



Audit Commission Act 1998

1998 CHAPTER 18

PART III

STUDIES, PERFORMANCE STANDARDS AND OTHER FUNCTIONS

Performance standards of local authorities etc.

44 Publication of information as to standards of performance

- (1) The Commission shall give such directions as it thinks fit for requiring relevant bodies to publish such information relating to their activities in any financial year as will, in the Commission's opinion, facilitate the making of appropriate comparisons (by reference to the criteria of cost, economy, efficiency and effectiveness) between—
 - (a) the standards of performance achieved by different relevant bodies in that financial year; and
 - (b) the standards of performance achieved by such bodies in different financial years.
- (2) Where a relevant body is required by a direction under this section to publish information in relation to any financial year, it shall—
 - (a) make such arrangements for collecting and recording the information as secure that the information is available for publication and, so far as practicable, that everything published in pursuance of the direction is accurate and complete;
 - (b) within the period of nine months beginning with the end of that financial year, publish the information in accordance with the direction and by one of the methods permitted by section 45; and
 - (c) keep a document containing any information published in pursuance of the direction available for inspection by local government electors for its area.
- (3) The Secretary of State may by order vary the period for the time being specified in paragraph (b) of subsection (2) so as to fix the latest time for the publication of information in accordance with that paragraph at any such time, within the period of

Status: This is the original version (as it was originally enacted).

nine months after the end of the financial year in question, as may be specified in the order.

- (4) A local government elector for the area of a relevant body may—
- (a) at all reasonable times and without payment, inspect and make copies of the whole or any part of a document kept available for inspection under subsection (2)(c) by the body; and
 - (b) require copies of the whole or part of any such document to be delivered to him on payment of a reasonable sum for each copy.
- (5) A person who has custody of a document kept available for inspection under subsection (2)(c) and—
- (a) obstructs a person in the exercise of his rights under subsection (4), or
 - (b) refuses to comply with a requirement under subsection (4)(b),
- is guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (6) In this section and sections 45 and 46 “relevant body” means any body subject to audit other than one within subsection (7).
- (7) Subject to section 47, the following are not relevant bodies for the purposes of this section and sections 45 and 46—
- (a) parish and community councils and any parish meeting of a parish not having a separate parish council;
 - (b) charter trustees constituted under section 246 of the 1972 Act;
 - (c) health service bodies;
 - (d) port health authorities;
 - (e) licensing planning committees;
 - (f) internal drainage boards;
 - (g) probation committees; and
 - (h) Passenger Transport Executives.