

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3,675 of 11th September, 2008

B. 15/08

BILL

FOR

AN ACT to amend the Public Finance (Control and Audit) Act.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Act may be cited as the Public Finance (Control and Audit) (Amendment) Act 2008 and comes into operation on the day of publication.

Amendment to section 2.

2. Section 2 of the Public Finance (Control and Audit) Act (the principal Act) is amended by substituting “section 67” for “section 63” in the definition of “Consolidated Fund”.

Amendment to section 7.

3. Section 7 of the principal Act is amended—

- (a) in the heading by substituting “section 70” for “section 66”;
and
- (b) in subsection (1) by substituting “section 70” for “section 66”.

Amendment to section 28.

4. Section 28 of the principal Act is amended—

- (a) in subsection (1) by substituting “section 69(1)” for “section 65(1)”; and
- (b) in subsection (3) by substituting “section 69(2)” for “section 65(2)”.

Amendment to section 33.

5. Section 33 of the principal Act is amended in subsection (2) by substituting “Minister responsible for finance” for “Financial Secretary”.

Amendment to section 41.

6. Section 41 of the principal Act is amended by substituting “section 69” for “section 65”.

Amendment to section 44.

7. Section 44 of the principal Act is amended in subsection (2) by substituting “section 71” for “section 67”.

EXPLANATORY MEMORANDUM

This Bill amends sections 2, 7, 28, 41 and 44 of the Public Finance (Control & Audit) Act where it refers to sections of the repealed Gibraltar Constitution Order 1969 in order to refer to the equivalent provisions of the Gibraltar Constitution Order 2006.

Clause 5 amends section 33(2) in order to confer the power to re-allocate moneys between one development project and another under the same head of expenditure to the Minister responsible for finance instead of the Financial Secretary. This amendment brings section 33(2) in line with section 45(1) which confers the power to re-allocate funds on the Minister responsible for finance.

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