

Access to Records and Information by the Auditor General for Wales

The Cabinet of the National Assembly's response to the recommendations of the Audit Committee, following the presentation of their report on 29 May 2001

The Cabinet of the National Assembly is grateful for the report. Assembly officials are considering the applicability of the recommendations in the Sharman report to Welsh public bodies and maintaining liaison with officials in Whitehall who are preparing the Government's response to the Sharman Report. We welcome the findings of the Audit Committee and offer the following response to the three specific recommendations in the Report.

Recommendation i.

The Auditor General should be appointed as the auditor of the accounts of any new Assembly sponsored public bodies that may be established in future;

The Cabinet accept this recommendation and will ensure that the provision for the Auditor General's appointment is included in the legislation setting up new Assembly Sponsored Public Bodies.

Recommendation ii.

The Auditor General should be empowered to audit limited companies established in the public sector, and we urge the Department of Trade & Industry to resolve any legal barriers that prevent this at the earliest opportunity.

The Cabinet endorse this recommendation and will liaise with the United Kingdom Government to seek its implementation.

Recommendation iii.

Any new rights given to the Comptroller and Auditor General to access the books and records of bodies sending public money should be extended to the Auditor General for Wales. The Counsel General should explore with the Wales Office and the Treasury as to whether this can be done by using the Secretary of State for Wales' Order making powers under the Government of Wales Act 1998. If this proves not to be possible, we would urge the Cabinet to request primary legislation to resolve the matter at the earliest opportunity. In the meantime we would look to Assembly officials to continue to make access agreements for the Auditor General on request with the bodies concerned.

The Cabinet accept the recommendation that equivalent rights of access to books and records given to the Comptroller & Auditor General should be extended in full to the Auditor General for Wales. Investigations show that it is not possible to use the Secretary of State for Wales' order making powers under the Government of Wales Act 1998 to extend the Auditor General for Wales' right of access to books and records of bodies for which he does not have existing statutory access. The Cabinet will liaise with the UK Government for the necessary primary legislation to extend the Auditor General for Wales' access to books and records in line with the extension of any powers granted to the Comptroller & Auditor General. In the interim, the Cabinet will seek to make voluntary access agreements to enable the Auditor General for Wales to have access to the books and records which he requires.