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Opinion No. 993 / 2020

Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

MALTA

BILL NO. 156 ENTITLED
AN ACT TO PROVIDE FOR THE AMENDMENT OF THE AUDITOR
GENERAL AND NATIONAL AUDIT OFFICE ACT

**A BILL
entitled**

AN ACT to provide for the amendment of the Auditor General and National Audit Office Act.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:

1. The short title of this Act is the Auditor General and National Audit Office (Amendment) Act, 2020 and this Act shall be read and construed as one with the Auditor General and National Audit Office Act, hereinafter referred to as "the principal Act".

Short title.

Cap. 396.

2. Immediately after article 5 of the principal Act, there shall be added the following new article:

Addition of new article to the principal Act.

"Power of the Auditor General to Report to the Permanent Commission Against Corruption. Cap. 326.

5A. If during or after any investigation, the Auditor General is of the opinion that there is evidence of any corrupt practice as defined in the Permanent Commission Against Corruption Act the Auditor General may refer his findings directly to the Attorney General."

Objects and Reasons

The objects and reasons of this Bill are to introduce a new power for the Auditor General to be able to refer reports relating to corrupt practice directly to the Attorney General.