

1993—No. 290

**ANNUAL REPORTS (DEPARTMENTS) ACT 1985—
REGULATION**

(Relating to additional matters to be reported)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Annual Reports (Departments) Act 1985, has been pleased to make the Regulation set forth hereunder.

PETER COLLINS
Treasurer.

The Annual Reports (Departments) Regulation 1986 is amended:

- (a) by omitting from paragraph (a) of the definition of “reporting year” in clause 2 the words “or the Department of Technical and Further Education”;
- (b) by omitting from paragraph (b) of the definition of “reporting year” in clause 2 the words “and the Department of Technical and Further Education”;
- (c) by inserting after clause 2 the following clauses:

Inclusion of unaudited financial statements etc.

2A. If unaudited financial statements are, or unaudited financial information is, included in the annual report of a Department, the fact that the statements have not, or the information has not, been audited is to be clearly indicated by note or otherwise.

Identification of audited financial statements

2B. The start and finish of the audited financial statements of a Department required under section 9 (1) (a) of the Act is to be clearly indicated in the annual report of the Department.

- (d) by omitting from clause 3 (c) the word “officers” and by inserting instead the word “offices”;

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(e) by inserting after clause 3 (o) the following paragraphs:

(p) risk management and insurance activities—a report on the risk management and insurance arrangements and activities affecting the Department;

(q) controlled entities—a detailed statement of the name, objectives, operations, activities, performance targets and actual performance measures of each entity controlled by the Department that is an entity of the kind referred to in section 45A (1A) of the Public Finance and Audit Act 1983.

(f) by inserting after clause 4 (d) the following word and paragraphs:

; and

(e) particulars of any matter (arising after the end of the reporting year and before the report is submitted to the appropriate Minister under section 12 (1) of the Act) which could have a significant effect in the succeeding reporting year on:

- the financial operations of the Department; or
- the other operations of the Department; or
- the clientele or section of the community served by the Department; and

(f) the number of copies printed of the annual report and the average cost of producing each copy, if known, or if not, the estimated average cost of producing each copy, based on the external costs (such as fees for consultants or printing costs) incurred in the production of the report.

(g) by omitting clause 5 (b);

(h) by inserting at the end of clause 5 the following subclause:

(2) The annual report of a Department is to contain an index and a table of contents. These are to be arranged so as to assist in identifying the reporting requirements of the Act complied with in the report.

(i) by inserting at the end of clause 6 the following subclause:

(3) An additional copy of an annual report of a Department is to be provided to the Clerk of the Parliaments and the Clerk of the Legislative Assembly in a computer readable form which complies with guidelines issued by the Treasurer.

EXPLANATORY NOTE

The main object of this Regulation is to amend the Annual Reports (Departments) Regulation 1986 so as to require a Department to include additional material in its annual report and to report on certain other material in a specified manner.

The Regulation provides for the following additional requirements relating to reports:

- (a) if unaudited financial statements are, or unaudited financial information is, included in the report, the fact that the material is unaudited is to be indicated in the report (item (c)—proposed clause 2A);
- (b) audited financial statements included in the report are to be clearly identified as such (item (c)—proposed clause 2B);
- (c) a report on the risk management and insurance activities of the Department is to be included (item (e)—proposed clause 3 (p));
- (d) particulars of certain bodies controlled by the Department (e.g. subsidiary companies) are to be included (item (e)—proposed clause 3 (q));
- (e) particulars of any matter, arising after the end of the reporting year and before the report is submitted to the Minister, that could have a significant effect on the Department in the succeeding reporting year are to be included (item (f)—proposed clause 4 (e));
- (f) the average (or estimated average) cost of producing a copy of the Department's annual report (based on external costs incurred in its production e.g. printing costs) and the number of copies produced are to be included (item (f)—proposed clause 4 (f));
- (g) an index and a table of contents are to be included and arranged in such a manner as will assist in identifying the reporting requirements under the Annual Reports (Departments) Act 1985 that are being complied with (items (g) and (h));
- (h) an additional copy of a Department's annual report is to be provided to the Clerk of each House of Parliament in a computer readable form which complies with guidelines issued by the Treasurer (item (i)).

The Regulation also:

- (a) amends the definition of "reporting year" by omitting a reference to a particular Department that is no longer appropriate (items (a) and (b)); and
- (b) makes it clear that certain information is to be provided as to the principal offices of the Department (item (d)).

The Regulation is made under the Annual Reports (Departments) Act 1985, including section 20 (the general regulation making power) and sections 9 and 11.