

# **Public Accounts and Audit Committee Act 1951**

## **REPRINT No. 3**

Consolidated to 6 November 1997

For commencement details see Table of Acts (page 18) and Act Note (page 19)

Some provisions in the *Audit (Transitional and Miscellaneous) Amendment Act 1997* (No. 152, 1997) may not be in force at the time of consolidating. All amendments have been incorporated in this consolidation.



---

## Contents

1	Short title [see Note 1].....	1
2	Commencement [see Note 1].....	1
4	Interpretation [see Note 2] .....	1
5	Joint Committee of Public Accounts.....	1
6	Chair and Deputy Chair .....	2
6A	Meetings of Committee .....	3
7	Quorum and voting.....	3
8	Duties of the Committee .....	3
8A	Committee may approve or reject recommendation for appointment of Auditor-General or Independent Auditor .....	6
8B	Annual report .....	7
9	Sectional Committees .....	7
10	Power to take evidence .....	8
11	Sittings to be public except in certain cases .....	8
12	Continuance of evidence .....	9
13	Power to summon witnesses .....	9
14	Warrant in case of disobedience of summons .....	10
15	Witness to obey summons.....	10
16	Preventing witnesses from giving evidence .....	10
17	Witnesses not to refuse to be sworn etc. ....	10
18	False evidence .....	11
19	Privileges and protection of witnesses.....	11
20	Witnesses' expenses.....	11
21	Offences.....	11
22	Allowances.....	12
23	Limitation of annual expenditure .....	12
24	Regulations .....	12
<b>The Schedule—Forms</b>		<b>13</b>



---

## **An Act to provide for a Joint Parliamentary Committee of Public Accounts and Audit**

### **1 Short title** [see Note 1]

This Act may be cited as the *Public Accounts and Audit Committee Act 1951*.

### **2 Commencement** [see Note 1]

This Act shall come into operation on the day on which it receives the Royal Assent.

### **4 Interpretation** [see Note 2]

In this Act, unless the contrary intention appears:

**Audit Office** means the Australian National Audit Office established by section 38 of the *Auditor-General Act 1997*.

**Auditor-General** means the Auditor-General for the Commonwealth referred to in section 7 of the *Auditor-General Act 1997*.

**Independent Auditor** means the Independent Auditor referred to in section 41 of the *Auditor-General Act 1997*.

**member** means a member of the Committee.

**the Chairman** means the Chairman of the Committee.

**the Committee** means the Joint Committee of Public Accounts and Audit for the time being constituted under this Act.

**the Vice-Chairman** means the Vice-Chairman of the Committee.

Note: For the manner in which the Chair and Deputy Chair may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

### **5 Joint Committee of Public Accounts**

- (1) As soon as practicable after the commencement of this subsection and the first session of each Parliament, a joint committee of members of the Parliament, to be known as the Joint Committee of Public Accounts and Audit, is to be appointed.
- (2) The Committee is to consist of 16 members of the Parliament. 6 members must be members of, and be appointed by, the Senate. 10 members must be members of, and be appointed by, the House of Representatives. The members must be appointed according to the

practice of the Parliament for the appointment of members to serve on joint select committees of both Houses of the Parliament.

- (3) Each member shall hold office during the pleasure of the House by which he was appointed.
- (4) Either House of the Parliament may appoint one of its members to fill a vacancy amongst the members of the Committee appointed by that House.
- (5) Each member shall cease to hold office when the House of Representatives expires by effluxion of time or is dissolved.
- (6) At any time at which:
  - (a) there is constituted a Standing Committee of the House of Representatives known as the Expenditure Committee; and
  - (b) the Chair of that Committee is not a member of the Joint Committee of Public Accounts and Audit by virtue of an appointment under subsection (2);

that Chairman shall, by virtue of his office as Chairman of the Expenditure Committee, be a member of the Joint Committee of Public Accounts and Audit in addition to the members referred to in subsection (2), but is not eligible to be elected as Chairman of the last-mentioned Committee.

## **6 Chair and Deputy Chair**

- (1) There shall be a Chair and a Deputy Chair of the Committee, who shall be elected by the members from time to time and shall hold office as Chair and Deputy Chair during the pleasure of the Committee.
- (2) The Chair shall preside at all meetings of the Committee at which he is present.
- (2A) In the event of the absence of the Chair from a meeting of the Committee, the Deputy Chair shall, if he is present at that meeting, preside at that meeting.
- (3) In the event of the absence of both the Chair and the Deputy Chair from a meeting of the Committee, the members present may appoint one of their number to preside at the meeting, and the member so presiding shall, in relation to the meeting, have all the powers and functions of the Chair.

## **6A Meetings of Committee**

- (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 Chair determines, but shall not meet at any place outside Australia.
- (2) At any time when the Chair 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 Chair, the Deputy Chair may exercise the powers of the Chair under subsection (1).
- (3) The Committee may meet and transact business notwithstanding any prorogation of the Parliament.

## **7 Quorum and voting**

- (1) At a meeting of the Committee 6 members constitute a quorum.
- (2) All questions to be decided by the Committee shall be decided by a majority of the votes of the members present.
- (3) The Chair or other member presiding shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.
- (4) Where the members present do not vote unanimously, the manner in which each member votes shall, if a member so requires, be recorded in the minutes and in the Committee's report.

## **8 Duties of the Committee**

- (1) The duties of the Committee are:
  - (a) to examine the accounts of the receipts and expenditure of the Commonwealth, including the financial statements given to the Auditor-General under subsections 49(1) and 55(2) of the *Financial Management and Accountability Act 1997*; and
  - (b) to examine the financial affairs of authorities of the Commonwealth to which this Act applies and of intergovernmental bodies to which this Act applies; and
  - (c) to examine all reports of the Auditor-General (including reports of the results of performance audits) that are tabled in each House of the Parliament; and

- (d) to report to both Houses of the Parliament, with any comment it thinks fit, on any items or matters in those accounts, statements and reports, or any circumstances connected with them, that the Committee thinks should be drawn to the attention of the Parliament; and
- (e) to report to both Houses of the Parliament any alteration that the Committee thinks desirable in:
  - (i) the form of the public accounts or in the method of keeping them; or
  - (ii) the mode of receipt, control, issue or payment of public moneys; and
- (f) to inquire into any question connected with the public accounts which is referred to the Committee by either House of the Parliament, and to report to that House on that question; and
- (g) to consider:
  - (i) the operations of the Audit Office; and
  - (ii) the resources of the Audit Office, including funding, staff and information technology; and
  - (iii) reports of the Independent Auditor on operations of the Audit Office; and
- (h) to report to both Houses of the Parliament on any matter arising out of the Committee's consideration of the matters listed in paragraph (g), or on any other matter relating to the Auditor-General's functions and powers, that the Committee considers should be drawn to the attention of the Parliament; and
- (i) to report to both Houses of the Parliament on the performance of the Audit Office at any time; and
- (j) to consider draft estimates for the Audit Office submitted under section 53 of the *Auditor-General Act 1997*; and
- (k) to consider the level of fees determined by the Auditor-General under subsection 14(1) of the *Auditor-General Act 1997*; and
- (l) to make recommendations to both Houses of Parliament, and to the Minister who administers the *Auditor-General Act 1997*, on draft estimates referred to in paragraph (j); and



- (m) to determine the audit priorities of the Parliament and to advise the Auditor-General of those priorities; and
  - (n) to determine the audit priorities of the Parliament for audits of the Audit Office and to advise the Independent Auditor of those priorities; and
  - (o) any other duties given to the Committee by this Act, by any other law or by Joint Standing Orders approved by both Houses of the Parliament.
- (1A) Nothing in subsection (1) authorises the Committee to direct the activities of the Auditor-General or the Independent Auditor.
- (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 subsection (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 subsection (1)); or
    - (ii) the results of an efficiency audit of operations of the Administration of an External Territory.
- (2A) For the purposes of subsection (2), an External Territory does not include the Territory of Christmas Island or the Territory of Cocos (Keeling) Islands.
- (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 subsection (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.

#### **8A Committee may approve or reject recommendation for appointment of Auditor-General or Independent Auditor**

- (1) If the Audit Minister refers a proposed recommendation for an appointment of the Auditor-General or Independent Auditor to the Committee for approval, the Committee must:
  - (a) approve or reject the proposal within 14 days after receiving it; or

(b) notify the Audit Minister as provided for in subsection (2).

Note: Clauses 2 of Schedule 1 and 2 of Schedule 2 of the *Auditor-General Act 1997* require proposed recommendations to be referred to the Committee for approval.

- (2) The Committee may notify the Audit Minister within 14 days after receiving a proposal that it needs more time to consider the proposal. If the Committee does so, the Committee must approve or reject the proposal within 44 days after receiving it.
- (3) The decision to approve or reject a proposal is to be by majority of the members of the Committee for the time being holding office.
- (4) If the Committee does not make a decision on a proposal by the required time, the Committee is taken, at that time, to have approved the proposal.
- (5) The Committee must notify the Audit Minister of its decision on a proposal as soon as practicable after making the decision.
- (6) A notification under this section must be in writing.
- (7) The Committee must report to both Houses of the Parliament on its decision on a proposal.
- (8) In this section:  
*Audit Minister* means the Minister administering the *Auditor-General Act 1997*.

## 8B Annual report

- (1) The Committee must, in relation to each financial year, prepare a report on the performance of its duties during the year.
- (2) The Committee must table the report in each House of the Parliament.

## 9 Sectional Committees

- (1) The Committee may appoint a Sectional Committee or Sectional Committees of three or more of its members to inquire into and report to the Committee upon such matters with which the Committee is concerned as the Committee directs.
- (3) The provisions of this Act (other than this section and section 5, subsection 7(1) and sections 8, 8A, 8B and 12) apply in relation to

a Sectional Committee in like manner as they apply in relation to the Committee and, for the purposes of those provisions as so applying, a reference to the Chair or the Deputy Chair of the Committee (except the references in section 22) shall be read as a reference to the Chair or the Deputy Chair of the Sectional Committee.

- (3A) At a meeting of a Sectional Committee, a quorum is constituted by:
- (a) in the case of a Sectional Committee of no more than 5 members—2 members;
  - (b) in the case of a Sectional Committee of 6 or 7 members—3 members; and
  - (c) in the case of a Sectional Committee of 8 or 9 members—4 members.
- (4) A Sectional Committee shall report in writing to the Committee as soon as practicable on each matter referred to that Sectional Committee by the Committee.
- (5) A Sectional Committee may sit at any time notwithstanding that the Committee is sitting at the same time.

## **10 Power to take evidence**

- (1) The Committee may take evidence on oath or affirmation and the Chair or the Deputy Chair may administer oaths or affirmations to witnesses appearing before the Committee.
- (2) The oath or affirmation administered to a witness may be in accordance with Form A or Form B in the Schedule, as the case requires.

## **11 Sitings to be public except in certain cases**

- (1) Subject to this section, the Committee shall take all evidence in public.
- (2) The Committee may, and at the request of the witness giving the evidence shall, take in private evidence, whether oral or documentary, which, in the opinion of the Committee, relates to a secret or confidential matter.
- (3) Where, at the request of a witness, evidence is taken by the Committee in private:

- (a) the Committee or a member shall not, without the consent in writing of the witness; and
  - (b) a person other than a member shall not, without the consent in writing of the witness and the authority of the Committee under subsection (5);
- disclose or publish the whole or a part of the evidence (other than evidence which has already been lawfully published).
- (4) Where evidence is taken by the Committee in private otherwise than at the request of a witness, a person (including a member of the Committee) shall not, without the authority (in writing signed by the Chair) of the Committee under the next succeeding subsection, disclose or publish the whole or a part of that evidence (other than evidence which has already been lawfully published).
  - (5) The Committee may, in its discretion, disclose or publish, or authorize the disclosure or publication of, evidence taken in private, but this subsection does not operate so as to affect the necessity for the consent of a witness under subsection (3).
  - (6) This section has effect notwithstanding the provisions of section 2 of the *Parliamentary Papers Act 1908-1946*.

## **12 Continuance of evidence**

Where the Committee as constituted at any time, or a Sectional Committee of the Committee as constituted at any time, has taken evidence in relation to a matter, but the Committee as so constituted has ceased to exist before reporting on the matter, the Committee as next constituted may consider that evidence as if it had been given before it.

## **13 Power to summon witnesses**

- (1) The Committee may summon a person to appear before it to give evidence and produce documents.
- (2) A summons to a witness may be in accordance with Form C in the Schedule and shall be signed by the Chair or the Deputy Chair.
- (3) A summons to a witness may be served upon the witness either personally or by being left at, or sent by post to, his usual place of business or of abode.

#### **14 Warrant in case of disobedience of summons**

- (1) If a person upon whom a summons under the last preceding section has been served and to whom reasonable expenses of conveyance have been tendered fails to appear, or, having appeared, fails to continue in attendance, in obedience to the summons, the Chair or the Deputy Chair may issue a warrant for his apprehension.
- (2) The warrant may be in accordance with Form D in the Schedule.
- (3) The person executing a warrant under this section may:
  - (a) apprehend the person in respect of whom it is issued;
  - (b) bring that person before the Committee; and
  - (c) detain that person in custody until he is released by order of the Chair or the Deputy Chair.
- (4) The warrant may be executed by the person to whom it is addressed or by a person appointed by him to assist him in its execution, and the person executing the warrant may break and enter a building, place or ship for the purpose of executing the warrant.

#### **15 Witness to obey summons**

A person upon whom a summons under section 13 has been served shall not, without reasonable excuse (proof whereof shall lie upon him), fail to appear or to continue in attendance in obedience to the summons.

#### **16 Preventing witnesses from giving evidence**

A person shall not knowingly dissuade or prevent a person from obeying a summons under section 13.

#### **17 Witnesses not to refuse to be sworn etc.**

A person summoned to appear before the Committee shall not, without just cause (proof whereof shall lie upon him) refuse:

- (a) to be sworn or make an affirmation;
- (b) to answer a question put to him by the Committee or by any member thereof; or
- (c) to produce a document which he is required by the Committee or by a member thereof to produce.

## **18 False evidence**

A person shall not wilfully give false evidence on oath or affirmation before the Committee.

Penalty: Five years' imprisonment.

## **19 Privileges and protection of witnesses**

- (1) A person summoned to appear or appearing before the Committee as a witness shall have the same protection and privileges as a witness in proceedings in the High Court.
- (2) A person shall not use, cause, inflict or procure any violence, punishment, damage, loss or disadvantage on or to a person for or on account of his having appeared as a witness before the Committee, or for or on account of any evidence lawfully given by him before the Committee.

## **20 Witnesses' expenses**

A witness appearing before the Committee shall be entitled to be paid such fees and travelling expenses as the Chair or the Deputy Chair allows in accordance with the prescribed scale.

## **21 Offences**

- (1) A person who contravenes, or fails to comply with, a provision of this Act (other than section 18) is guilty of an offence against this section.
- (2) An offence against this section may be prosecuted either summarily or upon indictment, but an offender is not liable to be punished more than once in respect of the same offence.
- (3) The punishment for an offence against this section is:
  - (a) if the offence is prosecuted summarily—a fine not exceeding Two hundred dollars or imprisonment for a term not exceeding six months; or
  - (b) if the offence is prosecuted upon indictment—a fine not exceeding Four hundred dollars or imprisonment for a term not exceeding one year.

## **22 Allowances**

- (1) The Chair and other members of the Committee shall be paid such allowances as are prescribed.
- (2) The prescribed allowances are payable, upon the certificate of the Chair or of the Deputy Chair, out of the Consolidated Revenue Fund, which is appropriated accordingly.

## **23 Limitation of annual expenditure**

- (1) The total amount paid out of the Consolidated Revenue Fund in respect of allowances payable under the last preceding section shall not exceed Twenty thousand dollars in any financial year.
- (2) Where, in any financial year, the amount of Twenty thousand dollars would, but for subsection (1), be exceeded, a proportionate abatement, to be determined by the Minister for Finance, shall be made in the sums payable, so as to reduce the amount so payable to the sum of Twenty thousand dollars.

## **24 Regulations**

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which 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.

---



## The Schedule—Forms

FORM A [see Note 2]  
Section 10

### OATH OF WITNESS

The evidence you shall give before the Committee shall be the truth, the whole truth, and nothing but the truth, so help you God!

---

FORM B  
Section 10

### AFFIRMATION OF WITNESS

You do solemnly and sincerely affirm and declare that the evidence you shall give before the Committee shall be the truth, the whole truth, and nothing but the truth.

---

The Schedule

---

FORM C  
Section 13

COMMONWEALTH OF AUSTRALIA

*Public Accounts and Audit Committee Act 1951*

SUMMONS TO A WITNESS

To *(here insert name, address and occupation of witness)*

You are hereby summoned to appear before the Joint Committee of Public Accounts and Audit (or a Sectional Committee of the Joint Committee of Public Accounts and Audit) on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, at \_\_\_\_\_, then and there to give evidence and then and there to produce \_\_\_\_\_; and you are required to continue in attendance as directed by the said Committee (or Sectional Committee) or the Chairman thereof, until your attendance is no longer required.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Chairman or Vice-Chairman of the  
Committee or Sectional Committee)

\_\_\_\_\_

FORM D  
Section 14

COMMONWEALTH OF AUSTRALIA

*Public Accounts and Audit Committee Act 1951*

WARRANT FOR THE APPREHENSION OF A WITNESS WHO HAS  
DISOBEYED A SUMMONS

Whereas (*name, address and occupation of witness*) has been summoned to appear as a witness before the Joint Committee of Public Accounts and Audit (or a Sectional Committee of the Joint Committee of Public Accounts and Audit), but has failed to appear in obedience to the summons; these are therefore to command and authorize you forthwith to apprehend the said (*name of witness*) and to bring him before the said Committee (or Sectional Committee), and to detain him in custody for that purpose until he is released by order of the Chair.

Given at                      the  
day of                      , 19     .

(Chair or Deputy Chair of the  
Committee or Sectional Committee)

To (*name of person to whom warrant is addressed*).

\_\_\_\_\_



## NOTES

1. The *Public Accounts and Audit Committee Act 1951* as shown in this reprint comprises Act No. 60, 1951 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 24 October 1997 is not included in this reprint. For subsequent information see Table A.

The *Public Accounts and Audit Committee Act 1951* was modified by the A.C.T. Self-Government (Consequential Provisions) Regulations (1989 No. 3 as amended) see Table B.

## Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Public Accounts Committee Act 1951</i>	60, 1951	11 Dec 1951	11 Dec 1951	
<i>Public Accounts Committee Act 1965</i>	79, 1965	25 Nov 1965	1 July 1965	—
<i>Statute Law Revision (Decimal Currency) Act 1966</i>	93, 1966	29 Oct 1966	1 Dec 1966	—
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Public Accounts Committee Amendment Act 1976</i>	70, 1976	9 June 1976	9 June 1976	—
<i>Administrative Changes (Consequential Provisions) Act 1978</i>	36, 1978	12 June 1978	12 June 1978	S. 8
<i>Public Accounts Committee Amendment Act 1979</i>	187, 1979	4 Dec 1979	4 Dec 1979	—
<i>Statute Law (Miscellaneous Amendments) Act (No. 2) 1982</i>	80, 1982	22 Sept 1982	Part LX (ss. 229, 230): 4 Dec 1979 (a)	—
<i>Public Accounts Committee Amendment Act 1983</i>	111, 1983	8 Dec 1983	8 Dec 1983	—
<i>Director of Public Prosecutions (Consequential Amendments) Act 1983</i>	114, 1983	14 Dec 1983	Part XI (ss. 23, 24): 5 Mar 1984 (see <i>Gazette</i> 1984, No. S55) (b)	—
<i>Territories Law Reform Act 1992</i>	104, 1992	30 June 1992	S. 24: 1 July 1992 (c)	—

## NOTES

### Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Qantas Sale Act 1992</i>	196, 1992	21 Dec 1992	Schedule (Part 1): 10 Mar 1993 ( <i>see Gazette</i> 1993, No. GN17) ( <i>d</i> ) Schedule (Part 5): 30 Aug 1995 ( <i>see Gazette</i> 1995, No. S324) ( <i>d</i> )	S. 2(6) (am. by 60, 1993, s. 4; 168, 1994, s. 3)
<b>as amended by</b>				
<i>Qantas Sale Amendment Act 1993</i>	60, 1993	3 Nov 1993	10 Mar 1993	—
<i>Qantas Sale Amendment Act 1994</i>	168, 1994	16 Dec 1994	S. 3 (item 17): Royal Assent ( <i>e</i> )	—
<i>Crimes and Other Legislation Amendment Act 1997</i>	20, 1997	7 Apr 1997	Schedule 2 (item 8): Royal Assent ( <i>f</i> )	—
<i>Audit (Transitional and Miscellaneous) Amendment Act 1997</i>	152, 1997	24 Oct 1997	Schedule 2 (items 1113-1141): ( <i>g</i> )	Sch. 2 (item 1123) [ <i>see Table A</i> ]

- (a) The *Public Accounts and Audit Committee Act 1951* was amended by Part LX (sections 229 and 230) only of the *Statute Law (Miscellaneous Amendments) Act (No. 2) 1982*, subsection 2(13) of which provides as follows:
- “(13) Part LX shall be deemed to have come into operation on 4 December 1979.”
- (b) The *Public Accounts and Audit Committee Act 1951* was amended by Part XI (sections 23 and 24) only of the *Director of Public Prosecutions (Consequential Amendments) Act 1983*, subsection 2(1) of which provides as follows:
- “(1) Subject to this section, this Act shall come into operation, or shall be deemed to have come into operation, as the case requires, on the day on which the *Director of Public Prosecutions Act 1983* comes into operation.”
- (c) The *Public Accounts and Audit Committee Act 1951* was amended by section 24 only of the *Territories Law Reform Act 1992*, subsection 2(3) of which provides as follows:
- “(3) The remaining provisions of this Act commence on 1 July 1992.”
- (d) The *Public Accounts and Audit Committee Act 1951* was amended by the Schedule (Parts 1 and 5) only of the *Qantas Sale Act 1992*, subsections 2(2), (3)(a) and (c) of which provide as follows:
- “(2) Subject to subsection (3), the remaining provisions of this Act commence on a day or days to be fixed by Proclamation.
- “(3) A Proclamation may fix a day that is earlier than the day on which the Proclamation is published in the *Gazette* but only if:
- (a) in the case of sections 30, 31, 35, 37, 39, 43 and 50 and Parts 1 and 2 of the Schedule—the day is not earlier than the substantial minority sale day; and
- (c) in the case of sections 25, 36, 38, 44 and 51 and Parts 5, 6 and 7 of the Schedule—the day is not earlier than the 100% sale day.”
- (e) The *Qantas Sale Act 1992* was amended by section 3 (item 17) only of the *Qantas Sale Amendment Act 1994*, subsection 2(1) of which provides as follows:
- “(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.”
- (f) The *Public Accounts and Audit Committee Act 1951* was amended by Schedule 2 (item 8) only of the *Crimes and Other Legislation Amendment Act 1997*, subsection 2(1) of which provides as follows:
- “(1) Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.”
- (g) The *Public Accounts and Audit Committee Act 1951* was amended by Schedule 2 (items 1113-1141) only of the *Audit (Transitional and Miscellaneous) Amendment Act 1997*, subsection 2(2) of which provides as follows:
- “(2) Schedules 1, 2 and 4 commence on the same day as the *Financial Management and Accountability Act 1997*.”

As at 7 November 1997 the *Financial Management and Accountability Act 1997* has not come into operation.





## NOTES

### Table of Amendments

#### Table of Amendments

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision affected	How affected
Title .....	am. No. 152, 1997
S. 1.....	am. No. 152, 1997
S. 3.....	rep. No. 216, 1973
S. 4.....	am. No. 152, 1997
S. 5.....	am. No. 216, 1973; No. 70, 1976; No. 111, 1983; No. 152, 1997
S. 6.....	am. No. 216, 1973; No. 152, 1997
S. 6A .....	ad. No. 187, 1979 am. No. 152, 1997
S. 7.....	am. No. 187, 1979; No. 111, 1983; No. 152, 1997
S. 8.....	am. No. 70, 1976; No. 187, 1979; Nos. 104 and 196, 1992; No. 152, 1997
Ss. 8A, 8B.....	ad. No. 152, 1997
S. 9.....	am. No. 70, 1976; No. 187, 1979; No. 80, 1982; No. 152, 1997
Ss. 10, 11.....	am. No. 70, 1976; No. 152, 1997
Ss. 13, 14.....	am. No. 70, 1976; No. 152, 1997
Ss. 15, 16.....	am. No. 70, 1996
S. 20.....	am. No. 152, 1997
S. 21.....	am. No. 93, 1966; No. 70, 1976; No. 114, 1983; No. 20, 1997
S. 22.....	am. No. 152, 1997
S. 23.....	am. No. 79, 1965; No. 93, 1966; No. 70, 1976; No. 36, 1978
The Schedule.....	am. No. 152, 1997
Forms C, D.....	am. No. 152, 1997

## NOTES

---

2. Section 4 and The Schedule, Form A—Schedule 2 (items 1118, 1120, 1134, 1135) of the *Audit (Transitional and Miscellaneous) Amendment Act 1997* provide as follows:

**Schedule 2**

**1118 Section 4 (definition of *Chairman*)**

omit “Chairman” (wherever occurring), substitute “Chair”.

**1120 Section 4 (definition of *Vice-Chairman*)**

omit “Vice-Chairman” (wherever occurring), substitute “Deputy Chair”.

**1134 Schedule, Form A**

Omit “Chairman”, substitute “Chair”.

**1135 Schedule, Form A**

Omit “Vice-Chairman”, substitute “Deputy Chair”.

The proposed amendments were misdescribed and are not incorporated in this reprint.

**TABLE A**

**Application, Saving or Transitional Provisions**

*Audit (Transitional and Miscellaneous) Amendment Act 1997 (No. 152, 1997)*

**Schedule 2**

**1123 Transitional provision relating to changes to Committee**

For the purposes of section 25B of the *Acts Interpretation Act 1901*, the amendment made by item 1122 is taken to be an amendment altering the name and constitution of the Committee provided for in the *Public Accounts Committee Act 1951* as in force immediately before the commencement of that item.

---

**NOTES**  
**TABLE B**

---

**TABLE B**  
**Modifications**

A.C.T. Self-Government (Consequential Provisions) Regulations

**Schedule 1**

**Paragraph 8(2)(a):**

Before "the Northern Territory" insert "the Australian Capital Territory or".

**Subparagraph 8(2)(b)(i):**

Before "Northern Territory" insert "the Australian Capital Territory or".

**Subsection 8(6) (definition of *State*):**

After "includes" insert "the Australian Capital Territory and".

---

Conversion from Xerox for reading

File Name:	\\Home1\rep00031\SEC\PacAct\ACT.DOC
Last Saved By:	Maria Pappas
Date Last Saved:	20/04/2004 1:17 PM
Date Last Printed:	30/07/2004 12:01 PM