

**Keeling Schedule for Government Resources and Accounts Act (Northern Ireland) 2001 sections 810 & 26 as amended by the Financial Reporting (Departments and Public Bodies) Bill (NI)**

*Tracked changes reflect amendments to be made by the Financial Reporting (Departments and Public Bodies) Bill (NI). The Bill amends the Government Resources and Accounts Act (Northern Ireland) 2001 by:*

- *inserting new sections 8A and 8B;*
- *substituting section 9(1)(a) and (b);*
- *substituting section 10(1)(d); and*
- *amending the definition of “the Department” in section 26(2).*

**Use of accruing resources**

8.—(1) The Department may, subject to any relevant limit set by a Budget Act, direct that resources accruing to a department or a relevant body or person ( “accruing resources”) may be used for any purpose in any financial year in addition to resources authorised by Budget Act to be used for that purpose in that year.

(2) A direction under subsection (1) shall be—

- (a) made by minute, and
- (b) laid before the Assembly.

(3) Subsections (4) and (5) apply where money is received in connection with a use of accruing resources which has been or is expected to be directed under subsection (1).

(4) Where the money is received in the year for the service of which the use of accruing resources is authorised—

- (a) the money may be used in accordance with the Department's direction, and
- (b) in so far as not so used, it shall be paid into the Consolidated Fund.

(5) Where the money is received in a year other than that for the service of which the use of accruing resources is or is to be authorised, it shall be—

- (a) retained and applied as a use of resources authorised by Budget Act for the service of the year in which the money is received, or (b) paid into the Consolidated Fund.

(6) Section 8(2) and (3) of the Exchequer and Financial Provisions Act (Northern Ireland) 1950 (c. 3) (appropriation in aid) shall cease to have effect.

[Estimates](#)

[Departmental estimates: inclusion of resources used by designated bodies](#)

8A.—(1) Any estimate for a Northern Ireland department for approval by the Assembly in respect of a financial year must be prepared in accordance with such directions as the Department may issue.

(2) The Department may direct that the estimate is to include information relating to resources expected to be used by any body that is a designated body in relation to the department.

(3) For the purposes of this section a body is a “designated” body in relation to a department if—

- (a) it is designated in relation to the department by an order made by the Department, or
- (b) it falls within a description of body designated in relation to the department by such an order.

(4) A body, or a description of body, may be designated in relation to a department for a particular financial year or generally.

(5) The Department must, where it thinks it appropriate, consult the Treasury before designating a body or a description of body.

(6) In determining for any purpose whether a body has a particular relationship with a Northern Ireland department (for example, whether it is controlled by, or otherwise dependent on, the department), the following must be disregarded—

- (a) the fact that an estimate for the department in respect of a financial year includes information relating to the body, and
  - (b) the fact that the department’s resource accounts for a financial year prepared under section 9 include information relating to the body.
- (7) An order under subsection (3) is subject to negative resolution.

#### **Estimates: non-departmental bodies and other persons**

8B.—(1) Subject to subsection (2), where an estimate is prepared for approval by the Assembly for any body or person in respect of any financial year, section 8A applies with appropriate modifications in relation to that body or person in respect of that financial year as it applies in relation to a Northern Ireland department.

(2) Subsection (1) does not apply to the Northern Ireland Audit Office.

#### ***Departmental accounts***

#### **Resource accounts: preparation**

9.—(1) A Northern Ireland department for which an estimate is approved by the Assembly in respect of a financial year shall prepare accounts (to be known as resource accounts) for that year detailing—

~~(a) resources acquired, held or disposed of by the department during the year, and (b) the use by the department of resources during the year.~~

- (a) resources acquired, held or disposed of during the year by—

- (i) the department, or*
- (ii) any body that is a designated body under section 8A in relation to the department for the year, and*
- (b) the use of resources during the year by the department or any such body.*

(2) Resource accounts shall be prepared in accordance with directions issued by the Department.

(3) The Department shall exercise the power to issue directions under subsection (2) with a view to ensuring that resource accounts—

- (a) present a true and fair view,
- (b) conform to generally accepted accounting practice subject to such adaptations as are necessary in the context of departmental accounts, and
- (c) accord with guidance issued by the Department about the inclusion of an explanation of the difference between an item appearing in a department's estimate and a corresponding item appearing in or reflected in the department's resource accounts.

(4) For the purposes of subsection (3)(a) and (b) the Department shall in particular—

- (a) have regard to any relevant guidance issued by the Accounting Standards Board Limited or any other body prescribed for the purposes of section 256 of the Companies Act 1985 (c. 6) (accounting standards)[or to the international accounting standards, within the meaning of EC Regulation No. 1606/2002 of the European Parliament and of the Council of 19th July 2002 on the application of international accounting standards, adopted from time to time by the European Commission in accordance with that Regulation], and
- (b) require resource accounts to include, subject to paragraph (a)—
  - (i) a statement of financial performance, (ii) a statement of financial position, and (iii) a cash flow statement.*

(5) A Northern Ireland department which prepares resource accounts shall send them to the Comptroller and Auditor General not later than 31st July of the financial year following that to which the accounts relate.

(6) The Department shall, in the case of each department which is obliged to prepare accounts in accordance with subsection (1), appoint an official of the department as its accounting officer.

(7) While a person holds appointment as a department's accounting officer he shall be responsible for—

- (a) the preparation of the department's resource accounts, and (b) their transmission to the Comptroller and Auditor General.

(8) The Department may appoint an official of a Northern Ireland department as accounting officer in respect of a particular part of the department's resource

accounts; and that person shall be responsible for the preparation of that part of the accounts.

(9) The following provisions of the 1921 Act shall cease to have effect—

- (a) section 11 and the Schedule (appropriation accounts);
- (b) section 13 (balance sheet);
- (c) section 14 (statements of adjustments and excesses); (d) section 17 (objections by Comptroller and Auditor General); (e) section 25 (mode of keeping accounts).

### Resource accounts: scrutiny

10.—(1) The Comptroller and Auditor General shall examine any resource accounts which he receives from a Northern Ireland department under section 9(5) with a view to satisfying himself—

- (a) that the accounts present a true and fair view,
- (b) that money provided by the Assembly has been expended for the purposes intended by the Assembly,
- (c) that resources authorised by the Assembly to be used have been used for the purposes in relation to which the use was authorised, and ~~(d) that the department's financial transactions are in accordance with any relevant authority.~~
- (d) that—
  - (i) the financial transactions of the department, and
  - (ii) the financial transactions of any body that is a designated body under section 8A in relation to the department for the year in question, are in accordance with any relevant authority.

(2) If resource accounts appear to the Comptroller and Auditor General to suggest that a material use of resources required but did not receive the authority of the Department—

- (a) he shall inform the Department, and
- (b) if the Department sanctions the use of resources, he shall treat it as always having had the Department's authority.

(3) Where the Comptroller and Auditor General has conducted an examination of accounts under subsection (1)—

- (a) he shall certify them and issue a report,
- (b) he shall send the certified accounts and the report to the Department not later than 31st October of the financial year following that to which the accounts relate, and
- (c) if he is not satisfied of the matters set out in subsection (1)(a) to (d), he shall report to the Assembly.

(4) The Department shall lay accounts and reports received under subsection (3)(b) before the Assembly not later than 15th November of the financial year following that to which they relate.

(5) Sections 15 and 16 of the 1921 Act (examination of appropriation accounts) shall cease to have effect.

### **Interpretation**

**26.—(1)** In this Act a reference to the use of resources is a reference to their expenditure, consumption or reduction in value.

(2) In this Act—

“the 1921 Act” has the meaning given by section 1(5);

“the Bank” has the meaning given by section 1(1);

“the Comptroller and Auditor General” means the Comptroller and Auditor General for Northern Ireland;

“the Consolidated Fund Account” has the meaning given by section 1(1);

“the Department” means the Department of Finance ~~and Personnel~~;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).