far as not already in force by [S.I. 2013/1466](#), **art. 3(1)**

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