

PUBLIC AUDIT (WALES) ACT 2004

EXPLANATORY NOTES

TERRITORIAL EXTENT AND DEVOLUTION

Schedule 2: Minor and Consequential Amendments

156. The Schedule makes minor and consequential amendments to existing legislation. The principal consequential amendments are as follows.
157. Sections 33 and 34 of the ACA are amended so as to restrict the Audit Commission's power to undertake or promote economy, efficiency and effectiveness studies, statutory impact studies, and other studies relating to local government bodies in Wales. The Audit Commission will not be able to undertake or promote such a study unless it is being undertaken throughout England and Wales (see paragraphs 23(7) and 24(4) of Schedule 2). Thus the Audit Commission will be able to continue to undertake cross-border studies in relation to local government bodies in Wales. The Audit Commission will have to consult the Auditor General before undertaking such a study, and take into account any relevant work done or being done by him (see paras. 23(6) and 24(3)). The Commission will also have to co-operate with the Auditor General where appropriate for the efficient and effective discharge of its function of carrying out such studies (para. 34). The Auditor General is also under a duty to provide the Commission, on request, with information enabling it to make comparisons between English and Welsh bodies when it is carrying out such studies - see section 57 and the notes on it. Authority to undertake economy, efficiency and effectiveness studies, statutory impact studies, and other similar studies solely in respect of local government bodies in Wales will pass to the Auditor General as a result of the Act.
158. Amendments are also made to the GOWA and the Health and Social Care (Community Health and Standards) Act 2003 imposing duties on the Assembly and the CHAI to consult and co-operate with the Auditor General, and take into account work done or being done by him, when exercising their functions in relation to Welsh NHS bodies (as defined in section 60). These are complementary duties to those imposed on the Auditor General elsewhere in the Act. A duty is also imposed on the Auditor General to provide the CHAI, on request, with information enabling it to make comparisons between English and Welsh NHS bodies when it is undertaking reviews or studies under sections 51, 52 or 57 of the Health and Social Care (Community Health and Standards) Act 2003.