

5-1-73

(Hon. Mr. Vogel)

# Public Revenues Acts Amendment.

## ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Construction.</p> <p>3. Partial repeal of section 9 of "The Public Revenues Act, 1872." Balance of imprests not to exceed £120,000 of Special Funds.</p> <p>4. Offices of Auditor-General and Comptroller of Public Account abolished on present holders of such offices ceasing to hold the same.</p> <p>5. Two Commissioners of Audit to be appointed.</p> <p>6. Governor to appoint two persons to be Joint Commissioners of Audit</p> <p>7. Commissioner of Audit not to be member of Executive Council, &amp;c.</p>	<p>8. Tenure of office and salary.</p> <p>9. Power to Governor to suspend.</p> <p>10. No appointment of Commissioner to be made until one of the present offices of Auditor or Comptroller becomes vacant.</p> <p>11. Commissioners appointed under this Act to be Joint Commissioners of Audit within the meaning of "The Public Revenues Act, 1872."</p> <p>12. Salaries of Auditor-General and Comptroller of Public Account to be increased.</p> <p>13. Provisions of the eighth section of this Act not to apply to Auditor-General and Comptroller as Commissioners of Audit.</p>
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## A BILL INTITULED

### AN ACT to amend the Public Revenues Acts.

Title.

**B**E IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

5 **1.** The Short Title of this Act shall be "The Public Revenues Acts Amendment Act, 1874." Short Title.

**2.** This Act shall be read and construed with and as part of "The Public Revenues Act, 1867," and of all Acts of the General Assembly amending the same. Construction.

10 **3.** So much of the ninth section of "The Public Revenues Act, 1872," as provides that the balance of imprests within the Colony unaccounted for, issued after the thirtieth June, one thousand eight hundred and seventy-two, shall never at any time exceed seventy-five thousand pounds of moneys of the Special Funds, is hereby repealed, and in lieu thereof it is hereby enacted that the balance of imprests Partial repeal of section 9 of "The Public Revenues Act, 1872." Balance of imprests not to exceed £120,000 of Special Funds.

15 within the Colony unaccounted for, issued after the thirtieth day of June, in any one year, shall never at any time exceed one hundred and twenty thousand pounds of moneys of the Special Funds.

20 **4.** Whereas by the second section of "The Public Revenues Act, 1872," it is provided that the Comptroller of the Public Account and the Auditor-General are thereby created joint "Commissioners of Audit," thereafter called "the Commissioners," and all the powers and duties by law vested in and required to be performed by the said Comptroller and Auditor-General respectively are thereby vested in and may be performed by the Commissioners; and everything which Offices of Auditor-General and Comptroller of Public Account abolished on present holders of such offices ceasing to hold the same.

25 may be done by the Commissioners may be done by either of them severally:

And whereas it is expedient that upon either of the persons now holding either of the offices of Auditor-General or Comptroller of the Public Account ceasing to hold such office, no new appointment Two Commissioners of Audit to be appointed.

30 should be made to the office so vacated, but that the same should cease to exist:

Be it therefore enacted, upon either the present Auditor-General or Comptroller of the Public Account ceasing to hold the office held by him, such office shall cease, and no new appointment shall be Two Commissioners of Audit to be appointed.

35 made thereto.

**5.** There shall be two Commissioners of Audit, to be from time to time appointed as hereafter provided.

Governor to appoint two persons to be Joint Commissioners of Audit.

6. The Governor, in the name and on behalf of Her Majesty, shall, by Commissions under the Seal of the colony, appoint two fit and proper persons to be Joint Commissioners of Audit, and from time to time, in case of the death resignation or removal of any person appointed hereunder to be such Commissioner, shall appoint some other fit and proper person in his stead. 5

Commissioner of Audit not to be member of Executive Council, &c.

7. No Commissioner of Audit appointed under this Act shall during his continuance in office be capable of being a member of the Executive Council of the Colony or of either House of the General Assembly, or a Superintendent of any province or a member of any Provincial Council, or of holding any other place of profit or any appointment or employment to which any fees or emoluments are attached. 10

Tenure of office and salary.

8. Each Commissioner of Audit shall hold office during good behaviour, and shall only be removable therefrom by the Governor in the name and on behalf of Her Majesty, upon an address from both Houses of the General Assembly for such removal; and there shall be paid to each Commissioner of Audit, out of the Consolidated Fund, a clear annual salary of nine hundred pounds. 15

Power to Governor to suspend.

9. It shall be lawful for the Governor in Council, at any time when the General Assembly is not in session, to suspend any Commissioner of Audit; and such suspension, unless sooner revoked by the Governor in Council, shall continue in force until the end of the then next Session of the General Assembly: Provided always that such suspension shall not affect the right of such Commissioner to receive during the continuance thereof the salary hereinbefore provided. 20

No appointment of Commissioner to be made until one of the present offices of Auditor or Comptroller becomes vacant.

10. No appointment under the *sixth* section of this Act shall be made until one of the offices of Auditor or Comptroller aforesaid shall be vacant; and upon the happening of a vacancy in either of the said offices of Auditor or Comptroller, a Commissioner shall be appointed under the said section of this Act. 25

Commissioners appointed under this Act to be Joint Commissioners of Audit within the meaning of "The Public Revenues Act, 1872."

11. The Commissioners appointed under this Act shall be Joint Commissioners of Audit within the meaning of the said second section of "The Public Revenues Act, 1872:" Provided that so long as the offices of Auditor and Comptroller aforesaid are held, then the persons holding such offices shall continue to be such Joint Commissioners of Audit; and when, upon the first happening of a vacancy in either of the said offices of Auditor or Comptroller, a Commissioner under this Act shall be appointed, then, until the other of the said offices of Auditor or Comptroller shall become vacant, the Commissioner and the person holding office as Auditor or Comptroller, as the case may be, shall be Joint Commissioners of Audit within the meaning and for the purposes of "The Public Revenues Act, 1872." 30

Salaries of Auditor-General and Comptroller of Public Account to be increased.

12. From and after the thirtieth day of June last there shall be payable, out of the Consolidated Fund, to each of the persons now holding either of the offices of Auditor-General and Comptroller of the Public Account, and so long as he shall respectively hold such office, the clear annual salary of one hundred pounds in addition to the salary now payable to him. 35

Provisions of the *eighth* section of this Act not to apply to Auditor-General and Comptroller as Commissioners of Audit.

13. The provisions of the *eighth* section of this Act relating to the salary to be paid to the Commissioners of Audit appointed under this Act shall not apply to the Auditor-General and Comptroller of the Public Account as Commissioners of Audit. 40