WELSH STATUTORY INSTRUMENTS

2005 No. 761 (W.65)

PUBLIC AUDIT, WALES

The Public Audit (Wales) Act 2004 (Consequential Amendments) (Wales) Regulations 2005

Made - - - -	*15 March 2005*
Coming into force - -	*1 April 2005*

The National Assembly for Wales, in exercise of the powers conferred by the enactments specified in the Schedule to this instrument, hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Public Audit (Wales) Act 2004 (Consequential Amendments) (Wales) Regulations 2005 and come into force on 1 April 2005.

(2) These Regulations apply in relation to Wales only.

Subordinate legislation amended

2.—(1) The National Health Service Trusts (Public Meetings) Regulations 1991(**1**) are amended as follows.

(2) In regulation 3 —

(a) in paragraph (a), after the words "NHS trust", insert "all or most of whose hospitals, establishments and facilities are situated in England";

(b) after that paragraph, insert —

"(aa) the circumstances in which an NHS trust all or most of whose hospitals, establishments and facilities are situated in Wales shall hold a public meeting are those where it has received a report made under the provisions of section 96A of the Government of Wales Act 1998;".

3.—(1) The Education (Grants) (Travellers and Displaced Persons) Regulations 1993(**2**) are amended as follows.

(2) In paragraph (4)(b) of regulation 7—

(**1**) S.I.1991/482, as amended by section 54(2) of, and paragraph 4(1) of Schedule 4 to, the Audit Commission Act 1998 (c. 18).
(**2**) S.I. 1993/569, as amended by section 54(2) of , and paragraph 4(1) of Schedule 4 to, the Audit Commission Act 1998 (c. 18).

(a) for "the Audit Commission for Local Authorities and the National Health Service in England and Wales", substitute "the Auditor General for Wales";

(b) for "section 3(5)-(7) of the Audit Commission Act 1998", substitute "section 14(4) and (9) of the Public Audit (Wales) Act 2004".

4.—(1) The Local Authorities (Contracts) Regulations 1997(**3**) are amended as follows.

(2) In regulation 2, omit the definition of "the auditor", and substitute, in the appropriate place, the following —

""the auditor" means, in relation to a local authority which is a local government body in Wales, as defined in section 12 of the Public Audit (Wales) Act 2004, the auditor appointed under section 13 of that Act to audit the accounts of the authority in accordance with Chapter 1 of Part 2 of that Act; and in relation to any other local authority, the auditor appointed under section 3 of the Audit Commission Act 1998 to audit the accounts of the authority in accordance with that Act;".

5.—(1) The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998(**4**) are amended as follows.

(2) In paragraph (1)(f) of regulation 4, at the beginning, insert "in relation to a local education authority in England,".

(3) After paragraph (1)(f) of regulation 4, insert —

"(fa) in relation to a local education authority in Wales, the Auditor General for Wales;".

6.—(1) The National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000(**5**) are amended as follows.

(2) In paragraph (6) of regulation 7—

(a) omit the words "Audit Commission" where they first appear, and substitute "Auditor General for Wales"; and

(b) omit the words "section 28(1)(d) of the Audit Commission Act 1998" and substitute "section 96B of the Government of Wales Act 1998".

7.—(1) The Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001(**6**) are amended as follows.

(2) In regulation 5(1)—

(a) at the end of sub-paragraph (e), omit the word "or";

(b) at the end of sub-paragraph (f), insert—

"; or —

(g) the disclosure is made to the Auditor General for Wales for the purposes of any function of his or hers or of an auditor under Part 2 of the Public Audit (Wales) Act 2004".

8.—(1) The Education Standards Grants (Wales) Regulations 2002(**7**) are amended as follows.

(2) In paragraph (5)(b) of regulation 6—

(**3**) S.I. 1997/2862, as amended by section 54(2) of, and paragraph 4(1) of Schedule 4 to, the Audit Commission Act 1998 (c. 18).
(**4**) S.I. 1998/880.
(**5**) S.I. 2000/2993 (W. 193), as amended by S.I. 2004/1390 (W. 140).
(**6**) S.I. 2001/2281 (W. 171).
(**7**) S.I.2002/438 (W. 56).

(a) for "the Audit Commission for Local Authorities and the National Health Service in England and Wales", substitute "the Auditor General for Wales";

(b) for "section 3(5), (6) and (7) of the Audit Commission Act 1998", substitute "section 14(4) and (9) of the Public Audit (Wales) Act 2004".

9.—(1) The Education (Capital Grants) (Wales) Regulations 2002(**8**) are amended as follows.

(2) In paragraph (4)(b) of regulation 5—

(a) for "the Audit Commission for Local Authorities and the National Health Service in England and Wales", substitute "the Auditor General for Wales";

(b) for "section 3(5), (6) and (7) of the Audit Commission Act 1998", substitute "section 14(4) and (9) of the Public Audit (Wales) Act 2004".

10.—(1) The Education (Assembly Learning Grant Scheme) (Wales) Regulations 2002(**9**) are amended as follows.

(2) In paragraph (6)(b) of regulation 6—

(a) for "the Audit Commission for Local Authorities and the National Health Service in England and Wales", substitute "the Auditor General for Wales";

(b) for "section 3(5), (6) and (7) of the Audit Commission Act 1998", substitute "section 14(4) and (9) of the Public Audit (Wales) Act 2004".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**10**).

D. Elis-Thomas
15 March 2005 The Presiding Officer of the National Assembly

(**8**) S.I.2002/679 (W. 76).
(**9**) S.I.2002/1857 (W.181).
(**10**) 1998 c. 38.