

TGTE

CONSTITUTION OF THE

TRANS NATIONAL GOVERNMENT OF TAMIL EELAM

(TGTE)

PREAMBLE

Consistent with the principles of the rule of law, respect for the human rights democracy, equality of all persons, and the right to self-determination of Peoples,

Determined to ensure the right to life and physical security of Tamil people,

Being aware that the history of the relations between the Tamil People and the Sinhala People has been a process of broken promises and unilateral abrogation, by successive governments of Sri Lanka, of pacts and agreements solemnly entered into between the government of Sri Lanka (GOSL) and the representatives of the Tamil People,

Bearing in mind that successive Governments of Sri Lanka have perpetrated genocide ,crime against humanities and war crimes against the Tamil People,

Noting that the Tamil people mandated their elected representatives to establish an independent sovereign, secular State for the Tamil people in their traditional homeland, in the elections subsequent to the Vaddukoddai Resolution of 1976,

Bearing in mind that the Tamils' nonviolent campaign to realize the mandate given by the Tamils proved to be futile due to Sri Lankan state's aggression coupled with lack of political space for Tamils in the island.

Bearing in mind that the Tamil armed struggle as a measure of self-defense and as a means for the realization of the Tamils' right to self-determination arose only after more than four decades of non-violent and peaceful constitutional struggle proved to be futile and due to the absence of means to resolve the conflict peacefully,

Bearing in mind that the Tamils' political and arm struggle and the resultant *de facto* state of Tamil Eelam created a political space to articulate the political aspirations of the Tamil people.

Noting the genocide and state terrorism of the Sri Lankan state weakens the Tamils' power and destroys the political space enjoyed by them.

Noting the absence of political space inside the island to articulate the political aspirations of the Tamil people.

Realizing the historical obligation of the Tamil Diaspora to create the political space outside the island of Sri Lanka.

Noting the referendums held in Norway, Canada, Germany, Switzerland, Italy, United Kingdom, Denmark, Australia, France and Netherlands reaffirming the mandate given in the Vaddukoddai Resolution and the sacrifice of the Tamil people in the ensuing 30 years.

Noting the emergence of Trans nationalism and the Tamil peoples' Trans national political activism articulated in the Advisory Committee's report published on March 15, 2010.

Noting the democratic elections held in Australia, New Zealand, Germany, Switzerland, France, Denmark, Norway, Sweden, United Kingdom, Canada and the United States.

Noting the formation of the Trans national Government of Tamil Eelam on May 17, 2010 at the National Constitutional Center in Philadelphia, USA.

Whereas, the TGTE has been formed to realize the Tamils' right to self determination and exercise their sovereignty.

Whereas the TGTE has guided us towards a democratic system of government, in order to establish an independent state of Tamil Eelam based on the principles of peace, non-violence, tolerance, pluralism, transparency and accountability.

Whereas in particular, efforts shall be made in promoting the achievement of Eelam Tamil's common goal as well as to strengthen the solidarity of Tamils, both within and outside of Eelam.

The Second Assembly of Transnational Government of Tamil Eelam do hereby promulgate and legalize this Constitution as their fundamental guide.

Adopted this day on September 2010 at _____.

CHAPTER - I

AIMS AND OBJECTIVE

1. The TGTE shall endeavor to establish an independent, sovereign State of Tamil Eelam.
2. The human dignity is untouchable.
3. The TGTE shall promote the Welfare of the People in the homeland, the Tamil Diaspora and the Global Tamil Community that consists of Tamils who have migrated and are now living in other areas of the world.
4. The TGTE shall protect and promote the distinctiveness of Eelam Tamil culture in the Diaspora countries and safeguard its links with other Tamil cultures within the Tamil Diaspora and the Global Tamil community.
5. The TGTE shall promote Education in the homeland.
6. The TGTE shall promote the economic welfare of the homeland through ensuring greater trade for the industrial, higher technological and related products of the homeland in the states inhabited by the Tamil Diaspora.
7. The TGTE shall ensure that perpetrators of genocide, crimes against humanity and war crimes committed against the Tamil people are prosecuted and those responsible are brought to justice.
8. The TGTE shall protect and promote the fundamental human right of Equality of Women among all aspects of Tamil life and Tamils.(and at large.).

9. The TGTE shall protect and promote the welfare of families of Martyrs, Former Combatants, and families affected by war.

STRUCTURE OF THE TGTE

Note:

Whether we call as Executive or Parliament is not decided yet.

The constituion comitte decided to decide on this matter at the assembly.

So please read as you like

TGTE Chief Executive officer / TGTE Prime minister

TGTE Ass. Chief executive officer / TGTE Dep. PM

TGTE Executive comitee / TGTE Cabinet

TGTE Member / TGTE MP

Language

- Tamil shall be the official language of TGTE. English will be the link language. Other languages may be used when necessary.
- All official archives of TGTE shall be in Tamil also.
- Each country can use its own language for its communication within the Country.

The TGTE Shall Consist Of An Executive And A Legislature

THE EXECUTIVE / THE CABINET

The Executive shall be comprised of a Chief Executive Officer and an Executive Committee.

The Executive Committee shall be comprised of Eleven members namely, the Chief Executive Officer, three(3) Assistant Chief Executive Officers and seven(7) Committee members.

The executive power of the TGTE shall vest in the Executive, and shall be exercised by it, either directly or through officers subordinate to it, in accordance with the provisions of this Constitution. In particular, Executive shall be empowered to execute the following executive powers:

- a) approve and promulgate bills and regulations prescribed by the Legislature;
- b) promulgate acts and ordinances that have the force of law;
- c) confer honours and appointments;
- d) summon the legislature;
- e) send messages and addresses to the TGTE Assembly whenever necessary;
- f) the Executive shall be exclusively responsible for the execution of resolutions passed thereof in the meetings of the Assembly.

Election of the Executive.

- (1) The Chief Executive Officer shall be elected by the members of TGTE Assembly by means of a secret ballot.
- (2) Three (3) Assistant Chief Executive Officers shall be elected by secret Ballots from the regions of Europe, North-America, and Australia-New Zealand.

The balance seven (7) members shall be appointed by the Chief Executive with the consent and concurrence of the three Assistant Chief Executive Officers .

- (3) Each Executive Officer may appoint separately Planning Officers for the responsibilities assigned to them. These appointees shall be from members of the Assembly. These appointees shall not have any powers of the Executive Committee members.

- (4) Qualifications of an Executive Committee member:

- (a) Must be a citizen of Tamil Eelam as defined by the Advisory Committee Report published on March 15, 2010;
- (b) Not convicted for any criminal offence by any court of law for an offence committed for profit or with profit motive or in whose case the conviction has been removed from the register of convictions;
- (c) Not declared disqualified by more than two-thirds majority in the TGTE Assembly;
- (d) Not a person who has served in the Executive Committee for two terms already.
- (e) Not a person previously removed as an Executive Committee member by the TGTE Assembly;
- (f) Does not enjoy service, status or economic benefit from other countries detrimental to the interest of the Eelam Tamil people.

- (5) In the event of the death, replacement, or resignation of an Executive Committee member, a person to replace him/her shall be elected within three months by the TGTE Assembly.

- (6) An Executive Committee Member so elected shall hold office for the same period as that of the remaining term of the incumbent member.

Tenure of Executive Committee.

- (1) Unless otherwise specified, such as the dissolution of the Executive Committee or the removal of an Executive Committee member before the expiration of a term, the tenure of the Executive shall be 3 years.
- (2) Except in cases of dissolution of the Executive as specified, the re-election of any Executive member shall not be invalid, provided that such re-election of an Executive shall not exceed two consecutive terms.

Election of the Chief Executive Officer.

A Chief Executive Officer shall be elected, by the TGTE assembly by secret ballot. Election of a Chief Executive shall be valid by a simple majority.

Tenure of the Chief Executive Officer.

Except in the case of a removal, in accordance with, and before the expiration of a term, the tenure of the Chief Executive shall be three(3) years.

Oath or Affirmation by the Chief Executive and members of the Executive.

All Executive members, including the Chief Executive, shall, before assuming office, as stipulated in the constitution take and subscribe an oath or affirmation of office and secrecy before the Speaker or Deputy Speaker.

Meeting of the Executive. The Chief Executive shall preside over meetings of the Executive Committee and during his or her absence, it shall be presided over by an executive committee member elected for that purpose.

The Chief Executive Officer Summoning of the Executive Committee Meetings

The Chief Executive Officer may summon a meeting of the Executive committee whenever necessary. or may be requested by the Executive to attend Executive meetings. The Executive Officer shall be in attendance during such meetings and Chief Executive shall preside over these Executive meetings.

Obligations of the Executive Committee and Removal of Executive Committee Members

- (1) The Executive shall be collectively responsible for the discharge of their duties, and in general it shall be accountable and answerable to the TGTE Assembly.
- (2) The Chief Executive Officer shall allocate portfolios to the individual Executive Members.
- (3) The entire Executive may be dissolved, or any Executive or Executive Members may be removed, as the case may be, with the approval of more than a two-thirds majority of the total members of the TGTE Assembly. However in the case of the three(3) Assistant Chief Executive Officers a decision shall be taken only by those regional members who elected them.
- (4) If at any time the Chief Executive makes a reasonable recommendation regarding the dissolution of the Executive Committee or the removal of an Executive Officer, including himself, such a recommendation submitted to the TGTE Assembly, shall come into force with the support of a two-thirds majority of the total number of the TGTE Assembly.
- (5) If the entire Executive Committee is so dissolved, a new Executive shall be elected in not less than 60 calendar days from the day of dissolution.
- (6) The Executive Committee shall continue to hold office even after the expiration of its term until such time as the newly elected Executive Committee takes and subscribes its oath or

affirmation of office. In the case of a removal of a particular Executive Committee Member, as specified in clauses (3) (4) (5) of this article, he or she shall cease to hold his or her office. In the case of the dissolution of the entire Executive, the incumbent Executive shall continue to hold office until such time as the newly elected Executive Committee takes and subscribes the oath or affirmation of office provided that they do not make new decisions relating to policy matters.

THE LEGISLATURE

Legislative Power.

All legislative power and authority shall vest in the TGTE Assembly, and such legislation shall require the assent of Chief Executive Officer to become law.

Legislature

The legislature shall consist of an Assembly consisting of elected members and appointed members.

Composition of the TGTE Assembly.

The TGTE Assembly shall consist of: 115 number of elected members and _20 number of appointed members.

Qualifications for Membership of the TGTE Assembly.

The qualifications of a member of the TGTE Assembly shall be:

- a) Must be a citizen of Tamil Eelam as defined by the Advisory Committee Report published March 15, 2010.
- b) Should have completed 17 years of age.
- c) Not convicted for any criminal offence by any court of law for an offence committed for profit or with profit motive or in whose case the conviction has been removed from the register of convictions;
- d) Does not enjoy service, status or economic benefit from other countries detrimental to the interest of the Tamil Eelam people.
- (e) accepts the aims of the TGTE as stated in the Constitution.

Duration of the TGTE Assembly

The term of each TGTE Assembly shall be 3 years from the first sitting after the election of all the members of the Assembly.

Sessions of the TGTE Assembly

The Chief Executive Officer shall summon the regular TGTE Assembly to meet at such time, place and duration as may be recommended by the Speaker and the majority of the TGTE Assembly in this behalf.

Senate(Experts Committee)

The Senate shall consist of _____ number of members.

The members of the senate shall be appointed by the Chief Executive on the recommendation of the TGTE Assembly. No bill or any other legislation shall be originated from the Senate. Each legislation enacted by the Assembly or any measures taken by the Chief Executive or the Executive Committee should be sent to the Senate for a non binding opinion. The duration of the Senate shall be the same as that of the members of the TGTE Assembly

RIGHTS OF THE MEMBERS OF THE TGTE ASSEMBLY MEMBERS

The members of the TGTE shall have the right to attend and participate in the debates and discussions , to give any explanations and to vote therein. The members shall have the right to take part in debate, discussion and submit any recommendations or explanation in the sessions of the TGTE Assembly, and to vote.

The President or Vice-President of the TGTE Assembly (Speaker and the Deputy Speaker)

- (1) At the commencement of the first session of each TGTE Assembly, the members shall elect a Speaker and a Deputy Speaker from among the Assembly members by means of a secret ballot.
- (2) After the election of the Speaker and the Deputy Speaker of the TGTE Assembly, and as soon as possible before assuming their respective offices, they shall each take an oath or affirmation of office, the Speaker before the person identified as the eldest in the Assembly and the Deputy speaker before the Speaker according to the form as prescribed by law.
- (3) If either the Speaker or the Deputy Speaker so elected is removed by more than a two-thirds majority of the total members in the TGTE Assembly, he or she shall vacate his or her office on and from the day of such a resolution.
- (4) When the TGTE Assembly is in session deliberating on a matter concerning the removal of either the Speaker or the Deputy Speaker of the TGTE Assembly, he or she shall not partake in such a session.
- (5) In the event of the seat of the Speaker or the Deputy Speaker of the TGTE Assembly falling vacant due to removal, death or otherwise, as soon as possible, their replacement shall be elected in accordance with law.

Oath or Affirmation by Members of the TGTE Assembly.

Every member of the TGTE Assembly shall, before taking his or her seat, take and subscribe before the Speaker or Deputy Speaker of the TGTE Assembly, or a person appointed on his or her behalf, an oath or affirmation of office according to the form as prescribed by law and set the signature.

Voting in the TGTE Assembly.

Except as provided in the Articles and other provisions of this Constitution, all other business of the TGTE Assembly shall be determined by a majority vote. In the case of a even or tie of votes, with regard to a contested matter, the Speaker of the TGTE Assembly shall, in his or her discretion, cast the deciding vote whereupon the matter may be resolved.

Quorum of the TGTE Assembly.

If two-thirds of the total number of members, of the TGTE Assembly is present, it shall have the right to resolve any matter.

Introduction and Passing of Bills

- (1) Any member of the TGTE Assembly is entitled to introduce any bill or legislation, or propose any amendment, as prescribed in the rules of the TGTE Assembly.
- (2) Any bill or legislation, if necessary, can be referred for consideration and recommendation to the Senate and Committee(s) specially appointed for that purpose before being discussed or deliberated in the TGTE Assembly.

Rules of Procedure of the TGTE Assembly

The TGTE Assembly shall formulate rules of procedure and conduct of business, with the approval of more than two-thirds of its total members, in accordance with the provisions of this Constitution, and such rules shall then come into force.

Promulgation of Ordinances.

- (1) Any bill or proposal passed by the TGTE Assembly and presented to Chief Executive Officer shall be treated as law once He/She assents to its enactment. Chief Executive Officer shall decide within 14 working days whether such legislation shall be approved, or He/She may return the proposal with recommendations as is deemed fit within that time. Thereafter the TGTE Assembly shall deliberate upon Chief Executive Officer's recommendations for the proposal and then present the same to the Chief Executive Officer for re-approval within fourteen working days.
- (2) If at any time the TGTE Assembly is not in session, and if any issue of major significance arises which renders it necessary and urgent, the Chief Executive Officer, may in concurrence with the, majority of the Executive Committee members promulgate ordinances which have the same force of law.
- (3) Any ordinances promulgated may be amended, altered or annulled by the TGTE Assembly through deliberation during their subsequent session.

REMOVAL OF MEMBERS OF TGTE ASSEMBLY FROM THEIR OFFICE

- 1) If at anytime after the assumption of office his/her conduct is found to be detrimental to the standards of the Assembly, the matter will be reported to the Ethics Committee. If the Ethics Committee recommends that such person may be removed from office, the said report shall be tabled in the Assembly through the Speaker. After the report is debated in the Assembly and passed by a two-thirds majority that member will be removed from the office of the member of TGTE.
- 2) If a member is so removed, that vacancy shall be filled by an Election to be held within 90 days of such removal.

Special General Meeting.

- 1) At the joint proposal by the Executive Committee, Speaker and Deputy Speaker, a Special General Meeting may be summoned.
- (2) The composition of the representatives to such a meeting shall include the members of the TGTE Assembly; the Executive shall jointly decide, in consultation with the TGTE Assembly , the agenda, time, and venue of its occurrence.
- (3) Once the agenda of the Meeting, and time and venue are decided, the Speaker of the TGTE Assembly shall issue notification within 15 days prior to the day of such a meeting.

Recall Mechanism

Any member from the Assembly can be recalled by the voters of the region ,for engaging by words or deeds contrary to the aims and objectives of the TGTE, or for not contributing to the aims and objectives of the TGTE or who abuse his position in the TGTE.

The Recall Procedure for any member of the TGTE Assembly shall be initiated by stating the reason for it by a Petition signed by more than $\frac{2}{3}$ of the voters who participated in the election of the country from where the member was elected, or in the case of a member who was appointed without an election by 300 voters, and submitting same to the Speaker of the TGTE Assembly. The member who is subject to the recall mechanism shall be given 45 days to respond to the Assembly.

The Assembly by a majority of vote can assent to the recall mechanism.

ANY OTHER MATTERS

Relationship with Domestic Organizations

The Structures of the TGTE may work in partnership with domestic organizations with aims that are not contrary to the objectives of this constitution.

Election Commission

The Chief Executive Officer shall appoint a three member election commission based on the recommendation of the TGTE Assembly. The Election Commission shall be responsible for conducting future elections of the TGTE. The members of the Election Commission shall not be a member of the Assembly or the Advisory Committee or any other Committee of the TGTE.

Advisory Committee

In view of the unique and important role played by the Advisory Committee in the formation of the TGTE, the Advisory Committee with its present composition shall remain in force during the first term of the TGTE.

The Assembly or the Executive Committee or the Chief Executive may seek advice from the Advisory Committee on any matter or measures and the advisory committee may advise the Chief Executive Officer or the Executive Committee. However such advice will not bind them.

ETHICS COMMITTEE

The Executive Committee will appoint the Ethics Committee with the consent of the TGTE Assembly. It shall consist of three (3) members.

The Treasury of *Transnational Government Of Tamil Eelam*

PART A MINISTERIAL RESPONSIBILITIES

1. TGTE BUDGET

TGTE budget is a legal document that is to be passed by the TGTE legislature, and approved by the chief executive. The two basic elements of TGTE budget are the TGTE revenues and TGTE expenses. The TGTE revenues can be derived from various sources to be determined. TGTE expenses include TGTE administration expenses, TGTE Department allocations, TGTE investment expenditures and welfare payments.

2. Financial Year

The financial year for TGTE finance matters is considered the period 1 January to 31 December of any year.

3. The Treasurer

The Treasurer is the Minister for Finance in the TGTE. He/she is responsible for government expenditure and revenue raising. He/she is the head of the Treasury, and plays a key role in shaping the economic policy of the government. The Treasurer must be a Member of Parliament of the TGTE, with a seat in the House of Representatives. Each year, during the first sitting of the parliament, the Treasurer presents the budget for the TGTE to the Parliament.

4. Role of the Treasurer in Policy-making

The Treasurer has an overall responsibility for all policy matters falling within the Treasury portfolio. These include: Economic policy; Economic development; Economic welfare; Taxation; Borrowing money; Banking; Currency; Foreign investment in Tamil Eelam; Census and statistics; and Trade and financial relations with neighbours.

5. Annual budget estimates

The Treasurer must prepare a statement of information to be laid before the Legislative Assembly under departmental headings setting out-

- (a) a description of the amount available or to be available to each department during the period to which the statement relates, whether appropriated by the Parliament for that purpose or otherwise received or to be received by the department, together with comparative figures for the preceding financial year;
- (b) the estimated amount of the receipts and receivables of each department during the period to which the statement relates, together with comparative figures for the preceding financial year;

6. Budget updates

The purpose of a budget update is to provide updated information to allow the assessment of the TGTE's financial performance against the financial policy objectives and strategies set out in its current financial policy objectives and strategies statement.

Each quarter, the Treasurer must prepare a budget update to the parliament, detailing the financial position of the TGTE in that quarter.

7. Annual financial report

(1) The Treasurer must prepare an annual financial report for each financial year.

(2) The annual financial report must

(a) be prepared in the manner and form determined by the Treasurer, having regard to appropriate financial reporting frameworks;

(b) present fairly

(i) the financial position of the TGTE at the end of the financial year;

(ii) the transactions on the Public Account; and

(ii) other financial transactions of various departments of the TGTE - in respect of the financial year;

(c) include details of money credited into the TGTE accounts;

(d) include amounts appropriated in respect of the next financial year as a result of a determination in respect of unused appropriation for the financial year;

(e) include details of expenses and obligations met from money advanced to the Minister during the financial year;

(f) include a statement of the reasons for carrying forward any part of an unused advance to the next financial year;

(g) include details of payments made during the financial year out of money advanced to the Treasurer to meet urgent claims;

(h) include details of payments made during the financial year in fulfilment of any guarantee by the TGTE;

(i) include details of money received or recovered by the Treasurer during the financial year in respect of any guarantee payments; and

(j) be audited by the Auditor-General.

This audited annual financial report must be transmitted to the Parliament.

FINANCIAL MANAGEMENT

1. Framework of the Management System

It is the intention of the Parliament that the TGTE Treasury establishes and maintains a budgeting and reporting framework that is consistent with the principles of sound financial management. This forms a basis for the provision of sustainable social and economic services fairly to all citizens of Tamil Eelam. A sound financial management of TGTE Treasury must provide full, accurate and timely disclosure of financial information relating to the activities of TGTE and its agencies. The following concepts form the framework of this management system.

2. Consolidated Revenue

- (1) All monies received by the TGTE, regardless of nature, reason or source.
- (2) Committees, Country Groups and individuals duly authorized to receive such monies shall promptly and without any set-offs or deductions, deposit the monies into designated bank account within 72 hours of such receipt.

3. The Consolidated Fund

An account, to be known as the Consolidated Fund, will be established. All money forming part of the Consolidated Revenue will be credited to this account.

4. Public Account

The Treasurer must open and maintain the Public Account with such authorised deposit-taking institution or institutions under the name of TGTE.

5. Liability under guarantees

If any borrowing or other contract or agreement to be guaranteed by the TGTE, any sums required by the Treasurer for fulfilling any such guarantee shall be paid out of the Consolidated Fund and any sums received or recovered by the Treasurer in respect of any sum so paid by the Treasurer shall be paid into the Consolidated Fund.

6. Loans from Consolidated Fund

If a payment is made by way of a loan from the Consolidated Fund, the Treasurer may determine from time to time the terms and conditions of the loan.

7. Public ledger

The Treasurer must ensure that a ledger is established and maintained to record

- (1) transactions on the Public Account;
- (2) expenses and obligations incurred that are to be met out of the Public Account; and

(3) other transactions and account balances, as determined by the Treasurer.

8. Accounts of TGTE Departments

(1) A department of the TGTE may, with the written approval of the Treasurer, and in accordance with such terms and conditions as determined by the Treasurer, open and maintain an account with an authorised deposit-taking institution or institutions.

(2) Unless the Treasurer otherwise determines in writing, an account opened under this section does not form part of the Public Account.

(3) Money must not be withdrawn from an account opened under this section except in accordance with the regulations and directions.

9. Receipt of public money

A person who collects or receives public money on behalf of TGTE must, in accordance with the regulations and directions, daily or at such intervals as the Treasurer determines, pay the money into the Public Account or an account opened under section B8.

10. How money is to be issued

Public money forming part of the Consolidated Fund of TGTE may be drawn from the Public Account only in accordance with this section.

(1) The Treasurer must, as often as required during a financial year

(a) calculate the amount of public money likely to become due and payable out of the Public Account during that financial year;

(b) prepare an instrument in the form in Schedule B1 below or to the like effect specifying that amount; and

(c) sign the instrument and give it to the Auditor-General.

(2) The instrument, when countersigned by the Auditor-General and approved by the Prime Minister, is the warrant enabling the Treasurer to order the drawing of money from the Public Account.

(3) Before countersigning the instrument, the Auditor-General must ascertain that the sums mentioned in it are then legally available and, after countersigning the instrument, the Auditor-General must return it to the Treasurer, who must submit it to the PM for approval and signature, and then file the instrument.

11. Investment of money in Public Account

(1) Any money standing to the credit of the Public Account may be invested by the Treasurer by submitting a proposal to TGTE Executive Council (EC) and approved

by the TGTE EC and Auditor-General. The PM (on behalf of the EC) and the Auditor-General should sign the approval document for the treasurer to act on it.

- (2) Any return received from the investment of any money made under B11(1) shall be credited to the Consolidated Fund.

C. OFFICE OF AUDIT

1. The Auditor General

The Auditor-General of the TGTE must be independent of the Executive Government. He/she provides the Parliament and public sector entities with independent, professional opinions on matters related to financial management, compliance with legislative requirements and, where appropriate, comments on the efficiency and economy with which public sector resources are utilised. The Auditor-General has full and free access to all accounts, records, documents and information required for the discharge of the audit function.

2. Appointment of Auditor-General

The Auditor-General will be appointed by the Prime Minister, on the recommendation of the Parliament.

3. Auditor-General's Responsibilities

The Auditor-General may, on such conditions as he/she sees fit, engage any person to provide services that are, in the Auditor-General's opinion, necessary or desirable to assist the Auditor-General in carrying out his/her functions.

4. Suspension of Auditor-General from office

The Executive Council may suspend the Auditor-General from office

- (a) for incompetence,
- (b) for neglect of duty, or
- (c) for dishonourable conduct.

The Executive Council must

- (a) when suspending the Auditor-General, deliver to him or her a statement of the reasons for the suspension, and
- (b) within 7 days after the suspension, deliver to the Speaker of the House of Assembly a copy of the statement.

The Auditor-General may deliver to the Speaker of the House of Assembly a reply to the statement.

The Auditor-General will be restored to office or removed from office by resolution of the Houses of Parliament.

5. Vacation of office of Auditor

The office of Auditor-General becomes vacant if the Auditor-General

- (a) dies,
- (b) resigns by written notice to the Speaker of the parliament, or
- (c) becomes a member of Parliament of the State.

6. Examination of publicly funded bodies and projects

The Auditor-General must, if requested by the Treasurer, examine accounts relating to a public funded project and the efficiency and cost-effectiveness of the project. After making an examination, the Auditor-General must prepare a report setting out the results of the examination. The Auditor-General must deliver copies of the report to the Treasurer and to the Speaker of the House of Assembly.

7. Auditor-General's annual report

The Auditor General's report provides Audit observations and comments on aspects of the TGTE's finances. In particular, it consists of a brief analysis of the financial performance and financial position of the TGTE for the year, based on an examination of the results for the past year, and the budget and forward projections included in the budget papers.

(1) This report

(a) states, in the Auditor-General's opinion,

(i) whether the Treasurer's statements reflect the financial transactions of the Treasurer as shown in the accounts and records of the Treasurer for the preceding financial year,

(ii) whether the financial statements of each public authority reflect the financial position of the authority at the end of the preceding financial year and the results of its operations and cash flows for that financial year, and

(iii) whether the controls exercised by the Treasurer and public authorities in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities, are sufficient to provide reasonable assurance that the financial transactions of the Treasurer and public authorities have been conducted properly and in accordance with law, and

(b) sets out any matter that should, in the opinion of the Auditor-General, be brought to the attention of Parliament and the Government.

(2) The Auditor-General must deliver copies of

(a) the report; and

(b) the Treasurer's statements and the financial statements of public authorities that are, in the Auditor-General's opinion, of sufficient importance to warrant publication

to the Speaker of the House of Assembly.

8. Reports and other documents to be tabled before Parliament

The Speaker of the House of Assembly must, not later than the first sitting day after receiving a report and other documents from the Auditor-General, lay them before the parliament.

FINANCIAL MANAGEMENT SCHEDULE B1

To the Auditor-General.

The amount of public moneys likely to become due and payable out of the Consolidated Fund during the period _____ is _____ Dollars.

Dated this _____ day of 20 _____ .

Treasure

_____/_____/_____

Treasurer, I certify that the abovementioned sums are now legally available. You are hereby authorised to issue out of the Consolidated Fund the above amount and this shall be your sufficient warrant.

Auditor-General

_____/_____/_____

Prime Minister

_____/_____/_____

Financial part which is marked in yellow is not dicussed in detail.