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STATUTORY INSTRUMENTS

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**2015 No. 234**

**The Accounts and Audit Regulations 2015**

**PART 4**

**Published accounts and audit – Category 2 authorities**

**Statement of accounts for Category 2 authorities**

**11.—**(1) A Category 2 authority must ensure that the statement of accounts required by section 3(3) of the Act is prepared in accordance with these Regulations.

(2) Subject to paragraph (3), a statement of accounts prepared by a Category 2 authority under section 3(3) of the Act must take the form of—

- (a) an income and expenditure account; and
- (b) a statement of balances,

prepared in accordance with, and in the form specified in any annual return required by, proper practices in relation to accounts.

(3) Where, in relation to a Category 2 authority and a financial year, the gross income or expenditure (whichever is the higher) is not more than £200,000 for that financial year or for either of the two immediately preceding financial years, the statement of accounts may, instead of complying with paragraph (2), take the form of a record of receipts and payments of the authority in relation to that financial year.

(4) A record prepared in accordance with paragraph (3) must be prepared in accordance with, and in the form specified in any annual return required by, proper practices in relation to accounts.

**Signing and approval of statement of accounts for Category 2 authorities**

**12.—**(1) The responsible financial officer for a Category 2 authority must, on behalf of that authority—

- (a) in a case where the authority has prepared a record of receipts and payments, sign and date that record, and confirm that they are satisfied that it properly presents that authority's receipts and payments for the financial year to which the record relates; or
- (b) in any other case, sign and date the income and expenditure account and statement of balances, and confirm that they are satisfied that they present fairly—
  - (i) the financial position of the authority at the end of the financial year to which they relate; and
  - (ii) that authority's income and expenditure for that financial year.

(2) When the responsible financial officer has complied with paragraph (1), a Category 2 authority must, in the following order—

- (a) consider the statement of accounts by the members meeting as a whole;
- (b) approve the statement of accounts by resolution; and

- (c) ensure the statement of accounts is signed and dated by the person presiding at the meeting at which that approval is given.
- (3) The responsible financial officer for a Category 2 authority must, as soon as reasonably practicable after the date on which the authority complies with paragraph (2)(c), on behalf of that authority—
  - (a) commence the period for the exercise of public rights in accordance with regulation 14 and regulation 15; and
  - (b) notify the local auditor of the date on which that period was so commenced.

**Publication of statement of accounts and annual governance statement for Category 2 authorities**

- 13.**—(1) Subject to paragraph (3), a Category 2 authority must, after the conclusion of the period for the exercise of public rights but not later than 30th September of the financial year immediately following the end of the financial year to which the statement relates, publish (which must include publication on that authority’s website)—
- (a) the statement of accounts together with any certificate or opinion entered by the local auditor in accordance with section 20(2) of the Act; and
  - (b) the annual governance statement approved in accordance with regulation 6(3).
- (2) Where documents are published under paragraph (1), the authority must—
- (a) keep copies of those documents for purchase by any person on payment of a reasonable sum; and
  - (b) ensure that those documents remain available for public access for a period of not less than five years beginning with the date on which those documents were first published in accordance with that paragraph.
- (3) Paragraphs (1) and (2) do not apply to a Category 2 authority with exempt status.
- (4) A Category 2 authority with exempt status must—
- (a) keep copies of its statement of accounts for purchase by any person on payment of a reasonable sum; and
  - (b) after the conclusion of the period for the exercise of public rights in regulation 14, ensure that the statement of accounts that was published on the authority’s website in accordance with regulation 15(2) remains available for public access for a period of not less than five years beginning with the date of such publication.
- (5) In the case of a Category 2 authority which is a parish meeting, and where the authority has displayed its statement of accounts in a conspicuous place in accordance with regulation 2(5)(b)(ii), paragraph (4)(b) does not apply.