

**THE AUDITORS ORDINANCE 1986**

AN ORDINANCE to repeal The Auditors Ordinance 1980 and to provide for the auditing of the accounts of funds under the control of the Synod.

WHEREAS it is expedient to repeal the Auditors Ordinance 1980 and to provide for the auditing of the accounts of funds under the control of the Synod and the appointment of auditors NOW THE SYNOD HEREBY DETERMINES:

Title

1. This Ordinance may be cited as The Auditors Ordinance (Financial Year) Amendment Ordinance 2009

Accounts to be audited

2. An audited statement of income and expenditure for the 12 months ending 30<sup>th</sup> June next before the annual session of the Synod of all funds under and within the control of the Synod shall be presented to the Synod annually by the Diocesan Council or, in the case of funds administered on behalf of the Synod by any Board or Committee, by the Board or Committee concerned provided however that the Diocesan Council may, in respect of a particular fund, determine that a different accounting period shall apply.

Appointment of Auditors

3. (1) At the first meeting of the Diocesan Council following the annual session of the Synod held in an election year referred to in section 14 of the Constitution the Diocesan Council shall appoint an auditor who subject to subsection (2) shall be responsible for the continuous auditing of all funds under and within the control of the Synod.  
(2) The Diocesan Council may appoint a separate auditor for particular funds under and within the control of the Synod who shall be responsible for the continuous auditing of such funds.  
(3) Any casual vacancy occurring in the position of auditor may be filled by the Diocesan Council.

Qualification of Auditors.

4. No person shall be eligible for appointment as an auditor unless he or she is qualified to audit the accounts of an association under the provisions of the Associations Incorporation Act 1985 or any Act amending or replacing that Act.

Term of Office

5. An auditor shall hold office from the time of his or her appointment until his or her successor is appointed and shall submit a report on all funds and accounts for the auditing of which he or she is responsible and on each balance sheet prepared in respect of each financial year ending during his or her period of office.

Vacation of Office

6. The office of auditor shall become vacant if the holder gives notice in writing to the Secretary of Synod that he or she resigns or if the Diocesan Council resolves that he or she has neglected or refused for a reasonable time to perform the duties of the office or if he or she no longer complies with the requirements of section 4.

Remuneration of Auditors

7. The amount paid or payable by way of remuneration to any auditor shall be reported to the Synod at each annual session of the Synod.

Report of Synod.

8. The report of an auditor referred to in section 5 shall state:-
  - (a) whether or not he or she has obtained all the information and explanations he or she has required;
  - (b) whether, in his or her opinion, the accounts and balance sheet referred to in the report are properly drawn up and exhibit a true and fair view of the state of each of the funds audited according to the best of his or her information and the explanation given to him or her and as shown by the books of each fund.

Access to Books, Records and Information

9. An auditor shall have the right to peruse the minutes of any committee, including the Diocesan Council, affecting the books and accounts and shall have a right of access at all times to all books of accounts and vouchers and shall be entitled to require from the Secretary of Synod and employees of the Synod and any officer of any board or committee of the Synod such information as may be necessary for the performance of the duty of an auditor.

Attendance at Synod

10. An auditor shall be entitled to attend any session of the Synod at which any accounts which have been examined or reported on by him or her are to be laid before the Synod and to make any statement or explanation he or she desires with respect to the accounts.

Duties of Auditors

11. An auditor shall use diligence in ascertaining that the books of the various funds of the Synod for the auditing of which he or she is responsible have been properly kept and record correctly the affairs and transactions of each of such funds and that the assets and securities of such funds do in fact exist and are in proper custody or under proper control.

Interpretation

12. In this Ordinance "auditor" includes two or more auditors and a firm of auditors, and where two or more auditors are or a firm of auditors is appointed the provisions of this Ordinance shall apply to each of such auditors and all members for the time being of such firm of auditors as the case may be.

Amendment of other Ordinances

13. The following Ordinances are amended in accordance with the table hereunder:

<u>Name of Ordinance</u>	<u>Section</u>	<u>Amendment</u>
Anglican Board of Christian Education Ordinance 1983	5(2)	Delete "1980" and insert "1986".
Retreat House Board Ordinance 1984	6(2)	Delete "1980" and insert "1986".
Anglican Social Welfare Ordinance 1984	8(2)	Delete "1980" and insert "1986".
Board of Home Mission and Evangelism Ordinance 1984	7(2)	Delete "1980" and insert "1986".
Anglican Development Fund Ordinance 1985	7(2)	Delete "1980" and insert "1986".

Repeal

14. The Auditors Ordinance 1980 is repealed.

Transitional Arrangements - 2009 Amendment Ordinance

15. An audited statement of income and expenditure contemplated by section 2 must be prepared for the transitional accounting period of 6 months from the 1st January 2009 to the 30th June 2009 on account of the enactment of The Auditors Ordinance (Financial Year) Amendment Ordinance 2009. The audited statements from this transitional accounting period shall be presented to the annual session of Synod to be held prior to the 30th November 2009.

Passed on 22nd September 1986.

Amended by The Financial Year Ordinance 1989 on 16th September 1989, Sections 1, 2

Amended 14th September 1990 by the The Ordinances Publication Ordinance Amendment Ordinance 1990 - Title - Section 1

*Legislative history notes relating to revisions under the Ordinances Publication Ordinance 2004*

- (1) Section 4 – “or she” inserted after “he”
- (2) Section 5 – “or her” inserted after “his” in three places, and “or she” inserted after “he”
- (3) Section 6 - “or she” inserted after “he” in three places
- (4) Section 8(a) - “or she” inserted after “he” in two places
- (5) Section 8(b) - “or her” inserted after “his” in two places, and once after “him”
- (6) Section 10 – “or her” inserted after “him”, and “or she” inserted after “he”
- (7) Section 11 - “or she” inserted after “he”

Amended on 23 May 2009 by Synod.

Short title: The Auditors Ordinance (Financial Year) Amendment Ordinance 2009

Section 2 – after “the 12 months ending” delete “31<sup>st</sup> December” and substitute “30<sup>th</sup> June”

Insert of new section – Transitional Arrangements – 2009 Amendment Ordinance - Section 15.