

AUDITOR GENERAL — INDEPENDENCE — AUDITOR GENERAL AMENDMENT BILL 2022

**1302. Hon Dr STEVE THOMAS to the minister representing the Treasurer:**

I refer to the Auditor General Amendment Bill 2022, which passed this house in November 2022.

- (1) Do any clauses of the Auditor General Amendment Bill 2022 change in any way or form the power or independence of the Auditor General to report to the Parliament, the Public Accounts Committee or the Standing Committee on Estimates and Financial Operations?
- (2) If yes to (1), which clauses and what are those changes?
- (3) Will the Auditor General Act 2006 be altered by the proclamation of the Auditor General Amendment Bill 2022 to change in any way or form the power or independence of the Auditor General to report to the Parliament, the Public Accounts Committee or the Standing Committee on Estimates and Financial Operations?
- (4) If yes to (3), what are the changes?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question. I answer on behalf of the minister representing the Treasurer.

- (1)–(4) As recommended by the Joint Audit Committee in 2016, the Auditor General Amendment Act sought to clarify the Auditor General’s access to confidential material with appropriate limitations on disclosure. The status and independence of the Auditor General is provided for in section 7 of the Auditor General Act. The Auditor General Amendment Act 2022—the amendment act—did not amend that section and does not alter the Auditor General’s relationship with Parliament. Under the amendment act, the Auditor General will be able to report directly to Parliament on a confidential basis, as is currently the case. The Auditor General may use a broader range of confidential material to inform reports to Parliament, but specific details of that confidential material could not be disclosed. The Auditor General could still advise Parliament whether confidential information has been omitted from a report. This needs to be considered in light of the enhancement of powers conferred through the amendment act. The amendment act provides the Auditor General with an unprecedented explicit entitlement to access all confidential material, which includes protected and restricted information such as cabinet information or legal advice. Until now, the Auditor General Act 2006 has not expressly enabled the Auditor General to compel that type of information.