

Status: Point in time view as at 01/01/2001.

Changes to legislation: Government of Wales Act 1998, SCHEDULE 6 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 104.

[^{F1}HER MAJESTY’S CHIEF INSPECTOR OF EDUCATION AND TRAINING IN WALES OR PRIF AROLYGYDD EI MAWRHYDI DROS ADDYSG A HYFFORDDIANT YNG NGHYMURU]

Textual Amendments

F1 Words in Heading to Sch. 6 substituted (1.1.2001) by 2000 c. 21 s. 73(3)(a); S.I. 2000/3230, art. 2, Sch.

Modifications etc. (not altering text)

C1 Sch. 6 restricted (16.2.2000) by S.I. 2000/253, arts. 1(2), 11

Interpretation

1 In this Schedule—

“the Chief Inspector” means [^{F2}Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru], and

“the Office of the Chief Inspector” means the Chief Inspector and the persons who (in accordance with section 4(3) of, and Schedule 1 to, the ^{M1}School Inspections Act 1996) are members of his staff.

Textual Amendments

F2 Words in Sch. 6 para. 1 substituted (1.1.2001) by 2000 c. 21 s. 73(3)(a); S.I. 2000/3230, art. 2, Sch.

Marginal Citations

M1 1996 c. 57.

Status of the Office of the Chief Inspector

2 The Secretary of State may by order provide that the Office of the Chief Inspector is, for the purposes of the enactments specified in the order, to be treated as if it were a government department.

Status of the Chief Inspector and his staff

3 (1) Despite the provision made by section 104—

(a) the functions of the Chief Inspector and his staff shall continue to be regarded as exercised on behalf of the Crown, and

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- (b) service as a member of the Chief Inspector’s staff shall continue to be service in Her Majesty’s Home Civil Service.
- (2) Whether service as the Chief Inspector is service in Her Majesty’s Home Civil Service shall continue to be a matter which falls to be determined in accordance with the terms of the Chief Inspector’s appointment, but the Chief Inspector shall in any event be a person to whom section 1 of the ^{M2}Superannuation Act 1972 (superannuation schemes for civil servants) applies.

Marginal Citations

M2 1972 c. 11.

Receipts

- 4 (1) The Treasury may direct that any requirement that sums be paid into the Consolidated Fund shall not have effect in relation to sums received by the Chief Inspector if the sums are, or are of a description, specified in the direction.
- (2) Any sums received by the Chief Inspector which are not required to be paid into the Consolidated Fund shall be applied by him towards meeting his expenses.

Accounts

- 5 (1) The Chief Inspector shall keep proper accounting records.
- (2) The Chief Inspector shall, for each financial year, prepare accounts in accordance with directions given to him by the Treasury.
- (3) The directions which the Treasury may give under sub-paragraph (2) include, in particular, directions as to—
- (a) the information to be contained in the accounts and the manner in which it is to be presented,
 - (b) the methods and principles in accordance with which the accounts are to be prepared, and
 - (c) the additional information (if any) that is to accompany the accounts.

Audit

- 6 (1) The accounts prepared by the Chief Inspector for any financial year shall be submitted by him to the Auditor General for Wales no later than five months after the end of that financial year.
- (2) The Auditor General for Wales shall—
- (a) examine and certify any accounts submitted to him under this paragraph, and
 - (b) no later than four months after the accounts are submitted to him, lay before the Assembly a copy of them as certified by him together with his report on them.
- (3) In examining any accounts submitted to him under this paragraph, the Auditor General for Wales shall, in particular, satisfy himself that the expenditure to which

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the accounts relate has been incurred lawfully and in accordance with the authority which governs it.

Accounting officer

- 7 (1) The accounting officer for the Office of the Chief Inspector shall be the Chief Inspector.
- (2) But where the Chief Inspector is incapable of discharging his responsibilities as accounting officer, or where the office of Chief Inspector is vacant, the Treasury may designate a member of the Chief Inspector’s staff to be the accounting officer for so long as the incapacity or vacancy continues.
- (3) The accounting officer for the Office of the Chief Inspector shall have, in relation to the accounts of the Chief Inspector and the finances of the Office of the Chief Inspector, the responsibilities which are from time to time specified by the Treasury.
- (4) In this paragraph references to responsibilities include in particular—
- (a) responsibilities in relation to the signing of accounts,
 - (b) responsibilities for the propriety and regularity of the finances of the Office of the Chief Inspector, and
 - (c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Office of the Chief Inspector are used.
- (5) The responsibilities which may be specified under this paragraph include responsibilities owed to—
- (a) the Assembly or the Audit Committee, or
 - (b) the House of Commons or its Committee of Public Accounts.
- (6) If requested to do so by the House of Commons Committee of Public Accounts, the Audit Committee may—
- (a) on behalf of the Committee of Public Accounts take evidence from the accounting officer for the Office of the Chief Inspector, and
 - (b) report to the Committee of Public Accounts and transmit to that Committee any evidence so taken.

Examinations into use of resources

- 8 (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Chief Inspector has used the resources of the Office of the Chief Inspector in discharging his functions.
- (2) Sub-paragraph (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Chief Inspector.
- (3) In determining how to exercise his functions under this paragraph, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this paragraph.
- (4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.

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- (5) The Auditor General for Wales and the Comptroller and Auditor General may cooperate with, and give assistance to, each other in connection with the carrying out of examinations in respect of the Chief Inspector under this paragraph or section 7 of the ^{M3}National Audit Act 1983 (economy etc. examinations).

Marginal Citations

M3 1983 c. 44.

Examinations by the Comptroller and Auditor General

- 9 (1) For the purpose of enabling him to carry out examinations into, and report to Parliament on, the finances of the Office of the Chief Inspector, the Comptroller and Auditor General—
- (a) shall have a right of access at all reasonable times to all such documents in the custody or under the control of the Chief Inspector, or of the Auditor General for Wales, as he may reasonably require for that purpose, and
 - (b) shall be entitled to require from any person holding or accountable for any of those documents any assistance, information or explanation which he reasonably thinks necessary for that purpose.
- (2) The Comptroller and Auditor General shall—
- (a) consult the Auditor General for Wales, and
 - (b) take into account any relevant work done or being done by the Auditor General for Wales,
- before he acts in reliance on sub-paragraph (1) or carries out an examination in respect of the Chief Inspector under section 7 of the ^{M4}National Audit Act 1983 (economy etc. examinations).

Marginal Citations

M4 1983 c. 44.

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