



New South Wales

Government Sector Finance Legislation (Repeal and Amendment) Bill 2018

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.
This Bill is cognate with the *Government Sector Finance Bill 2018*.

Overview of Bill

The objects of this Bill are:

- (a) to repeal the following legislation:
 - (i) the *Annual Reports (Departments) Act 1985*,
 - (ii) the *Annual Reports (Statutory Bodies) Act 1984*,
 - (iii) the *Public Authorities (Financial Arrangements) Act 1987*,
 - (iv) the regulations under each of those Acts, and
- (b) to rename the *Public Finance and Audit Act 1983* as the *Government Sector Audit Act 1983* and amend that Act to omit provisions being relocated to the proposed *Government Sector Finance Act 2018*, and
- (c) to make other amendments to legislation that are consequential on the enactment of the proposed *Government Sector Finance Act 2018* and the renaming and amendment of the *Public Finance and Audit Act 1983*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 removes the necessity for a certificate of approval of this Bill by the Parliamentary Remuneration Tribunal.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Repeals

Schedule 1 repeals the following legislation:

- (a) the *Annual Reports (Departments) Act 1985*,
- (b) the *Annual Reports (Statutory Bodies) Act 1984*,
- (c) the *Public Authorities (Financial Arrangements) Act 1987*,
- (d) the regulations under each of those Acts.

Schedule 2 Amendment of Public Finance and Audit Act 1983 No 152

Schedule 2:

- (a) renames the *Public Finance and Audit Act 1983* as the *Government Sector Audit Act 1983*, and
- (b) removes provisions from the Act that are being relocated to the proposed *Government Sector Finance Act 2018*, and
- (c) makes other consequential amendments (including in relation to updating terminology).

The amendments made to the *Public Finance and Audit Act 1983* will not relocate provisions relating to the Auditor-General, the Audit Office and the conduct of audits. Other amendments that are consequential on the enactment of the proposed *Government Sector Finance Act 2018* (particularly in relation to terminology) will also be made.

Schedule 3 Amendment of legislation concerning financial arrangements

Schedule 3 makes amendments to legislation that are consequential on the repeal of the *Public Authorities (Financial Arrangements) Act 1987*.

Schedule 4 Other amendments to legislation

Schedule 4 makes other amendments to legislation that are consequential on the enactment of the proposed *Government Sector Finance Act 2018*, the renaming and amendment of the *Public Finance and Audit Act 1983* and the repeal of the *Annual Reports (Departments) Act 1985* and *Annual Reports (Statutory Bodies) Act 1984*.