



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

No. 155 of 1972

An Act to provide for a Parliamentary Committee of Public Accounts.

[Assented to 14th December, 1972]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Public Accounts Committee Act, 1972". Short title.

2. In this Act, "the Committee" means the Public Accounts Committee constituted under this Act. Interpretation.

3. (1) There shall be a Committee, to be called the "Public Accounts Committee". Constitution and appointment of Committee.
 - (2) The Committee shall consist of five Members of the House of Assembly who shall be appointed by the House of Assembly and of whom not less than two shall be so appointed from the group led by the Leader of the Opposition.
 - (3) A Minister of the Crown shall not be a member of the Committee.
 - (4) Forthwith after the commencement of this Act, and forthwith after the commencement of the first session of each Parliament after the commencement of this Act, the Committee shall be appointed.

4. Notwithstanding that his seat as a member of the House of Assembly has become vacant by reason of the fact that the House has been dissolved or that the term of that House has expired, each Term of office.

member of the Committee shall unless his seat on the Committee sooner becomes vacant, hold office until the next appointment of the Committee.

Casual
vacancies.

5. (1) The seat of any member of the Committee shall become vacant if he—

- (a) dies;
- (b) delivers to the Speaker of the House of Assembly or, if the office of Speaker is vacant, to the Clerk of that House, his resignation in writing signed by him;
- (c) ceases to be a member of the House of Assembly otherwise than upon the dissolution of that House or the expiration of the term of that House;
- (d) becomes a Minister of the Crown;
- (e) is absent without the approval by resolution of the Committee from three consecutive duly summoned meetings of the Committee;

or

- (f) is removed from office by resolution of the House of Assembly on the ground that he is incompetent to discharge his duties as a member of the Committee or that he has been neglectful in the discharge of his duties or is otherwise not a fit and proper person to continue to be a member of the Committee.

(2) Subject to section 3 of this Act, the House of Assembly may appoint one of its members to fill a casual vacancy in its membership on the Committee.

Chairman and
temporary
chairman.

6. (1) Upon each appointment of the Committee, the members thereof shall appoint one of their number to be chairman of the Committee.

(2) The chairman shall preside at all meetings of the Committee at which he is present: Provided that at any meeting at which a quorum is present the members in attendance may, in the absence of the chairman, appoint one of their number then present to be temporary chairman during such absence.

(3) In the absence of the chairman, the temporary chairman may act as chairman and shall have all the powers conferred on the chairman by this Act.

Quorum and
voting.

7. (1) Subject to subsection (2) of this section three members of the Committee shall form a quorum thereof.

(2) When the Committee meets for the consideration of a proposed report to Parliament, the quorum shall consist of not less than four members.

(3) All questions to be decided by the Committee shall be decided by a majority of the votes of the members present.

(4) The chairman shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

8. (1) The salary of the Chairman of the Committee shall be at the rate of one thousand five hundred dollars per annum, and the salary of each member of the Committee shall be at the rate of one thousand dollars per annum.

Salaries and allowances.

(2) In addition to such salary each member of the Committee shall, in respect of the performance of his duties as such member, be entitled to such expenses and allowances as are prescribed.

(3) The amounts payable to a member of the Committee pursuant to this section shall be in addition to any payment received by such member pursuant to any Act in respect of his services in the discharge of his Parliamentary duties.

9. The amounts to which a member of the Committee is entitled pursuant to this Act shall be certified in writing signed by the Chairman and the Secretary of the Committee, whose certificate shall be sufficient authority for the payment of all amounts so certified.

Certificate for payment.

10. Within the meaning and for the purposes of any provision of any Act—

Office not an office of profit under Crown.

(a) the office of the Chairman or a member of the Committee shall be deemed not to be an office of profit under the Crown;

(b) the Chairman or a member of the Committee shall not by reason of holding office or accepting any salary, fees, allowances or other emoluments as such be deemed to accept or to have accepted any office of profit under the Crown.

11. Any moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for those purposes.

Financial provision.

12. The Governor may, on the recommendation of the Speaker of the House of Assembly after consultation with the Committee, appoint a secretary to the Committee and such other officers of the Committee as are required for the performance of its functions and the secretary and officers shall, if they are not already officers of the House of Assembly, on appointment become such officers.

Secretary and officers.

13. The duties of the Committee shall be—

Duties of Committee.

(a) to examine the accounts of the receipts and expenditure of the State and each statement and report transmitted to the Houses of Parliament by the Auditor-General, pursuant to the Audit Act, 1921-1966 as amended;

(b) to report to the House of Assembly with such comments as it thinks fit, any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the House should be directed;

(c) to report to the House of Assembly any alteration which the Committee thinks desirable in the form of the public accounts or in the method of keeping them, or in the mode of receipt, control, issue or payment of public moneys;

and

(d) to inquire into and report to the House of Assembly on any question in connection with the public accounts of the State—

(i) on its own initiative;

(ii) which is referred to it by a resolution of the House of Assembly;

or

(iii) which is referred to it by the Governor or by a Minister of the Crown.

Power to
summon
witnesses, etc.

14. The Committee shall have the same powers to summon and compel the attendance of witnesses and compel the production of documents as a royal commission has under the Royal Commissions Act, 1917, and sections 10, 11, 12 and 15 of that Act, shall, with such adaptations as are necessary, apply and have effect in relation to the Committee and its proceedings and witnesses or intended witnesses before the Committee.

Power to sit
during sittings.

15. The Committee may sit and transact business at any time while the House of Assembly is not sitting and, with leave of that House, at any time while that House is sitting.

Regulations.

16. The Governor may make any regulations prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor