



New South Wales

# Public Finance and Audit Amendment (Northern Beaches Hospital) Bill 2019

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to authorise the Auditor-General to conduct performance audits of the Northern Beaches Hospital.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## **Schedule 1      Amendment of Public Finance and Audit Act 1983 No 152**

Schedule 1 amends the *Public Finance and Audit Act 1983* to give effect to the object set out in the Overview.



New South Wales

# Public Finance and Audit Amendment (Northern Beaches Hospital) Bill 2019

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New South Wales

# Public Finance and Audit Amendment (Northern Beaches Hospital) Bill 2019

No. , 2019

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## A Bill for

An Act to amend the *Public Finance and Audit Act 1983* to authorise the Auditor-General to conduct performance audits of the Northern Beaches Hospital.

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**The Legislature of New South Wales enacts:**

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**1 Name of Act**

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This Act is the *Public Finance and Audit Amendment (Northern Beaches Hospital) Act 2019*.

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**2 Commencement**

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This Act commences on the date of assent to this Act.

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<b>Schedule 1</b>	<b>Amendment of Public Finance and Audit Act 1983</b>	1
	<b>No 152</b>	2
<b>Part 3, Division 2C</b>		3
Insert before Division 3:		4
<b>Division 2C</b>	<b>Performance audit of Northern Beaches Hospital</b>	5
<b>38I</b>	<b>Definitions</b>	6
	In this Division:	7
	<i>chief executive officer</i> of the Northern Beaches Hospital means the person	8
	who is the chief executive officer (however described) of the hospital or	9
	otherwise responsible for the hospital's day to day management.	10
	<i>Northern Beaches Hospital</i> means the hospital known as the Northern	11
	Beaches Hospital located at Frenchs Forest.	12
	<i>performance audit</i> means an audit under this Division.	13
	<i>relevant public purpose</i> means any purpose for which the Northern Beaches	14
	Hospital receives money from the State (whether directly or indirectly)	15
	because the hospital:	16
	(a) agrees to use the money in achieving the purpose, or	17
	(b) has entered into a contract that relates to the purpose.	18
<b>38J</b>	<b>Auditor-General may conduct performance audit of Northern Beaches Hospital</b>	19
(1)	The Auditor-General may at any time conduct a performance audit of the	20
	Northern Beaches Hospital.	21
(2)	The performance audit may be conducted only to the extent that it assesses the	22
	activities of the Northern Beaches Hospital in relation to achieving a relevant	23
	public purpose.	24
(3)	The purpose of the performance audit is to determine whether the Northern	25
	Beaches Hospital is carrying out those activities effectively and doing so	26
	economically and efficiently and in compliance with all relevant laws.	27
(4)	The Northern Beaches Hospital may be audited under this section only if the	28
	activities of the hospital in relation to achieving the relevant public purpose	29
	cannot be audited under any other provision of this Act.	30
<b>38K</b>	<b>Report of performance audit</b>	31
(1)	The Auditor-General is to report to each of the following as to the result of a	32
	performance audit of the Northern Beaches Hospital under section 38J:	33
	(a) the chief executive officer,	34
	(b) the Minister for Health and Medical Research,	35
	(c) the Treasurer.	36
(2)	The report must include the reasons for conducting the audit.	37
(3)	The Auditor-General must not make a report of a performance audit unless, at	38
	least 28 days before making the report, the Auditor-General has given each	39
	person referred to in subsection (1) a summary of any findings and proposed	40
	recommendations in relation to the audit.	41

- |            |  |                      |
|------------|--|----------------------|
| (4)        | The Auditor-General may make a report before the expiry of that 28-day period if the chief executive officer has provided to the Auditor-General any submissions or comments the chief executive officer wishes to make.                               | 1<br>2<br>3          |
| (5)        | The Auditor-General is to include in the report any submissions or comments made by the chief executive officer or a summary, in an agreed form, of any such submissions or comments.  | 4<br>5<br>6          |
| (6)        | In a report of a performance audit, the Auditor-General:   | 7                    |
|            | (a) may include such information as the Auditor-General thinks desirable in relation to the activities that are the subject of the audit, and  | 8<br>9               |
|            | (b) is to set out the reasons for opinions expressed in the report, and  | 10                   |
|            | (c) may include any recommendations arising out of the audit that the Auditor-General thinks fit to make.  | 11<br>12             |
| (7)        | The Auditor-General may include the report in any other report of the Auditor-General.   | 13<br>14             |
| <b>38L</b> | <b>Tabling of reports</b>  | 15                   |
| (1)        | The Auditor-General is, as soon as practicable after making a report under section 38K, to present the report to each House of Parliament, if that House is then sitting.  | 16<br>17<br>18       |
| (2)        | If a House of Parliament is not sitting when the Auditor-General seeks to present a report to it under this section, the Auditor-General is to present the report to the Clerk of the House concerned to be dealt with in accordance with section 63C. | 19<br>20<br>21<br>22 |
| (3)        | The Auditor-General may include the report in any other report of the Auditor-General to the House of Parliament concerned.  | 23<br>24             |