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SPECIAL SUPPLEMENT



New South Wales

Public Finance and Audit Amendment (Financial Statements) Regulation 2005

under the

Public Finance and Audit Act 1983

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Finance and Audit Act 1983*.

ANDREW REFSHAUGE, M.P.,
Treasurer

Explanatory note

Section 41C of the *Public Finance and Audit Act 1983* provides for the statement the Auditor-General is to receive under that section (a statement in respect of the financial statements of a statutory body) to include matters required under the regulations.

The object of this Regulation is to amend the *Public Finance and Audit Regulation 2000* to provide that a statement required under section 41C (1B) is required to include the following matters:

- (a) a statement as to whether the financial statements have been prepared in accordance with certain laws and the Treasurer's directions, and
- (b) a statement as to whether each person who is to sign the statement is aware of any circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.

This Regulation also makes a corresponding amendment in respect of the financial statements of a Department.

This Regulation is made under the *Public Finance and Audit Act 1983*, including sections 41C, 45F and 64 (the general regulation-making power).

Clause 1 Public Finance and Audit Amendment (Financial Statements) Regulation
 2005

Public Finance and Audit Amendment (Financial Statements) Regulation 2005

under the

Public Finance and Audit Act 1983

1 Name of Regulation

This Regulation is the *Public Finance and Audit Amendment (Financial Statements) Regulation 2005*.

2 Amendment of Public Finance and Audit Regulation 2000

The *Public Finance and Audit Regulation 2000* is amended as set out in Schedule 1.

Public Finance and Audit Amendment (Financial Statements) Regulation
2005

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 4

Omit the clause. Insert instead:

4 Certification

For the purposes of section 45F (1B) of the Act, the following matters are required to be included in a statement required under that subsection:

- (a) a statement as to whether, in the opinion of the Department Head, the financial statements have been prepared in accordance with the provisions of the Act, this Regulation and the Treasurer's directions,
- (b) a statement as to whether the Department Head is aware, as at the date on which the Department Head signs the statement, of any circumstances which would render any particulars included in the financial statements misleading or inaccurate.

[2] Clause 14

Omit the clause. Insert instead:

14 Certification

For the purposes of section 41C (1B) of the Act, the following matters are required to be included in a statement required under that subsection:

- (a) a statement as to whether, in the opinion of the person or persons who are to sign the statement, the financial statements have been prepared in accordance with the provisions of the Act, this Regulation and the Treasurer's directions,
- (b) a statement as to whether each person who is to sign the statement is aware, as at the date on which the person signs the statement, of any circumstances which would render any particulars included in the financial statements misleading or inaccurate.

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