

SCHEDULE 2

Article 3

Transitional Provisions and Savings

Power of the Auditor General to charge a fee for auditing accounts

1. Despite the coming into force of section 7 and Schedule 4, section 93(3) of the Government of Wales Act 1998⁽¹⁾ is to continue to have effect, as if it had not been repealed by the Act, in so far as it relates to fees for auditing the accounts of the Assembly prepared in respect of any financial year beginning before 1 April 2005.

Accounts and audit regulations

2.—(1) Sub-paragraph (2) applies despite—

- (a) the coming into force of section 67 and paragraphs 35, 36 and 38(3) of Schedule 2, and
- (b) the repeal, by Schedule 4, of the words “or the National Assembly for Wales” in section 52(1) of the Audit Commission Act 1998⁽²⁾.

(2) The power of the Assembly to make regulations under sections 27 and 52(1) of the Audit Commission Act 1998 is to remain in force, in relation to accounts or statements of accounts prepared in respect of any financial year beginning before 1 April 2005.

Audit Commission Act 1998: provisions concerning recovery of amounts not accounted for

3. Despite the coming into force of subsections (1) and (2) of section 69 and of paragraph 38(3) of Schedule 2—

- (a) section 2 of the Audit Commission Act 1998 is to continue to apply to the accounts of a local government body in Wales (other than a police authority for a police area in Wales) for the purposes of —
 - (i) section 16(1)(a) of that Act, to the extent that that provision is saved by sub-paragraph (c); and
 - (ii) section 18 of that Act, to the extent that that section is saved by sub-paragraph (b);
- (b) section 18 of the Audit Commission Act 1998 is to remain in force—
 - (i) in so far it relates to accounts of a local government body in Wales (other than a police authority for a police area in Wales) prepared in respect of a financial year beginning before 1 April 2005; and
 - (ii) so that the function of an auditor under subsection (1) of that section is to be exercisable only in relation to a matter in respect of which a local government elector has made an objection under section 16(1)(a) of that Act;
- (c) the rights of a local government elector under section 16(1)(a) of the Audit Commission Act 1998 to attend before an auditor and make objections are to remain in force in so far as —
 - (i) the objection relates to any matter in respect of which an auditor could take action under section 18(1) of that Act, as saved by sub-paragraph (b);
 - (ii) the accounts in question are accounts of a local government body in Wales (other than a police authority for a police area in Wales); and

(1) 1998 c. 38

(2) 1998 c. 18

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (iii) the accounts in question were prepared in respect of a financial year beginning before 1 April 2005.