

**Legislative Council—No 114**

As introduced and read a first time, 14 September 2023

South Australia

**Statutes Amendment (Ombudsman and Auditor-General) (Terms of Office) Bill 2023**

A BILL FOR

An Act to amend the *Ombudsman Act 1972* and the *Public Finance and Audit Act 1987*.

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1 Transitional provisions

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

5 This Act may be cited as the *Statutes Amendment (Ombudsman and Auditor-General) (Terms of Office) Act 2023*.

### Part 2—Amendment of *Ombudsman Act 1972*

#### 2—Amendment of section 10—Term of office of the Ombudsman etc

(1) Section 10(1)—delete "expiring on the day on which he or she attains the age of 65 years" and substitute:

10 not exceeding 7 years

(2) Section 10—after subsection (1) insert:

15 (1a) A person appointed to be the Ombudsman is, at the end of a term of appointment, eligible for reappointment but cannot hold office for terms (including any term as Acting Ombudsman) that exceed 10 years in total.

(3) Section 10(4)(b)—delete paragraph (b) and substitute:

(b) completes a term of office and is not reappointed; or

### Part 3—Amendment of *Public Finance and Audit Act 1987*

#### 3—Amendment of section 24—Appointment of Auditor-General

20 (1) Section 24(2)—after "Governor" insert:  
for a term not exceeding 7 years

(2) Section 24—after subsection (2) insert:

(2a) A person appointed to be the Auditor-General is, at the end of a term of appointment, eligible for reappointment but cannot hold office for terms (including any period acting in the office of Auditor-General) that exceed 10 years in total.

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#### **4—Amendment of section 27—Vacation of office of Auditor-General**

Section 27(c)—delete paragraph (c) and substitute:

(c) completes a term of office and is not reappointed;

### **Schedule 1—Transitional provisions**

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#### **1—Transitional provisions**

- (1) The amendments to the *Ombudsman Act 1972* effected by Part 2 of this Act do not apply to the person holding office as Ombudsman on the commencement of this Act.
- (2) The amendments to the *Public Finance and Audit Act 1987* effected by Part 3 of this Act do not apply to the person holding office as Auditor-General on the commencement of this Act.

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