



## Operationalization of Financial Autonomy for the Office of the Auditor-General

The Bauchi State Public Sector Audit and other Related Matters Law 2021<sup>22</sup> was assented to by Governor Bala Mohammed on 28th June 2021. The new law repealed and replaced Bauchi State Audit Law, 2012 and Bauchi State Local government (Establishment and Administration) Law, 2020.

S. 25(1) of the law states that “the Auditors-General shall prepare and submit their estimates of revenue and expenditures directly to the House of Assembly for inclusion in the Appropriation Law” while S. 25(2) states further that “the sum appropriated for each of the Offices of the Auditors General by the House of Assembly of the State in each financial year shall be charged on the Consolidated Revenue Fund of the State and paid as a first line charge in twelve equal installments for each month of that financial year”.

Evidence received<sup>23</sup> indicates that the legal provision stated above and contained in the Bauchi State Audit Law 2021 is yet to be operational even after nine months since it was signed into law. It is not clear why this legal provision that guarantees the independence of the Auditors-General in Bauchi State is not being implemented as contained in the Law. Financial autonomy and operational independence for Supreme Audit Institutions are foundational pillars of achieving public accountability. It is therefore imperative for the Bauchi State government to begin implementation of this legal provision and ensure costs to the office of the Auditor-General for Bauchi State are charged on the first line to the Consolidated Revenue Fund.

## No Clarity of Tenure for the Auditors-General

S. 9(2) of the Bauchi State Audit Law states that “the Auditors-General shall not be removed from office before such retiring age as may be prescribed by the Law, save in accordance with the provisions of this Law” while S. 9(3) states that “for the purpose of S. 9(2), persons to be appointed Auditors-General shall not be more than 56 years old at the time of appointment to the office and shall retire on attaining the age of 60”. This legal provision

subjects the recruitment and appointment of the Auditors-General in Bauchi state to certain inadequacies including restricting the search for competence and capacity to a particular age bracket. The provision also does not provide a definitive term of office for the Auditors-General which could impact negatively on the stability of the office as tenure of successive Auditors-General will be inconsistent.

## Audit Mandate Execution

It was noted that the office of the Auditor-General for Bauchi State conducted compliance audit alongside its financial audit. However, the Auditor-General for Bauchi State should also include performance audit in future audit plans to ensure adherence to fiscal and procurement regulations by government agencies in the state and to guarantee value for money on programs and projects implemented by the government of Bauchi State.

## Effectiveness of Public Accounts Committee

The Public Accounts Committee of Bauchi State House of Assembly is effectively discharging its statutory functions as the Committee has reviewed the report of the Auditor-General for 2020 and made several recommendations to agencies of government including

instructing them to ensure contractors return to site to complete ongoing projects<sup>24</sup> The Public Accounts Committee also recommended the independence of the Auditor-General prior to the House of Assembly enacting the Bauchi State Audit Law.

<sup>22</sup> <https://www.bauchistate.gov.ng/wp-content/uploads/2021/07/BAUCHI-STATE-AUDIT-HARMONISED-LOCAL-AND-STATE-LAWS-2021.pdf>

<sup>23</sup> SAE Index 2021 Research Survey

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## Citizens' Participation in the Audit Process

Although the 2020 report<sup>25</sup> of the Auditor-General for Bauchi State is publicly accessible to citizens, Civil Society Organizations in Bauchi State are of the opinion<sup>26</sup> that citizens participation in the Bauchi State audit process is low and requires scaling up. The office of the Auditor-General for Bauchi State organizes annual audit forum to bring together stakeholders to discuss audit findings, but the event did not hold in 2020 perhaps as a result of the coronavirus pandemic.

A Civil Society Organization in Bauchi State has called for more inclusive engagement by the Auditor-General ensuring that not only a select few gets invited to the annual audit forum. It is important that citizens who are mostly affected by audit issues and public finance management gaps are able to engage with the Office of the Auditor-General and Public Accounts Committee to ensure their opinions and experiences reflect in planning and executing audit functions as well as the oversight role of the State's Parliament.

<sup>25</sup> <https://www.bauchistate.gov.ng/wp-content/uploads/2022/01/FY-2020-REPORT-OF-THE-AUDITOR-GENERAL-ON-THE-ACCOUNTS-OF-BAUCHI-STATE-GOVERNMENT-OF-NIGERIA.pdf>

<sup>26</sup> [https://docs.google.com/forms/d/11MTI9X0Zi\\_bTJHhUXAPuXMi3wyyuhdqr4vEpUaJJU2sk/edit#responses](https://docs.google.com/forms/d/11MTI9X0Zi_bTJHhUXAPuXMi3wyyuhdqr4vEpUaJJU2sk/edit#responses)