
Independence of the Australasian Auditors General Report 2025

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A 2025 revision and update of a survey
and analysis of legislation, jurisdictional
context and better practice in Australia,
Fiji, New Zealand and Papua New Guinea.

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Contents

Acronyms.....	1	Part 5. INTOSAI principles: Analysis and better practice ..	24
Executive summary.....	2	Principle 1: An effective statutory legal framework	25
Part 1. Overall independence scores and rankings.....	5	Principle 2: Independence and security of tenure for the head of the audit institution	30
INTOSAI principles and legislative factors.....	6	Principle 3: Full discretion to exercise a broad audit mandate	35
The 60 legislative factors: Headline results	7	Principle 4: Unrestricted access to information	40
The 60 legislative factors: Aggregate scores in context	8	Principle 5: A right and obligation to report on audit work	45
The 8 INTOSAI principles: Average percentage across principles	9	Principle 6: Freedom to decide the content and timing of audit reports and to publish them	48
Part 2. Legislative highlights since 2020	10	Principle 7: Appropriate mechanisms to follow-up on audit recommendations	53
Queensland.....	11	Principle 8: Financial, managerial and administrative autonomy and availability of appropriate resources.....	55
NSW.....	12		
South Australia.....	13		
Fiji	14		
Part 3. Report 2025 methodology	15		
Background: The commissioned project	16	Part 6. Jurisdiction summaries: Qualitative analysis	61
INTOSAI principles.....	16	Australian Capital Territory	62
Quantitative assessment in 2025.....	17	Australia.....	64
Qualitative assessment of jurisdictional context	20	Fiji	66
Better practice examples.....	20	New South Wales	68
Key vulnerabilities in each jurisdiction	20	New Zealand	70
Part 4. Key vulnerabilities for jurisdictions	21	Northern Territory	71
		Papua New Guinea	73
		Queensland.....	75
		South Australia.....	77
		Tasmania	78
		Victoria.....	79
		Western Australia.....	81
		Appendices.....	83

Acronyms

ACAG	Australasian Council of Auditors General	NSW	New South Wales
ACT	Australian Capital Territory	OAG	Office of the Auditor-General of Fiji
ANAO	Australian National Audit Office	QAO	Queensland Audit Office
INTOSAI	International Organization of Supreme Audit Institutions	UK	United Kingdom
JCPAA	Joint Committee of Public Accounts and Audit		

Executive summary

The Australasian Council of Auditors General (ACAG) conducted surveys on the independence of Auditors-General in 2009, 2013 and 2020. This 2025 survey and report is based on the first change in the methodology of the survey and presentation of data since 2013.

Twelve ACAG jurisdictions participated in this survey, with Fiji and Papua New Guinea participating for the first time.

The assessment of independence is based on 8 independence principles declared by the International Organization of Supreme Audit Institutions (INTOSAI). INTOSAI's principles are premised on effective public sector auditing requiring Auditors-General to have both functional and organisational independence from executive government influence. The 8 principles are:

1. An effective statutory legal framework
2. Independence and security of tenure for the head of the audit institution
3. Full discretion to exercise a broad audit mandate
4. Unrestricted access to information
5. A right and obligation to report on audit work
6. Freedom to decide the content and timing of audit reports and to publish them
7. Appropriate mechanisms to follow-up on audit recommendations
8. Financial, managerial and administrative autonomy and availability of appropriate resources.

This survey is based on scoring 60 legislative factors that fall under the principles. The 2025 independence assessment shows that the Australian Capital Territory (ACT), which was the highest-ranked jurisdiction in 2020, has been joined by Queensland in 2025.

Figure 1: Independence assessment results 2025 and 2020

2025 ranking	Jurisdiction	2025 score	2020 score ¹
1	ACT	343	319
	Queensland	343	306
3	Victoria	324	299
4	New South Wales	317	260
5	New Zealand	314	313
6	Western Australia	309	310
7	Tasmania	306	306
8	Fiji	293	- ²
9	Australia	267	266
10	South Australia	259	244
11	Papua New Guinea	219	- ²
12	Northern Territory	192	186

Changes to scores and rankings in 2025 can be attributed to 2 reasons. A small number of jurisdictions have made significant amendments to legislation, with a positive effect on their score. Some jurisdictions had either an increase or decrease in their score based on a revised assessment of how their legislation meets certain factors, not because of any amendments to legislation since 2020. The ACT has remained one of 2 highest-scoring jurisdictions because of a revised understanding of its follow-the-dollar powers, not because of amendments to legislation since 2020. Headline results and an overview of scoring are provided in Part 1.

Of the 10 jurisdictions that participated in previous surveys, Queensland and New South Wales (NSW) have had the most significant legislative amendments since 2020. Amendments in Queensland are highlighted by increased administrative autonomy for the Auditor-General and provisions that are consistent with the Auditor-General's new status as an 'independent officer of parliament'. Amendments in NSW are highlighted by the provision of follow-the-dollar powers and a requirement that the Treasurer make an explanation to the Public Accounts Committee if a funding request by the Auditor-General is refused. Fiji has the most recently renewed legislation with its *Audit Act 2025* replacing its *Audit Act 1969*, complementing various Auditor-General provisions in the 2013 *Constitution of the Republic of Fiji*. Part 2 provides details of legislative highlights since 2020.

The 2025 survey introduces 2 changes to the assessment methodology and presentation:

- This survey uses a revised scale of scores. The zero to ten scale previously used to score each legislative factor for each jurisdiction has been replaced by a zero to 7 scale. The new scale was applied to the 60 legislative factors in 2025 and used to re-score the results of the 2020 survey to provide comparability.
- Data is presented as a percentage of the maximum scores for each factor and principle, rather than just a raw score. Further explanation of this methodology is provided in Part 3.

The foundation of the survey's methodology, namely the evaluation of 60 legislative factors under each of INTOSAI's 8 independence principles, is unchanged.

There has been an overall improvement in the legislative provisions across ACAG, but there are some INTOSAI principles for which numerous jurisdictions have low scores. Financial independence and managerial autonomy are the weakest factors for numerous jurisdictions. Key vulnerabilities in legislation for each jurisdiction are listed in Part 4.

¹ The 2020 score was adjusted for the new zero to 7 scoring system used in 2025.

² Fiji and Papua New Guinea participated in this survey for the first time in 2025.

Analysis of the 8 principles indicates a majority of ACAG jurisdictions have a healthy degree of independence from executive government. However, no jurisdiction excels across all 8 independence principles. The report provides examples of better practice, including express legislative provisions, which can serve as a guide for future advocacy and legislative amendments. The analysis and better practice is provided in Part 5.

The effectiveness of the legislative context in which Auditors-General function is influenced by many factors, not just the express words in a statute. The scores for jurisdictions do not always reflect their experience of independence and powers. Part 6 provides a qualitative approach to assessing the jurisdictional context in which each Auditor-General functions. Drawing on the analysis of key vulnerabilities in Part 4, analysis and better practice described for each principle in Part 5 and the jurisdictional context in Part 6, the following conclusions can be drawn:

- All Auditors-General should have the unambiguous status of independent officer of parliament, but not all do. Some who are expressly given the status are not subject to independent recruitment and appointment processes that should be integral for an officer of parliament.
- Audit mandate and coverage is generally sound, but some Auditors-General lack follow-the-dollar powers to enable them to assess the effectiveness and compliance of the expenditure of government funds to non-public entities.
- Access to information (especially executive government deliberations and other sensitive information) and discretion for the Auditor-General to report or withhold information is crucial for the Auditor-General's ability to make fully informed findings. A high score based on statutory provisions for the Auditor-General to have unqualified access to information can be misleading if executive government withholds information by insisting that conventions of public interest immunity override the express words in the audit statute.
- Some jurisdictions demonstrate better practice, while others experience barriers to full access to government information and discretion to report that information. For the avoidance of doubt, governments and parliaments should ensure that audit statutes expressly provide access to all information, including Cabinet information, legal professional privilege information and other information which could be subject to public interest immunity claims.
- Financial and performance auditing do not operate in a static space and the definition of 'information' has evolved. To ensure audit legislation remains fit for purpose, principal audit legislation should include provisions for mandatory, periodic and public reviews of the statute, overseen by parliament and in consultation with the Auditor-General, which prescribe the functions and powers that should be examined.
- Delays by government and other entities in cooperating with information requests and directions from Auditors-General is a form of non-compliance with the law. Where there is any doubt, the legislation should be amended to make this clear and enforceable.
- The Auditor-General should be assured of administrative autonomy over their office and financial independence from Executive influence. In some jurisdictions, small steps are being taken to make governments accountable for decisions to vary recommended annual appropriations for Auditors-General. The role of parliament should be one of decision-making, not merely advising the Executive in relation to annual budgets for Auditors-General. Executive governments should be legally obliged to include in the annual appropriation bill to parliament the amount for the Auditor-General that has been determined independently of the Executive.
- Parliaments, through committees of the House(s) or presiding officers, are gradually increasing their oversight of Auditors-General, audit offices and functions, but in some cases this falls short of a proper balance of accountability and advocacy for the audit office and function.

Part 1. Overall independence scores and rankings

INTOSAI principles and legislative factors

The International Organization of Supreme Audit Institutions (INTOSAI) has declared that 8 core independence principles are essential requirements for effective public sector auditing.³

The Australasian Council of Auditors General (ACAG) developed a survey, based on the INTOSAI principles, which is designed to measure the extent to which Auditors-General are independent from the influence of executive government in support of effective public sector auditing. The survey uses 60 legislative factors grouped under the 8 principles. Surveys in 2009, 2013 and 2020⁴ scored each legislative factor against a zero to 10-point scale based on the extent to which each factor was distanced from the control of executive government.

In this survey a new scale of zero to 7 points has been used to measure independence in 2025.

Furthermore, each legislative factor has had a maximum possible score assigned to it to provide the data as percentage scores. This was not done in previous reports. Not all factors have a maximum score of 7.

Figure 2: Principles, number of legislative factors and maximum scores

INTOSAI principle	Number of legislative factors	Maximum aggregate score for the principle
1. An effective statutory legal framework	9	56
2. Independence and security of tenure for the head of the audit institution	14	82
3. Full discretion to exercise a broad audit mandate	17	117
4. Unrestricted access to information	4	25
5. A right and obligation to report on audit work	3	20
6. Freedom to decide the content and timing of audit reports and to publish them	5	32
7. Appropriate mechanisms to follow-up on audit recommendations	1	7
8. Financial, managerial and administrative autonomy and availability of appropriate resources	7	42
Total	60	381

To facilitate a comparison of 2020 and 2025 surveys, the 2020 scores have been adjusted by the new zero to 7 scale for the 10 jurisdictions in that survey.

The adjustment of the 2020 scores has been more significant for some jurisdictions than others. For example, Victoria's 2020 score of 337 has been adjusted to 299,

whereas New Zealand's 2020 score of 338 has been adjusted to 313.⁵ This in no way invalidates the scores and rankings in the 2020 report, it simply allows for a comparison of 2020 and 2025 results. A more detailed explanation of the scoring system is provided in Part 3 of this report.

³ INTOSAI-P 10 Mexico Declaration on SAI Independence, 2019. The 1977 Lima Declaration was the first INTOSAI document to comprehensively set out the importance of Supreme Audit Institution (SAI) independence.

⁴ Independence of Auditors General: A 2020 update of a survey of Australian and New Zealand legislation, Dr Gordon Robertson, commissioned by the Australasian Council of Auditors-General.

⁵ Victoria's adjusted score was reduced due to the lower maximum score available for each legislative factor and the discontinuation of a higher score for a factor appearing in a Constitution. New Zealand's adjusted score was reduced by a lower amount because it was only affected by the lower maximum score available for each legislative factor.

The 60 legislative factors: Headline results

While the Australian Capital Territory (ACT) remains one of 2 highest ranked jurisdictions overall with a score of 343, Queensland and New South Wales (NSW) have had notable improvements to audit legislation since 2020. Queensland's score increased to 343 in 2025 (2020 adjusted score of 306), elevating its ranking to equal first. NSW's score increased to 317 in 2025 (2020 adjusted score of 260).

Figure 3: 2025 scores and rankings compared to 2020

2025 ranking	Jurisdiction	2025 score	2020 ranking ⁶	2020 score ⁷
1	ACT	343	1	319
	Queensland	343	4	306
3	Victoria	324	6	299
4	NSW	317	8	260
5	New Zealand	314	2	313
6	Western Australia	309	3	310
7	Tasmania	306	4	306
8	Fiji	293	— ⁸	—
9	Australia	267	7	266
10	South Australia	259	9	244
11	Papua New Guinea	219	— ⁸	—
12	Northern Territory	192	10	186

The ACT's score has increased as a result of reassessing the previous interpretation of the ACT's audit coverage.

Victoria's 2020 and 2025 scores require separate explanation. Firstly, Victoria scored 337 in 2020, which was adjusted to 299 under the new scoring model. Victoria was most affected by the new scoring model because it has a number of factors provided in the Victorian Constitution Act 1975 (see Part 3 of this report for a more detailed explanation of the new scoring model).

On the other hand, Victoria has had a notable increase in its score from 299 to 324, despite having no significant amendments to legislation since 2020. The increased score is the result of reassessing the previous 2020 interpretation of Victoria's legislation, particularly in relation to the:

- eligibility for appointment of Auditor-General
- position of Deputy Auditor-General
- audit coverage of certain entities
- staffing autonomy and independence from public service controls.

⁶ The ranking for 2020 was based on adjusted scores. In some cases this changed the ranking from what was presented in the 2020 report.

⁷ The 2020 score was adjusted for the new zero to 7 scoring system used in 2025.

⁸ Fiji and Papua New Guinea participated in this survey for the first time in 2025.

The 60 legislative factors: Aggregate scores in context

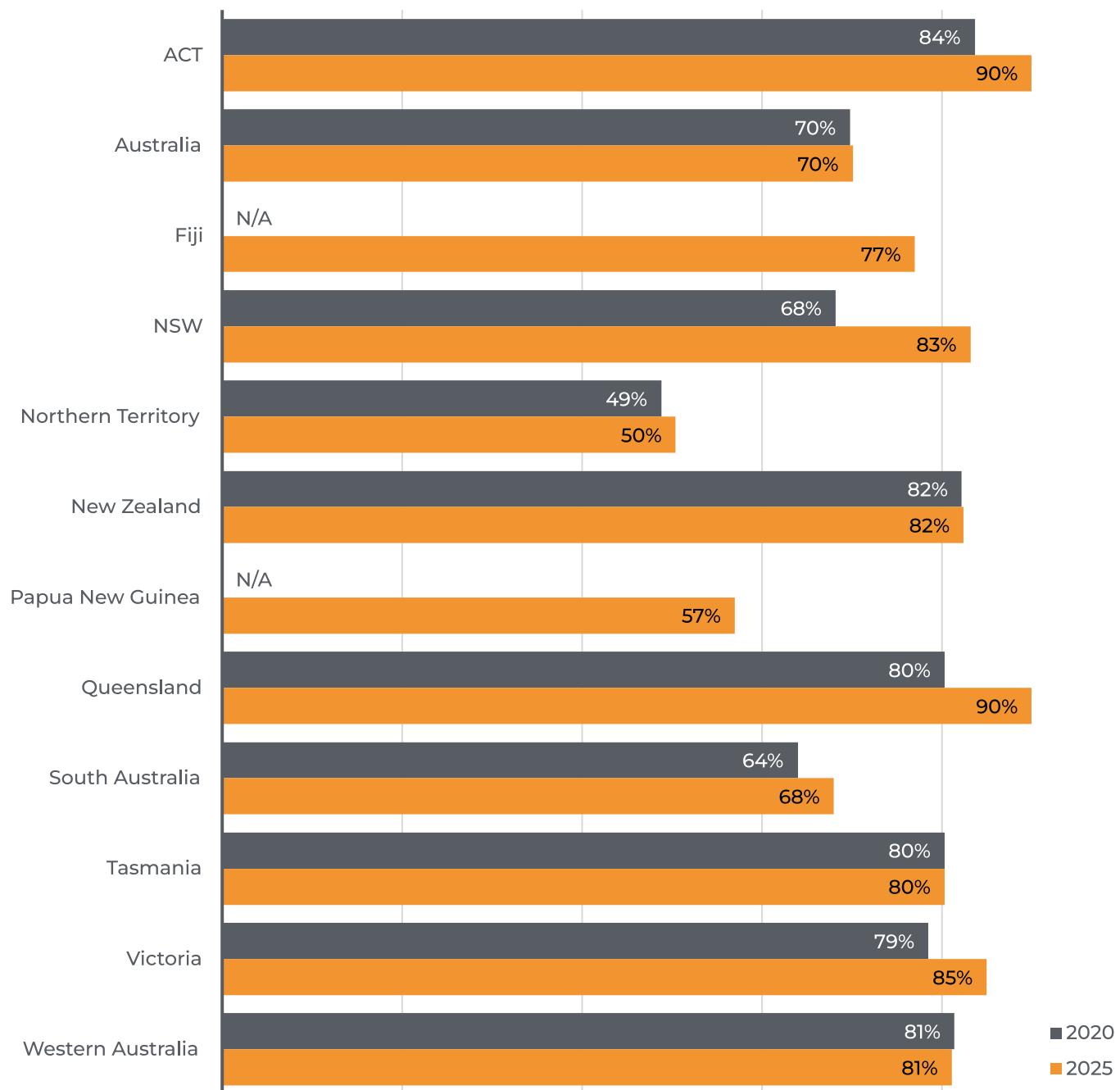
The raw scores in Figure 3 enable the jurisdictions to be ranked and compared with the 2020 scores.

In Figure 4, the total scores have been expressed as a percentage of the maximum score possible. Each of the 60 legislative factors was assigned a possible maximum score up to 7, resulting in the maximum aggregate score for the 60 legislative factors being 381.

The 60 legislative factors are described in full in Part 5.

NSW (15%) and Queensland (10%) recorded the largest increases in the percentage of maximum score possible from 2020 to 2025.

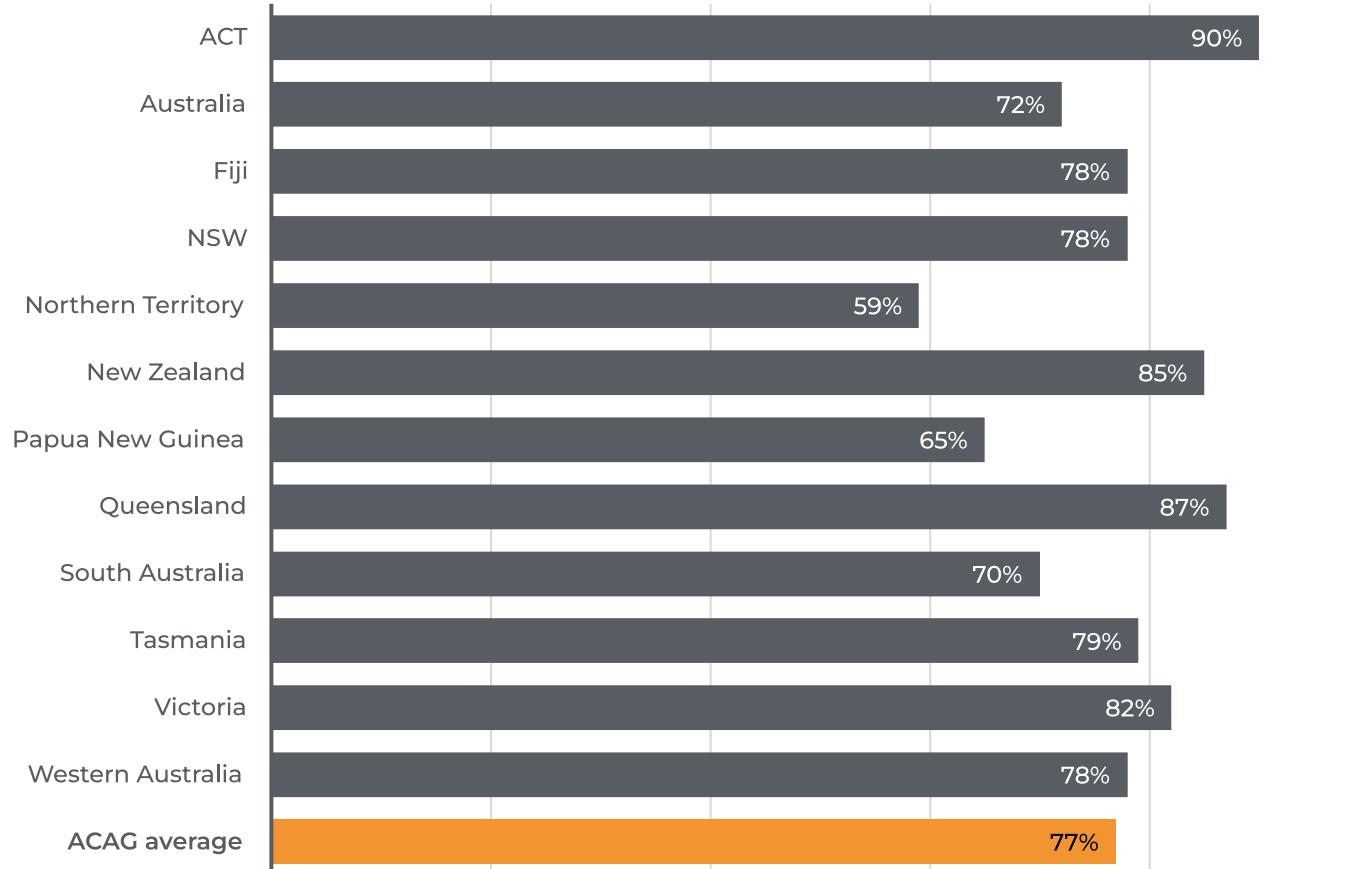
Figure 4: 2020 and 2025 percentage of maximum scores possible across 60 legislative factors



The 8 INTOSAI principles: Average percentage across principles

Figure 5 presents the average percentage across the 8 INTOSAI principles for each jurisdiction. The average percentage calculations reflect the consistency of each jurisdiction across the 8 INTOSAI principles and discounts the influence of the significant variation in the number of factors in each principle.

Figure 5: 2025 percentage scores across the 8 principles for each jurisdiction



The ACT ranked equal first for its overall score and has the highest ranking for its average across the 8 principles. This reflects consistency across the principles. Victoria ranks higher than New Zealand on raw score, but New Zealand ranked higher than Victoria on average scores for each principle, because it has a lower gap between its highest and lowest ranking principles.

The Northern Territory and Papua New Guinea have a higher average score for the principles than their average for the aggregate of the 60 legislative factors. This reflects the very low scores that both jurisdictions recorded for principles with a high number of factors (Principle 3 for the Northern Territory and Principle 2 for Papua New Guinea).

Part 2. Legislative highlights since 2020

Queensland

Overview	The Auditor-General Act 2009 has been amended by 2 significant amendment acts. Amendments interacted with most of the independence principles, but only some had a significantly positive effect on the scoring of legislative factors.
Principal act	<i>Auditor-General Act 2009</i>
Amending acts	<i>Integrity and Other Legislation Amendment Act 2022</i> <i>Integrity and Other Legislation Amendment Act 2024</i>
INTOSAI principle 1	Independence and status Section 6(2) of the <i>Auditor-General Act 2009</i> now provides that the Auditor-General is an independent officer of parliament. A new section 11A (oath before performing duties) further supports the principle of being an independent officer by providing that the Auditor-General must make an oath or affirmation that they will faithfully and impartially perform the duties of the office. The oath must be administered by the Speaker, or if the Speaker is unavailable, the Clerk of the parliament.
INTOSAI principle 2	Appointment process New sections 9(2) and 9(3) improve the independence of the selection process and appointment decision, effectively providing the parliamentary committee with a right of veto over both processes. This is a positive step in separating these processes from the sole control of executive government, but better practice could be achieved by the committee controlling the appointment process and selection.
INTOSAI principle 8	Administrative, staffing and financial independence A new section 26 provides that the Auditor-General employs the persons they consider necessary for staffing the audit office and according to the conditions determined by the Auditor-General. The section goes on to expressly provide that staff are employed under the <i>Auditor-General Act 2009</i> , not the <i>Public Sector Act 2022</i> . Section 29G and section 29H now provide the process for establishing the annual appropriation of the audit office. The new process is a positive step and at least elevates the parliamentary committee's role to one of recommending any additional appropriation for the office and requiring the Minister to table the recommendation and their response. Better practice could be achieved by legislating that a recommendation of the committee or the House is binding as to the amount included in the appropriation bill.

NSW

Overview	The most notable purpose of the <i>Government Sector Audit and Other Legislation Amendment Act 2022</i> was to enable the Auditor-General to conduct follow-the-dollar type performance audits. There were also symbolic and practical measures to increase the status and independence of the office provided by the <i>Government Sector Finance Amendment (Integrity Agencies) Act 2024</i> .
Principal acts	<p><i>Government Sector Audit Act 1983</i></p> <p><i>Government Sector Finance Act 2018</i></p>
Amending acts	<p><i>Government Sector Audit and Other Legislation Amendment Act 2022</i></p> <p><i>Government Sector Audit Amendment (Performance Audit Reports) Act 2025</i></p> <p><i>Government Sector Finance Amendment (Integrity Agencies) Act 2024</i></p>
INTOSAI principle 1	Independence and status The <i>Government Sector Audit Act 1983</i> now provides that the Auditor-General is an independent officer of parliament.
INTOSAI principle 3	Audit coverage and follow-the-dollar powers The <i>Government Sector Audit Act 1983</i> now empowers the Auditor-General to conduct follow-the-dollar type performance audits of government-funded activities of non-government entities carried out for or on behalf of state and local government entities. To this end, the insertion of a new section 38EA into the <i>Government Sector Audit Act 1983</i> is important in giving the Auditor-General follow-the-dollar powers, with a broad definition of the relevant activities of a related entity.
INTOSAI principle 8	Financial independence Section 57 of the <i>Government Sector Audit Act 1983</i> provides the Public Accounts Committee with a role in examining the proposed annual funding for the Auditor-General and reporting to parliament. Section 4.14B of the <i>Government Sector Finance Act 2018</i> requires the Treasurer to provide information on any variation to the appropriation requested and to respond to comments by the Public Accounts Committee.

South Australia

Overview	The <i>Statutes Amendment (Ombudsman and Auditor-General) Act 2023</i> made some mostly modest amendments to the <i>Public Finance and Audit Act 1987</i> , but provisions related to the Auditor-General's salary were notable.
Principal act	<i>Public Finance and Audit Act 1987</i>
Amending act	<i>Statutes Amendment (Ombudsman and Auditor-General) Act 2023</i>
INTOSAI principle 1	<p>Legal framework and remuneration determination</p> <p>Section 24(4) of the <i>Public Finance and Audit Act 1987</i> now provides that the salary and allowances of the Auditor-General are determined by a remuneration tribunal. This amendment put into express terms the previous practice in which the Governor set the salary, but delegated this function to the tribunal, and put beyond doubt that the Executive could no longer determine salary, which increases the score for the remuneration factor in Principle 3.</p> <p>Review of operations of act</p> <p>The <i>Statutes Amendment (Ombudsman and Auditor-General) Act 2023</i> inserted a requirement that a review of the operations of the <i>Public Finance and Audit Act 1987</i> take place, but this did not increase the score for this factor because the review is overseen by the Treasurer.</p>
INTOSAI principle 2	<p>Tenure</p> <p>The <i>Statutes Amendment (Ombudsman and Auditor-General) Act 2023</i> changed the tenure of the Auditor-General from appointment until age 65 to appointment for 7 years with possibility for reappointment for no longer than 3 years. This amendment did not increase the score for the factor because these decisions are made by executive government.</p>

Fiji

Overview

Although participating in the survey for the first time in 2025, Fiji has had the most recent legislation of note, with the *Audit Act 2025* replacing the repealed *Audit Act 1969*. The *Audit Act 2025* is seen to be in alignment with Fiji's 2013 *Constitution of the Republic of Fiji*, which reintroduced parliamentary government to Fiji.

Principal acts

Constitution for the Republic of Fiji

Audit Act 2025

Amending act

Audit Act 2025 repeal of *Audit Act 1969*

INTOSAI principle 2

Various aspects of appointment and governance independence

The *Constitution of the Republic of Fiji* includes provisions relating to the appointment, removal, remuneration, independence, audit mandate, aspects of access to information, funding and governance of the office. A constitutional offices commission:

- recommends the appointment of the Auditor-General in section 151(2)
- recommends appointment of an Acting Auditor-General in section 151(3)
- provides advice on remuneration and allowances in section 136.

INTOSAI principle 3

Audit mandate and coverage

The *Audit Act 2025* focuses on audit mandate and coverage, notably the Auditor-General's powers to conduct financial, performance and compliance audits. Together with the *Constitution of the Republic of Fiji*, the Auditor-General scores highly across Principle 3, in relation to various aspects of audit mandate, coverage, discretion and immunity for the conduct of audit duties.

INTOSAI principle 4

Access to information

Section 6 of the *Audit Act 2025* provides broad powers of access to information for the Auditor-General, but most notably adds a contemporary and express statement of the power of digital access (including passwords) and the use of software and technology to interrogate information.

Part 3. Report 2025 methodology

Background: The commissioned project

The survey of the independence of Auditors-General in Australia and New Zealand was first conducted in 2009 and repeated in 2013 and 2020, with a report produced on each occasion. The author of the 2009 report, Dr Gordon Robertson, applied the same methodology in the 3 surveys.

The 2009, 2013 and 2020 reports included New Zealand and the 9 Commonwealth, state and territory jurisdictions in Australia. Fiji and Papua New Guinea participated for the first time in the 2025 survey.

The ACAG commissioned the authors (Parliamentary Research Unit in Deakin University's School of Humanities and Social Sciences) to review the methodology and then conduct a 2025 survey using the methodology, as amended.

INTOSAI principles

In its *Mexico Declaration on SAI [Supreme Audit Institution] Independence*, INTOSAI was clear that independence had to consist of both 'functional' and 'organisational' independence.⁹ Although INTOSAI is focused on national audit offices, the independence principle applies equally to sub-national (state and territory) audit offices.

The INTOSAI independence principles are:

1. An effective statutory legal framework
2. Independence and security of tenure for the head of the audit institution
3. Full discretion to exercise a broad audit mandate
4. Unrestricted access to information
5. A right and obligation to report on audit work
6. Freedom to decide the content and timing of audit reports and to publish them
7. Appropriate mechanisms to follow-up on audit recommendations
8. Financial, managerial and administrative autonomy and availability of appropriate resources.

The INTOSAI Development Initiative noted in 2021 that the 'academic literature has not reached consensus on a common set of factors which define [Supreme Audit Institution] independence, or by which the degree of independence may be measured'.¹⁰ The INTOSAI principles and the ACAG survey methodology adopt a broad conceptualisation of what contributes to an Auditor-General's independence. Factors relating to the powers of the Auditor-General and the efficacy of their work are prominent and can be seen to influence independence.

In terms of the 8 INTOSAI principles, a narrow conceptualisation of independence includes:

- Principle 2, as it relates to the independence of the appointment and tenure of the Auditor-General
- Principle 5, as it relates to the right of the Auditor-General to report publicly
- Principle 8, as it relates to the financial autonomy of the Auditor-General.

The broader conceptualisation, including powers and efficacy of the audit work, can be found, for example, in:

- Principle 3 – full discretion to exercise a broad audit mandate
- Principle 4 – unrestricted access to information
- Principle 7 – mechanisms for the Auditor-General and others to follow-up recommendations made in their earlier reports.

There is little to no public value in having an Auditor-General whose tenure and budget are independent of executive government influence if the Auditor-General has a very limited mandate and set of powers. The value in recognising this broader conceptualisation of independence is the context it provides for considering whether:

- the legislative factors and scoring (quantitative aspects of the methodology) are fit for purpose
- qualitative factors, such as the jurisdictional context in which each Auditor-General is operating, should be added to the methodology.

⁹ INTOSAI-P 10 *Mexico Declaration on SAI Independence*, 2019. The 1977 Lima Declaration was the first INTOSAI document to comprehensively set out the importance of SAI independence.

¹⁰ *SAI Independence: Literature Review on Supreme Audit Institution Independence – Occasional Paper No.1*, Beka Feathers, INTOSAI Development Initiative, 2021.

Quantitative assessment in 2025

Following a survey of alternative methodologies (see Appendix 1), the 8 INTOSAI principles remain the most appropriate framework for assessing the independence of Auditors-General.

The 60 legislative factors across the 8 INTOSAI principles applied in 2009, 2013 and 2020 were applied again in 2025. Consideration was given to the number of factors and whether factors should be weighted differently, but no change was made. The 60 factors are evenly weighted. A comparison of each jurisdictions' scores for 2009, 2013 and 2020, as reported in the 2020 report, is included in Appendix 2.

The most significant change to the quantitative methodology in 2025 is to reduce the assessment scale from 10 to 7 for most factors.

The new 2025 assessment scale is set out in Figure 6.

In 2009, 2013 and 2020, each of the 60 legislative factors was scored on a scale measuring the extent to which the factor is distanced from executive government control.

0. **Silent or Executive decides:** The legislation is either silent about the factor or the factor is under the direct control of the Executive.
1. **Parliament consulted:** the Executive is required to consult a committee of parliament and/or the leader of each political party within parliament before deciding about the factor. This mechanism improves transparency but does not shift decision-making power and the decision still rests with the Executive.
2. **Parliament veto:** Parliament or a committee of parliament can veto a proposal from the Executive about the factor. This introduces some level of parliamentary control, although any decision about what to propose rests with the Executive.
3. **Parliament recommends:** Parliament or a committee of parliament makes recommendations to the Executive about the factor. This enables parliament to take the initiative but the final decision rests with the Executive, which may reject the recommendation.
4. **Parliament decides:** Any decision about the factor is made by parliament or a committee of parliament. This places control within parliament itself where it is transparent and more difficult for the Executive to influence.
5. **Independent body decides:** Any decision about the factor is made by another independent body, outside of the control of the Executive. This should remove partisan politics, although the independent body itself may or may not be subject to Executive influence.
6. **Auditor-General decides:** Any decision about the factor is made by the Auditor-General, free from Executive influence.
8. **Legislation mandates:** The factor is explicitly addressed in the legislation. Any variation would require legislative amendment and parliamentary debate and is therefore protected from Executive influence.
10. **Constitution mandates:** The factor is embedded in the constitution. An amendment to the constitution would require a large parliamentary majority and/or referendum. This gives the highest possible protection from Executive influence.

Figure 6: The 7-point scale for each legislative factor compared to the previous scale

Extent of Executive influence of the legislative factor	Previous scale	2025
Silent or Executive decides	0	0
Parliament consulted	1	1
Parliament veto	2	2
Parliament recommends	3	3
Parliament decides	4	4
Independent body decides	5	5
Auditor-General decides	6	6
Legislation mandates	8	7
Constitution mandates	10	

For the purposes of comparability between jurisdictions and between surveys, we have retrospectively applied this 2025 7-point scale to the 2020 results. The comparison between the revised 2020 results and the 2025 results can be found throughout this report.

The reasons for the change of assessment scale are as follows:

- Some jurisdictions do not enact their systems of parliament, government and law in constitutions (for example, New Zealand and NSW). The highest rating on the ACAG scale for such jurisdictions is 'legislation mandates'. This leads to a deficient comparison and scoring of jurisdictions.
- Constitutions may be amended in different ways. Some are entrenched by a parliamentary, special majority provision, some by the additional measure of a referendum, but some by normal, simple majority measures in the House(s) of parliament. There is therefore no greater legal protection by some constitutional provisions than ordinary statutory provisions. On the other hand, it may be politically more challenging to amend a constitutional provision that would negatively impact an Auditor-General, because any proposed change to a constitution tends to attract more public attention.

Ultimately, the scoring of legislative factors and the utility of the ACAG survey should be based on measures that are as objective and comparable as possible. For these reasons any factors found in constitutions are scored the same as those found in ordinary statutes. This change is the most significant reason why Victoria's 2020 score of 337 has been revised to 299 under the new scoring, where there is no longer a higher score for the factor being in a constitution act (previous score of 10) and the maximum score for the factor being in a normal statute has been adjusted from 8 to 7.

The inflated separation of 'Auditor-General decides' (score 6) and 'legislation mandates' (score 8) has also been discontinued. For some factors, an assessment of 'Auditor-General decides' is the maximum possible. Even where 'legislation mandates' is the maximum possible assessment for other factors, there is no compelling reason to separate these assessments by a score of 2.

Maximum possible scores for legislative factors and principles

A further change to the presentation of data in 2025 is the comparison and ranking of ACAG jurisdictions based on their average percentage of the maximum scores for the 8 INTOSAI principles. This measure provides additional context for understanding each jurisdiction's strengths and weaknesses because the principles are not of equal scoring value, because there is a different number of legislative factors under each principle.

As a result of this additional presentation of the data, it was necessary to examine the maximum possible score available for each factor and each principle. The maximum score possible for some factors is less than others.

For example, factor 6 in Principle 1 (see Part 5) considers how and by whom the remuneration of the Auditor-General is determined. If parliament decides the remuneration, a score of 4 is awarded. The maximum score available is 5, which is applied if an independent entity (such as an independent remuneration tribunal) determines the matter without any executive government role. A score of 6 is unavailable because this is based on the Auditor-General having discretion. Under the new scoring system, the maximum number is 7, but for this factor the maximum possible score is 5.

In summary, the maximum score possible for each principle in 2025 has been adjusted:

- due to the amendment of the zero to 10 scale to a zero to 7 scale
- based on setting a maximum possible score for each of the 60 factors, which in some cases is less than 7.

A full description of the 60 legislative factors and the maximum possible score assigned to each is in Part 5 of this report.

Figure 7: Number of factors in each principle and maximum scores applied in 2025

	Number of factors	Maximum score 2020	Maximum score 2025
1. An effective statutory legal framework	9	90	56
2. Independence and security of tenure for the head of the audit institution	14	140	82
3. Full discretion to exercise a broad audit mandate	17	170	117
4. Unrestricted access to information	4	40	25
5. A right and obligation to report on audit work	3	30	20
6. Freedom to decide the content and timing of audit reports and to publish them	5	50	32
7. Appropriate mechanisms to follow-up on audit recommendations	1	10	7
8. Financial, managerial and administrative autonomy and availability of appropriate resources	7	70	42
Total		600	381

The new maximum aggregate score for the 60 factors is 381.

Use of median scores and average scores

Average percentage scores for principles and average percentage scores for the 60 legislative factors in each jurisdiction are used to place results into clearer context. This is important given the significantly different number of legislative factors in each of the 8 principles.

For example, the Northern Territory scores 50.4% of the maximum possible score for the aggregate of the 60 factors. But it scores an average 59% across the 8 principles.

The difference is explained in large part by the Northern Territory scoring very low in Principle 3 (full discretion to exercise a broad audit mandate), which has 17 of the 60 legislative factors.

Median scores are used to better understand where each jurisdiction sits in a principle, relative to others. Some jurisdictions have results in a principle that are outliers, which results in an average score for the principle that does not provide a useful reference point for the performance of other jurisdictions.

For example, the average percentage of the maximum score possible for the 12 jurisdictions in Principle 1 (an effective statutory legal framework) is 74%. This average included South Australia's score of 34% for this principle. On the other hand, the median for the principle is 80%.

Qualitative assessment of jurisdictional context

Seven of the 12 jurisdictions have a score across the 60 legislative factors that is 80% of the maximum aggregate score possible.

However, the quantitative model does not tell the whole story, particularly where executive government chooses to interpret audit legislation in such a manner as to read down the powers and autonomy of the Auditor-General. An example is the decision by numerous executive governments to limit the access of Auditors-General to sensitive information relevant to an audit, despite audit legislation providing unqualified access to them.

A qualitative analysis is therefore required to put some scores into context. In addition to access to information, important context can include amongst other things:

- the extent to which members of parliament, ministers and public sector officials understand the role of the Auditor-General in promoting and upholding integrity, accountability and transparency in government.
- the extent to which statutory functions of parliament and its committees in relation to the Auditor-General are exercised in practice and independently of executive government influence
- the extent to which executive government encourages or requires entities to submit to an audit wherever there is ambiguity in the legislation about the Auditor-General's audit mandate
- public sector culture of responsiveness and timeliness in relation to audit and information requests.

Interviews were conducted with all 12 ACAG member jurisdictions. The interviews included set questions seeking the Auditor-General's views

about the utility of previous survey reports, the methodology and various aspects of their operating environment.

Desktop research was conducted to review media reports, Hansard debates and parliamentary committee hearings in the previous 12 months to provide background information about the jurisdictional context in which each audit office operates.

Better practice examples

The expression of better practice in this report is the opinion of the authors. There are many examples of good practice in legislation within ACAG jurisdictions, but they are limited to some independence factors only. No single jurisdiction excels across all principles and factors.

The phrase 'better practice' rather than 'best practice' is used because the context in each jurisdiction differs, including:

- the size of the government sector
- whether the legislature is unicameral or bicameral
- the impact of party discipline on the independence of the legislature from the Executive
- the impact of the culture of the executive government on respect for accountability agencies.

As such, the phrase acknowledges that not all legislative frameworks and practice will fit in all contexts.

In practical terms this could mean that better practice for a factor in one jurisdiction is that legislation provides that a parliamentary committee or the House(s) of parliament be the decision-maker, whereas in another jurisdiction, better practice requires an independent tribunal to be the decision-maker. In both cases, these examples are better practice than the executive government having decision-making authority.

Examples of better practice in statutes are provided in Part 5. The principles and intent of the provisions should guide future amendments to legislation in each jurisdiction in a manner appropriate for its context. There are also examples of Westminster jurisdictions (outside of ACAG) in which better practice is applied more consistently across all principles and most factors. An example, including the statutory provisions, is included in Appendix 5.

Key vulnerabilities in each jurisdiction

The identification of key vulnerabilities is the opinion of the authors and is intended to assist each jurisdiction to understand which area requires the most urgent improvement to legislation.

Different aspects of the jurisdictional context, in addition to legislative factors, have been considered when identifying key vulnerabilities. In some cases, the legislative factor scores highly because the relevant aspect of audit mandate or discretion has been present, but it may not be expressed as clearly or unambiguously as needed to prevent non-compliance.

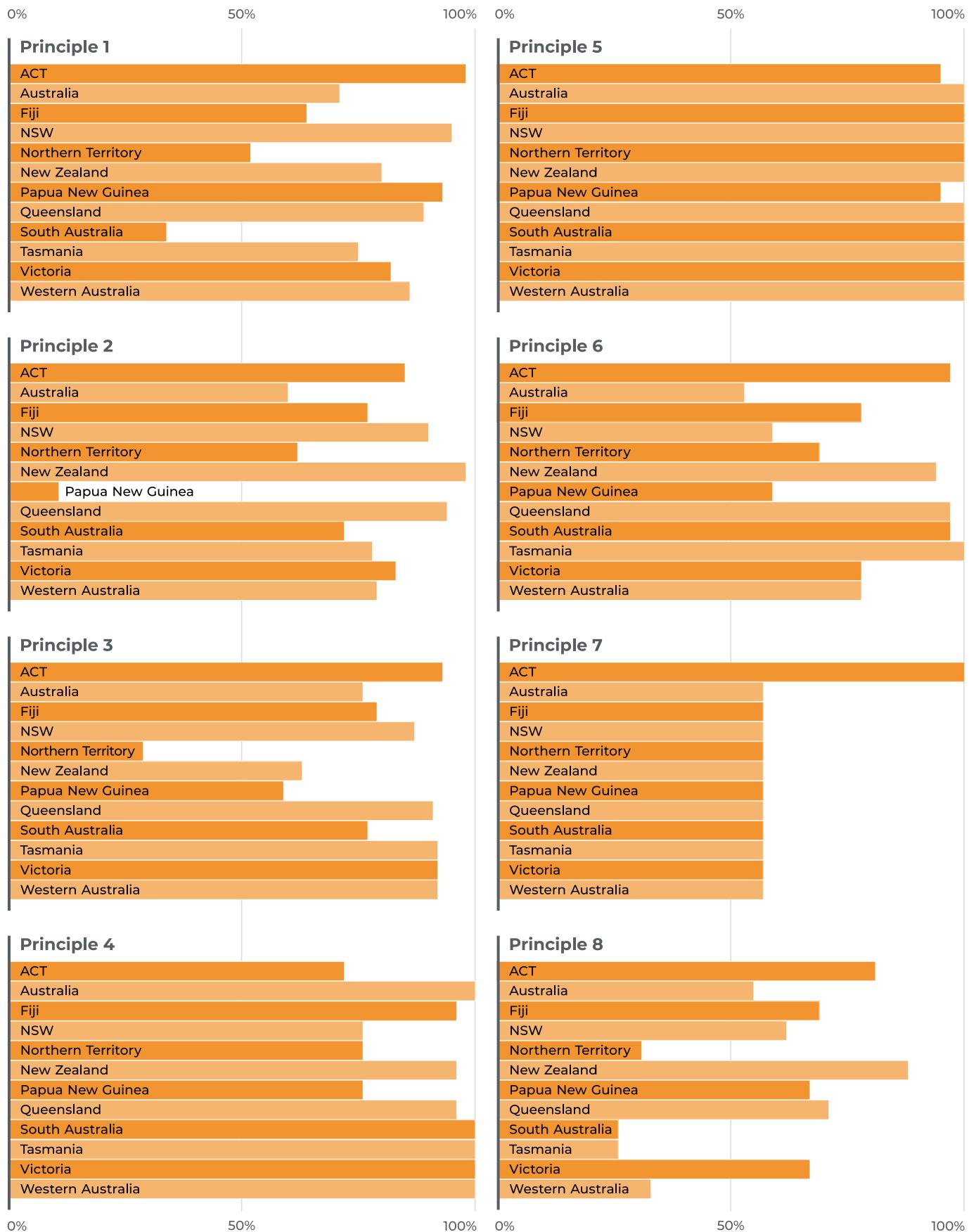
The qualitative approach to the survey also enables a better understanding of some of the areas in which conventions and political considerations of executive government, agencies and the parliament simply act to frustrate the proper operation of written law.

Part 4. Key vulnerabilities for jurisdictions

A more detailed examination of the percentage score for each principle in each jurisdiction indicates that the:

- weakest principle is Principle 8 (financial, managerial and administrative autonomy and availability of appropriate resources)
- ACT, Queensland, New Zealand, Victoria and Fiji have the least disparity between their strongest and weakest principles
- Northern Territory, Papua New Guinea and South Australia are very vulnerable to a lack of independence in some principles.

Figure 8: Each jurisdiction's percentage of maximum score possible for each of the 8 principles



The principles in which jurisdictions have scored lowly in comparison to their other scores are listed in Figure 9. In some cases the score is also well below the median score for the principle.

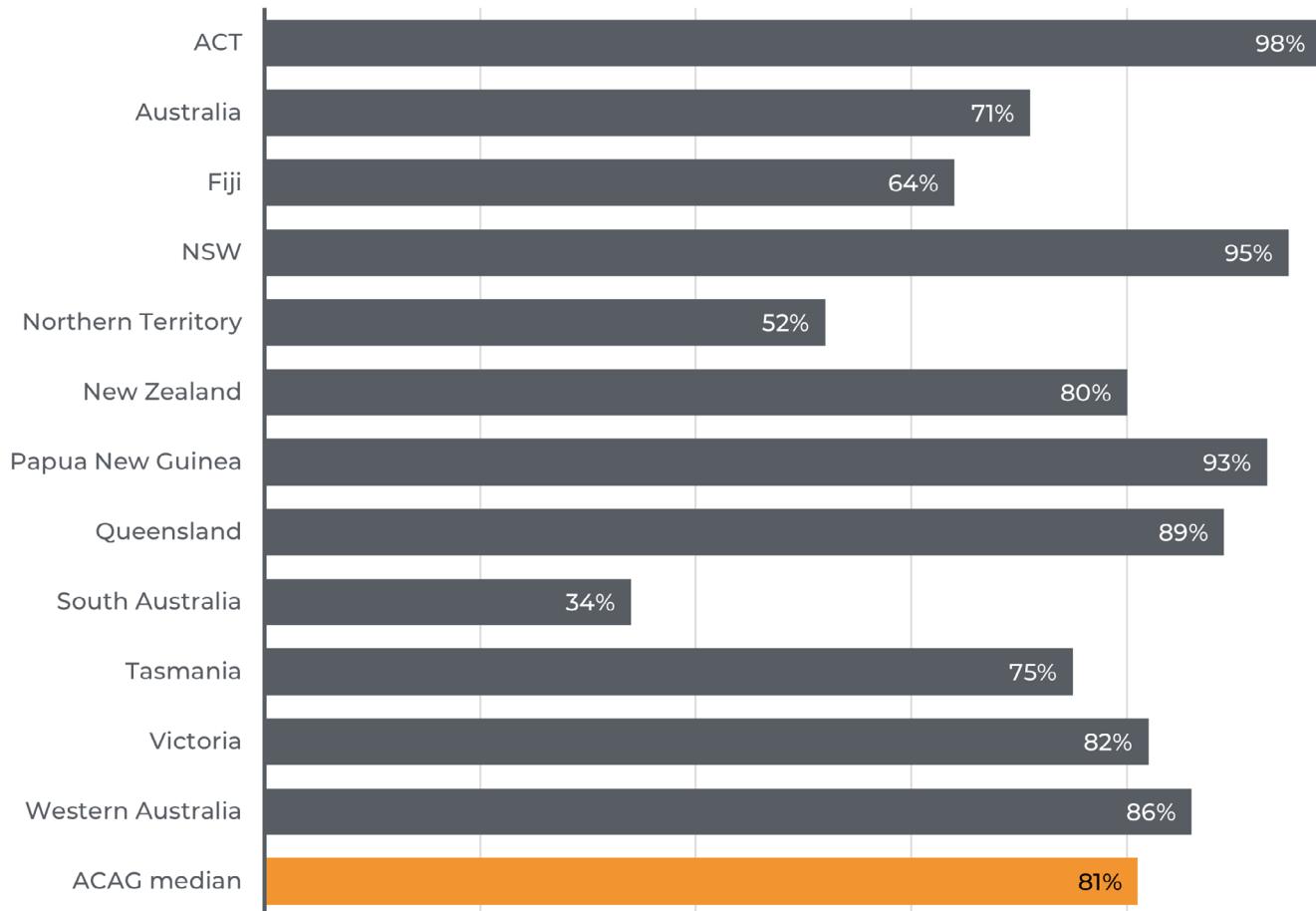
Figure 9: The weakest principle(s) for each jurisdiction (exclusive of Principle 7) compared with the average score for that principle

Principle(s) in jurisdiction that suggest a vulnerability for independence	Score	ACAC median for principle
ACT	None	
Queensland	None	
New Zealand	3. Full discretion to exercise a broad audit mandate	63% 83%
Victoria	8. Financial, managerial and administrative autonomy and availability of appropriate resources	67% 64.5%
Tasmania	8. Financial, managerial and administrative autonomy and availability of appropriate resources	26% 64.5%
Western Australia	8. Financial, managerial and administrative autonomy and availability of appropriate resources	33% 64.5%
Fiji	1. An effective statutory legal framework	64% 81%
NSW	8. Financial, managerial and administrative autonomy and availability of appropriate resources 6. Freedom to decide the content and timing of audit reports and to publish them	62% 64.5% 59% 78%
Australia	8. Financial, managerial and administrative autonomy and availability of appropriate resources 6. Freedom to decide the content and timing of audit reports and to publish them	55% 64.5% 53% 78%
South Australia	1. An effective statutory legal framework 8. Financial, managerial and administrative autonomy and availability of appropriate resources	34% 81% 26% 64.5%
Papua New Guinea	2. Independence and security of tenure for the head of the audit institution 3. Full discretion to exercise a broad audit mandate	11% 78.5% 59% 83%
Northern Territory	3. Full discretion to exercise a broad audit mandate 8. Financial, managerial and administrative autonomy and availability of appropriate resources	29% 83% 31% 64.5%

Part 5. INTOSAI principles: Analysis and better practice

Principle 1: An effective statutory legal framework

Figure 10: Percentage score for each jurisdiction and ACAG median for Principle 1



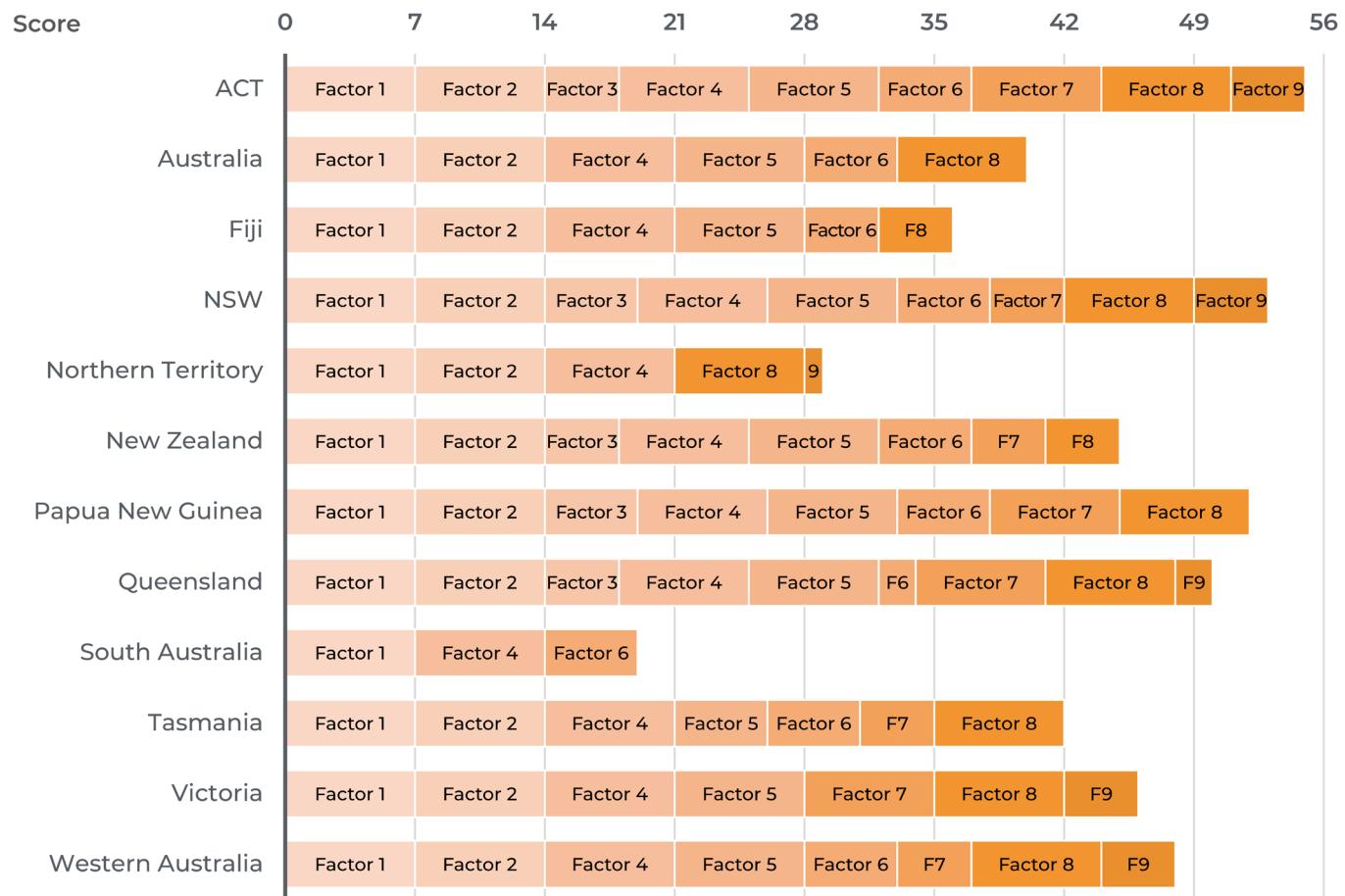
Factors surveyed and maximum score possible

Figure 11: Factors surveyed and maximum score possible for Principle 1

Factors	Maximum score
1 Whether constitutional provisions and/or enabling legislation exists that specifically address the establishment, status, mandate and powers of the Auditor-General, as opposed to establishment by executive action	7
2 Whether there is separate audit legislation to ensure that parliamentary debate is focused on the Auditor-General's role, functions and independence rather than being diluted by broader debate on wider financial legislation	7
3 Whether there is an oath or affirmation of office that reinforces the independence of the Auditor-General and their relationship with parliament and before whom the oath is sworn, or the affirmation is made	5
4 Whether the independence of the Auditor-General is explicitly mandated and/or stated as a requirement or obligation	7
5 Whether the status and/or rank of the Auditor-General is established to ensure that the independence and authority of the role is recognised and respected by other parts of government	7
6 Whether the mechanism for determining the remuneration (a key determinant of status and/or rank) of the Auditor-General is established and protected from Executive influence	5
7 Whether the Auditor-General is constrained from holding other positions or gaining remuneration from other forms of employment or, where this is permitted, whether the Executive is involved in giving permission	7
8 Whether there is oversight of the Auditor-General's role by a parliamentary committee to ensure that the role is seen to be accountable to parliament	7
9 Whether there is a statutory requirement for a periodic review of the performance of the Auditor-General's role and the extent of executive influence in determining the terms of reference or in receiving the report of the review	4
Total maximum score possible	56

Analysis and discussion of legislation factors

Figure 12: Scores for each Principle 1 factor for each jurisdiction



Note: F stands for factor. If a factor is not shown, it means the jurisdiction scored zero for that factor.

All jurisdictions have enabling legislation and only South Australia does not have a separate audit act. The establishment of the South Australian Auditor-General is not found until Part 3 of the *Public Finance and Audit Act 1997*, an inadequate statutory framework for what should be the significant status of the office.

A notable aspect of the principal audit legislation for all ACAG jurisdictions is the absence of a preamble or purpose / object section that sets a tone and text that promotes the fundamental importance of, and reason for, audit and accountability. This absence and better practice is discussed further in Appendix 3.

In relation to other aspects of the status and independence of the office, there has been an improvement across ACAG following recent amendments in Queensland and NSW that designate the Auditors-General as independent officers of parliament. In Fiji and Papua New Guinea the Auditors-General are constitutional office holders. The Northern Territory, South Australia and Tasmania now stand out as the only jurisdictions to fail to designate their Auditors-General as independent officers of parliament or similar.

Only 5 jurisdictions have a requirement that the Auditor-General swear an oath of office before an appropriate authority, such as the Speaker or a supreme court justice. The concept of the Auditor-General being an officer of parliament suggests that better practice would be to swear an oath before a parliamentary presiding officer rather than a judge. However, this attracts a lower score of 4 compared to 5 (for a judge) due to constraints of the scoring model. Better practice is described in more detail below. Other jurisdictions have no requirement, or the oath is sworn before the Governor or other representative of executive government, which is scored at 0. This is inconsistent with the independent officer of parliament designation.

Ten jurisdictions now have some form or remuneration setting for the Auditor-General that is not at the unilateral discretion of the executive government. The majority of these are set by remuneration tribunals that achieve maximum distance from Executive influence. The Executive remains in control of remuneration setting in the Northern Territory and Victoria.

Most jurisdictions have a relationship with a public accounts committee or equivalent, which is either legislated (attracting the highest score) or established by non-legislated parliamentary processes (which attracts a mid-range score). Victoria provides an example of the former and Fiji provides an example of the latter. Express provisions, whether in legislation or in standing orders of the House(s), are important in promoting healthy oversight of the Auditor-General's functions and following up on reports and public accountability issues identified by the Auditor-General. The South Australian Auditor-General has no legislated oversight by a parliamentary committee. Whilst the Auditor-General meets once per year with the Economic and Finance Committee (Legislative Assembly) and once per year with the Budget and Finance Committee (Legislative Council), neither committee has any reference to the Auditor-General in their terms of reference.

There is no requirement for statutory review of the office in some jurisdictions, and it is conducted by the Executive in others. This is one of the weaker factors across the ACAG.

Better practice

Independence

Western Australia's *Auditor General Act 2006* provides a better practice example of designating the Auditor-General as an independent office of parliament and explaining the meaning and operability of this status.

7. Status and independence of Auditor General

- (1) The Auditor General is an independent officer of Parliament.
- (2) The functions of the Auditor General are as specified in this Act and other written laws and there are no implied functions arising from the Auditor General being an independent officer of Parliament.
- (3) The powers of Parliament to act in relation to the Auditor General are as specified in or applying under this Act and other written laws and there are no implied powers of Parliament arising from the Auditor General being an independent officer of Parliament.
- (4) The Auditor General is authorised and required to act independently in relation to the performance of the functions of the Auditor General and, subject to this Act and other written laws, has complete discretion in the performance of those functions.
- (5) In particular, the Auditor General is not subject to direction from anyone in relation to –
 - (a) whether or not a particular audit is to be conducted; or
 - (b) the way in which a particular audit is to be conducted; or
 - (c) whether or not a particular report is to be made; or
 - (d) what is to be included in a particular report; or
 - (e) the priority to be given to any particular matter.

Oath of office

New Zealand's *Public Audit Act 2007* provides better practice because it requires both the Auditor-General and Deputy Auditor-General to take an oath before the Speaker (the Deputy Auditor-General is also designated an officer of parliament).

Schedule 3

3. Oath of office

- (1) The Auditor-General and Deputy Auditor-General must each, before undertaking any duties as such, take an oath of office that he or she will honestly and impartially perform the duties of his or her office.
- (2) The oath must be administered by the Speaker of the House of Representatives or the Clerk of the House of Representatives.

Remuneration determination

New Zealand's *Public Audit Act 2007* provides a better practice approach to the setting and protection of the remuneration for both the Auditor-General and the Deputy Auditor-General.

Schedule 3, Clause 5

- (1) The Auditor-General and Deputy Auditor-General are each to be paid out of a Crown Bank Account, without further appropriation than this section, –
 - (a) a salary at such rate as the Remuneration Authority from time to time determines; and
 - (b) allowances that are determined from time to time by the Remuneration Authority.
- (2) The salary of the Auditor-General, or of the Deputy Auditor-General, must not be reduced during the Auditor-General's, or Deputy Auditor-General's, appointment.

Statutory review

Section 48 of Western Australia's *Auditor General Act 2006* provides that a joint committee of parliament is to oversee a 5-yearly review of the *Auditor General Act 2006* after consulting with the Auditor-General about the terms of reference and the reviewer to be appointed. The Auditor-General also has the opportunity to comment on the report of the review, with these comments included in the committee's report back to parliament. The *Auditor General Act 2006* also expressly requires review of specific aspects of the Auditor-General's powers and functions that are crucial for audit effectiveness and likely require legislative amendment to keep up with changes in public sector management and executive government behaviour.

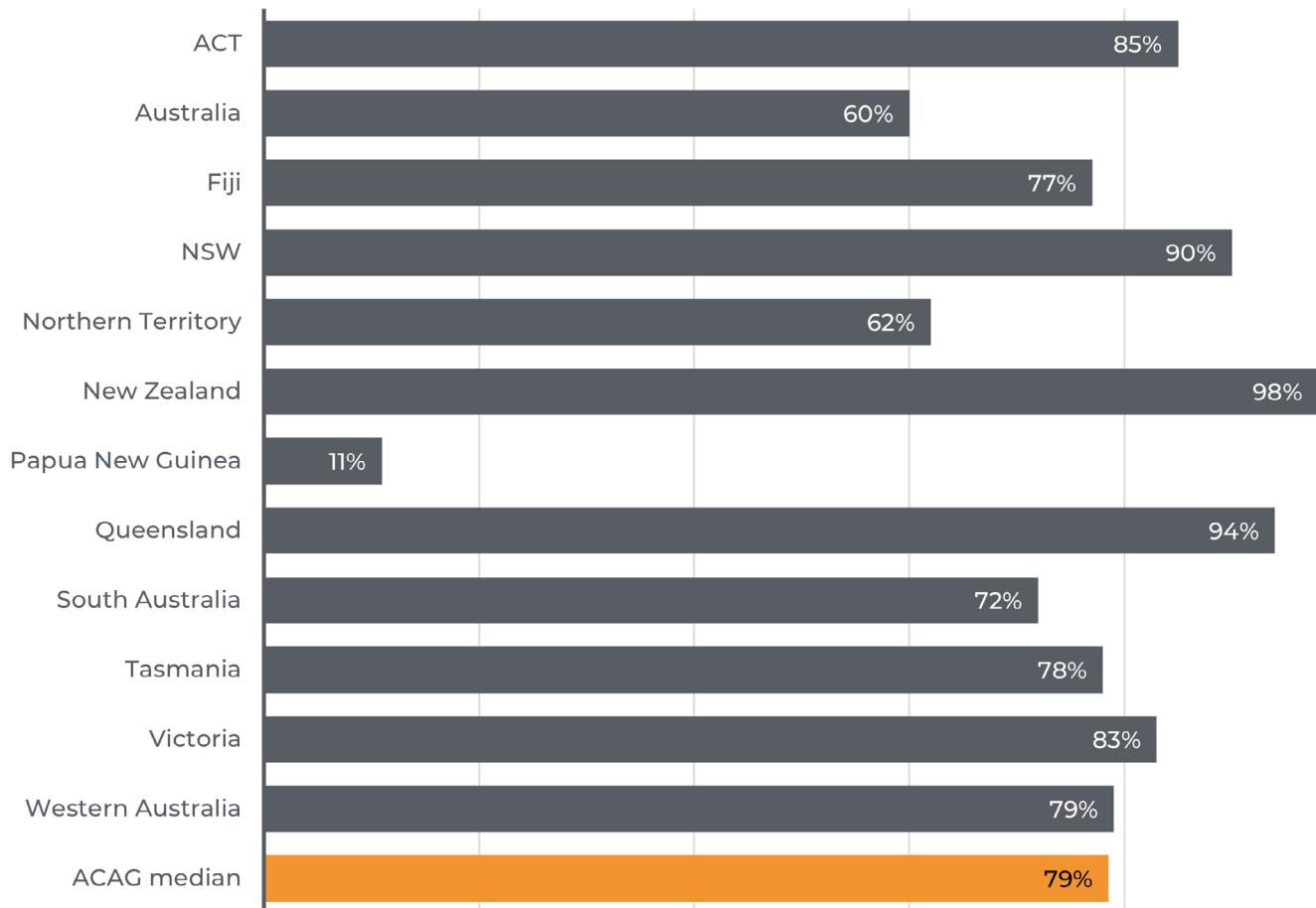
48 Review of Act

(*The statutory review to include*)

how the process for appointing an Auditor-General has operated in practice; and whether the Auditor-General's information gathering powers are adequate, particularly in relation to claims of legal professional privilege and Cabinet documents; and the impact of any exercise of the power to audit certain accounts of related entities; and the efficiency and effectiveness of the provisions for dealing with confidential information;

Principle 2: Independence and security of tenure for the head of the audit institution

Figure 13: Percentage score for each jurisdiction and ACAG median for Principle 2



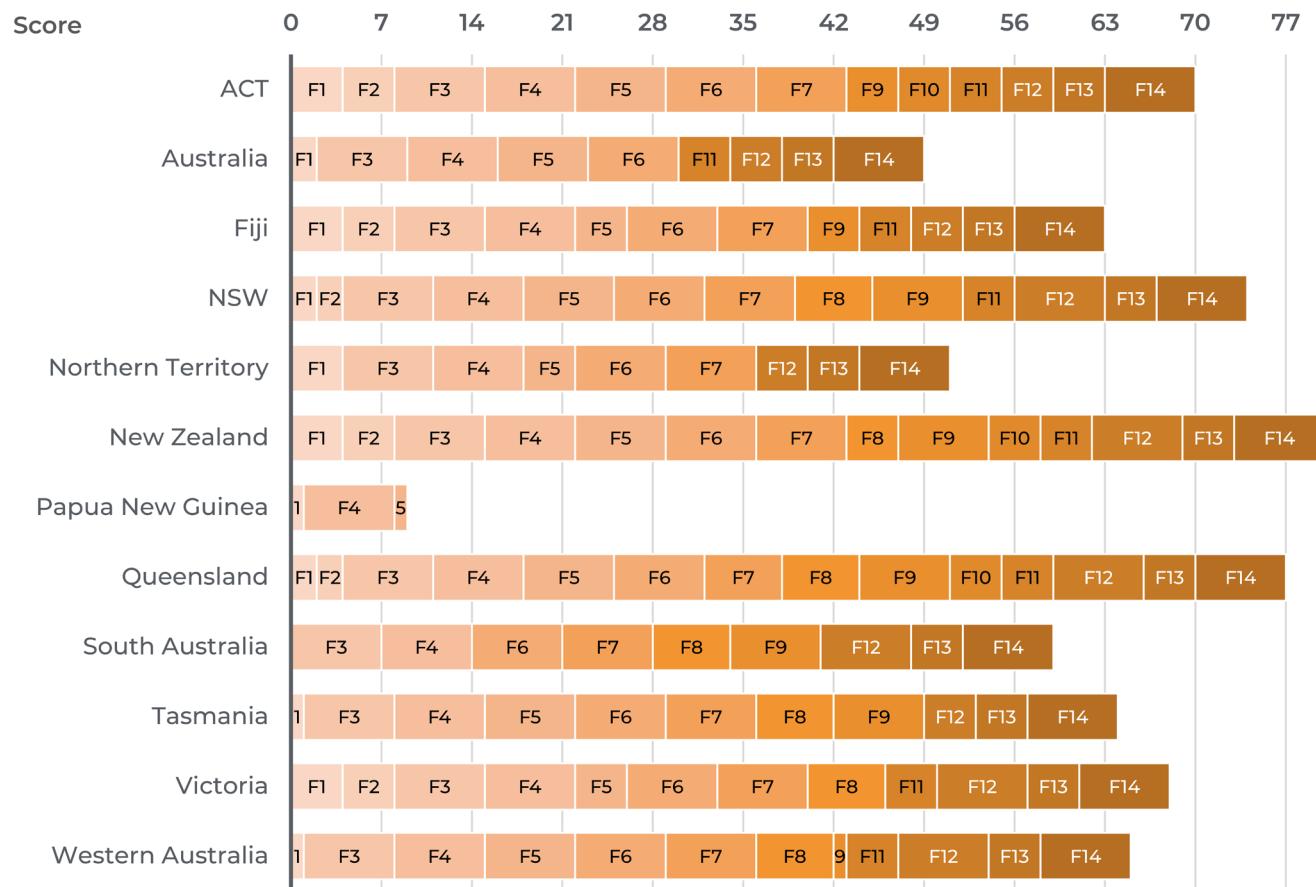
Factors surveyed and maximum score possible

Figure 14: Factors surveyed and maximum score possible for Principle 2

Factors	Maximum score
1 Who makes the appointment decision and the extent of parliamentary involvement	4
2 Whether the appointment process was independently supervised to increase transparency and reduce the risk of political patronage and partisan appointments	4
3 Whether certain persons are ineligible for appointment as Auditor-General	7
4 How and by whom the term of appointment is determined	7
5 Whether reappointment is possible and if so how and by whom the decision to reappoint is made	7
6 Whether the Auditor-General's remuneration is protected from being reduced during his or her term of office	7
7 Whether remuneration is automatically appropriated to preclude executive or bureaucratic interference	7
8 Whether there is a statutory Deputy Auditor-General and who appoints them	6
9 How and by whom decisions are made about the appointment of an Acting Auditor-General, to reduce the risk of untoward Executive influence when there is a vacancy in the office	7
10 How an Auditor-General may resign and to whom the resignation is submitted to reduce the risk of the Executive influencing the resignation or the timing thereof	4
11 How and by whom an Auditor-General can be suspended	4
12 How and by whom a suspended Auditor-General can be restored to office	7
13 How and by whom an Auditor-General can be removed from office	4
14 Whether the Auditor-General is provided with some form of legal immunity in the normal discharge of the role	7
Total maximum score possible	82

Analysis and discussion of legislation factors

Figure 15: Scores for each factor in Principle 2 for each jurisdiction



Note: F stands for factor. If a factor is not shown, it means the jurisdiction scored zero for that factor.

ACAG continues to experience a wide range of processes for the selection and appointments of the Auditor-General. Only 5 jurisdictions have better practice in which the process commences with parliament (which may include the Speaker or a committee) or its equivalent¹¹ and leads to a recommendation of parliament for appointment.

¹¹ The Constitution of the Republic of Fiji establishes the Constitutional Offices Commission, which includes party leaders.

Figure 16: Auditor-General appointment process for ACAG jurisdictions

Appointment process	ACAG jurisdiction
Parliament recommends (or equivalent)	ACT Fiji Northern Territory New Zealand Victoria
Parliament veto	Queensland NSW Australia
Parliament consulted (usually a committee)	Papua New Guinea Tasmania Western Australia
Unilateral executive government control	South Australia

Some jurisdictions designate their Auditors-General to be independent officers of parliament, but their appointment processes do not reflect this status and parliamentary relationship. The process to recruit an Auditor-General and the selection of the recommended candidate should be administered by the parliament.

The relevant audit acts in the ACT, Fiji, the Northern Territory and Papua New Guinea are silent in relation to the position of a Deputy Auditor-General.

Many jurisdictions have appropriate legislative provisions for parliament to oversee all aspects of suspension, removal or restoration (following suspension) of the Auditor-General. However, suspension and removal of the Auditor-General is controlled by the Executive in Papua New Guinea. In Tasmania, the Northern Territory and South Australia, suspension is in the hands of the Executive but the parliament has powers in relation to ultimate removal or restoration.

Better practice

Recruitment and appointment

A process run by a relevant parliamentary committee or the Speaker (or presiding officers of a bicameral parliament acting jointly) is better practice.

The ACT provides an example of a process run by the Speaker of the parliament. One advantage of this approach is that functions of a Speaker are usually assisted by the Clerk, a senior independent officer. If a Speaker or presiding officers (Speaker and President) are responsible for the recruitment function, the selection decision should be agreed to (power of veto) by the relevant committee. In some jurisdictions, including bicameral jurisdictions, a joint committee may be better placed to undertake the recruitment function. The House(s) should ultimately be required to agree with appointment by resolution or have a power of disallowance once the recommended appointment is tabled. The ACT's *Auditor-General Act 1996* provides:

8. Appointment of auditor-general

- (1) The Speaker must, on behalf of the Territory, appoint a person as auditor-general.
- (2) The appointment must be made –
 - (a) in consultation with the Chief Minister; and
 - (b) in consultation with the Leader of the Opposition; and
 - (c) in consultation with the leader (however described) of a registered party (other than the party to which the Chief Minister or Leader of the Opposition belongs) if at least 2 members of the Legislative Assembly are members of the party; and
 - (d) in accordance with an open and accountable selection process.
- (3) The Speaker must not appoint a person as auditor-general unless –
 - (a) the Speaker is satisfied that the person has extensive knowledge of, and experience in –
 - (i) governance and risk management; or
 - (ii) public administration; and
 - (b) the relevant Assembly committee agrees to the person's appointment.

Eligibility for appointment as Auditor-General

Section 4A of the Northern Territory's *Audit Act 1995* provides an example of:

- positive attributes to be eligible for appointment
- numerous attributes that preclude someone from appointment.

The disqualifying attributes are more prescriptive than in other jurisdictions, and include:

4A Eligibility for appointment

- (d) the person does not have a recent political affiliation.
- (2) For subsection (1)(d), a person has a recent political affiliation if, at any time during the previous 5 years, the person:
 - (a) was a member of the Legislative Assembly or a local government council; or
 - (b) was an office holder or elected representative of a political party in the Territory or elsewhere in Australia; or
 - (c) was a member of staff of a minister; or
 - (d) made a reportable donation to a political party, or an associated entity of a political party, in the Territory or elsewhere in Australia.
- (3) For subsection (2)(d), a person made a reportable donation if it was made by the person or by a body corporate of which the person was an office holder or majority shareholder at the time the donation was made.

Deputy Auditor-General

While New Zealand scores slightly lower because the Auditor-General does not have the final power to appoint the Deputy Auditor-General, the New Zealand *Public Audit Act 2001* provides a better practice establishment and status of the Deputy Auditor-General. Like the Auditor-General, the Deputy Auditor-General is appointed on recommendation of the parliament and given the status of an officer of parliament. The Deputy Auditor-General has express power to act in the absence of the Auditor-General.

s.11 Deputy Controller and Auditor-General

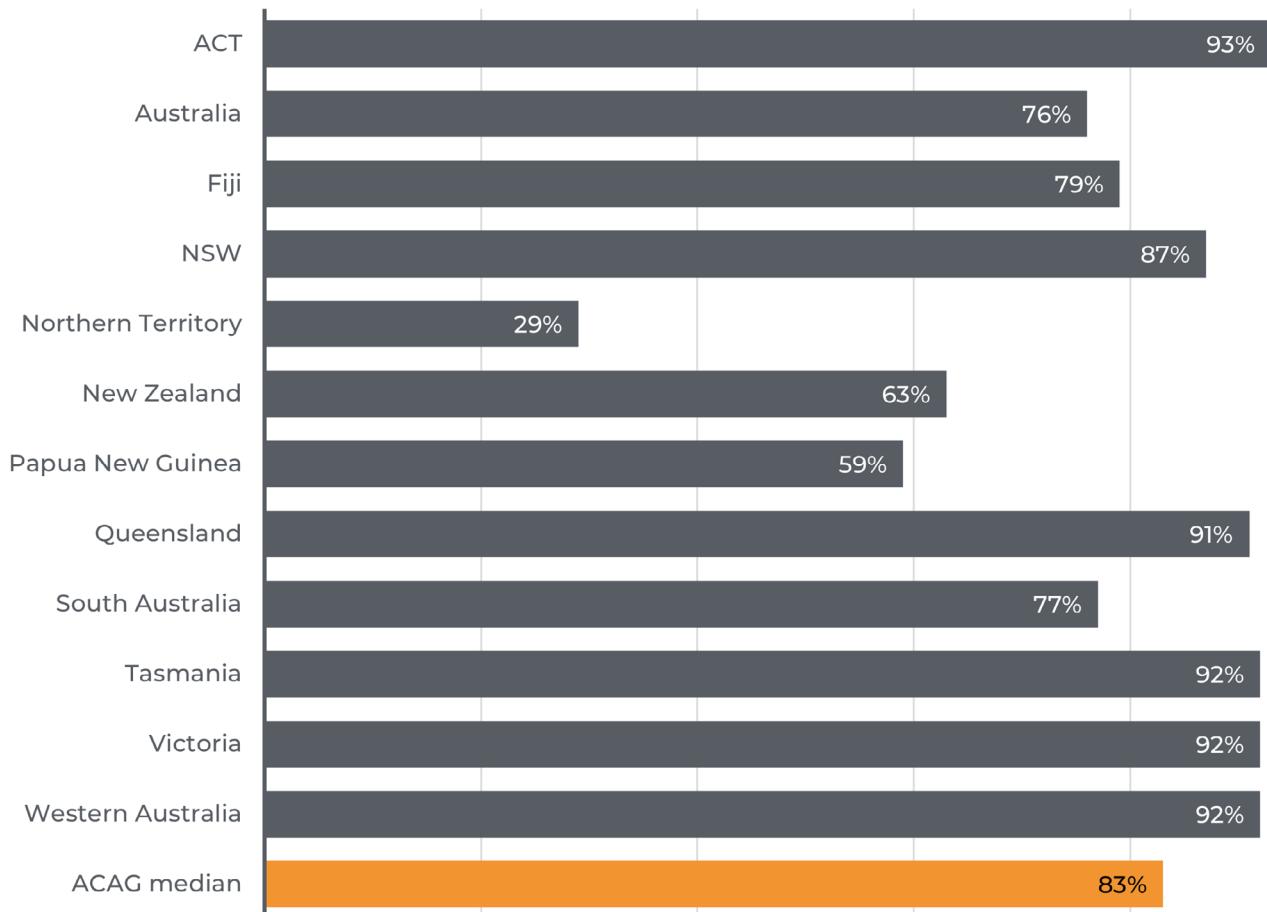
- (1) There is an officer of parliament called the Deputy Controller and Auditor-General.
- (2) The Deputy Controller and Auditor-General is appointed by the Governor-General on the recommendation of the House of Representatives.
- (3) Sections 8 and 9 apply to the Deputy Auditor-General as if references in those sections to the Auditor-General were references to the Deputy Auditor-General.

s.12 Functions, duties, and powers of Deputy Auditor-General

- (1) The Deputy Auditor-General has and may exercise, to the same extent as the Auditor-General, all the functions, duties, and powers of the Auditor-General.
- (2) The exercise by the Deputy Auditor-General of the Auditor-General's functions, duties, and powers is subject to the control of the Auditor-General.
- (3) If there is a vacancy in the office of the Auditor-General, or if the Auditor-General is absent from duty for any reason, the Deputy Auditor-General has and may exercise all the functions, duties, and powers of the Auditor-General for as long as the vacancy or absence continues.

Principle 3: Full discretion to exercise a broad audit mandate

Figure 17: Percentage score for each jurisdiction and ACAG median for Principle 3



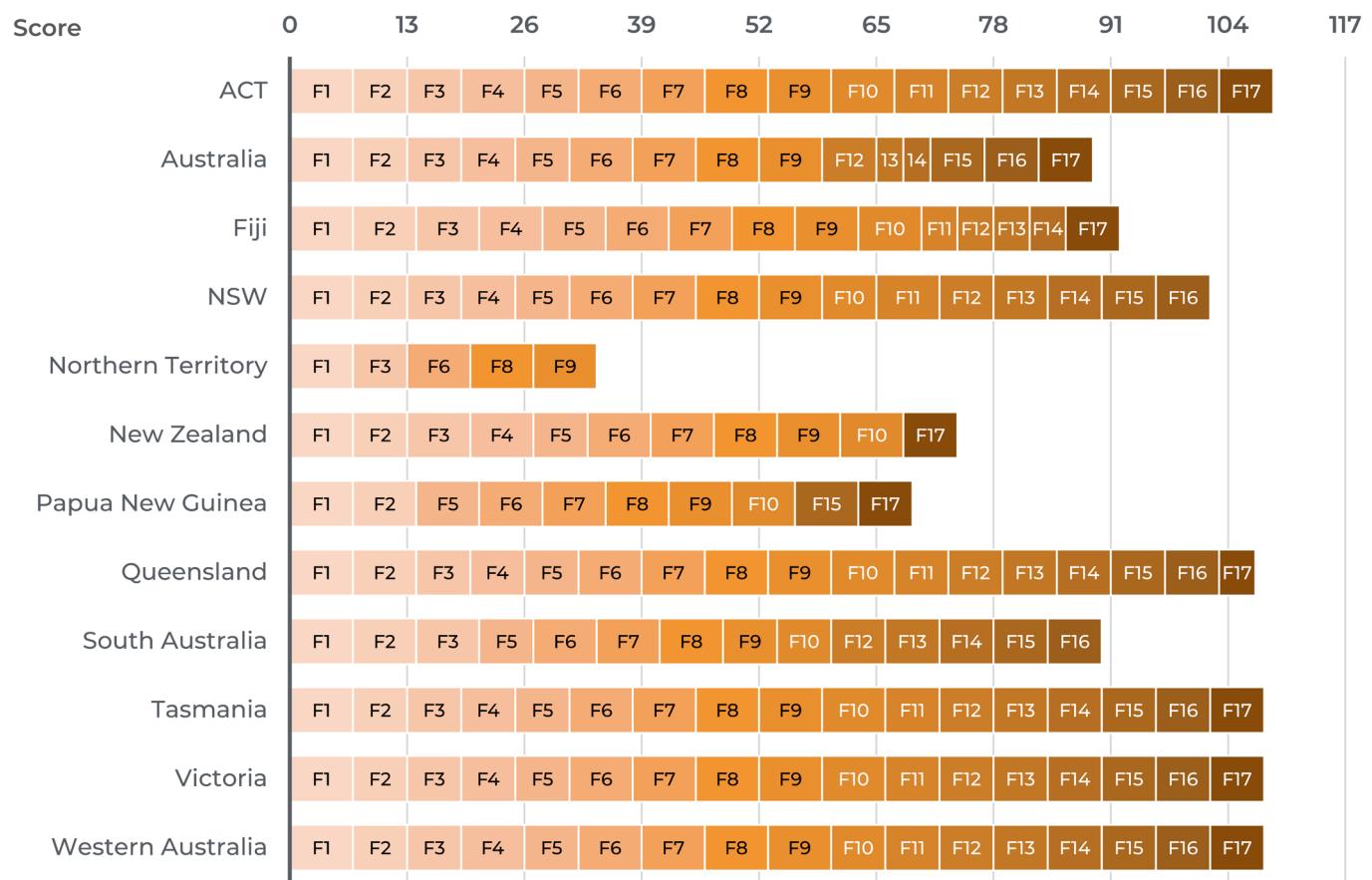
Factors surveyed and maximum score possible

Figure 18: Factors surveyed and maximum score possible for Principle 3

Factors	Maximum score
Functional mandate identifies the type of audit work that the Auditor-General can undertake. To have a full and effective audit mandate, the Auditor-General should have a functional mandate to undertake audit work that includes:	
1 Financial statements/accounts – audit opinions that provide assurance about financial statements or accounts	7
2 Compliance with statutory obligations – providing assurance or directly determining whether an agency has complied with its financial and non-financial statutory obligations	7
3 Management reporting systems – providing assurance about the effectiveness of management reporting systems for financial and/or non-financial reporting	7
4 Performance indicators and/or performance reports – providing assurance about performance indicators and/or performance reports	7
5 Performance audits/examinations – directly examining or investigating any aspect of an entity's operations and/or the economic efficiency and effectiveness with which its functions were performed	6
Coverage mandate defines the types of statements, entities, bodies, or persons or establishes other circumstances under which the Auditor-General's functional mandate may be exercised. The following aspects of coverage were examined in the survey of legislation:	
6 Public ledger/whole of government finances (audit of whole of government public ledger and/ or budgets)	7
7 Government departments (audit of the use of public money, resources or assets by government departments)	7
8 Statutory authorities (audit of the use of public money, resources or assets by government statutory authorities)	7
9 Instrumentalities and trusts (audit of the use of public money resources or assets by other instrumentalities or trusts)	7
10 Government owned or controlled entities (audit of the use of public money, resources or assets by government owned business enterprises, corporations and subsidiaries)	7
11 Deemed entities (audit of entities deemed by government to be public entities because of the use of public resources whatever the extent of control)	7
12 Joint-venture or partnerships (audit of public-private partnerships or joint endeavours that used significant public resources, or gain significant benefit there from)	7
13 Related entities (audit of bodies or entities that are financially dependent upon public resources and subject to operational public control)	7
14 Government affiliated entities (audit of entities financially dependent upon public resources but independently controlled)	7
15 Grant recipients (audit of recipient of grants of public resources to determine if the resources have been used for the intended purposes)	7
16 Beneficiaries or recipients of any public resources (audit of the use of public money, resources or assets by a recipient or beneficiary regardless of its legal nature)	7
Discretion for the Auditor-General to undertake audits, examinations or investigations or to otherwise exercise the mandate provided. The key factor examined for discretion is:	
17 Whether the Auditor-General is subject to direction, and if so by whom	6
Total maximum score possible	117

Analysis and discussion of legislation factors

Figure 19: Scores for each factor in Principle 3 for each jurisdiction



Note: F stands for factor. If a factor is not shown, it means the jurisdiction scored zero for that factor.

As was reported in 2020, all jurisdictions continue to mandate a role for their Auditor-General to provide audit assurance and issue formal audit opinions about the accounts and financial statements of government and public sector entities.

The issue of audit coverage is more complex and varied both in terms of the criteria and the results across ACAG jurisdictions. The author of the 2020 report explained why there are so many factors under the umbrella of audit coverage:

There is little point in providing wide functional powers to an Auditor General if these powers can be circumvented by the types of entities he or she is empowered to audit, or if the Executive is able to exempt certain entities from the Auditor General's coverage. The extent of the coverage mandate continues to be a vexed area and one that is quite difficult to unravel. It remains the area where there is greatest variation between jurisdictions, and the area that enables Executive to influence to what extent they can be held accountable for their use of public resources. This has become increasingly important as new forms of public sector management, joint ventures, outsourcing, and so on, have changed the way the public sector operates, creating a need for new ways of making both agencies and governments accountable for what they do.¹²

The legislative factors describe numerous government, off-budget and non-government entities, largely based on one or more criteria related to the extent to which government controls the entity and the extent to which the entity relies on or receives public monies. What is most important is that the entity, no matter who controls it, is carrying out services or performing functions for a public purpose.

In some cases, jurisdictions can conduct financial audits of such entities. In most cases they can conduct performance audits. However, there is a lack of uniformity in how this is expressed across the jurisdictions and the extent to which all factors are captured, in effect the extent to which Auditors-General can follow-the-dollar.

Tasmania, Victoria, Western Australia all have very strong audit coverage, with Queensland particularly strong by its inclusion of controlled entities in the *Auditor-General Act 2009* definition of 'public sector entity'. South Australia is close to this better practice, but there is no statutory requirement for the Auditor-General to audit whole-of-government financial statements. The ACT and NSW have had their scores elevated since 2020 to effectively be on a similar level to the above. The ACT has had its 2020 scores revised, while the most significant legislative amendments were the increased follow-the-dollar powers in NSW.

The Fiji Auditor-General is reliant on a reference from parliament on a case-by-case basis to exercise audit powers in relation to non-public entities, a provision that is not as strong as those with a legislated mandate or discretion.

Australia, New Zealand, the Northern Territory and Papua New Guinea have weaker audit coverage in comparison to others. Notably, the Northern Territory government departments and agencies are not mandated to have their financial statements audited and the Auditor-General does not have discretion to audit financial statements of government departments and agencies. The auditing requirements for government departments are determined by the Treasurer.

¹² *Independence of Auditors General: A 2020 update of a survey of Australian and New Zealand legislation*, Dr Gordon Robertson, commissioned by the Australasian Council of Auditors-General. The author provides a detailed summary of the development of audit coverage in legislation in the 10 jurisdictions from 2009 to 2020.

Better practice

Follow-the-dollar powers for Auditors-General are crucial as governments increasingly engage with non-public entities to carry out public policy and expend publicly provided funds.

In NSW the *Government Sector Audit Act 1983* empowers the Auditor-General to conduct follow-the-dollar type performance audits of government-funded activities of non-government entities carried out for or on behalf of state government entities. To this end, the definition of 'relevant entity' in the new section 38C of the *Government Sector Audit Act 1983* is important. Equivalent amendments were made to NSW's *Local Government Act 1993* to enable follow-the-dollar performance audits in the local government sector.

38C Meaning of "relevant entity"

In this Division, a relevant entity is an entity that –

- (a) receives money or other resources, whether directly or indirectly, from or on behalf of an auditable entity for a particular purpose (a State purpose), and
- (b) either –
 - (i) agrees to use the money or other resources in achieving the State purpose, or
 - (ii) has entered into a contract that relates to the State purpose, and
- (c) cannot be the subject of an audit conducted under another Division of this Act.

In Victoria a more prescriptive approach is taken in the *Audit Act 1994* to ensure broad audit coverage.

3. Definitions

associated entity means any person or body that provides services or performs functions for, or on behalf of, a public body, or on behalf of the State, for which a public body is responsible, and without limiting the generality of this definition includes –

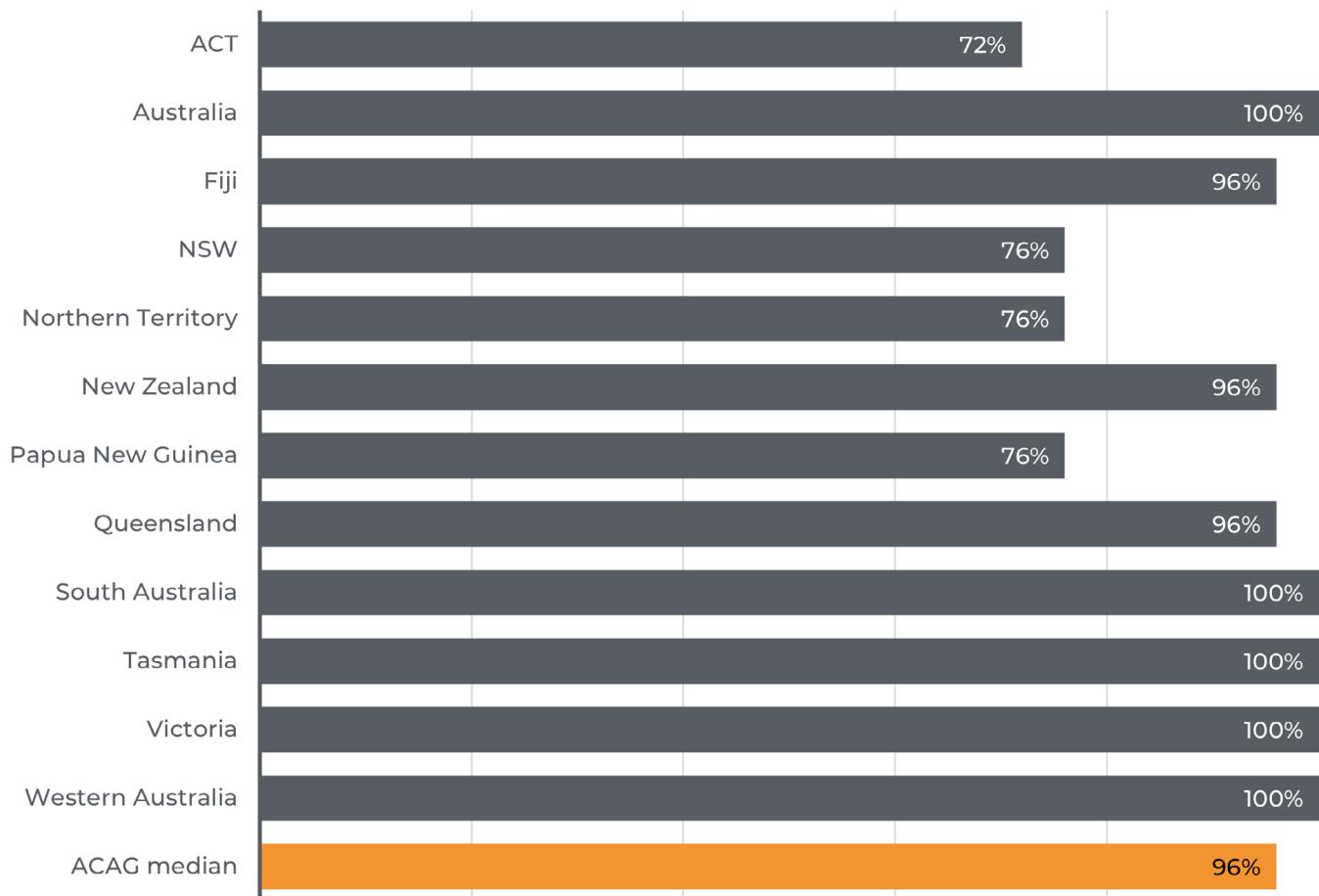
- (a) a contracted service provider or sub-contractor of the public body;
- (b) an agent or delegate of the public body;
- (c) the holder of a concession granted by the public body;
- (d) a trustee of the public body;
- (e) a person or body that has entered into –
 - (i) a partnership; or
 - (ii) an arrangement for sharing of profits; or
 - (iii) a union of interest; or
 - (iv) a co-operative arrangement; or
 - (v) a joint venture; or
 - (vi) a reciprocal concession –
- (f) with the public body;

15 Additional scope of performance audits in relation to the use of a financial benefit or property

- (1) The Auditor-General may conduct any performance audit the Auditor-General considers necessary to determine whether a financial benefit or property specified in subsection (2) has been used effectively, economically and efficiently for the particular purpose for which it was given.
- (2) For the purposes of subsection (1), the following are specified –
 - (a) a financial benefit given to an associated entity by a public body for a particular purpose;
 - (b) a financial benefit given to an entity (that is not a public body) by a public body for a particular purpose and the financial benefit is not given on commercial terms;
 - (c) property given to an associated entity by a public body for a particular purpose;
 - (d) property given to an entity (that is not a public body) by a public body for a particular purpose and the property is not given on commercial terms;
 - (e) property of an associated entity and where a public body provides a financial benefit for a particular purpose in relation to that property;
 - (f) property of an associated entity in which a public body holds a security interest for a particular purpose.

Principle 4: Unrestricted access to information

Figure 20: Percentage score for each jurisdiction and ACAG median for Principle 4



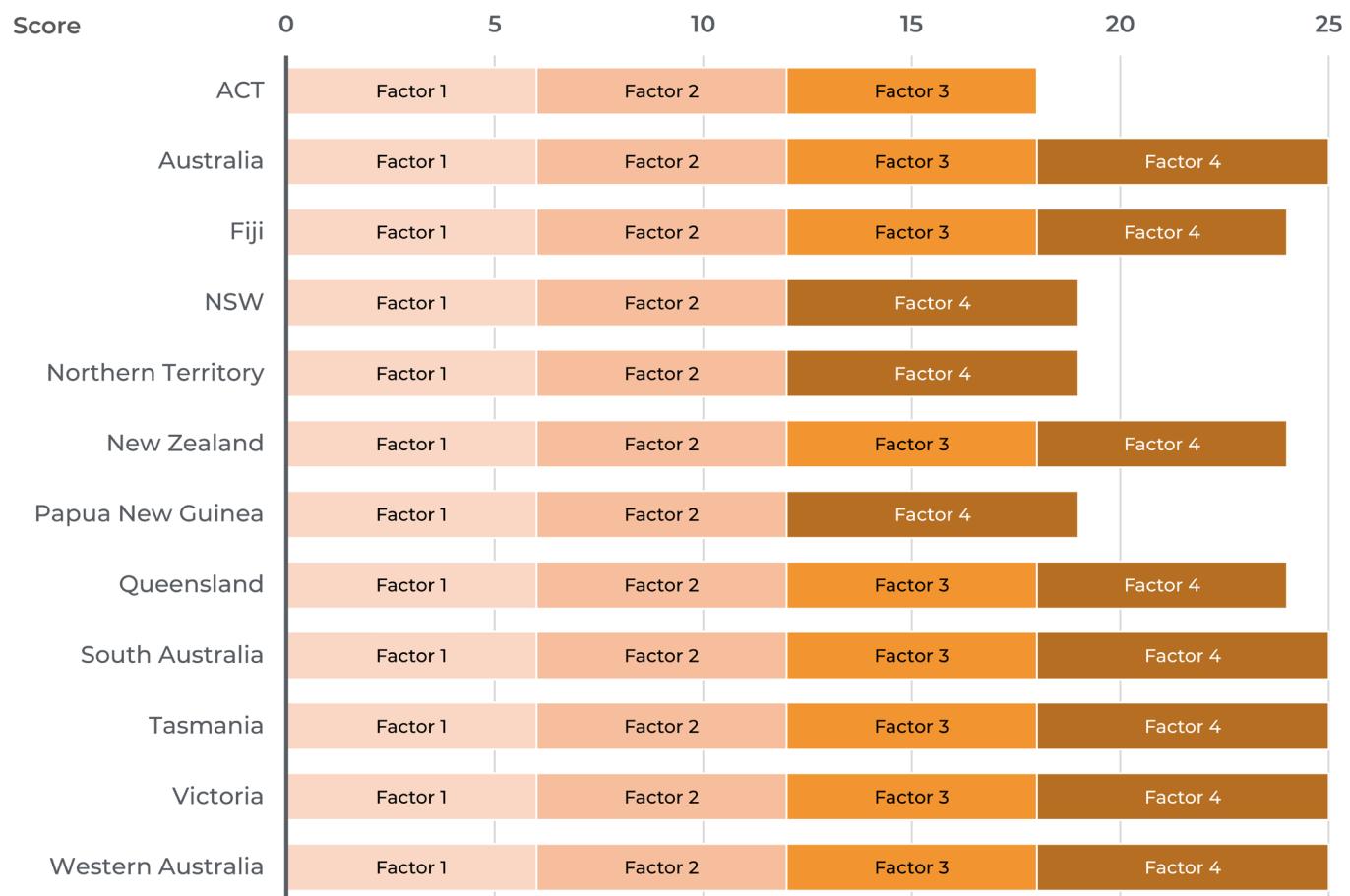
Factors surveyed and maximum score possible

Figure 21: Factors surveyed and maximum score possible for Principle 4

Factors surveyed	Maximum score
1 The ability to access documents or information in any form that is relevant to an audit	6
2 The ability to call persons to produce documents, give evidence orally, in writing or under oath	6
3 The ability to access premises and to examine, make copies of or extracts from documents or other records; and, additionally	6
4 The extent to which confidentiality of information obtained by the Auditor-General is preserved and protected from inappropriate disclosure	7
Total maximum score possible	25

Analysis and discussion of legislation factors

Figure 22: Scores for each factor in Principle 4 for each jurisdiction



Note: If a factor is not shown, it means the jurisdiction scored zero for that factor.

The effectiveness of legislative provisions enabling the Auditor-General to access information is influenced by the provisions themselves. This includes how clear the meaning of information is and the extent to which non-public entities or related entities are subject to information access powers. Effectiveness is also influenced by the culture within executive government and the broader public sector in relation to timely cooperation in providing required information.

All jurisdictions have empowered their Auditor-General to have access to documents and persons who have information of value to their enquiries. While one jurisdiction reports that it interprets its general power to access information as including access to premises, better practice is that audit statutes include express power to access premises. Express provisions to access premises are not present in Papua New Guinea, NSW and the Northern Territory.

Access to information overlaps with the discretion that an Auditor-General has to report certain information. The latter (reporting) is found in Principle 6. It is important to note that jurisdictions may score highly in Principle 4 on the basis that the principal legislation provides unqualified discretion for the Auditor-General to access information. This is notwithstanding a practice for executive government to restrict access to Cabinet documents and to documents otherwise subject to legal professional privilege, claims of commercial-in-confidence and other claims of public interest. South Australia provides one such example in the *Premier and Cabinet Circular PC 047, Disclosure of Cabinet Documents to Investigative Agencies*, which provides a default position that Cabinet documents will not be provided to investigative agencies, including the Auditor-General. But it goes on to provide the circumstances in which the Premier may approve access to certain Cabinet information.

In other jurisdictions, the statutory provision of unqualified access to information may be undermined by a culture of executive government secrecy and the opinions of government legal advisers that read down the power of the Auditor-General to access information. For example, the Tasmanian Audit Act 2008 expressly provides unqualified access to information (in sections 37 and 38) and a clear override of any person's duty of secrecy or confidentiality (in section 39). However, in his 2025 report on an unsolicited bid to government involving the sale of land, the Auditor-General stated that he was unable to properly assess the advice provided to Cabinet and the subsequent actions of a state entity because he was restricted from accessing Cabinet information. The Auditor-General's disclaimer noted that the Cabinet office claimed that the principle of public interest immunity for Cabinet documents overrides the broad powers in the Audit Act 2008.¹³

The intent of the Tasmanian Audit Act 2008, like many other audit acts, is clear, which is reflected by the high scores in this survey. Auditors-General have statutory power to access all information to make informed findings and opinions. If a legal opinion or government practice is used to read down this power, there could be a need to amend the legislation to list certain types of information for the avoidance of doubt. Cabinet confidentiality, legal professional privilege and commercial-in-confidence are some of the principles used by executive government to read down statutory powers that are not qualified by the text of the statute. A better practice example of addressing Cabinet documents in the ACT statute is provided in the later section on Principle 6. A better practice example from NSW is provided below.

¹³ *Proposed sale of Wilkinsons Point land: Report of the Auditor-General No. 3 of 2025–26, 24 September 2025, Audit Tasmania.*

Better practice

Access to information: Cabinet information and legal professional privilege

The NSW Government Sector Audit Act 1983 avoids any doubt about the Auditor-General's power to access information by expressly including access to Cabinet information and information that might otherwise be subject to a claim of legal professional privilege.

36 Access to documents and information

- (1) An authorised person is entitled at all reasonable times to full and free access to the books, records or other documents of or relating to any entity, fund or account or government resources or related money for the purposes of –
 - (a) any inspection, examination, audit or audit-related services that the Auditor General is authorised or required to perform by or under this Act or any other law, or
 - (b) exercising any other function conferred or imposed on the Auditor-General by or under this Act or any other law.
- (6) An authorised person is entitled to exercise functions under this section despite –
 - (a) any rule of law which, in proceedings in a court of law, might justify an objection to access to books, records, documents or information on grounds of public interest, or
 - (b) any privilege of an entity that the entity might claim in a court of law, including a claim based on legal professional privilege, or
 - (b1) any books, records or other documents being accessed, provided or produced being or including Cabinet information, or
 - (c) any duty of secrecy or other restriction on disclosure applying to an auditable entity or an officer or employee of an auditable entity (including a government officer).

Access to information: Meaning of 'information' and express reference to 'premises'

In Fiji, the *Audit Act 2025* provides broad powers of access to information for the Auditor-General, but most notably adds a contemporary and express statement of the power of digital access (including passwords) and the use of software and technology to interrogate information.

Powers of Auditor-General

6. –
- (2) In the performance of his or her functions and duties under section 152 of the Constitution and this Act, the Auditor-General or any person duly authorised by the Auditor-General is entitled –
 - (a) to have access to all records, books, accounts, vouchers or documents, cash stamps, securities, stores or other Government property under the control of any person or authority; and
 - (b) to enter the premises of any public entity, or send for and have the custody of any records, books, accounts, vouchers or documents under the control of such person or authority, and to keep such records, books, accounts, vouchers or documents for such time as he or she may require them.
- (4) For the avoidance of doubt, the powers in subsection (2) include powers to –
 - (a) access, including by electronic means, any document, information, or record, recorded or stored electronically and any electronic system within which information is recorded or stored or of which it forms part;
 - (b) require production or creation of a password or other security protocol which may otherwise restrict the Auditor-General's access to such information;
 - (c) use software to interrogate or interpret the information in such manner as the Auditor-General considers appropriate; and
 - (d) employ appropriate technology and data analytics to improve audit outcomes and methodologies.

Victoria's Audit Act 1994 provides an example of a more prescriptive and coercive power to enter premises, which may be better practice if there is the need to ensure cooperation of a public entity or associated entity (one that may be a non-public entity providing a government-funded service) by threat of lawful punishment.

43 Power to enter and inspect premises owned or occupied by a public body or an associated entity

- (1) In accordance with this Division, the Auditor General or an authorised person, at all reasonable times, may enter and remain on premises owned or occupied by a public body to inspect the premises and any document or other thing on the premises, if the Auditor-General or an authorised person considers on reasonable grounds that –
 - (a) it is necessary for the purposes of a financial audit or performance audit under this Act;
- (2) In accordance with this Division, the Auditor General or an authorised person, at all reasonable times, may enter and remain on premises owned or occupied by an associated entity to inspect the premises and any document or other thing on the premises if –
 - (a) entry and inspection of the premises is for the purposes of a performance audit under section 15; and

44 Entry notice

Unless consent has been given, before entering the premises of a public body or an associated entity under section 43, the Auditor-General or an authorised person must serve the owner or occupier of the premises with a written notice that –

- (a) is in the prescribed form (if any); and

52 Offence to fail to comply with an information gathering notice

A person who is duly served with an information gathering notice must not, without reasonable excuse, refuse or fail to comply with the notice.

Penalty: 240 penalty units or imprisonment for 2 years.

Principle 5: A right and obligation to report on audit work

Figure 23: Percentage score for each jurisdiction and ACAG median for Principle 5



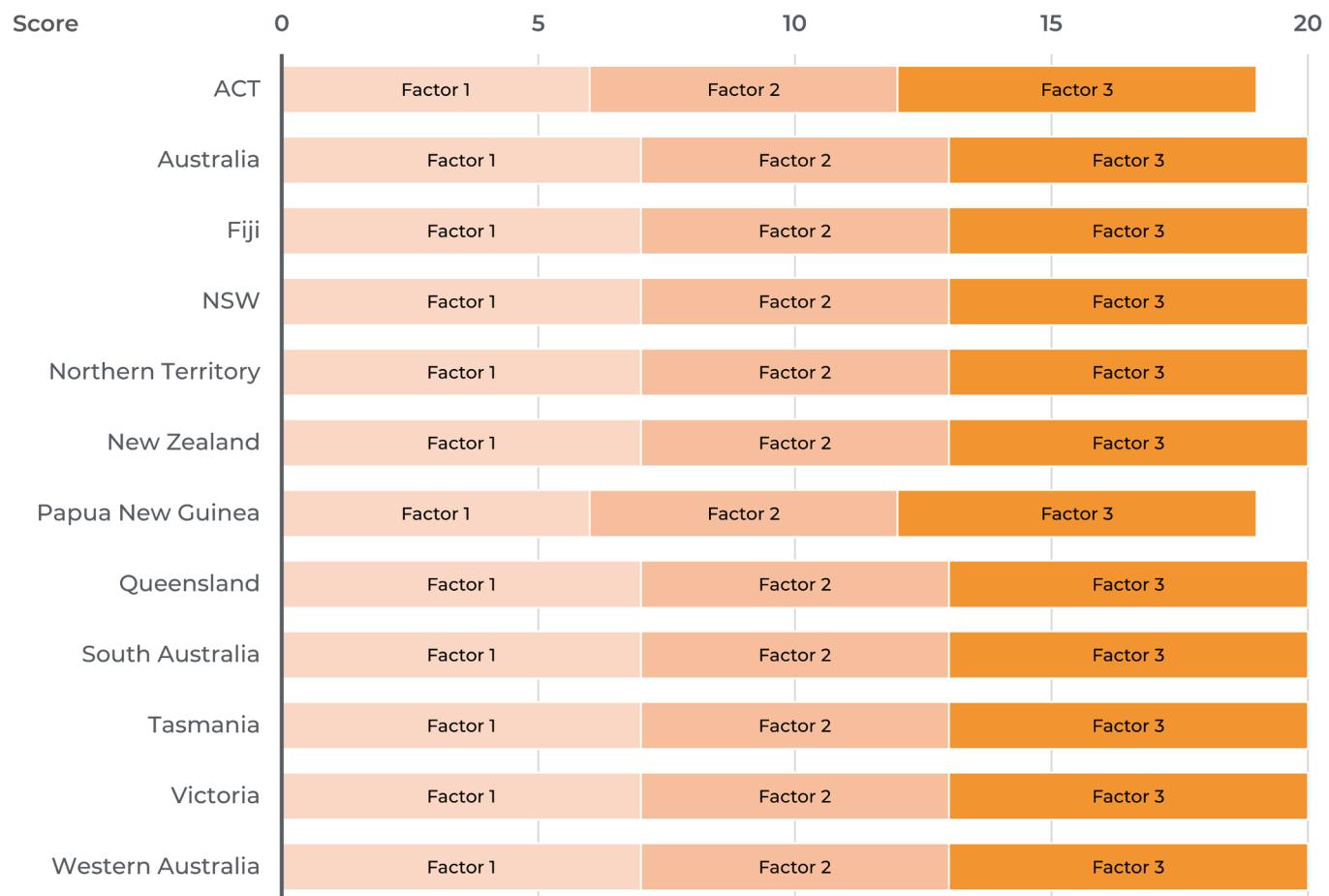
Factors surveyed and maximum score possible

Figure 24: Factors surveyed and maximum score possible for Principle 5

Factors	Maximum score
1 The obligation to report to parliament on the discharge of functions generally	7
2 The ability to produce separate reports on any matter the Auditor-General considers warranting such a report	6
3 The ability or requirement to report directly to the parliament	7
Total maximum score possible	20

Analysis and discussion of legislation factors

Figure 25: Scores for each factor in Principle 5 for each jurisdiction



All jurisdictions scored highly for this principle in 2020 and continue to do so in 2025, with Fiji and Papua New Guinea also scoring highly.

Most Auditors-General are required to report to parliament on their core audit functions. The ACT and Papua New Guinea Auditors-General have a level of discretion. The Papua New Guinea Auditor-General can report to parliament and submit reports to the Speaker, but the legislation could be improved by expressly requiring the Speaker to cause reports to be tabled as soon as possible after receiving it. While not affecting the score for the ability of the Auditor-General to report to parliament, the absence of a statutory power to table or publish a report when the House is not sitting (as is the case, for example in the Northern Territory) diminishes the currency of the report and delays government accountability. It does not, however, diminish the independence of the Auditor-General.

Better practice

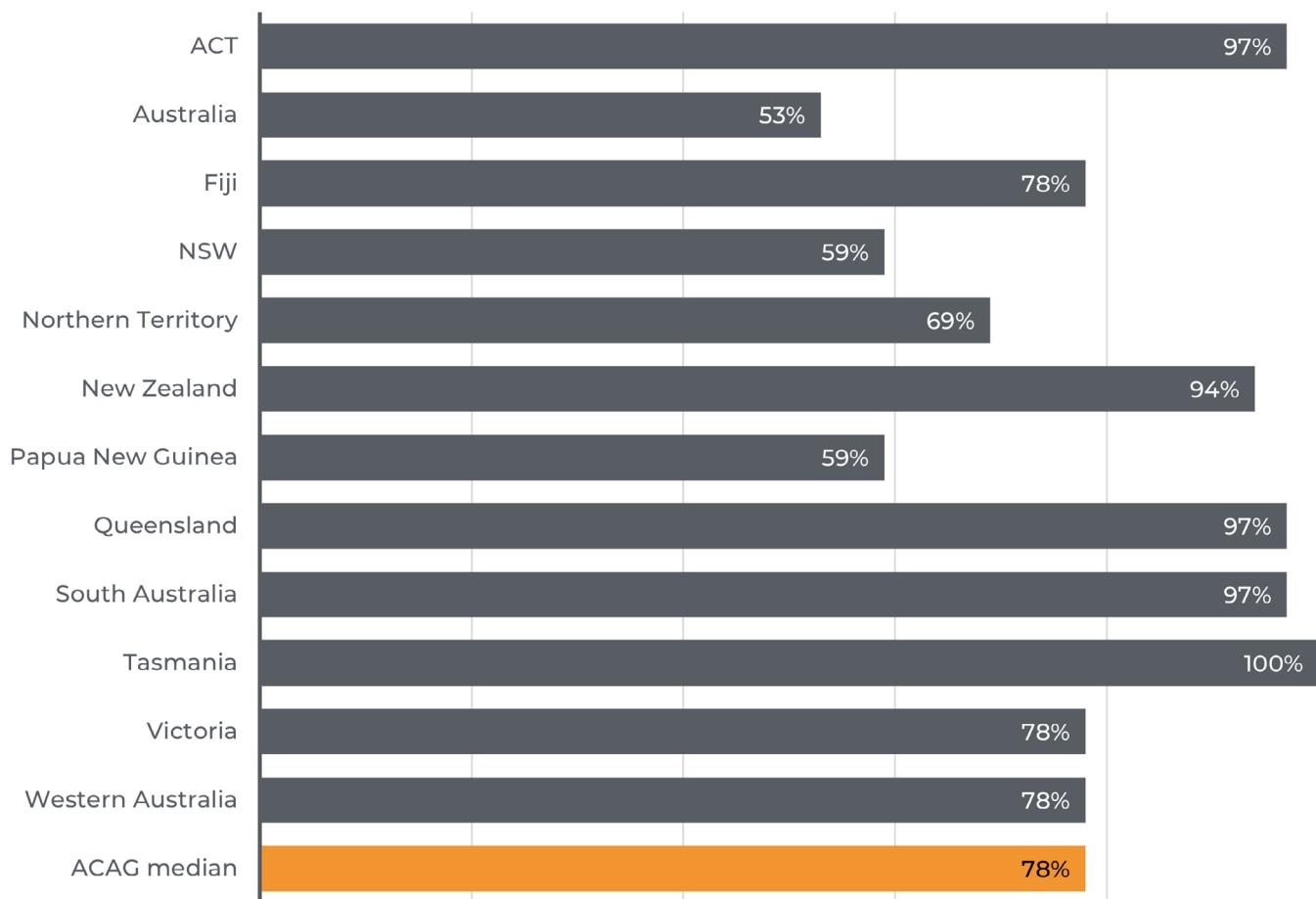
The Victorian Audit Act 1994 provides better practice on the basis that the Auditor-General must cause a report to be tabled and by forwarding the reports to the Clerks of the Houses. The Clerks are legally required to table the reports on the next sitting day or, when the House is not sitting, to give a copy to each member of the House. The Audit Act 1994 provides the Auditor-General with the protection of parliamentary privilege (absolute immunity) for the publication of such reports.

59 Transmission of reports to Parliament

- (1) The Auditor-General must cause a report under section 56 of any audit or assurance review to be transmitted to each House of the Parliament as soon as practicable after the report has been completed.
- (2) The Auditor-General must cause a report under section 57 on the annual financial report of the State to be transmitted to each House of the Parliament on or before 24 November next following the financial year to which it relates.
- (3) The clerk of each House of the Parliament must cause the report to be laid before the House on the day on which it is received or on the next sitting day of the House.
- (4) If the Auditor-General proposes to transmit the report to the Parliament when the Parliament is in recess, the Auditor-General must –
 - (a) give one business day's notice of the Auditor-General's intention to do so to the clerk of each House of the Parliament; and
 - (b) give the report to the clerk of each House on the day indicated in the notice; and
 - (c) publish the report on the Auditor-General's website as soon as practicable after giving it to the clerk of each House.
- (5) The clerk of each House must –
 - (a) notify each member of the House of the receipt of a notice under subsection (4)(a) on the same day that the clerk receives that notice; and
 - (b) give a copy of the report to each member of the House as soon as practicable after the report is received under subsection (4)(b); and
 - (c) cause the report to be laid before the House on the next sitting day of the House.
- (6) A report given to the clerks of each House under subsection (4)(b) is taken to have been published by order, or under the authority, of the Parliament.
- (7) The publication of a report by the Auditor-General under subsection (4)(c) is absolutely privileged and the provisions of sections 73 and 74 of the Constitution Act 1975 and any other enactment or rule of law relating to the publication of the proceedings of the Parliament apply to and in relation to the publication of the report as if –
 - (a) it were a report to which those sections applied; and
 - (b) the report had been published by the Government Printer under the authority of the Parliament.

Principle 6: Freedom to decide the content and timing of audit reports and to publish them

Figure 26: Percentage score for each jurisdiction and ACAG median for Principle 6



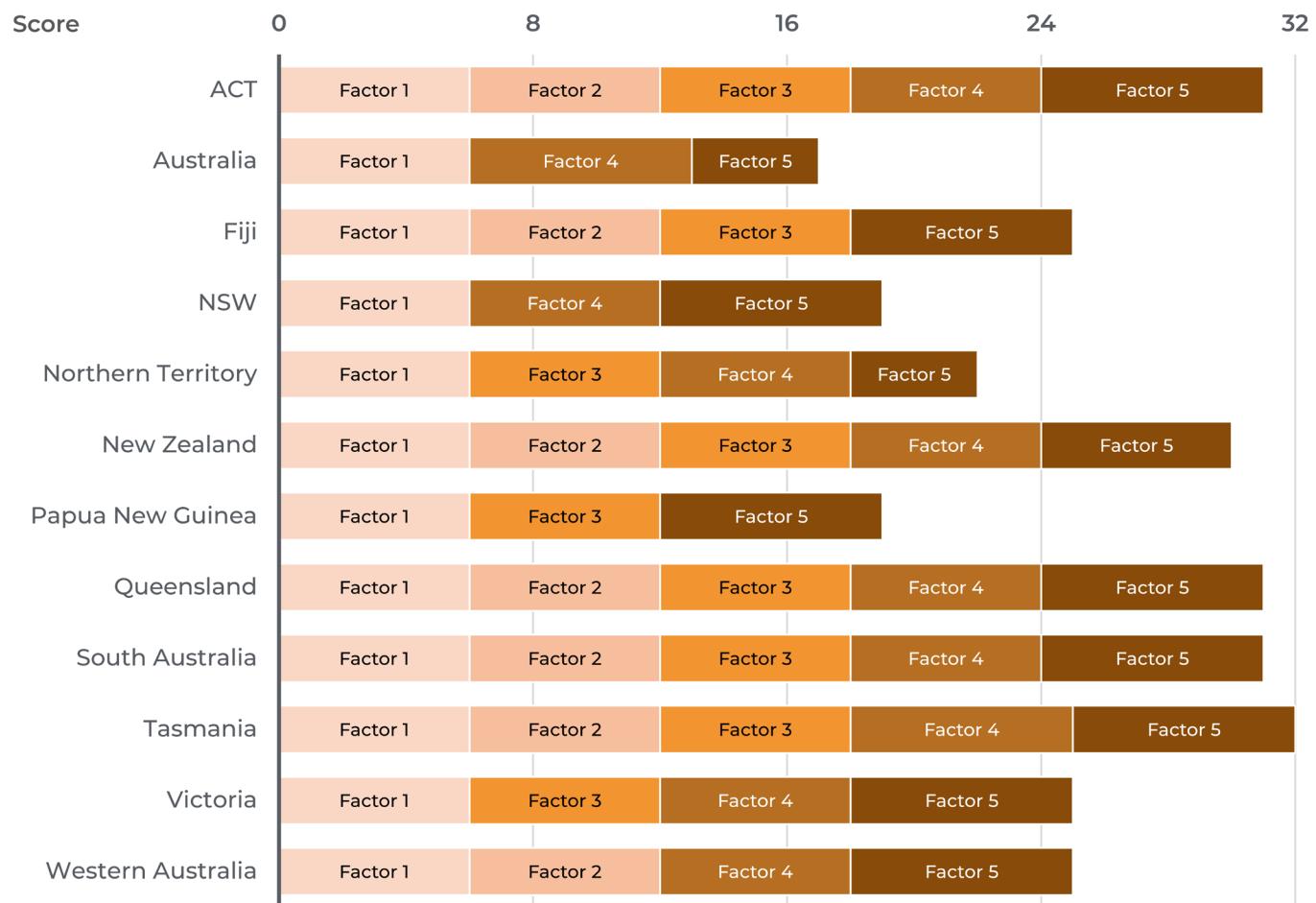
Factors surveyed and maximum score possible

Figure 27: Factors surveyed and maximum score possible for Principle 6

Factors	Maximum score
1 Whether the Auditor-General has complete discretion over when to report and what to include in, or exclude from, a report	6
2 Whether the Auditor-General is required to provide audited entities or persons with an opportunity to comment on a proposed report, consider responses to the proposed report, and whether they have discretion to fairly summarise any responses received so that the extent and form of a response cannot be used to subvert or divert attention from audit findings	6
3 Whether sensitive information may be included in the Auditor-General's report	6
4 Whether the reason for withholding sensitive information may be disclosed	7
5 Whether the Auditor-General's reports are published for general distribution to the public	7
Total maximum score possible	32

Analysis and discussion of legislation factors

Figure 28: Scores for each factor in Principle 6 for each jurisdiction



Note: If a factor is not shown, it means the jurisdiction scored zero for that factor.

As mentioned in the discussion of Principle 4, there is overlap of access to sensitive information and the discretion for an Auditor-General to include sensitive information in a report. ACAG has made the point that:

Auditors-General particularly encounter attempts to restrict their access to Cabinet information and documents subject to legal professional privilege. However, Auditors-General have a long history of responsibly reporting their findings in the public interest, including where sensitive information is involved.¹⁴

In other words, Auditors-General recognise that there is sometimes a difference between the need to access sensitive information that informs findings and recommendations and the need to report the information in an unqualified manner. This distinction is not always understood by government officials.¹⁵ Notwithstanding this distinction, Auditors-General need to have discretion as to when to report sensitive information because findings and recommendations may not make sense in the absence of proper context. This does not assist parliament and risks the Auditor-General appearing to lack transparency or to have failed to arrive at conclusions in a manner consistent with auditing standards.

Not all jurisdictions are free from Executive decision-making in relation to being able to access and being able to report sensitive information. In NSW, the Premier can make a direction prohibiting publication of sensitive information if, in their opinion, the disclosure of that information is not in the public interest. In Western Australia, a minister may decide that it is not in the public interest for the Auditor-General to disclose certain information. At the Commonwealth level in Australia, the Auditor-General is prevented from disclosing information when the Attorney-General issues a certificate to the effect that it is not in the public interest to disclose the information. In all 3 cases the prohibition is publicly reported.

¹⁴ Access to and Disclosure of Information by Australian and New Zealand Auditors-General, Australasian Council of Auditors-General, 2024.

¹⁵ Access to and Disclosure of Information by Australian and New Zealand Auditors-General, Australasian Council of Auditors-General, 2024.

Better practice

Discretion to include sensitive information and alternatives for limited disclosure

The ACT's Auditor-General Act 1996 provides discretion to the Auditor-General to include information in a report that constitutes the deliberations and decisions of the Executive, based on consulting the Chief Minister and considering the public interest. This presents an effective balance of requiring the Auditor-General to consider the public interest, while ensuring they retain ultimate discretion as to whether relevant Cabinet information is included in a report.

20. Reporting Executive deliberations and decisions

- (1) The auditor-general may include deliberative information in a report for the Legislative Assembly only if the auditor-general considers that it is in the public interest to include the information...
- (2) The auditor-general must consult the Chief Minister in deciding whether it is in the public interest to include particular deliberative information in a report.
- (3) If the Chief Minister objects to the inclusion of particular deliberative information in a report, the auditor-general –
 - (a) may include the information in the report; but
 - (b) if the information is included – must tell the Chief Minister about the inclusion at least 7 days before the report is published.

Queensland's Auditor-General Act 2009 leaves the final decision about the public interest to the Auditor-General. When the Auditor-General considers it contrary to the public interest to include certain information in a public report to the House, they must instead report it to the relevant parliamentary committee, ensuring that there is at least limited disclosure beyond executive government.

66. Procedure for reporting certain sensitive information

- (1) If the auditor-general considers it to be against the public interest to disclose in a report under this division information that could –
 - (a) have a serious adverse effect on the commercial interests of an entity; or
 - (b) reveal trade secrets of an entity; or
 - (c) prejudice the investigation of a contravention or possible contravention of the law; or
 - (d) prejudice the fair trial of a person; or
 - (e) cause damage to the relations between the Government of the State and another Government;

the auditor-general must not disclose the information in the report but must instead include it in a report prepared and given to the parliamentary committee.

In Tasmania, the *Audit Act 2008* provides the Auditor-General with discretion to withhold information in the public interest, but in addition to then providing the information to the Public Accounts Committee, the Auditor-General must also provide advice in their report to parliament that certain information has not been disclosed and why. The *Audit Act 2008* expressly permits the Public Accounts Committee to act on recommendations relating to confidential information provided by the Auditor-General and to resolve to make the information public and available to each House of parliament.

30A. Certain sensitive information not to be disclosed

- (1) If the Auditor-General considers it to be against the public interest to disclose in a report under this Division information that could –
- (3) If under subsection (1) the Auditor-General does not disclose particular information in a report, the Auditor-General must state in the report –
 - (a) that information, which does not have to be identified, has not been disclosed in the report; and
 - (b) the reason, under subsection (1), why the Auditor-General is of the opinion that the information cannot be disclosed.
- (4) If, because of subsection (1), the Auditor-General –
 - (a) decides not to prepare a report; or
 - (b) does not disclose particular information in a report –
 the Auditor-General may prepare a report that includes the information that was not disclosed.
- (5) The Auditor-General may give a copy of a report prepared under subsection (4) to the Public Accounts Committee and to the Treasurer.
- (7) Notwithstanding anything contained in the *Public Accounts Committee Act 1970*, the Public Accounts Committee, on receipt of a report under subsection (5), may act on the recommendations contained in the report but must not publicly disclose the report or any matter contained in the report unless two-thirds of the members of the Public Accounts Committee consider it is desirable and in the public interest to do so.
- (8) If the Public Accounts Committee considers it is desirable and in the public interest to publicly disclose the report received under subsection (5) or any matter contained in the report, the Public Accounts Committee is to make the report available to each House of Parliament.

Principle 7: Appropriate mechanisms to follow-up on audit recommendations

There is only one legislative factor under this principle.

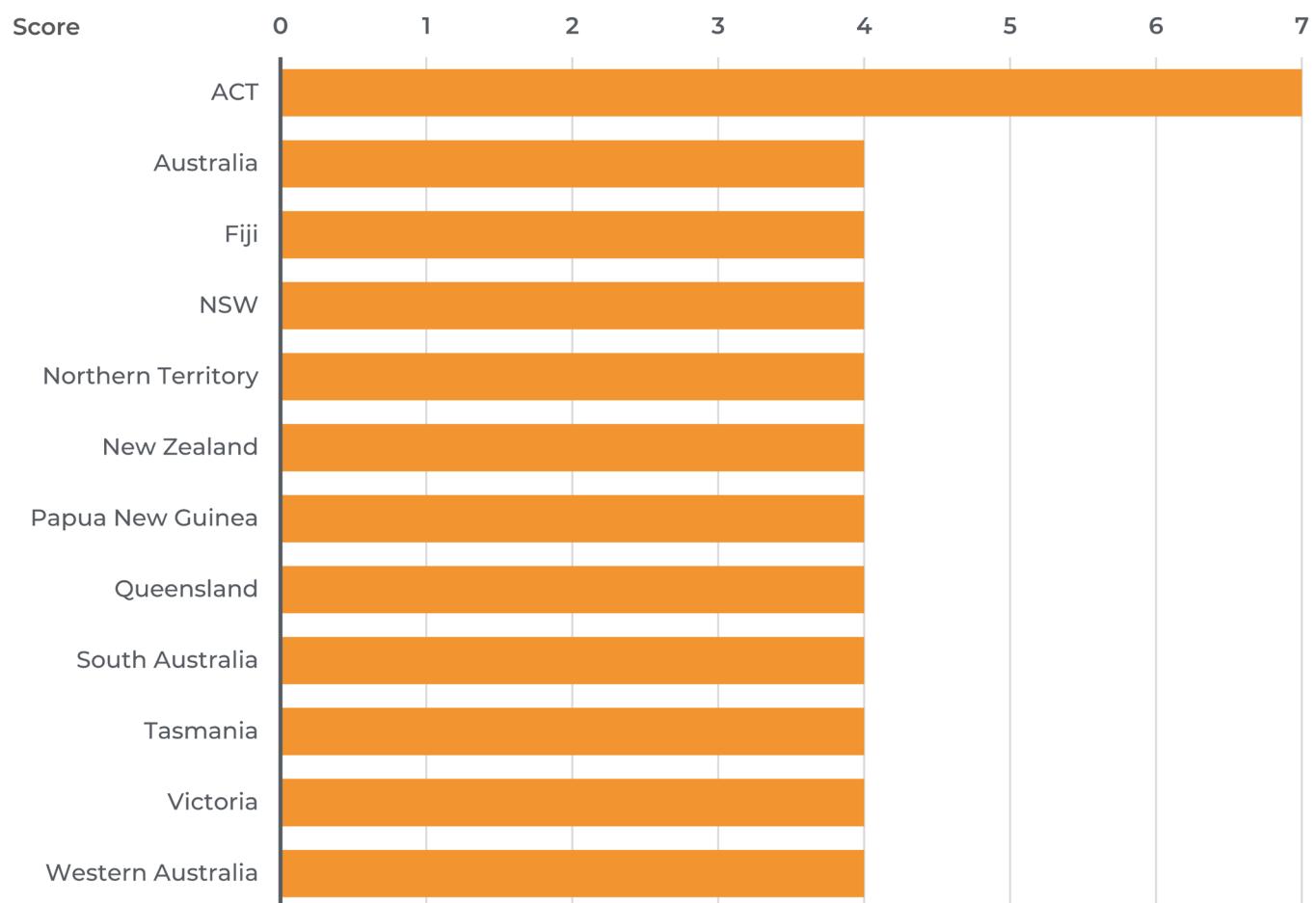
Factor surveyed and maximum score possible

Figure 29: Factors surveyed and maximum score possible for Principle 7

Factor	Maximum score
1 Whether the parliament has some mechanism for considering the Auditor-General's findings, for holding the government to account and for following up on recommendations	7
Total maximum score possible	7

Analysis and discussion of legislation factors

Figure 30: Scores for single legislative factor in Principle 7



In all jurisdictions except for the ACT, the House and, in some cases, its relevant committee, have discretion to follow-up the Auditor-General's reports and recommendations. This may take the form of requiring the government to explain its action or response to the Auditor-General's report. Follow-up is an important link in the chain of accountability of the government.

Only the ACT has the better practice of mandating that the government must publicly respond to the Auditor-General's report.

Better practice

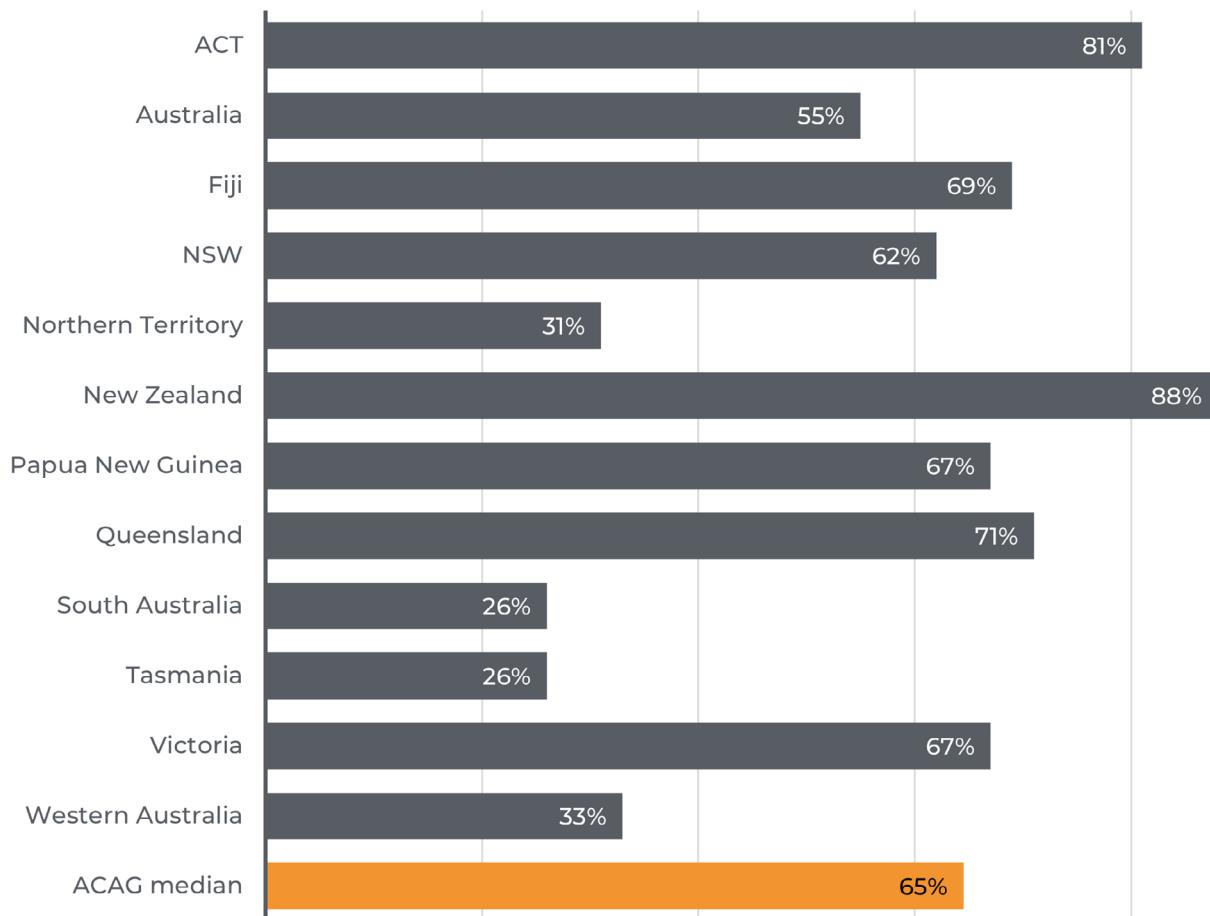
The ACT stands out as better practice for following up Auditor-General reports. The *Auditor-General Act 1996* requires the Minister to present for tabling in the Legislative Assembly a written response to the Auditor-General's report within 4 months of tabling of the Auditor-General's report.

21. Ministerial response to report for Legislative Assembly

- (1) Within 4 months after the day a report by the auditor-general is presented to the Legislative Assembly under section 17 (Reports for Legislative Assembly), the Minister must –
 - (a) prepare a written response to the report; and
 - (b) either –
 - (i) present the response to the Legislative Assembly; or
 - (ii) give the response, and a copy for each member of the Assembly, to the Speaker.
- (2) If the Minister gives the response to the Speaker –
 - (a) the Speaker must arrange for a copy of the response to be given to each member of the Legislative Assembly; and
 - (b) the Minister must present the response to the Legislative Assembly –
 - (i) on the next sitting day; or
 - (ii) if the next sitting day is the first meeting of the Legislative Assembly after a general election of members of the Assembly – on the second sitting day after the election.

Principle 8: Financial, managerial and administrative autonomy and availability of appropriate resources

Figure 31: Percentage score for each jurisdiction and ACAG median for Principle 8



Factors surveyed and maximum score possible

Figure 32: Factors surveyed and maximum score possible for Principle 8

Factors	Maximum score
1 Staffing autonomy or the independence from the Executive control of the public service	7
2 Financial autonomy or the independence of the process for establishing the budget for the Auditor-General from the Executive	4
3 Drawing rights on appropriated resources and to whom resources are appropriated and its independence from the Executive	7
4 Office autonomy or the independence of the structure supporting the Auditor-General from Executive control	7
5 Whether the Auditor-General is the chief executive or accountable officer with administrative control over and accountability for their office	7
6 Whether the Auditor-General is required to produce an annual administrative report and financial statements	6
7 Whether the appointment, terms of reference and reporting line of the auditor of the Auditor-General's office is subject to Executive control	4
Total maximum score possible	42

Analysis and discussion of legislation factors

Figure 33: Scores for each factor in Principle 8 for each jurisdiction



Note: F stands for factor. If a factor is not shown, it means the jurisdiction scored zero for that factor.

New Zealand remains in a stronger position in relation to Principle 8 and is joined by Papua New Guinea, which is stronger in this principle than it is in most others. The ACT also remains strong on this principle.

Overall, Principle 8 presents a challenge to the independence of Auditors-General because the median percentage score is significantly lower than for other principles, and factors that go to managerial and financial independence are of fundamentally practical importance to the independence of the Auditor-General. There is a wide variety of scores and legislative gaps for this factor.

The factor is a particular vulnerability for the Northern Territory, South Australia and Tasmania, where the Auditor-General lacks autonomy and independence in relation to the office, staffing and processes for determining the annual appropriation for the office.

NSW improved slightly because the legislation now requires the:

- Public Accounts Committee to consider the amount proposed for the Auditor-General in the annual appropriation bill
- Treasurer to advise of any variations to the amount requested by the Auditor-General and to respond to any comments of the Public Accounts Committee.

This falls short of a score based on 'parliament recommends' the appropriation and is scored as 'parliament consulted' because the process is focused on what happens after the appropriation bill is introduced. It is not based on parliament taking the initiative to recommend the appropriation in the first place. The NSW legislation does not provide any express drawing rights for the Auditor-General, which are instead delegated

from the Treasurer to the Auditor-General. This attracts the lowest score, notwithstanding the working account, which once delegated at the discretion of the Treasurer is then operated by the Auditor-General with discretion and without Executive influence or claw back of funds.

Queensland improved significantly in this principle as a result of amendments to the *Auditor-General Act 2009*, which provides for office autonomy, independence of staff from the public service and a role for the parliament in determining the annual appropriation for the Auditor-General's office.

Better practice

Administrative and managerial independence

Recent amendments to the Queensland Auditor-General Act 2009 provides a clear mandate for the Auditor-General to employ staff independent of public service restrictions.

26 Employment of staff

- (1) The auditor-general may employ the persons the auditor-general considers necessary for staffing the audit office.
- (2) The staff of the audit office are employed under this Act and not the Public Sector Act 2022.
- (3) Subject to this Act and any relevant industrial instrument within the meaning of the Industrial Relations Act 2016, the conditions of service of the staff of the audit office are those decided by the auditor-general.

Financial independence

The issue of executive government control over setting the annual appropriation for Auditors-General is an issue shared with other agencies charged with ensuring accountability of the government, not the least being the parliament itself. Financial independence is not simply about providing a better level of assurance that adequate funding will be provided, but also one of transparency.¹⁶ Budget-setting processes controlled by the executive government (usually by Treasury officers and Cabinet subcommittees) are inevitably out of public sight until an annual appropriation bill is presented to parliament as a 'fait accompli'.

In NSW, recent amendments have increased the transparency of the process for determining the annual appropriation for the Auditor-General. The *Government Sector Audit Act 1983* provides the Public Accounts Committee with a role in examining the proposed annual funding for the Auditor-General and reporting to parliament. Section 4.14B of the *Government Sector Finance Act 2018* requires the Treasurer to provide information on any variation to the appropriation requested and to respond to comments by the Public Accounts Committee. While NSW has taken a step in the right direction, the ACT model is better practice, combining provisions in the *Financial Management Act 1996* and the Legislative Assembly's *Assembly Budget Protocols*.

Financial Management Act 1996 ACT

20AB Recommended appropriation for officers of the Assembly

Before the beginning of a financial year, the Speaker must for an officer of the Assembly –

- (a) after consultation with the officer and the relevant Assembly committee, advise the Treasurer of the appropriation that the Speaker considers should be made for the officer for the financial year (the recommended appropriation); and
- (b) present the recommended appropriation to the Assembly; and
- (c) give the Treasurer a draft budget for the officer for the financial year that contains the information mentioned in section 12 that applies to the officer.

20AC Appropriation for officers of the Assembly

- (1) This section applies if –
 - (a) the Treasurer presents a bill for an Appropriation Act for the appropriation for an officer of the Assembly relating to a financial year in the Legislative Assembly; and
 - (b) the appropriation is less than the recommended appropriation for the office for the financial year.
- (2) Immediately after presenting the bill, the Treasurer must present to the Legislative Assembly a statement of reasons for departing from the recommended appropriation.

¹⁶ See *Budget Independence for Victoria's Independent Officers of Parliament*, Independent Broad-based Anti-corruption Commission, Victorian Ombudsman and Victorian Auditor-General's Office, 2022.

The New Zealand model is more prescriptive about the processes that must occur before the appropriation bill is presented to the House of Representatives. The Auditor-General, being an 'office of Parliament' under section 2 of the *Public Finance Act 1989* submits information to the House. An officers of parliament committee considers the budget information provided and makes a recommendation of the amount that should be appropriated.

Further discussion of financial independence and the legislated approach to budget setting for the Auditor-General and the House of Commons in the United Kingdom (UK) is outlined in Appendix 4.

26E Application of this Part to Offices of Parliament

- (1) Before an appropriation in a Vote administered by an Office of Parliament may be included in an Appropriation Bill for a financial year, the chief executive of the Office concerned must prepare and submit to the House of Representatives the following information:
 - (a) an estimate of expenses and capital expenditure to be incurred for –
 - (i) each proposed appropriation; and
 - (ii) each proposed category of expenses or non-departmental capital expenditure within a multi-category appropriation; and
 - (b) the revenue of the Office (including the revenue associated with each proposed expenses appropriation and each proposed category of expenses within a multi-category appropriation).
- (2) Before an authorisation for a capital injection to be made to an Office of Parliament may be included in an Appropriation Bill for a financial year, the chief executive of the Office concerned must submit to the House of Representatives the amount of the proposed capital injection.
- (3) The House of Representatives, after considering the information provided under subsections (1) and (2), may for each Office of Parliament command to the Governor-General, by way of an address, –
 - (a) the estimates referred to in subsection (1)(a); and
 - (b) the capital injection referred to in subsection (2).
- (4) The House of Representatives, may, in that address, request that the estimates be included as a Vote, and the capital injection be authorised, in an Appropriation Bill for that year.
- (5) If the Vote or authorisation is included in an Appropriation Bill for that year, this Part applies, with all necessary modifications, as if references to a department were references to an Office of Parliament.
- (6) An alteration to the Vote or authorisation during that year is subject to the provisions of this section.

Part 6. Jurisdiction summaries: Qualitative analysis

The commentary in Part 6 about the broader context in which each Auditor-General carries out their statutory functions is the observations and opinions of the authors, not the Auditors-General.

Australian Capital Territory

Figure 34: The ACT's overall independence score

Score	2025	2020	% of total possible	Ranking 2025	Ranking 2020
			2025		
343	319		90%	1	1

Principal act: Auditor-General Act 1996

Other significant: Financial Management Act 1996
Annual Reports (Government Agencies) Act 2004

Legislative or other relevant developments

The score for the ACT has increased due to reassessing the scores previously given for areas of audit coverage in Principle 3.

There have not been any significant legislative amendments in the ACT since 2020. There were significant amendments prior to 2020, which increased the ACT's score and ranking to number one in the 2020 report. In August 2020, the *Assembly Budget Protocols* agreement between the Speaker (on behalf of the Legislative Assembly) and the Chief Minister (on behalf of the ACT Executive) was signed. The agreement remains in effect at the time of this report.

The agreement is unusual in Australia and reflects the heightened respect in the ACT for the principle that the legislature and officers of parliament must have a meaningful level of independence from executive government. The *Assembly Budget Protocols* complement the provisions in sections 20AB and 20AC of the *Financial Management Act 1996*, which require the Speaker to recommend through the Assembly the annual appropriation that should be made for officers of the Assembly (which includes the Auditor-General). In the event the Treasurer introduces an appropriation bill with an amount that is less than recommended, the Treasurer must make a statement to the Assembly.

The *Assembly Budget Protocols* not only provide a process for developing the annual budget recommendation, but extends to agreement that the officers, including the Auditor-General, may retain up to 10% of unspent funds (section 6.13) each year.

Jurisdictional context

The ACT's history of minority governments has strengthened the independence of the Auditor-General. The ACT Assembly checks itself against the *Commonwealth (Latimer House) Principles on the Three Branches of Government*,¹⁷ and this protocol reflects a heightened commitment to the independence of parliament and its integrity officers from executive government. Furthermore, the general public service, democratically literate and progressive culture of the ACT community creates an environment in which there is a widespread understanding of the importance of the Auditor-General's independence.

Relationship with parliament

The Auditor-General has a fortnightly scheduled meeting with the Public Accounts and Administration Committee. The Public Accounts and Administration Committee must report to the House in relation to every Auditor-General report, thus all relevant matters are made public. The relevant minister is required to table their response within 4 months of each report's publication. The Public Accounts and Administration Committee conducts a strategic review of the Auditor-General and its budget once every parliamentary term.

Public engagement

The Auditor-General does not engage with the media regarding audit reports, preferring to let the reports speak for themselves. The Auditor-General has an express education function and undertakes extensive public engagement. The Auditor-General invites public submissions on specific inquiries or topics for future reports, while retaining final discretion over audit planning.

¹⁷ *Commonwealth (Latimer House) Principles on the Three Branches of Government*, Commonwealth Secretariat, Commonwealth Parliamentary Association, Commonwealth Legal Education Association, Commonwealth Magistrates' and Judges' Association, and the Commonwealth Lawyers' Association, 2009.

Strengths and vulnerabilities

Follow-up mandate

The ACT stands out as best practice for following up Auditor-General reports. Section 21 of the *Auditor-General Act 1996* requires the Minister to table in the Assembly a written response to the Auditor-General's report within 4 months of tabling of the Auditor-General's report. This ranks as better practice in comparison with all other ACAG jurisdictions.

Discretion in relation to content of the report

The Auditor-General has unlimited access to Cabinet documents and all other requested information. The Auditor-General has discretion to include information in a report that constitutes the deliberations and decisions of executive government, based on a public interest consideration (section 20 of the *Auditor-General Act 1996*). This balance of requiring the Auditor-General to consider the public interest, but having ultimate discretion over such information, is better practice and an example for other jurisdictions to aspire to.

Vulnerability

There are few if any significant deficiencies in the *Auditor-General Act 1996*. Section 13C of the *Auditor-General Act 1996* permits the Minister to request certain performance audits. The Auditor-General will only take on the audit if certain legislative criteria are all met, including that 'failure to conduct the audit may result in significant risk to the Territory' (section 13C(3)(c)).

Although the Auditor-General retains discretion and includes a requested audit in their annual audit program submitted to the Public Accounts Committee and Assembly members, a better practice would be for the Minister to sponsor a resolution of the House requesting the audit or, where significant confidentiality issues are at play, the Minister could seek the Public Accounts and Administration Committee's endorsement.

Australia

Figure 35: Australia's overall independence score

Score	2025	2020	% of total possible	Ranking 2025	Ranking 2020
	2025	2020	2025		
267	266	266	70%	9	7

Principal act: Auditor-General Act 1997

Other significant: Public Governance, Performance and Accountability Act 2013

Legislative or other relevant developments

There has not been any amendments to the Auditor-General Act 1997 or the Public Governance, Performance and Accountability Act 2013 that impact the legislative factors since 2020. Significant amendments to legislation were reported in ACAG's 2013 report.

Jurisdictional context

The Auditor-General Act 1997 creates a parliament-facing institution in some respects. The Auditor-General's information-gathering powers are granted under the Auditor-General Act 1997 and are limited by the laws relating to the powers, privileges and immunities of parliament. This expression of powers is unique to the Commonwealth Auditor-General in ACAG jurisdictions.

Administrative responsibility for the Auditor-General Act 1997 and the Executive assignment of the Australian National Audit Office's (ANAO's) budget sits within the Prime Minister and Cabinet portfolio. This means that the Prime Minister has carriage of amendments to the Auditor-General Act 1997, and certain functions under it (including with respect to the appointment of the Auditor-General and Independent Auditor for the ANAO) although limited by the requirement for approval of the Joint Committee of Public Accounts and Audit (JCPAA).

Relationship with parliament

Reports of the Auditor-General are tabled through the presiding officer of each House, not a minister.

The connection between the Auditor-General and the parliament is primarily expressed through the interaction (or legislative responsibilities) between the ANAO and the JCPAA. This includes a statutory requirement that the Auditor-General must have regard to the audit priorities of the parliament as determined by the JCPAA. The JCPAA is chaired by a member of the government party.

The JCPAA is required to consider the resources and operations of the ANAO (Section 8(1)(g) of the *Public Accounts and Audit Committee Act 1951*). The Auditor-General Act 1997 requires the Auditor-General to provide the ANAO's draft estimates on request of the JCPAA. Ultimately the annual appropriation is determined by the executive government budget process.

The ANAO's risk management framework includes parliament's confidence in the Auditor-General. As well as the key relationship with the JCPAA, the ANAO invests in its relationships with parliamentarians (especially new parliamentarians) and parliamentary committees, particularly senate estimates committees.

Public engagement

Members of parliament can request an audit and their request is published on the ANAO website along with the Auditor-General's response. The ANAO invites public submissions to the ANAO's draft annual audit work program and promotes the commencement and completion of audit products through social media. The ANAO does not do media releases or media briefings on its reports.

Strengths and vulnerabilities

Review of act

While there is no legislated requirement mandating periodic review of the *Auditor-General Act 1997*, the JCPAA has typically conducted a review about every 10 years. The last JCPAA review of the *Auditor-General Act 1997* was conducted in 2022. The JCPAA's 2022 Report 491 *Review of the Auditor-General Act 1997* made 27 recommendations to government seeking amendments to the *Auditor-General Act 1997* to address key issues of independence including:

- audit coverage, particularly as it relates to audit coverage of government business enterprises and performance statements
- access to information
- discretion to report.

The government is yet to respond to recommendations.

Managerial autonomy

Staff of the ANAO are still employed pursuant to the *Public Service Act 1999*. The JCPAA's 2022 Report 491 *Review of the Auditor-General Act 1997* also made a recommendation to government that the ANAO is established as a parliamentary department to better support ANAO's independence and recognise the role of the Auditor-General as an independent officer of parliament.

Access to information and premises, and discretion to report

The ANAO's access to information powers are strong, however the *Auditor-General Act 1997* does not currently provide clear authority for remote access to entity systems, now a standard audit practice.

One of the challenges to the Auditor-General's independence is the ability to access and report all the information they require in a timely and complete way that is not subject to political considerations.

Sections 32 and 33 of the *Auditor-General Act 1997* relating to access to information and premises should be reviewed to ensure that agencies understand that 'information' might be digital as well as hard copy.

Section 37 of the *Auditor-General Act 1997* permits the Attorney-General to direct the Auditor-General not to include certain information in a report on the basis that it is contrary to the public interest. In 2018, the Attorney-General issued a certificate (effective indefinitely) required information to be omitted in a report including its conclusion.

Fiji

Figure 36: Fiji's overall independence score

Score	2025	2020	% of total possible 2025	Ranking 2025	Ranking 2020
293	– ¹⁸		77%	8	–

Principal act: *Constitution of the Republic of Fiji*

Other significant: *Audit Act 2025*

Legislative or other relevant developments

The new *Audit Act 2025* legislates the Auditor-General's powers to conduct financial, performance and compliance audits. The now repealed *Audit Act 1969* was not aligned to the *Constitution of the Republic of Fiji*, which had reintroduced parliamentary government to Fiji.

Jurisdictional context

The Office of the Auditor-General of Fiji (OAG) is established as an independent office under the 2013 *Constitution of the Republic of Fiji*. Furthermore, the *Fiji National Development Plan 2025-2029 and Vision 50* includes strengthening the role and independence of the Auditor-General.

In this regard, the new *Audit Act 2025*, based in part on the New Zealand model, legislates the Auditor-General's powers to conduct financial, performance and compliance audits.

In comparison with other audit acts, the *Audit Act 2025* is shorter as it simply comprises of 26 sections and 17 pages in total. However, there are a number of provisions relating to the OAG in the *Constitution of the Republic of Fiji*. These constitutional provisions relate to appointment, removal, remuneration, independence, audit mandate, aspects of access to information, funding and governance of the OAG.

In terms of access to information, the Auditor-General has no restrictions on the information they can request. The relationship with government departments has significantly improved and the Auditor-General now receives all the requested information, although there is still some delay in receiving that information.

The Auditor-General has special powers to conduct special investigation on request by the Prime Minister or any other minister. However, this is at the discretion of the Auditor-General. The Auditor-General does not have prosecutorial powers, but section 17 of the *Audit Act 2025* allows the Auditor-General to notify local authorities for any serious irregularities discovered.

Relationship with the parliament

With regards to reporting, the Auditor-General's reports are not tabled in parliament directly, but instead the Auditor-General presents them to the Speaker, and then to the minister responsible for finance, who is required to table the report within 30 days.

The parliament's Public Accounts Committee is responsible for scrutinising the Auditor-General's reports. OAG has developed a sound relationship with the Public Accounts Committee, which operates in a reasonably bipartisan and apolitical manner for matters pertaining to the OAG. The close working relationship includes an OAG officer being in attendance at all Public Accounts Committee meetings.

Public engagement

In 2024, the OAG conducted a full day accountability workshop specifically for its media stakeholders to create awareness and increase understanding of the role of the OAG and develop meaningful relationships with media.

¹⁸ Fiji participated in this survey for the first time in 2025.

Strengths and vulnerabilities

Legal immunity

A significant inclusion in section 8 of the *Audit Act 2025* is the immunity clause, which protects the Auditor-General and their officers against any liability.

Constitutional framework

The inclusion of numerous provisions in the *Constitution of the Republic of Fiji* has strengths and potential vulnerabilities. Amendment of the *Constitution of the Republic of Fiji* requires a two-thirds majority for a bill to pass in parliament, followed by a referendum. This provides a high level of protection to the establishment of the OAG, however, makes it difficult to legislate improvements to audit mandate and governance issues embodied in the *Constitution of the Republic of Fiji*.

Financial independence

Financial independence is the OAG's greatest challenge. Section 152(9) of the *Constitution of the Republic of Fiji* provides that 'Parliament shall ensure that adequate funding and resources are made available to the Auditor-General, to enable him or her to independently and effectively exercise his or her powers and perform his or her functions and duties'.

This provision exists more in principle than actual machinery, making funding decisions independent of executive government. The Auditor-General is required to submit annual budget requests to its executive government which is still dictating annual appropriations for the parliament and integrity offices, including the OAG.

The Auditor-General's audits of government departments are funded by parliamentary appropriations, and the Auditor-General also relies on charging fees for certain audits (section 20 of the *Audit Act 2025*). Previously the government had reclaimed those fees, but since 2025 the Auditor-General has been able to retain this funding and determine how it is expended. Nevertheless, greater financial independence is needed for the Auditor-General to have greater discretion about future planning.

A first step towards better practice would require the Public Accounts Committee to consult with the Auditor-General about the required annual appropriation and then report to parliament on the amount recommended, with an expectation that the government will include the amount or be required to table an explanation if a lesser amount is included in the appropriation bill.

New South Wales

Figure 37: NSW's overall independence score

Score	2025	2020	% of total possible	Ranking 2025	Ranking 2020
317	260		83%	4	8

Principal act: *Government Sector Audit Act 1983*

Other significant: *Government Sector Finance Act 2018*

Legislative or other relevant developments

The most notable purpose of the *Government Sector Audit and Other Legislation Amendment Act 2022* was to enable the Auditor-General to conduct follow-the-dollar type performance audits.

More recently, the *Government Sector Audit Amendment (Performance Audit Reports) Act 2025* now affords the Auditor-General the opportunity to present a report to parliament on a confidential basis if the Auditor-General does not consider it in the public interest for the report to be made public as soon as practicable after making the report. Such a report would be tabled and made public no more than 6 months after the making of the report or after the occurrence of a particular event, whichever comes first.

Jurisdictional context

NSW has benefited from legislative reforms since 2020. Amongst other things, the reforms have given the Auditor-General independent officer of parliament status and certain follow-the-dollar powers.

Agencies generally respond well to information requests. Sometimes there are different views as to whether requested information is 'Cabinet-in-confidence' or subject to legal professional privilege, but these assessments about information classification are generally resolved at an officer level without limiting the scope of an audit. If the Auditor-General decides it is in the public interest and necessary for the exercise of his functions to disclose Cabinet-in-confidence or legal professional privilege information in a report, the Auditor-General can do so – unless the Premier certifies that they are of the opinion that the disclosure is not in the public interest.

The Auditor-General's follow-the-dollar powers are important given the prevalence of public-private partnerships and NGOs delivering government services. Performance audits that use follow-the-dollar powers can require more nuanced stakeholder engagement strategies so that the relevant entities understand and effectively participate in the audit process.

Relationship with parliament

The Auditor-General has a productive relationship with the Public Accounts Committee, with briefings held quarterly. The Public Accounts Committee consults with the Auditor-General before deciding which reports the Public Accounts Committee will follow-up with government agencies. The Auditor-General also makes themselves available to meet with all members of parliament.

The Public Accounts Committee now has a role in examining and reporting on the budget allocation to the Auditor-General. Section 57 of the *Government Sector Audit Act 1983* provides the Public Accounts Committee with this role. Section 4.14B of the *Government Sector Finance Act 2018* requires the Treasurer to advise the Public Accounts Committee of the Auditor-General's budget allocation and provide information on any variation to funding requested by the Auditor-General. This process was introduced in 2024, through the *Government Sector Finance Amendment (Integrity Agencies) Bill 2024*.

The Audit Office of New South Wales's funding is based on a fee for financial audits and a government contribution for performance audits and reporting the results of financial audits in the report to parliament.

Ministers, the Treasurer and parliament can, following consultation with the Auditor-General, make formal requests for audits under section 27B(3) of the *Government Sector Audit Act 1983*, which must be acted on after the Auditor-General agrees on the scope of the audit. From time to time, other members of parliament also request or suggest audits. For transparency, the current practice is that the Auditor-General publishes a summary of requests from all members of parliament and ministers, along with information about if and when this work will be undertaken.

Public engagement

The public can make submissions to the Auditor-General through its website. These views and insights can inform areas of focus in the forward audit program.

The Auditor-General does not do media releases but ensures that all reports have a clear executive summary and a report snapshot. The communications team receives and responds to media queries.

Strengths and vulnerabilities

Follow-the-dollar

The amendments made to the *Government Sector Audit Act 1983* and *Local Government Act 1993* in 2022 provide the Auditor-General with practical follow-the-dollar powers, which are important as governments extensively engage with non-public entities to carry out public policy and expend publicly provided funds.

Financial independence

The recent formalisation of the role of the Public Accounts Committee in examining the Auditor-General's budget allocation is a step in the right direction and improves transparency. The Audit Office of New South Wales is also not subject to any government efficiency savings. This follows the government implementing recommendations arising from the Public Accountability Committee's inquiry into the budget process for independent oversight bodies.

Vulnerability

The Auditor-General has access to confidential information (including Cabinet-in-confidence and legal professional privilege), however the discretion to disclose this information in a report is constrained if the Premier decides that publication is not in the public interest (section 36A of the *Government Sector Audit Act 1983*).

New Zealand

Figure 38: New Zealand's overall independence score

Score	2025	2020	% of total possible	Ranking 2025	Ranking 2020
314	313		82%	5	2

Principal act: *Public Audit Act 2001*

Legislative or other relevant developments

There have not been significant amendments to the *Public Audit Act 2001* since the 2020 report.

Jurisdictional context

The Auditor-General generally has sound powers and a healthy political operating environment. Although the *Public Audit Act 2001* is 25 years old, the Auditor-General's work is enabled through positive conventions regarding independence. The Auditor-General's audits, including performance audits, are tabled in the parliament.

The Auditor-General has experienced some delays in entities providing required information for different reasons, but this has not been at the level of non-compliance with information requests.

Relationship with parliament

The balance between parliamentary power and executive government power and influence in New Zealand is healthier than in many other Australian and Pacific jurisdictions, in part helped by the electoral system and the finely balanced political representation in the House. Most notably, the New Zealand Auditor-General is an officer of parliament in more than symbolic terms.

All mandated work is fee-based, which accounts for 85% of total funding, leaving only 15% of the budget dependent on annual appropriation. With few exceptions, the Office of the Auditor-General does not charge for performance audits. The appropriation is set by an officers of parliament committee, chaired by the Speaker, based on submissions and a Treasury official who steps out of their government role for the purpose of advising the committee.

Public engagement

The Auditor-General does not have a legislated education function.

The Auditor-General takes several approaches to increasing public support for the work of Auditor-General, including annual public surveys and a Māori advisory group, which meets biannually. The Auditor-General provides advance, embargoed copies of reports to the media and invites

media interviews. Because many members of parliament don't read all Auditor-General reports, the media coverage is helpful to amplify the Auditor-General's work and encourage an outcome in parliament. This is important given that the government is not statutorily required to respond to a report.

Strengths and vulnerabilities

Genuine officer of parliament

Some jurisdictions prescribe their Auditors-General to be officers of parliament, but then legislative provisions are inconsistent with this principle, such as appointment processes with undue executive government influence. In New Zealand the appointment process and selection of the Auditor-General and the Deputy Auditor-General are clearly in the hands of the parliament (Part 2 of the *Public Audit Act 2001*).

Government responses to reports

Legislation does not force the government to respond to recommendations in reports. The power of the Auditor-General is a soft power role and sometimes public support and goodwill are needed for the Auditor-General's reports to have influence. The ACT's statutory requirement that the minister must provide a response to a report within 4 months of tabling is an amendment that would be consistent with the prominence of the role of the Auditor-General in supporting the work of the New Zealand parliament.

Vulnerability – audit coverage

There is no requirement in the *Public Audit Act 2001* that the audit mandate and coverage of the Auditor-General be reviewed periodically. While the Auditor-General in New Zealand is generally well-placed to carry out an effective role, there is a risk that a 25-year-old act will be out of date in terms of empowering the Auditor-General to audit the performance of non-public entities or off-budget entities, in effect to follow-the-dollar as governments increasingly look to achieve public policy outcomes and service delivery with third parties.

Northern Territory

Figure 39: The Northern Territory's overall independence score

Score	2025	2020	% of total possible 2025	Ranking 2025	Ranking 2020
192	186		50%	12	10

Principal acts: *Audit Act 1995*
Financial Management Act 1995

Legislative or other relevant developments

Although not impacting the scoring of factors, in August 2025 the *Public Information Act 2010* was amended. The *Public Information Act 2010* had previously compelled the Auditor-General to undertake a review of a matter referred by a member of parliament. This obligation presented a risk of politicising the office and distracting resources from audit work. The responsibility now rests with the Ombudsman.

On 25 November 2025, the Legislative Assembly of the Northern Territory passed the *Integrity and Ethics Commissioner Bill 2025*, which among other things provides for the oversight of the Auditor-General by the Integrity and Ethics Oversight Inspector. The inspector will have the power to evaluate, at their discretion, the performance of the Auditor-General's functions or any aspect of the Auditor-General's operations. The inspector will also have wide-ranging powers to investigate complaints about the Auditor-General or members of the Auditor-General's staff, including the staff of contracted private sector audit firms. Although the inspector's powers do not extend to questioning the Auditor-General's audit judgement, methodologies or opinions, the legislation will further weaken the independence of the role of Auditor-General in the Northern Territory and in effect transfer the oversight of the Auditor-General away from parliament.

Jurisdictional context

The Northern Territory Auditor-General's Office operates without a Deputy Auditor-General and specialist audit staff. Its current structure comprises 3 audit staff and 2 corporate support and administration staff. The Auditor-General contracts out all audits to Northern Territory firms. This outsourcing model was established in 1982 to address both the difficulty in attracting and retaining appropriately qualified auditors and the intent of the then-government to support the growth of private sector audit firms.

The Northern Territory more generally has institutional shortcomings, which result in the Legislative Assembly and its officers lacking protection from executive government influence. Although the *Audit Act 1995* provides that the Auditor-General is appointed by the Administrator on the recommendation of the Assembly (section 4) and that the Auditor-General is independent (section 12A), it then obliges the Auditor-General to conduct any special audit (section 14) or performance management system audit (section 15) as directed by the Chief Minister or at the request of any minister (section 28).

The audit legislation does not provide the Auditor-General with a performance examination function. The Auditor-General is given discretion to undertake a performance management system audit.

Technically, the Auditor-General has follow-the-dollar powers, but only if a minister requests audits.

The Auditor-General's reports have at times been misrepresented in parliamentary debates. The Auditor-General does not have a right of reply.

Some statutory authorities are not required to have their financial statements audited and therefore avoid financial statements audits by the Auditor-General and in some cases avoid audits altogether. Examples include the AustralAsia Railway Corporation, Tourism Northern Territory, the Office of the Public Trustee, The Nominal Insurer, and other bodies established by law to carry out regulatory and other specific public functions.

Relationship with parliament

In March 2025 the Auditor-General signed a memorandum of understanding with the Public Accounts Committee, which includes 3 government members, one opposition member and one crossbencher in its composition. The Northern Territory Auditor-General's Office is reviewed every 3 years, but this is led by government, which only has to consult the Public Accounts Committee and the Auditor-General on the appointment and terms of reference (section 26 of the *Audit Act 1995*). The reviewer is appointed by the Administrator. The remuneration of the appointee is paid for by the Northern Territory Auditor-General's Office.

Public engagement

The Auditor-General provides briefings to members of parliament about audits and reports. The Auditor-General regards their primary audience (in order of priority) as members of parliament, the public and the media. In all 3 groups, literacy about the Auditor-General and its role in the Northern Territory democracy is low. At the most recent election, 12 of the 25 elected members were new to parliament.

Strengths and vulnerabilities

Governance

Although the Northern Territory has a role for the parliament in deciding who to appoint as Auditor-General, the *Audit Act 1995* is deficient by failing to provide for a Deputy Auditor-General and leaving the executive government to make decisions to appoint an Acting Auditor-General. The person appointed as Acting Auditor-General must meet the same eligibility requirements as the Auditor-General and the appointment is by the Administrator. The oath must be administered by either the Administrator or the Chief Minister.

Better practice would be achieved by establishing the Deputy Auditor-General in the *Audit Act 1995* and having their appointment decided by the Auditor-General or parliament and that the Deputy Auditor-General acts in the absence of the Auditor-General.

Audit mandate

The Northern Territory stands out for the absence of statutory power for the Auditor-General to undertake performance examinations.

Financial independence

There is no statutory provision of financial independence from executive government in how the Auditor-General's annual appropriation is determined.

Papua New Guinea

Figure 40: Papua New Guinea's overall independence score

Score	2025	2020	% of total possible 2025	Ranking 2025	Ranking 2020
219	– ¹⁹		57%	11	–

Principal acts: *Constitution of the Independent State of Papua New Guinea 1975*
Audit Act 1989

Other significant: *Organic Law for Certain Constitutional Office Holders*

Legislative or other relevant developments

The Audit Act 1989 was significantly amended in 1995 and 1996, but it has not been significantly amended since.

Jurisdictional context

Government departments are generally not responsive to information requests in a timely manner. The Auditor-General has not tested its access to Cabinet documents.

Financial independence is a challenge for the Auditor-General. The *Constitution of the Independent State of Papua New Guinea 1975* provides that the Auditor General's Office of Papua New Guinea is funded appropriately. The Prime Minister (who is the administrative officer for the Auditor General's Office of Papua New Guinea) and the Public Accounts Committee endorse the Auditor-General's budget submission. This has then been followed by Treasury appropriating a lesser amount – less than what the Auditor General's Office of Papua New Guinea requires to carry out its functions. The Auditor-General can charge fees for audits of state-owned enterprises and 50% of these audits are outsourced to private firms.

The Auditor General's Office of Papua New Guinea's debt owed to the tax office is twice its annual appropriation. This leaves the Auditor-General with a cash-flow problem because appropriation is paid monthly by the Treasury and is often paid late. It also risks the Auditor General's Office of Papua New Guinea pursuing reviews of state-owned enterprises (for which it can charge) rather than government departments (for which it cannot).

Given the complexity of Papua New Guinea's government structure – with 3 levels of government including 22 provinces and 96 districts – the Auditor-General does not have resources to audit them all and therefore takes a risk-based approach to selecting reviews.

Literacy about the role of the Auditor-General is low. The Auditor-General is often misreported or misrepresented by the government, members of parliament and the media. Some ministers have challenged audit opinions in reports.

Relationship with parliament

Although the *Constitution of the Independent State of Papua New Guinea 1975* establishes the Public Accounts Committee, the Auditor-General's relationship with the committee has been in hiatus for the last decade. The Public Accounts Committee Chair is always from the governing party. The 2 most recent chairs left the position to take up ministerial appointments.

The Auditor-General is required to report to the parliament on audits conducted at least annually, but is also able to make other reports in the interim. Despite section 7(4) of the *Audit Act 1989* providing that the Auditor-General shall 'submit to the Speaker for presentation to the Parliament' reports of a special or urgent nature, the Speaker has delayed or not tabled certain reports. An amendment to the *Audit Act 1989* to require automatic tabling would remove this problem.

Public engagement

In lieu of the Auditor-General's reports being tabled in parliament and with a lack of media interest, civil society organisations, such as Transparency International, have taken on the role of communicating Auditor-General report findings to the public. There is a need for ongoing advocacy and awareness of the Auditor-General's role and the value of auditing among people in elected office and people in public governance roles.

¹⁹ Papua New Guinea participated in this survey for the first time in 2025.

Strengths and vulnerabilities

At face value, Papua New Guinea has a number of strengths, including establishment of the Auditor-General and Public Accounts Committee in the *Constitution of the Independent State of Papua New Guinea 1975* and an expectation in both the constitution and *Audit Act 1989* that the Auditor-General's reports will be tabled in parliament. However, the scoring model for legislative factors assumes that governments, members of parliament and presiding officers will comply with the written law. In some cases, a legislative factor with a high score may benefit from amendment to put its meaning beyond doubt.

Governance

The legal framework for governance and independence would be improved by providing for a statutorily appointed Deputy Auditor-General and for appointment and removal provisions for the Auditor-General and Deputy Auditor-General that are the responsibility of the parliament, not the executive government.

Reports to parliament

For the avoidance of doubt, relevant legislation should provide that reports be submitted by the Auditor-General at any time to the Speaker and the Clerk of parliament. The reports must be presented to parliament without delay. If the parliament is not sitting, the Clerk of parliament should be statutorily required to transmit the report to all members of parliament not later than one business day after the Auditor-General forwards the report to the Clerk of parliament.

Financial independence

The key challenge for the Auditor General's Office of Papua New Guinea is the lack of understanding about the role of the Auditor-General and its critical function for democratic accountability and transparency. This lack of understanding can be witnessed in the way the office is underfunded (including its tax treatment) and the way the findings are silenced or subject to political comment and misrepresentation. Education of members of parliament is important, so they understand the vital democratic function of the Auditor-General and particularly its role in combatting corruption.

The financial independence of the Auditor-General would be improved if the *Audit Act 1989* was amended to provide that the Public Accounts Committee, and ultimately the parliament, mandate the annual appropriation for the Auditor-General, rather than simply recommended to executive government. Such a provision will only be effective if the Public Accounts Committee takes on a sponsoring role for the Auditor-General.

Queensland

Figure 41: Queensland's overall independence score

Score	2025	2020	% of total possible 2025	Ranking 2025	Ranking 2020
343	306		90%	1	4

Principal act: Auditor-General Act 2009

Legislative or other relevant developments

The Auditor-General Act 2009 was amended by the *Integrity and Other Legislation Amendment Act 2022* and *Integrity and Other Legislation Amendment Act 2024*, with a particular emphasis on improving the managerial and financial independence of the Auditor-General.

Jurisdictional context

The 2022 *Review of culture and accountability in the Queensland public sector* included a chapter on Auditor-General independence:

An obvious consideration for this Review is that, in 2020, the Australasian Council of Auditors General ranked the Queensland Auditor-General sixth out of 10 Australasian jurisdictions in terms of independence.²⁰

The review advocated increased independence for the Auditor-General and Queensland Audit Office (QAO) staff, among other things. Amendments to the Auditor-General Act 2009 following the review made some improvements to the independent status and operations of the QAO.

Relationship with parliament

The *Parliament of Queensland Act 2001* establishes portfolio committees with responsibilities for public accounts and public works. This includes assessing the integrity, economy, efficiency and effectiveness of government's financial management by considering the annual and other reports of the Auditor-General.

Schedule 6 of the *Standing Rules and Orders of the Legislative Assembly* assigns the Governance, Energy and Finance Committee with oversight responsibilities for the Auditor-General. The *Standing Rules and Orders of the Legislative Assembly* requires all reports of the Auditor-General to be referred to the relevant portfolio

committee(s) for consideration as soon as practicable after they are tabled in the Assembly. The *Standing Rules and Orders of the Legislative Assembly* also includes a Code of Practice for Assistance to Portfolio Committees by the Auditor-General and the QAO.

However, as Queensland has a unicameral parliament, there are limits on the independence of the committee structure.

The Auditor-General can charge audit fees, but the rate of those fees requires approval by the parliamentary oversight committee. Performance audits are funded through appropriation. The Auditor-General's salary is negotiated.

Part 2, division 6 of the *Auditor-General Act 2009* provides a mechanism for the Auditor-General to seek 'additional funding' through the parliamentary oversight committee.

The Auditor-General is subject to an efficiency and economic review every 5 years, with terms of reference determined by the parliamentary oversight committee.

The Auditor-General has a stakeholder engagement plan. The Auditor-General meets with ministers at least once a year. Part of the Deputy Auditor-General's role is to engage with members of parliament and parliamentary portfolio committees. The QAO follows up on whether recommendations have been implemented and reports this data to parliament.

The Legislative Assembly, by resolution, can require the Auditor-General to conduct an audit of a matter relating to the financial administration of a public sector entity. Members of parliament can also request an audit. The Auditor-General publishes the request on the QAO website, including whether the Auditor-General intends to do the audit.

²⁰ *Let the sunshine in: Review of culture and accountability in the Queensland public sector – Final Report*, Professor Peter Coaldrae AO, 2022.

Public engagement

Reports are written so they can be understood by members of parliament, the public and the media, and simplicity is seen as vital for engagement.

There is no legislative requirement for the Auditor-General to undertake an education function, and the Auditor-General does not do media interviews.

The public can request an audit and make suggestions for audit topics through the QAO website. QAO receives less than 100 suggestions each year.

Strengths and vulnerabilities

Legal framework, independence, reporting line

The functions of parliamentary oversight include:

- recommending QAO's annual appropriation to the Premier and Treasurer
- monitoring the Auditor-General's work
- conducting periodic reviews of the Auditor-General's functions and the performance of those functions through strategic reviews.

A key strength of the *Auditor-General Act 2009* is the power for the Auditor-General to exercise discretion over whether information should be withheld from a public report on public interest grounds specified in section 66. In such cases, the Auditor-General is required to report the non-public information to the parliamentary committee.

Vulnerability

In the unicameral parliament, the effectiveness of the QAO depends on the government of the day recognising its importance and independence. There are no structural impediments to stop future governments, unsympathetic to the democratic function of the QAO, to erode its independence and capacity.

South Australia

Figure 42: South Australia's overall independence score

Score	2025	2020	% of total possible	Ranking 2025	Ranking 2020
259	244		68%	10	9

Principal act: *Public Finance and Audit Act 1987*

Legislative or other relevant developments

The *Statutes Amendment (Ombudsman and Auditor-General) Act 2023* amended the *Public Finance and Audit Act 1987*, which now provides that the salary and allowances of the Auditor-General are determined by a remuneration tribunal.

Jurisdictional context

The *Public Finance and Audit Act 1987* is administered by the Treasurer. The Audit Office of South Australia is an administrative unit created under the *Public Sector Act 2009*. The Audit Office of South Australia is considered to be part of the Premier's portfolio for budget reporting purposes.

The Auditor-General has no legislated mechanism to secure its budget. Recent practice has not seen the Audit Office of South Australia participate in the annual budget development process. The government does not invite the Auditor-General to make a submission and simply makes an annual appropriation without consultation. The Auditor-General collects audit fees, which are paid directly into the consolidated account. They are not retained to fund the activities of the audit office.

Legislation provides that the Auditor-General can access all information. Government policy (Premier and Cabinet circular) requires all information requests relating to information contained in or attached to Cabinet submissions to go through the Premier's office. Release of information to the Auditor-General is at the discretion of the Cabinet.

The Auditor-General must do financial audits but 'may' do performance audits. The Auditor-General may do efficiency and economy audits of local government.

Relationship with parliament

South Australia does not have a public accounts committee. There is no legislated periodic strategic review of the operations of the Audit Office of South Australia. The Auditor-General gives evidence before the Economic and Finance Committee (Legislative Assembly) and Budget and Finance Committee (Legislative Council) by invitation

annually (usually after the tabling of the annual report in early October).

Member of parliament's understanding of the role of the Auditor-General is reasonable, but members of parliament sometimes make the mistake of thinking they can refer audits to the Auditor-General.

Public engagement

The Audit Office of South Australia publishes all reports on its website and strives to present engaging reports with clear insights. The Auditor-General is not prevented from providing community education.

Strengths and vulnerabilities

Legislative framework and independence

There is no separate act establishing the Auditor-General and their functions. The position of the Auditor-General in relation to various powers and independence would benefit from a program of legislative reform that commences with separating out the Auditor-General from the *Public Finance and Audit Act 1987*. This should then include a clear description of the status of the Auditor-General and separating the appointment process from the control of the executive government. By extension, an amended act should also address serious shortcomings in financial independence and managerial autonomy.

Audit mandate, coverage, access to information and reports

The *Public Finance and Audit Act 1987* provides a good level of audit mandate and the ability for the Auditor-General to access information and report on the audits undertaken. This strength is slightly offset by the absence of a Public Accounts Committee, which could focus on following up on the Auditor-General's work. The establishment of a Public Accounts Committee would also assist many of the other objectives in the paragraph above.

Tasmania

Figure 43: Tasmania's overall independence score

Score	2025	2020	% of total possible	Ranking 2025	Ranking 2020
306	306		80%	7	4

Principal acts: Audit Act 2008

Other significant: Financial Management Act 2016

Legislative or other relevant developments

There have been no significant legislative amendments impacting the scoring of factors for Tasmania since 2020.

Jurisdictional context

Tasmania is Australia's smallest and least populous state with an estimated population of 575,756 as of December 2024 (from the Australian Bureau of Statistics). The roles of the Auditor-General and Audit Tasmania are established under the *Audit Act 2008* and the *State Service Act 2000* respectively.

The role is to provide assurance to parliament and Tasmanians on the performance of public sector entities. Four parliamentary reports on the audits of financial statements of state entities and audited subsidiaries are provided each year.

Audit Tasmania audits state entities financial reports providing 124 opinions on state entities' financial reports, one opinion on the Treasurer's Annual Financial Report, one opinion on the public account and 98 audits by arrangement, including regulatory audits and financial acquittals.

Relationship with parliament

At the discretion of the Auditor-General, around 5 reports are also provided each year on the outcomes of performance or compliance audits, examinations or investigations to the parliament, the Joint Standing Committee of Public Accounts, or the Joint Standing Committee on Integrity.

The audit program is developed with statutory consultation requirements with the Public Accounts Committee and a robust engagement process across the parliament, public sector and other stakeholders to ensure focus on topics that matter to Tasmanians. However, the audit coverage is limited by the resources provided, which are subject to the state sector budget process under the portfolio responsibility of the Treasurer.

Public engagement

The Auditor-General has no statutory obligation to provide education.

Strengths and vulnerabilities

The *Audit Act 2008* empowers the Auditor-General to obtain any information that is required for the conduct of an audit. However, in practice, this power has been limited by an opinion of the Solicitor-General that restricts access to Cabinet documents on the basis that the *Audit Act 2008* does not override the public interest immunity for such documents.

Under the *Audit Act 2008*, the Treasurer appoints an independent reviewer (a registered company auditor) to review the efficiency, effectiveness and economy of Audit Tasmania. The review process would be improved if a consistent approach was adopted to like reviews across all ACAG offices. Reviews could leverage existing benchmarking activities across financial, quality and stakeholder engagement metrics. The review process could also be improved through increased engagement of the relevant parliamentary oversight committee.

Audit mandate, access to information and reports

While noting the issue in relation to access detailed above, audit mandate, access to information and reports are all legislative strengths for the Auditor-General. But this is offset by certain vulnerabilities, including a lack of financial independence from executive government.

Appointment, financial independence and managerial autonomy

The process for appointment of the Auditor-General could be improved through providing parliamentary input, through the involvement of the Public Accounts Committee in the process. A similar arrangement for oversight of the office's budget process would also enhance the independence of Audit Tasmania.

Victoria

Figure 44: Victoria's overall independence score

Score	2025	2020	% of total possible 2025	Ranking 2025	Ranking 2020
324	299		85%	3	6

Principal acts: *Constitution Act 1975
Audit Act 1994
Financial Management Act 1994*

Other significant: *Public Administration Act 2004*

Legislative or other relevant developments

There have been no significant amendments to legislation in Victoria since 2020.

Jurisdictional context

Victoria has a bicameral parliament. It is unusual for a party to win a majority in the Legislative Council (upper House) and currently crossbench members of parliament hold the balance of power when the government and opposition have an opposing view on a bill or motion. The party in government was elected in 2014 and has won 2 further elections, enjoying a large majority in the lower House and entrenching its influence across the broader government sector.

In 2024, the outgoing Victorian Ombudsman observed:

My experience of Cabinet-In-Confidence documents in particular suggests this shield is increasingly being used to protect government secrecy at the expense of accountability.²¹

More generally the Ombudsman reflected on an earlier inquiry into politicisation of the public service, which she was directed to undertake by the Legislative Council, but that overlapped with her own concerns about creeping politicisation of the public service.²²

Notwithstanding that Victoria scores and ranks relatively highly, the culture of entrenched power of executive government creates real-world challenges for financial independence, unchallenged access to information and even infrequent public attack by government.

For example, following the publication of the Auditor-General's 2025 report into the management of large government capital projects, the Minister for Transport Infrastructure accused the Victorian Auditor-General's Office of failing to uphold principles of 'integrity and professionalism'.²³

Relationship with parliament

The predominance of executive government power is further evidenced by the long-standing practice that the chair of the Public Accounts Committee is a government-party member, despite the committee being a joint committee of both Houses. In contrast, the chair of the Integrity and Oversight Committee is a member of a minor party. The Integrity and Oversight Committee is responsible for monitoring and reviewing the performance of the following agencies:

- Independent Broad-based Anti-corruption Commission
- Integrity Oversight Victoria
- Office of the Victorian Information Commissioner
- Parliamentary Workplace Standards and Integrity Commission
- Victorian Ombudsman.

²¹ *Reflections on 10 years*, Victorian Ombudsman, 2024.

²² *Reflections on 10 years*, Victorian Ombudsman, 2024.

²³ 'Auditor-General finds lack of transparency in reporting around major Victorian government projects', ABC News, 19 February 2025.

Public engagement

One way in which integrity agencies can address misrepresentation of their work and lack of public awareness is to exercise an education function. While some Auditors-General have a statutory education function, Victoria does not and therefore is not funded to provide the function.

Strengths and vulnerabilities

Audit mandate and coverage

Victoria's legislative strengths are found in the broad audit mandate and coverage provided by the *Audit Act 1994*.

Operational independence

Although Victoria scores in the mid-range for Principle 8 (financial, managerial and administrative autonomy and availability of appropriate resources) it is notably weak in the related and key aspects of operations, including financial independence, office autonomy and staffing independence. The lack of financial independence is consistent with the inappropriate level of executive government control over the annual budget of the parliament, a symptom of the political context in Victoria, described above.

On the other hand, Victorian parliamentary department heads employ their staff as parliamentary officers, distinct from public servants, in accordance with the *Parliamentary Administration Act 2005*. NSW, Queensland and New Zealand have legislated to expressly establish the staff of the Auditor-General as being separate from the public service.

Western Australia

Figure 45: Western Australia's overall independence score

Score	2025	2020	% of total possible 2025	Ranking 2025	Ranking 2020
309	310		81%	6	3
Principal act:	Auditor General Act 2006				
Other significant:	Financial Management Act 2006				

Legislative or other relevant developments

The Auditor General Amendment Act 2022 is not operative because it has not been proclaimed following royal assent (see commentary in jurisdictional context below).

Jurisdictional context

The Auditor-General in Western Australia generally enjoys good respect for the office and a good legislative framework.

There has, on occasion, been Executive influence in the release of information, particularly regarding requests for Cabinet documents. The requirement under the Cabinet handbook (not the Act) of information requests being approved by Cabinet undermines the Auditor-General's independence. Western Australia scores highly for legislative provisions supporting access to information, but this is partly offset by section 82 of the *Financial Management Act 2006*, which enables the minister to withhold certain information from the parliament, albeit the minister is required to advise parliament of the reasons for the decision.

A notable legislative development occurred with the passage of the Auditor General Amendment Act 2022, which is not operative because it has not been proclaimed following royal assent. The Auditor General Amendment Act 2022 sought to amend the Auditor-General's information-gathering powers and certain confidentiality requirements. It was hoped that the act would be an appropriate response to the Office of the Auditor General for Western Australia's experience of prolonged impediments to consistent timely access to all information relevant to its statutory auditing functions and responsibilities (mainly documents subject to claim of public interest immunity under Cabinet confidentiality and legal professional privilege).

Both the Auditor-General and the Joint Audit Committee of the Parliament have publicly expressed serious concerns about the practical effect of the Auditor General Amendment Act 2022, if it ever comes into operation. The Auditor-General has noted:

*a number of amendments relate to changes to the Auditor General's procedural fairness and reporting provisions. These are areas where the existing legislative provisions were working well and the need for amendment had not been demonstrated or reported by successive Auditors General or the Parliament.*²⁴

Among other things, the Auditor-General specifically noted that provisions in the Auditor General Amendment Act 2022 would diminish the discretion of the Auditor-General to report in the public interest and risk some material being inappropriately protected.²⁵ The Joint Audit Committee of the Parliament then considered the Auditor General Amendment Act 2022 as part of its statutory review function in 2024. The committee noted that the Auditor-General has dealt with sensitive information responsibly²⁶ and went on to express its concern that:

*the unproclaimed arrangements will unduly reduce the Auditor General's discretion to determine what is reported or communicated to Parliament and its parliamentary oversight committees.*²⁷

²⁴ Annual Report 2022–2023, Office of the Auditor General (Western Australia), 2023.

²⁵ Annual Report 2022–2023, Office of the Auditor General (Western Australia), 2023.

²⁶ Second review of the operation and effectiveness of the Auditor General Act 2006, Report 1, Joint Audit Committee, 2024.

²⁷ Second review of the operation and effectiveness of the Auditor General Act 2006, Report 1, Joint Audit Committee, 2024.

Relationship with the parliament

The Office of the Auditor-General for Western Australia has a good working relationship with the Public Accounts Committee and the Estimates and Financial Operations Committee. The Auditor-General has a memorandum of understanding with the Public Accounts Committee and meets privately 2 to 3 times a year with each committee. Section 8 of the *Auditor General Act 2006* requires the Auditor-General to 'have regard' to the audit priorities of the Houses, the Public Accounts Committee or the Estimates and Financial Operations Committee when settling its audit plans.

Public engagement

The Auditor-General sees the benefit of engaging with the community through the media and notes that a credible and independent reputation is important to the effectiveness of the office and trust in government.

Strengths and vulnerabilities

Review of Act

Section 48 of the *Auditor General Act 2006* provides that a joint committee of the parliament is to oversee a 5 yearly review of the act. While review provisions exist in some other jurisdictions, the *Auditor General Act 2006* in Western Australia expressly requires review of:

how the process for appointing an Auditor General has operated in practice; and whether the Auditor General's information gathering powers are adequate, particularly in relation to claims of legal professional privilege and Cabinet documents; and the impact of any exercise of the power to audit certain accounts of related entities; and the efficiency and effectiveness of the provisions for dealing with confidential information.

While this does not guarantee that executive government will respond positively, the specific areas of review are crucial for effectiveness of the independent audit function and recognising that audit issues are not static. The legislative provision is a strength.

Discretion

Section 8 of the *Auditor General Act 2006* requires the Auditor-General to consult with the Legislative Assembly's Public Accounts Committee and the Legislative Council's Estimates and Financial Operations Committee when establishing annual audit plans, but the Auditor-General must retain discretion over final audit decisions.

Inappropriate function

The Auditor-General is required to perform the role of an arbiter when the government refuses to provide information to parliament on the basis of claims of Executive privilege or public interest immunity. This responsibility is a distraction and has the potential to put the Auditor-General in the middle of political disputes and should be removed from the Auditor-General's responsibility. In NSW (Legislative Council) and the ACT, the role is performed by a legal arbiter appointed by the parliament.

Appendices

Appendix 1: Scoring and assessing independence in 2025 – alternatives

In addition to the INTOSAI and ACAG survey and scoring model used in 2009, 2013 and 2020, consideration has been given to alternative approaches and recent assessments of frameworks.

Inspectors General: Independence Principles and Considerations for Reform, U.S. Government Accountability Office, 2020

This report:

1. provides information on the key independence principles that auditors and audit organisations, including the Office of Inspector General, must consider
2. presents an evaluative framework for how these independence principles could be applied through ongoing inspectors general reform efforts
3. provides reform options that Congress could consider.

Insights from Supreme Audit Institutions: Report 4 in PASAI's Accountability and Transparency Series – How effective are Pacific SAIs in supporting good governance, accountability, transparency, and integrity in a changing world?, Pacific Association of Supreme Audit Institutions, 2023

The findings in this report are based on an assessment of survey responses from 21 Pacific Supreme Audit Institutions (SAIs), interviews with Pacific Public Auditors and Auditors-General, and consideration of other reports on accountability and the role and performance of SAIs in the Pacific. The report notes:

More than 75% of the Pacific SAIs surveyed recounted examples of limitations to their independence. Our work shows that this has affected the ability of SAIs to recruit, promote, and retain staff; to build enough capability more generally; and to publicise their work and engage with the executive, Parliament, and the public effectively.

International Journal of Government Auditing, Volume 48: No. 1, INTOSAI, 2021

This edition, which focused on combating corruption, found that SAI and legislative oversight and public participation in the budgetary process are key success factors in promoting transparency and curbing corruption:

Results strongly support the Moscow Declaration, which calls for SAIs to enhance the value of public auditing by extending audit-based advice to parliament, government and public administration on important and strategic issues.

Supreme Audit Institutions Independence Index: 2021 Global Synthesis Report, World Bank Group, 2021

The report provides a significant alternative approach to assessing independence. The model uses 10 'indicators'. All 10 can be found in 7 of the 8 INTOSAI principles. There is no indicator that equates to the INTOSAI principle 7: Appropriate mechanisms to follow-up on audit recommendations.

The World Bank Group's 10 indicators are:

1. Constitutional and legal framework
2. Transparency in the process for appointing the head of the SAI
3. Financial autonomy
4. Types of audits
5. Operational autonomy
6. Staffing autonomy
7. Audit mandate
8. Audit scope autonomy
9. Access to records and information
10. Right and obligation on audit reporting.

For each indicator, a rating of one is given to SAIs for fully meeting the criteria, 0.5 for partially meeting the criteria, and zero for not meeting the criteria. An overall score of 10 means that the SAI fully met all independence criteria. The criteria for each indicator are based on questions with a 'yes' or 'no' answer to various questions and includes an assessment of actual and perceived attributes that may lead to a 'partial' score of 0.5 for the indicator.

The model is less precise than the ACAG survey. For example, in relation to appointment of the Auditor-General, there is no distinction and scale of scores in the World Bank Group model based on whether a parliamentary committee is consulted, has a right or veto or makes the recommendation for the appointment. While the World Bank Group model is sound and provides comparable data for the various regions of the world, it relies on a higher level of subjective assessment than the ACAG model.

SAI Independence: Literature Review on Supreme Audit Institution Independence – Occasional Paper No.1, INTOSAI IDI, 2021

This study found that there are 4 criteria that appear consistently in academic criteria for independence:

- a codified guarantee of independence in the constitution or subsequent legislation
- the power to choose what to audit, how to audit, and when to audit
- adequate financial resources for the SAI to fulfill its mandate
- an appointment and removal process for senior SAI decision-makers that ensures their independence from audited entities.

The study went on to note significant omissions from the criteria for independence and interpretations of certain criteria as accountability, rather than independence factors:

The academic literature rarely mentions unrestricted access to information. Additionally, the academic literature tends to consider SAI obligations to report on their work as demonstrating that SAIs themselves are adhering to accountability norms, rather than as an indicator of independence. Some scholars have noted the paucity of comparative research on how or whether SAIs are able to use follow-up mechanisms to ensure their recommendations are implemented. However, they treat this as a limitation on evaluating SAI efficacy, not as an independence question.

Conclusion

This analysis by Beka Feathers INTOSAI IDI puts the ACAG model developed by Dr Gordon Robertson in 2009 into context. By identifying legislative factors under all 8 INTOSAI independence principles, all aspects, including access to information and report follow-up mechanisms, are captured by the ACAG model. The challenge for the ACAG model is the significant variation in the number of legislative factors under each INTOSAI principle, which the World Bank Group model (above) avoids. The vastly different number of factors under each principle in the ACAG model could lead the reader to conclude that some principles are more important than others. It is therefore important to present the data in a variety of formats and to include qualitative assessments of independence in addition to raw scores for the 60 legislative factors.

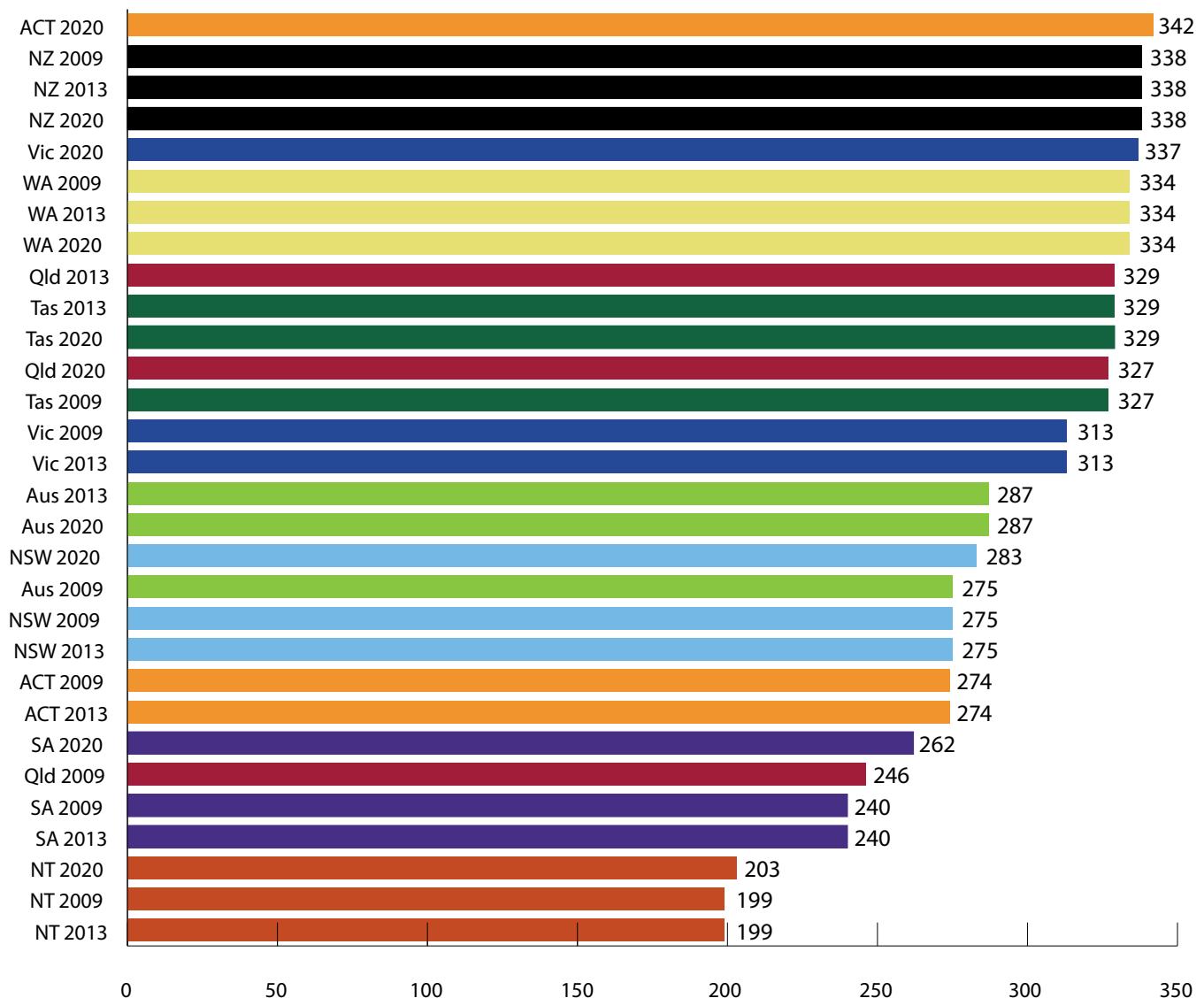
Appendix 2: Findings from previous surveys

The 2020 report compared aggregate scores (of the 60 legislative factors) and scores for the 8 INTOSAI principles for 10 ACAG jurisdictions in 2009, 2013 and 2020.

This report does not compare 2009 and 2013 data with 2025. The scores for 2009 and 2013 have not been adjusted with the new scoring system. Previous ACAG reports enable the reader to trace legislative amendments, scores and analysis in 2020, 2013 and 2009.

The 2020 comparison of aggregate scores with 2009 and 2013, reported in ACAG's 2020 report:

Figure 2A: Total independence scores for each jurisdiction



Note: From *Independence of Auditors General: A 2020 update of a survey of Australian and New Zealand legislation*

Appendix 3: Legal framework and status

A notable aspect of the principal audit legislation for all ACAG jurisdictions is the absence of a preamble or purpose/objects section that sets a tone and text that promotes the fundamental importance of and reason for audit and accountability. Both Western Australia and Tasmania have very similar purpose clauses at the beginning of their respective Acts, which provide that the overall purpose of the Act is to ensure that the state has an Auditor-General with the necessary functions, immunities and independence to provide for the independent audit of the public sector and related entities.

There is no better practice in ACAG jurisdictions. Examples of better practice from other Westminster systems of parliamentary government tend to emphasise the object or purpose of the Act in terms of strengthening parliamentary control over expenditure, which highlights the concept of the Auditor-General as an agent (independent officer) of the parliament.

When the UK *National Audit Act 1983* was introduced to the UK Parliament, its long title provided that it was 'An Act to strengthen Parliamentary control and supervision of expenditure of public money by making new provision for the appointment and status of the Comptroller and Auditor General ...'.

The *Auditor General Act* of Quebec province in Canada provides that 'The object of this Act is to foster, through audit, parliamentary control over public funds and other public property'.

The *Public Audit Act 2004* of South Africa provides a preamble and objects section that not only sets a tone for the legal framework, but would also assist a positive legal interpretation of the functions, immunities and powers of the Auditor-General.

Preamble

Whereas the Constitution establishes the Auditor-General as a State Institution Supporting Constitutional Democracy and whereas the Constitution further –

- establishes the Auditor-General as the external auditor of all national and provincial state departments and municipalities, and any other institutions or accounting entities required by national or provincial legislation to be audited by the Auditor-General
- recognises the independence of the Auditor-General, subject only to the Constitution and the law
- requires the Auditor-General to be impartial and to perform his or her powers and functions without fear, favour or prejudice
- prohibits any person or organ of state from interfering with the functioning of the Auditor-General
- requires the Auditor-General to submit audit reports to any legislature that has a direct interest in the audit, and to any other authority prescribed by national legislation, and that all reports be made public and
- provides for the granting of additional powers and functions to the Auditor-General as prescribed by national legislation,

Objects of this Act

The objects of this Act are –

- (a) to give effect to the provisions of the Constitution establishing, and assigning supreme auditing functions to, an Auditor-General
- (b) to provide for the auditing of institutions and accounting entities in the public sector and
- (c) to provide for an oversight mechanism established in terms of section 10(3) –
 - (i) to assist and protect the Auditor-General in order to ensure the independence, impartiality, dignity and effectiveness of the Auditor-General and
 - (ii) to advise the National Assembly.

Appendix 4: Independence of annual appropriation determination from executive influence – financial independence

In their 2022 paper *Budget Independence for Victoria's Independent Officers of Parliament*, the Victorian Auditor-General, Victorian Ombudsman and Independent Broad-based Anti-corruption Commission Commissioner recommended the establishment of an independent commission/tribunal in statute to undertake transparent, evidence-based decision-making in relation to the budgets of independent officers.

Included in the recommended model was a requirement that the Treasurer include the recommended budget in a parliamentary appropriations bill or provide a statement to the Parliament if the amount provided is different. Parliament would oversight the work and non-partisanship of the commission.²⁸

The recommended model chosen was sound and would be a vast improvement for many Auditors-General and other independent integrity officers in various jurisdictions who lack a transparent and objective decision-making process for annual appropriation. It is noteworthy that the recommended model included a role for the Parliament in overseeing the work and independence of the commission.

An alternative approach, based in part on what already occurs in some ACAG jurisdictions, is to have transparent and evidence-based decisions about annual appropriations for independent officers of parliament, determined by parliament. A parliamentary committee with a clear mandate to be both a sponsor and soft-accountability agent for the Auditor-General is an alternative to an independent commission/tribunal. The decisions of such a committee should ideally be seen as determinative in terms of the amount for the Auditor-General to be included in the annual parliamentary appropriation bill (as a separate item in such a bill).

The UK Parliament does not provide this exact model, but a combination of 2 UK parliamentary committees does.

The UK Public Accounts Committee is a parliamentary committee established by the *National Audit Act 1983* and the *Budget Responsibility and National Audit Act 2011*. The Commission's principal duties include examination of the National Audit Office Estimate and laying it before the House, and to consider reports from the appointed auditor of the National Audit Office.

The Comptroller and Auditor-General provides advice to the Commission and the Commission's practice is to hold its twice-yearly scrutiny sessions with the NAO in public.

The House of Commons Commission, established under the *House of Commons (Administration) Act 1978*, comprises 7 members of the House and is chaired by the Speaker with cross-party representation among the members. In addition, the membership includes 2 external (lay) members selected on merit by the parliamentary members on the basis of fair and open competition and must be appointed by the House on a motion agreed by the commission in advance.

Australasian parliaments have not developed any practice of external (lay) members on determinative and integrity committees, unlike the developing practice in the UK²⁹. There is a clear case that the practice should be developed in support of the unequivocal principal that decisions about the appointment and resourcing of independent officers should be seen to be and should in fact be independent of executive influence.

²⁸ *Budget Independence for Victoria's Independent Officers of Parliament*, Independent Broad-based Anti-corruption Commission, Victorian Ombudsman and Victorian Auditor-General's Office, 2022.

²⁹ Independent expert members are also a feature of the Committee on Standards.

Appendix 5: Bringing various aspects of independence better practice together – example from the Auditor-General of Ontario, Canada

Ontario is the largest province in Canada³⁰, with a unicameral parliament (Legislative Assembly of Ontario), executive government (Cabinet) formed from the majority in the Assembly and a separate judiciary.

The administration of the Legislative Assembly is overseen by the Board of Internal Economy and its functions include decision-making (not recommending) about the annual appropriation for the Assembly among many other things. The Board functions pursuant to the *Legislative Assembly Act 1990* and its coverage includes a number of officers of parliament.

The Auditor-General in Ontario is established and functions pursuant to the *Auditor General Act 1990*. The 2 Acts combine to ensure that the Auditor-General can fully act as an independent officer of parliament. This includes legislative provision that:

- the Auditor-General is 'an officer of the Assembly'
- the Auditor-General is appointed by resolution of the Assembly only after being selected by 'unanimous agreement of a panel composed of one member of the Assembly from each recognised party, chaired by the Speaker' and only after the chair of the Public Accounts Committee of the Assembly has been consulted
- only the Assembly may remove the Auditor-General and only the Assembly or the Board (if the Assembly is not in session) may suspend the Auditor-General
- the Board determines and reviews annually the salary and benefits of the Auditor-General, which must be 'within the highest range of salaries' paid to departmental secretaries in the public service of Ontario
- before commencing duties, the Auditor-General must take an oath or affirmation (administered by the Speaker or the Clerk) that he or she will faithfully and impartially exercise the functions of the office
- the Auditor-General has discretion to appoint a Deputy Auditor-General who acts with the powers of the office in the absence of the Auditor-General
- the Auditor-General also employs staff as required and on the basis of terms and conditions determined by the Auditor-General, but with regard to comparability with the public sector
- in terms of audit mandate, coverage and access, the Auditor-General audits the consolidated revenue fund, the accounts of Crown agencies, Crown-controlled corporations and their subsidiaries and grant recipients. The Auditor-General has access to all hard copy and electronic records; access to premises by way of 'stationing' an Auditor-General officer in an agency; and may examine a witness under oath. Obstruction of the Auditor-General is an offence punishable by a fine or imprisonment
- the Board appoints a person to examine the accounts of the Auditor-General. The Board receives the audit report and the chair of the Board (the Speaker) tables the audit in the Assembly
- the Auditor-General presents annual estimates to the Board. The chair and vice-chair of the Public Accounts Committee of the Assembly are entitled to attend the Board's meeting to review the estimates. The Board reviews and may alter the estimates and then causes the estimates to be tabled in the Assembly and the Assembly is required to refer the estimates to a parliamentary committee for review
- the Auditor-General audits, 'on behalf of the Assembly and in such manner as the Auditor-General considers necessary', public money
- the Auditor-General reports at least annually on the Public Accounts to the Speaker and the Speaker is required to 'lay each such report before the Assembly forthwith'
- the Auditor-General may undertake 'special assignments' required by the Assembly, the Public Accounts Committee of the Assembly, or by a minister, 'but such special assignments shall not take precedence over the other duties of the Auditor General under this Act and the Auditor-General may decline an assignment by a minister of the Crown that, in the opinion of the Auditor-General, might conflict with the other duties of the Auditor General'
- the *Auditor General Act 1990* requires that the Auditor-General and their officers attend the Public Accounts Committee of the Assembly in order:
 - 'to assist the committee in planning the agenda for review by the committee of the Public Accounts and the annual report of the Auditor-General'
 - 'to assist the committee during its review of the Public Accounts and the annual report of the Auditor-General'.

The Office of the Auditor-General of Ontario's website includes extensive information on the Auditor-General's statutory and general working relationship with the Public Accounts Committee, which is described in a manner reflecting a common mission.³¹

³⁰ Ontario's population was 16.1 million in 2024.

³¹ See the Office of the Auditor-General of Ontario's website for more information: www.auditor.on.ca/en/content/standingcommittee/standingcommittee.html

