

Auditor-General of Queensland

Penalties & Sentences &
Other Legislation
Submission 014

Your ref: 11.1.4.c
Our ref: 10488
Michael Booth 3149 6100

17 July 2012

Mr R Hopper MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Hopper

Thank you for your letter dated 12 July 2012 seeking submissions in relation to the Committee's examination of the *Penalties and Sentences and Other Legislation Amendment Bill 2012* (the Bill) recently introduced into Parliament.

It has been a long held convention that the Auditor-General does not comment on the merits of policy objectives of the State. This requirement has been recently included in section 37A (5) of the *Auditor-General Act 2009* in relation to the exercise of my performance audit mandate.

In this respect I draw your attention to page 5 of the Explanatory Notes to the Bill. Under the heading "Consultation" there is reference to the Queensland Audit Office. My Office has not been consulted on all aspects of this Bill. In light of this, and given the above, I recommend to the Committee, as a general principle, such references be removed from future explanatory memorandum and other supporting documentation. Otherwise the risk remains that it will be perceived that I am endorsing government policy objectives, when I do not have a role in this regard.

I do however have a role to provide advice to public sector agencies and to the Parliament on the administrative and governance implications of legislation, particularly as it may affect the application of my financial and performance audit mandate, and welcome the opportunity to provide comment in this respect on future Bills considered by your Committee where appropriate. From this perspective, I have no matters of concern as it relates to the impact of the proposed legislation on my mandate.

Yours sincerely



Andrew Greaves
Auditor-General