

FINANCIAL MANAGEMENT AND AUDIT AMENDMENT BILL 2010

NOTES ON CLAUSES

- Clause 1 The short title of the Act.
- Clause 2 The Act commences on 16 June 2010, one day prior to the Consolidated Fund Appropriation (No 2) Bill entering Parliament. This retrospective commencement, prior to the receipt of Royal Assent, is required as the Consolidated Fund Appropriation (No 2) Bill relies on references to the Act.
- Clause 3 The Principal Act, which this Bill amends, is the *Financial Management and Audit Act 1990*.
- Clause 4 Section 14 (2) of the Principal Act is amended to deem the Minister administering the *Director of Public Prosecutions Act 1973* (the Attorney-General) to be the appropriate Minister for the purposes of the Treasurer's Expenditure Control Authority (TECA). The TECA is issued to the responsible Minister for each agency, authorising the Head of Agency to incur expenditure from the Consolidated Fund to the limit of the agency's appropriation.
- Clause 5 Schedule 2 of the Principal Act is amended to deem the person appointed as Director of Public Prosecutions, under section 4(1) of the *Director of Public Prosecutions Act 1973* to be the Head of Agency of the Office of the Director of Public Prosecutions, for the purposes of the Principal Act. This allows a TECA to be issued authorising the Director of Public Prosecutions to incur expenditure from the Consolidated Fund to the limit of the Office's appropriation, to be specified in the Consolidated Fund Appropriation Bill (No 2).
- Clause 6 Once the amendment is incorporated in the Principal Act on commencement on 16 June 2010, the amending Act no longer services a legislative purpose. As such, the amendment Act will be repealed on the ninetieth day from its commencement on 16 June 2010.