

STATES OF JERSEY

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DRAFT PUBLIC FINANCES (COMPTROLLER AND AUDITOR GENERAL) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 12th July 2005
by the Finance and Economics Committee**

STATES GREFFE



Jersey

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REPORT

The post of Comptroller and Auditor General is a States appointment with the details of the appointment process and roles and responsibilities of such a post being reflected in the Public Finances (Jersey) Law 2005. This Law has been approved by the States and has been registered in the Royal Court with the intent that it would be brought into effect in 2 stages– the first on the commencement of Ministerial Government in mid-December 2005 and the second from 1st January 2006.

Interviews have recently been held to recruit a Comptroller and Auditor General and a suitable candidate has been selected. Both the Shadow Public Accounts Committee and the Policy and Resources Committee wish to appoint the successful candidate from October 2005 to enable the postholder to familiarise himself with the duties of the post before the new system of Ministerial Government comes into effect.

The Finance and Economics Committee recognises that this is a high profile position and an integral part of the new Ministerial system of Government and it is imperative that the means to ensure that the right appointment exist as soon as practicable.

The States have previously been notified that an appointment would be made to this post in advance of the full implementation of the Public Finances Law and the approval of these Regulations will enable an early appointment to be secured.

The Committee is acutely aware that the Regulations provide substitutions for certain posts which do not exist under the current system of Government and is keen to emphasize that these will only be used in respect of those Articles relating to the appointment of the Comptroller and Auditor General.

Conclusion

The Finance and Economics Committee commends the Regulations to the States.

Financial and manpower implications

There are no further financial or manpower implications for the States arising from this appointment as £550,000 has already been allocated to cover the full year cost of the Comptroller and Auditor General and their office as follows –

- £270,000 of the total cost and 2 posts will be transferred from the existing resources of the Finance and Economics Committee.
- £91,000 of the cost and one post were approved as part of the 2005 Budget to enable the recruitment of the Comptroller and Auditor General prior to the implementation of the Public Finances (Jersey) Law 2005.
- Additional funding of £189,000 has been secured through the 2006 Resource Allocation process.

Explanatory Note

These Regulations amend, until ministerial government comes about, certain provisions of the Public Finances (Jersey) Law 2005 so that a Comptroller and Auditor General may, in the meantime, be appointed.



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Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Article 71 of the Public Finances (Jersey) Law 2005^[1] have made the following Regulations –

1 Transitional arrangements

- (1) Paragraph (2) shall apply to Articles 1, 40-45, 69, and 71-74 of the Public Finances (Jersey) Law 2005 until Article 42(3) of the States of Jersey Law 2005^[2] comes into force.
- (2) In the provisions of the Public Finances (Jersey) Law 2005 mentioned in paragraph (1)–
 - (a) for “Chief Minister” there shall be substituted “Policy and Resources Committee”;
 - (b) for “Minister” there shall be substituted “President of the Finance and Economics Committee”;
 - (c) for “Chairman of the Public Accounts Committee” there shall be substituted “Shadow Chairman of the Shadow Public Accounts Committee”; and
 - (d) in Articles 41(1) and 44(1)(a), for “signed by” there shall be substituted “signed by or on behalf of”.

2 Citation and commencement

- (1) These Regulations may be cited as the Public Finances (Comptroller and Auditor General) (Jersey) Regulations 200-.
- (2) They shall come into force when Articles 1, 40-45, 69, and 71-74 of the Public Finances (Jersey) Law 2005 come into force.

[1] L.14/2005.

[2] L.8/2005.