

# LOCAL AUDIT AND ACCOUNTABILITY ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY

#### **Part 3 – Appointment Etc of Local Auditors**

##### ***Section 17: Appointment of auditor by specified person***

44. **Section 17** gives the Secretary of State the power to make provision, by regulations, for certain relevant authorities to have a local auditor appointed on their behalf by a body (an ‘appointing person’) specified by the Secretary of State. This is to allow for sector-led collective procurement arrangements, under which relevant authorities would be able to opt to have their auditor appointed by a specified sector-led body, rather than appoint locally.
45. **Section 17** enables the Secretary of State to make provision in regulations in connection with such arrangements. This includes further provision on the process for specifying or de-specifying an appointing person, and the functions and duties of such a person (for example to consult on a scale of fees). Regulations may make provision around the process through which relevant authorities will become subject to these arrangements (for example the process for opting-in) – and on any duties / functions of such authorities, or of their auditors. Regulations under section 17 may also make provision for the appointment of an auditor where that authority has opted-in, but the appointing person fails to make an appointment.
46. Subsection (8) of section 17 specifies that regulations may also disapply or modify any provision under Part 3 as it applies to an authority that is subject to collective procurement arrangements. It also allows regulations to disapply or modify provisions elsewhere in the Act in consequence of any provision made in regulations under section 17.