

LEGISLATIVE COUNCIL

Read 1 8 March 1988

(Brought from the Legislative Assembly)

A BILL

for

An Act to amend the *Victorian Relief Committee Act 1958* and for other purposes.

Victorian Relief Committee (Amendment) Act 1987

The Parliament of Victoria enacts as follows:

Purpose.

- 5 1. The purpose of this Act is to alter the size and composition of the Victorian Relief Committee, to ensure the financial accountability of the Victorian Relief Committee with respect to certain matters and to empower the Victorian Relief Committee to engage paid staff.

Commencement.

2. This Act comes into operation on a day or days to be proclaimed.

Principal Act.

- 10 3. In this Act, the *Victorian Relief Committee Act 1958* is called the Principal Act.

No. 6378 as
amended by Nos.
9921 and 6/1986.

Victorian Relief Committee.

- 15 4. In section 4 of the Principal Act, for sub-sections (9) and (10) substitute—
“(9) The Committee shall consist of—

- (a) a person nominated by the Chief Commissioner of Police; and
- (b) a person with experience in industry; and
- (c) a person with experience in women's affairs; and
- (d) a person with experience in welfare activities; and 5
- (e) a person with experience in rural affairs; and
- (f) a person with experience in emergency services; and
- (g) a person with experience in transport services; and
- (h) a person with experience in the trade union movement— 10

and may include a person, or two persons, with skills that would benefit the Committee.”.

Investment powers.

5. After section 5 (b) of the Principal Act insert—

“(ba) invest money so collected in any manner approved for the time being by the Treasurer;”.

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New section 6A inserted.

6. After section 6 of the Principal Act insert—

Employment of staff.

“6A. (1) The Committee may employ, on terms and conditions determined by the Committee and approved by the Minister (including terms and conditions as to remuneration), such staff as are necessary for the carrying out of the powers of the Committee under this Act. 20

(2) In determining the terms and conditions of employment of a member of staff, the Committee must have regard to public service determinations in force for the time being under the *Public Service Act* 1974 and applicable to a person performing duties similar to those performed by that member of staff. 25

(3) Remuneration payable under sub-section (1) shall be paid from any grant or any money made available for that purpose.”. 30

Financial accountability.

7. For section 7 of the Principal Act substitute—

Accounts and records.

“7. (1) The Committee must ensure that there are kept proper accounts and records of the transactions and affairs of the Committee and such other records as sufficiently explain the financial operations and financial position of the Committee. 35

(2) The Committee must do all things necessary to do each of the following:

- (a) Ensure that all money payable to the Committee is properly collected;
- 5 (b) Ensure that all money expended by the Committee is properly expended and properly authorised;
- (c) Ensure that adequate control is maintained over assets owned by, or in the custody of, the Committee;
- 10 (d) Ensure that all liabilities incurred by the Committee are properly authorised;
- (e) Ensure efficiency and economy of operations and avoidance of waste and extravagance;
- (f) Develop and maintain an adequate budgeting and accounting system;
- 15 (g) Develop and maintain an adequate internal audit system.”

Annual Report.

“7A. (1) The Committee must, in respect of each financial year, prepare an annual report containing—

- 20 (a) a report of its operations during the financial year; and
- (b) financial statements for the financial year—

and submit the report to the Minister not later than 30 September next following the financial year.

- (2) The report of operations referred to in sub-section (1) (a)—
 - 25 (a) must be prepared in a form and contain information determined by the Committee to be appropriate; and
 - (b) must contain any further information required by the Minister.
- (3) The financial statements referred to in sub-section (1) (b)—
 - 30 (a) must contain information determined by the Treasurer to be appropriate; and
 - (b) must be prepared in a manner and form approved by the Treasurer; and
 - (c) must present fairly the results of the financial transactions of the Committee during the financial year to which they relate and the financial position as at the end of that year; and
 - 35 (d) must be signed by the principal accounting officer (by whatever name called) of the Committee and by the chairman and another member of the Committee who shall—
 - 40 (i) state whether, in their opinion, the financial statements present fairly the results of the financial transactions of

- the Committee during the financial year to which they relate and whether they sufficiently explain the financial position of the Committee as at the end of the financial year; and
- (ii) state whether, at the date of signing the financial statements, they were aware of any circumstances that render any particulars included in the statements misleading or inaccurate and, if so, particulars of the circumstances; and
- (e) be audited as required by section 7B (1).
- (4) The Minister must cause each annual report submitted to the Minister under this section to be laid before the Legislative Council and the Legislative Assembly before the expiration of the seventh sitting day of the Legislative Council or the Legislative Assembly, as the case may be, after the annual report has been received by the Minister.
- (5) If the Committee fails to submit an annual report to the Minister—
- (a) if an extension has not been granted under sub-section (7)—by 30 September in any year; or
- (b) if such an extension has been granted—by the date to which the extension was granted—
- the Minister must report or cause to be reported that failure and the reasons for the failure to each House of the Parliament.
- (6) The Committee may apply in writing to the Minister for an extension of the date by which an annual report is to be submitted to the Minister.
- (7) The Minister may, in writing, grant to the Committee an extension to such date as the Minister determines.
- (8) The Minister must advise or cause to be advised each House of the Parliament of each extension granted under this section and the reason for the extension.
- (9) This section does not apply to the Committee if, as a result of an order made under the *Annual Reporting Act* 1983, the Committee is required to submit an annual report under that Act.”
- Audit.**
- “7B. (1) The financial statements referred to in section 7A must be audited by the Auditor-General.
- (2) The Auditor-General has, in respect of the audit of the financial statements, all the powers conferred on the Auditor-General by any law relating to the audit of the public accounts.
- (3) Without limiting the generality of sub-section (2), the Auditor-General and each officer of the Auditor-General—

(a) has right of access at all times to the books of the Committee;
and

5 (b) may require from an officer or employee of the Committee
any information, assistance and explanations necessary for
the performance of the duties of the Auditor-General in
relation to the audit.

10 (4) The Committee must pay to the Consolidated Fund an amount
to be determined by the Auditor-General to defray the costs and
expenses of any audit by the Auditor-General.”.

