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Require the Comptroller and Auditor General to examine and report on the environmental impact of public expenditure, and the environmental performance of government departments and certain other public bodies against targets set by Ministers; to provide for the establishment of an Environmental Auditor General to carry out such functions and report thereon to the House of Commons; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 New duties of the Comptroller and Auditor General

(1) The National Audit Act 1983 (c. 44) (in this Act referred to as “the 1983 Act”) is amended as follows.

(2) In section 6 (public departments etc.)—

(a) after subsection (1) insert—

“(1A) In carrying out an examination under subsection (1) above the Comptroller and Auditor General shall examine the environmental impact of the use of resources and discharge of functions by the department, authority or other body to which the examination relates.”;

(b) in subsection (2), for “Subsection (1)” substitute “Subsections (1) and (1A)”.

(3) In section 9 (reports to House of Commons), at the end, insert—

“(2) The Comptroller and Auditor General shall not less than once in each calendar year report to the House of Commons on the performance by each department, authority or other body to which section 6 applies against any targets for improved environmental performance, or contributions to sustainable development, which may have been set for that department, authority or other body by a Minister of the Crown.”

2 Environmental Auditor General

(1) After section 12 of the 1983 Act insert –

“12A Appointment, status and duties of the Environmental Auditor General

- (1) There shall be an Environmental Auditor General who shall be appointed by Her Majesty on the recommendation of the Comptroller and Auditor General. 5
- (2) Before making a recommendation under subsection (1) the Comptroller and Auditor General shall consult such persons as appear to him to be appropriate, including the Member of the House of Commons who is for the time being the Chairman of the Environmental Audit Committee of that House. 10
- (3) The Environmental Auditor General –
- (a) shall be appointed for a period of five years;
 - (b) shall hold office during that period unless –
 - (i) relieved at his own request; or 15
 - (ii) removed by Her Majesty in consequence of an address from the House of Commons;
 - (c) at the end of a term of appointment shall be eligible for reappointment;
 - (d) shall be a member of the staff of the Comptroller and Auditor General for the purposes of section 3 above. 20
- (4) The Environmental Auditor General shall be under a duty –
- (a) to assist the Comptroller and Auditor General in carrying out his functions under section 6(1A) above; and
 - (b) to carry out on behalf of the Comptroller and Auditor General the duties set out in section 9(2) above.” 25

3 Membership of the Public Accounts Commission

- (1) In section 2(2) of the 1983 Act, after paragraph (a) insert –
- “(aa) the Member of the House of Commons who is for the time being the Chairman of the Environmental Audit Committee;” 30
- (2) In Schedule 1 to the 1983 Act (which makes provision with respect to the Public Accounts Commission) references to the Chairman of the Committee of Public Accounts shall be taken to apply equally to the Chairman of the Environmental Audit Committee.

4 References to Environmental Audit Committee 35

After section 13 of the 1983 Act insert –

“13A Interpretation of references to Environmental Audit Committee

- (1) If at any time after the passing of the Environmental Audit Act 2001 –
- (a) the name of the Environmental Audit Committee is changed; or

(b) the functions discharged by that Committee at the passing of that Act, or functions substantially corresponding thereto, are discharged by a different Committee of the House of Commons, references in this Act to the Environmental Audit Committee shall be construed as a reference to that Committee by its new name or, as the case may be, to the Committee for the time being discharging those functions.

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(2) Any question arising under this section shall be determined by the Speaker of the House of Commons.”

5 Expenses

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There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums so payable under the National Audit Act 1983 (c. 44).

6 Short title, commencement and extent

- (1) This Act may be cited as the Environmental Audit Act 2002.
- (2) This Act shall come into force three days after it is passed.
- (3) This Act does not extend to Scotland or Northern Ireland.

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Environmental Audit (No. 2) Bill

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Presented by Mr Laurence Robertson.

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