

# **PUBLIC FINANCE AND ACCOUNTABILITY (SCOTLAND) ACT 2000**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Section 21: Audit of Accounts***

##### **General Purpose**

106. This is the first of two sections covering the arrangements for the audit of accounts produced by the Scottish Administration and certain other public bodies and office holders. The provisions in these 2 sections are made partly in implementation of the requirements imposed by section 70(1)(c) and (f) and (2)(b) of the Scotland Act. The intention is that the arrangements set out in these sections should be the standard arrangements for public audit of accounts under the control of the Auditor General which may be applied in future legislation.

##### **Subsection (1)**

107. This sets out that this section and section 22 will apply to any account which is required whether under current or future legislation or prerogative instruments, such as Royal Charters, to be audited by the Auditor General or to be sent to the Auditor General for auditing.

##### **Subsection (2)**

108. This subsection requires that such accounts must be sent to the Auditor General within 6 months of the end of the financial year to which the account relates.

##### **Subsection (3)**

109. This states that the account must be audited by the Auditor General or a qualified person appointed by the Auditor General. The Auditor General must take into account not only the person's professional qualifications and experience, but also any other relevant matters.

##### **Subsection (4)**

110. This subsection states that the Auditor General for Scotland will decide personally who should audit an account.

##### **Subsection (5)**

111. This defines the term "qualified person" as set out at subsection (3)(b) above. It states that this means any person who is eligible for appointment as a company auditor under section 25 of the Companies Act 1989, or who is a member of a body of accountants (ie a professional body such as ICAS) established in the United Kingdom or another state in the European Economic Area. Such states are those contracted to the Agreement

*These notes relate to the Public Finance and Accountability (Scotland)  
Act 2000 (asp 1) which received Royal Assent on 17 January 2000*

on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by the  
Brussels Protocol signed on 17 March 1993.