

11. Annual public accounts(1) Within a period of two months after the close of each financial year, any officer other than the Accountant-General who, by virtue of any law, is responsible for the administration of any Special Fund, shall prepare, sign and transmit to the Auditor-General and to the Accountant-General an account of such Fund in respect of that financial year containing such information and in such form as the Minister responsible for finance may direct.(2) Within the period of six months after the close of each financial year, the Accountant-General shall prepare, sign and transmit to the Auditor-General, for the purpose of auditing, the accounts and statements specified in the Public Finance Management Act in relation to that financial year, together with such other accounts and statements in relation to that year as the Minister responsible for finance may specify for the purposes of this subsection.(3) As soon as the Auditor-General completes his or her examination of the accounts and statements transmitted to him or her in accordance with subsection (2), he or she shall return the same, together with his or her certificate thereon, to the Accountant-General who shall, within the period of four weeks after their return to him or her, submit them, together with the Auditor-General's certificate thereon, to the Minister responsible for finance.(4) The Minister responsible for finance shall, within the period of 30 days after the submission to him or her of the accounts and statements in accordance with subsection (3), lay the same, together with the Auditor-General's certificate thereon, before the National Assembly.12. Accounts of statutory bodies(1) Where, by virtue of such a written law as is referred to in the proviso to section 124 (2) of the Constitution, the Auditor-General is required to exercise any functions in relation to the accounts of any body corporate directly established by law he or she-(a) shall have, in relation to that body and its members, officers, employees and property, in addition to the powers conferred upon him or her by any other law, the same duties and powers as are imposed and conferred upon him or her by the Constitution and this Act in relation to public moneys and public supplies; and(b) may authorise a professional accountant to examine or audit the books and accounts of that body and such professional accountant shall report thereon to the Auditor-General in such manner as the Auditor-General may direct.(2) The Auditor-General shall report on his or her audit of the accounts referred to in this section and shall send such report to the appropriate Minister and a copy thereof to the Minister responsible for finance, and the appropriate Minister shall present the report to the National Assembly as if such report were in all aspects one which the Minister is required to present in accordance with section 20.(3) The appropriate Minister referred to in subsection (2) shall obtain the observations of the body concerned in any matter to which attention has been called by the Auditor-General in his or her report, and such observations shall be presented by the appropriate Minister to the National Assembly with the said report.(4) Where the appropriate Minister referred to in subsection (2) fails within a reasonable time to present such report to the National Assembly, the Auditor-General shall transmit such report to the Speaker of the National Assembly.(5) Nothing in this subsection shall require the appropriate Minister referred to in subsection (2) to present any accounts of, or reports on, any authority or body to the National Assembly if the written law establishing such body provides to the contrary.(a) A body corporate whose accounts have been audited under the provisions of this section shall, in respect of such audit, pay such fees as may be determined by the Auditor-General, with the approval of the appropriate Minister, and such fees shall be paid into the Consolidated Fund.13. Public interest investigations(1) Notwithstanding any other written law, where the Auditor-General considers that it is in the public interest to carry out investigations into the finances of any corporation established by a written law or any corporation registered in accordance with the Companies Act, in which Government owns 51 per cent or more of the equity shares, he or she may carry out such investigation.(2) The Auditor-General may, in carrying out an investigation under this section, request such information as he or she considers necessary from any corporations referred to in that subsection.(3) A corporation referred to in subsection (1) shall, if so requested by the Auditor-General, give the Auditor-General access to, or provide him or her with such records, information or explanation in respect of itself as the Auditor-General may require for the purposes of an investigation under this section; and the Auditor-General shall be entitled to make copies of or take extracts from any such records.(4) A corporation which gives any information, explanation or access to any records pursuant to this section shall not give information or an explanation or access to records which it knows to be false or misleading.(5) The Auditor-General shall, for purposes of carrying out an investigation under this section, have all the powers conferred by section 12 (1) in relation to the corporation in question and to its members, officers, employees and property, and shall have the same powers, rights and privileges as are normally conferred upon a Commissioner under the Commissions of Enquiry Act, and the provisions of that Act shall, with the necessary modifications, apply in relation to the investigation and to any person summoned to give evidence or giving evidence at the investigation.(6) The Auditor-General shall, on the conclusion of an investigation under this section, submit a report to the appropriate Minister on that investigation.(7) Where, after the conclusion of an investigation under this section, the appropriate Minister is of the opinion that there are reasonable grounds for suspecting that any person has committed an offence, he or she shall refer the matter to the appropriate authority.(8) Any corporation which contravenes the provisions of this section shall be guilty of an offence, and shall be liable to a fine of not less than P50 000 but not exceeding P100 000.14. Audit at instance of Auditor-General or Minister(1) Notwithstanding anything to the contrary contained in this Act or any other law, the Auditor-General shall have at his or

her own initiative or on the request of any Minister, exercise any of the functions, powers and duties conferred on him or her by the Constitution or by this Act, in relation to the accounts of-(a) a local authority;(b) an agency, department or ministry of Government;(c) an entity which receives more than half of its annual budget directly or indirectly from the Government; and(d) an entity which such Minister may by order declare to be subject to this Act on the grounds that such entity deals with public funds or supplies.(2) Where the Auditor-General exercises the powers conferred on him or her by subsection (1), he or she shall have all the powers conferred by subsection 12 (1) in relation to the entity in question and to its members, officers, employees and property, and shall have the same powers, rights and privileges as are normally conferred upon a Commissioner under the Commissions of Enquiry Act, and the provisions of that Act shall, with the necessary modifications, apply in relation to the investigation and to any person summoned to give evidence at the investigation.

15. Special audits and investigationsThe Auditor-General may at any time, if it appears to him or her to be desirable, send a report of a special audit on any matter incidental to the Auditor-General's powers and duties under the provisions of this Act to the Speaker of the National Assembly.

16. Reporting of frauds, losses or irregularitiesIf at any time it appears to the Auditor-General that any fraud or serious loss or irregularity has occurred in the collection, custody or disbursement of public moneys or in the receipt, custody, issue or use of any public supplies, or in the accounting therefor, he or she shall, unless the fraud, loss or irregularity has already been so reported, immediately bring the matter to the notice of the appropriate Minister.

17. Outsourcing of audit of public entities(1) The Auditor-General may appoint a certified auditor of public interest entity registered under the Financial Reporting Act to assist him or her in the performance of his or her functions under this Act.(2) A person appointed under subsection (1) shall comply with any general or specific directions given by the Auditor-General.(3) The Auditor-General shall pay such remuneration or allowances as he or she may determine, to the person appointed under subsection (1).(4) A person appointed under subsection (1) shall submit copies of the audit report to the Auditor-General.

18. Standards of auditing(1) The Auditor-General shall adopt standards, manuals, code of ethics and other tools necessary for implementing the auditing standards.(2) The Auditor-General shall carry out his or her activities in accordance with the standards, manuals or code of ethics adopted under subsection (1) and ensure that staff and other persons undertaking any audit function comply with these standards, manuals or code of ethics.(3) The Auditor-General shall be responsible for implementing a quality control system to ensure that auditing standards, manuals or code of ethics are complied with in the audit work, including quality assurance mechanisms ensuring that the standards and the control systems are suitable and are applied consistently.

19. Reports by Auditor-General(1) The Auditor-General shall, in respect of each audit carried out prepare a report on the audit.(2) An audit report shall reflect such opinions and statements as may be required by any law applicable to the person audited, but shall reflect at least an opinion or a conclusion on-(a) whether the annual financial statements of the person audited fairly represent, in all material respects, the financial position at a specific date and results of its operations and cash flow for the period which ended on that date in accordance with the applicable financial reporting framework and legislation;(b) the compliance of the person audited with any applicable legislation relating to financial matters, financial management and other related matters; and(c) the reported information relating to the performance of the person audited against predetermined objectives.(3) The Auditor-General shall forward to the Minister responsible for finance his or her report upon the audit of those accounts and statements and related matters within-(a) nine months after the end of the financial year to which the accounts and statements relate; or(b) three months after his or her receipt of accounts and statements under section 11 (2),whichever expires later.

20. Laying of audit reports(1) The Minister responsible for finance shall, within 30 days of the receipt by him or her of the Auditor-General's reports forwarded to him or her by the Auditor-General, lay the same, without any alteration thereto, before the National Assembly.(2) If the Minister responsible for finance fails to, as required by subsection (1), lay any report mentioned in this section before the National Assembly, the Auditor-General shall send such report to the Speaker and the Speaker shall present the report to the National Assembly.

21. Audit reports on confidential, secret or classified accounts(1) The Auditor-General shall, where he or she reports on any confidential, special or classified account established by any Act of Parliament-(a) have due regard to the special nature of the account; and(b) on the written advice from the appropriate Minister and on the basis of national interest, exclude confidential, secret or classified details of findings from the audit report, provided that the audit report states that these details were excluded.(2) Subject to subsection (1), the Auditor-General or an authorised auditor shall disclose, under confidential cover to the appropriate Minister, any audit findings on any unauthorised expenditure, irrelevant expenditure or fruitless and wasteful expenditure or any other irregular conduct or activity, or criminal conduct, relating to the financial affairs of such an account.