

## TRUSTEES AUDIT BILL.

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*SCHEDULE of the Amendments referred to in Message of 26th July, 1911.*

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Page 2, clause 4, lines 3 and 4. *Omit* "shall at the request of the Treasurer or of any  
"Minister of the Crown" *insert* new paragraphs (a) and (b).  
Page 2, clause 5, lines 13 and 14. *Omit* "and to any Minister of the Crown who has  
"requested such examination or audit to be made"

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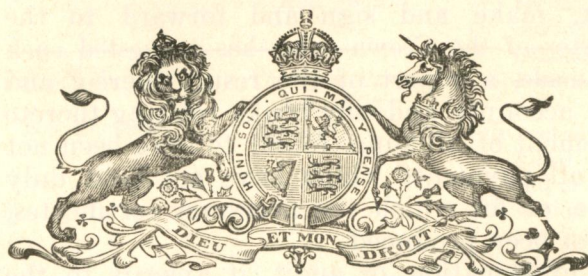
*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,* } *W. S. MOWLE,*  
*Sydney, 4 July, 1911.* } *Acting Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,* } *JOHN J. CALVERT,*  
*Sydney, 26th July, 1911.* } *Clerk of the Parliaments.*

## New South Wales.



ANNO SECUNDO

## GEORGII V REGIS.

\*\*\*\*\*

Act No. , 1911.

An Act to provide for the examination and audit of certain accounts; for the surcharge and disallowance of certain receipts and expenditure; to amend the Public Trusts Act, 1897, the Water and Drainage Act, 1902, the Pastures Protection Act, 1902, and the Mining Act, 1906; and for purposes consequent thereon or incidental thereto.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** This Act may be cited as the "Trustees Audit Act, 1911." Short title.  
      **2.** In this Act—  
      "Auditor-General" includes a person acting as deputy of the Auditor-General.  
      "Treasurer" means Colonial Treasurer.

Definitions.



*Trustees Audit.*

**3.** The enactments mentioned in Schedule One to this Act are, Repeal.  
to the extent therein expressed, repealed.

**4.** The Auditor-General shall ~~at the request of the Treasurer or~~ Inspection,  
~~of any Minister of the Crown,~~ examination, and  
audit of accounts  
in Schedule Two.

5 (a) **may whenever he thinks fit, and**

(b) **shall whenever required by the Treasurer so to do,**  
examine, and audit, or cause any officer of the public service appointed  
by him in that behalf to examine, and audit, the accounts mentioned  
in Schedule Two to this Act, and, for the purposes of such audit,  
10 examine any books and documents relating to such accounts.

**5.** The Auditor-General shall, as soon as practicable after any Report of result  
such examination or audit, make and sign and forward to the sent to Treasurer.  
Treasurer and to any Minister of the Crown who has requested such and Minister.  
examination or audit to be made, a report of the result thereof and  
15 of the manner in which the accounts and any books relating thereto  
have been kept, and a statement of all sums found to have been not  
duly accounted for and of all payments which have not been duly  
authorised or properly made, or for which the necessary certificates,  
receipts, or vouchers have not been produced.

20 **6.** If, on any such examination, or audit, it appears to the Auditor-General that in relation to the receipts and expenditure  
of any persons or any board any sum of money has been improperly  
dealt with or wrongly applied, or that the provisions of any Acts or  
regulations have been contravened or have not been complied with,  
25 he shall surcharge and disallow such sum of money. Any such  
surcharge shall be transmitted by the Auditor-General to the Treasurer,  
who may call upon such persons or board to repay such sum. If such  
sum is not forthwith repaid, it shall be deducted from any subsidy or  
moneys thereafter to be payable to such persons or board, or may be  
30 recovered in the manner provided for in the Acts or regulations  
aforesaid.

**7.** If any person obstructs the Auditor-General, or any officer Penalty on person  
appointed by him, in the exercise of his powers or the performance of obstructing Auditor  
his duties under this Act, or without lawful excuse refuses to produce General or officer.  
35 any book, account, document, writing, paper, or instrument in his  
possession or under his control, or to answer any question asked by  
the Auditor-General or such officer for the purpose of the exercise of  
such powers or performance of such duties, he shall be liable to a  
penalty not exceeding twenty pounds. Any such penalty may be  
40 recovered in a summary way before a stipendiary or police magistrate  
or any two justices of the peace in petty sessions.

## SCHEDULES.



*Trustees Audit.*

## SCHEDULES.

## SCHEDULE ONE.

Number of Act.	Short Title.	Extent of repeal.
61 Vic. No. 8 ...	Public Trusts Act, 1897.	Section 6.
5 No. 93, 1902 ...	Water and Drainage Act, 1902.	The words "and may inspect the records and accounts of the trustees" in subsection (1) of section 30. The last sentence in section 31, commencing "The Minister may"
10 No. 111, 1902 ...	Pastures Protection Act, 1902.	Subsection (3) of section 24.
No. 49, 1906 ...	Mining Act, 1906...	In section 116 the words in subsection (2) after "coal won," where first occurring, to the end of the subsection. The whole of subsection (3). The words, "and every person appointed as aforesaid," and the words, "or report or any copy of books, accounts, documents, writings, papers, or instruments," in subsection (4), and the whole of subsection (5).
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## SCHEDULE TWO.

*Accounts subject to inspection, examination, and audit under this Act.*

The accounts of persons working shale or coal mines in respect of which royalty is payable to the Crown, so far as is necessary to ascertain the amount and description 25 of shale and coal obtained from the mines.

The accounts of persons obtaining from any land gold or other minerals, as defined in the Mines Act, 1906, in respect of which royalty is payable to the Crown, so far as the Auditor-General deems necessary to ascertain the value of the gold and minerals so obtained.

30 The accounts of Pastures Protection Boards.

The accounts of trusts established under the Water and Drainage Act, 1902, or any Act amending the same.

The accounts of trustees (not being councils of municipalities or shires) of public parks, recreation grounds, racecourses, cricket grounds, cemeteries, or lands set apart, 35 dedicated, or reserved, temporarily or otherwise, for public purposes, receiving grants from the public funds.

The accounts of trustees of mechanics' institutes or schools of art, receiving grants from the public funds.

The accounts of hospitals in receipt of subsidy or assistance from the public funds.

40 The accounts of such other persons or institutions in receipt of subsidy or assistance from the public funds as the Governor by proclamation in the Gazette may declare to be within this Schedule.







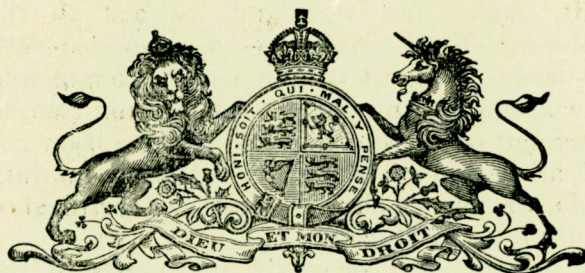
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*Legislative Assembly Chamber,*  
*Sydney, 4 July, 1911.* } *W. S. MOWLE,*  
*Acting Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,*  
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      "Treasurer" means Colonial Treasurer.

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**3.**

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



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**3.** The enactments mentioned in Schedule One to this Act are, Repeal.  
to the extent therein expressed, repealed.

**4.** The Auditor-General shall at the request of the Treasurer or Inspection,  
of any Minister of the Crown, examination, and  
audit of accounts  
in Schedule Two.

5 (a) may whenever he thinks fit, and

(b) shall whenever required by the Treasurer so to do,  
examine, and audit, or cause any officer of the public service appointed  
by him in that behalf to examine, and audit, the accounts mentioned  
in Schedule Two to this Act, and, for the purposes of such audit,  
10 examine any books and documents relating to such accounts.

**5.** The Auditor-General shall, as soon as practicable after any such examination or audit, make and sign and forward to the Treasurer and to any Minister of the Crown who has requested such Report of result  
examination or audit to be made, a report of the result thereof and sent to Treasurer,  
and Minister,  
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have been kept, and a statement of all sums found to have been not  
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30 recovered in the manner provided for in the Acts or regulations  
aforesaid.

**7.** If any person obstructs the Auditor-General, or any officer appointed by him, in the exercise of his powers or the performance of his duties under this Act, or without lawful excuse refuses to produce Penalty on person  
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- The accounts of hospitals in receipt of subsidy or assistance from the public funds.  
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- The accounts of such other persons or institutions in receipt of subsidy or assistance from the public funds as the Governor by proclamation in the Gazette may declare to be within this Schedule.



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The Legislative Council has this day agreed to the Bill with Amendments.

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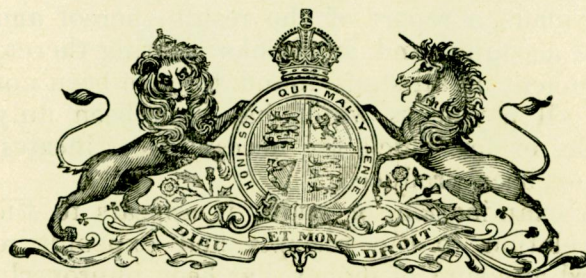
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