

South Australia

Statutes Amendment (Ombudsman and Auditor-General) Act 2023

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

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1 Transitional provisions

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Statutes Amendment (Ombudsman and Auditor-General) 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 "a term expiring on the day on which he or she attains the age of 65 years" and substitute:

an initial term of 7 years

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

- (1) Section 24(2)—after "Governor" insert:
- for an initial term of 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.
- (3) Section 24(4)—delete "Governor" and substitute:
- Remuneration Tribunal

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;

5—Insertion of section 42A

After section 42 insert:

42A—Review of Act

- (1) The Minister must cause a review of the operation of this Act to be undertaken, and a report on the review to be prepared and submitted to the Minister.
- (2) The review must be completed, and the report on the review submitted to the Minister, within 2 years of the commencement of this section.
- (3) The Minister must cause a copy of the report provided under this section to be laid before both Houses of Parliament within 6 sitting days after receiving the report.

Schedule 1—Transitional provisions

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 (other than section 5) do not apply to the person holding office as Auditor-General on the commencement of this Act.