

# Public Accounts Committee Amendment Act 1979

No. 187 of 1979

An Act to amend the *Public Accounts Committee Act 1951*.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Public Accounts Committee Amendment Act 1979*.<sup>1</sup> Short title, &c.

(2) The *Public Accounts Committee Act 1951*<sup>2</sup> is in this Act referred to as the Principal Act.

2. This Act shall come into operation on the day on which it receives the Royal Assent.<sup>1</sup> Commencement

3. After section 6 of the Principal Act the following section is inserted:

“6A. (1) The Committee may meet at such times and at such places within Australia as the Committee, by resolution, determines or, subject to any resolution of the Committee, as the Chairman determines, but shall not meet at any place outside Australia. Meetings of Committee”

“(2) At any time when the Chairman is absent from Australia or is, for any reason, unable to perform the duties of his office or there is a vacancy in the office of Chairman, the Vice-Chairman may exercise the powers of the Chairman under sub-section (1).”

“(3) The Committee may meet and transact business notwithstanding any prorogation of the Parliament.”

4. Section 7 of the Principal Act is amended by omitting from sub-section (1) “a majority of the members constitutes a quorum” and substituting “4 members constitute a quorum”. Quorum and voting

5. Section 8 of the Principal Act is amended—

(a) by omitting “The duties” and substituting “Subject to sub-section (2), the duties”;

Duties of the Committee

(b) by omitting paragraph (a) and substituting the following paragraphs:

“(a) to examine the accounts of the receipts and expenditure of the Commonwealth including the financial statements transmitted to the Auditor-General under sub-section (4) of section 50 of the *Audit Act* 1901;

“(aa) to examine the financial affairs of authorities of the Commonwealth to which this Act applies and of inter-governmental bodies to which this Act applies;

“(ab) to examine all reports of the Auditor-General (including reports of the results of efficiency audits) copies of which have been laid before the Houses of the Parliament;”;  
and

(c) by adding at the end thereof the following sub-sections:

“(2) The duties of the Committee do not extend to—

(a) an examination of the financial affairs of the Northern Territory or of the Administration of an External Territory (including the financial affairs of the Administration of an External Territory contained in any of the accounts and financial statements referred to in paragraph (a) of sub-section (1) ); or

(b) an examination of a report of the Auditor-General that relates to, or in so far as it relates to—

(i) the financial affairs of the Northern Territory or of the Administration of an External Territory (including the financial affairs of the Administration of an External Territory contained in any of the accounts and financial statements referred to in paragraph (a) of sub-section (1) ); or

(ii) the results of an efficiency audit of operations of the Administration of an External Territory.

“(3) For the purpose of this section, an authority of the Commonwealth to which this Act applies is—

(a) a body corporate or an unincorporated body established for a public purpose by, or in accordance with the provisions of, an enactment, not being an inter-governmental body;

(b) a body established by the Governor-General or by a Minister otherwise than in accordance with an enactment; or

(c) an incorporated company over which the Commonwealth is in a position to exercise control.

“(4) Where the parties to an agreement relating to the establishment of an inter-governmental body consent to the examination, by the Committee, of the financial affairs of that body, the Minister shall notify the fact that they have so consented in the *Gazette* and the body shall thereupon become an inter-governmental body to which this Act applies.

“(5) Where a party to an agreement relating to the establishment of an inter-governmental body (being an inter-governmental body which, by virtue of sub-section (4), is an inter-governmental body to which this Act applies) withdraws its consent to the examination, by the Committee, of the financial affairs of that body, the Minister shall notify the fact that that party has withdrawn its consent in the *Gazette* and the body shall thereupon cease to be an inter-governmental body to which this Act applies.

“(6) In this section, unless the contrary intention appears—

‘enactment’ means—

- (a) an Act;
- (b) an Ordinance of the Australian Capital Territory; or
- (c) an instrument (including rules, regulations or by-laws) made under an Act or under such an Ordinance;

‘inter-governmental body’ means a body corporate or an unincorporated body established by, or in accordance with the provisions of, an agreement between the Commonwealth and a State or States or between the Commonwealth and the government of another country or the governments of other countries;

‘State’ includes the Northern Territory.”

6. Section 9 of the Principal Act is amended—

- (a) by omitting from sub-section (1) “Subject to the next succeeding sub-section, the Committee” and substituting “The Committee”;
- and
- (b) by omitting sub-section (2).

Sectional  
committees

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### NOTES

1. Act No. 187, 1979; assented to 4 December 1979.
2. Act No. 60, 1951, as amended. For previous amendments *see* Act No. 79, 1965; No. 93, 1966; No. 216, 1973; No. 70, 1976; and No. 36, 1978.