



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

The Ekiti State Audit Law 2021<sup>63</sup> signed by Governor Kayode Fayemi on 28th June 2021 repealed the Ekiti State Audit Service Commission Law 2014<sup>64</sup> and established the Ekiti State Audit Service Commission and the Offices of the Auditors-General and other related matters connected.

S.50(1) of the law states that “not later than 90 days before the end of the financial year, the Auditors-General shall prepare and submit their estimates of revenue and expenditures of their offices for the next following financial year directly to the House of Assembly for inclusion in the Appropriation Law”.

S.50(2) states further that “the sum appropriated to the office of the Auditor-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 financial year”.

Evidence collected<sup>65</sup> indicates that the legal provision stated above and contained in the Ekiti State Audit Law 2021 is yet to be operational even after nine months since the law was signed by Governor Kayode Fayemi. It is not clear why this legal provision that guarantees the financial independence of the Auditor-General in Ekiti State is not being implemented as contained in the law despite indication that an implementation circular had been issued by the Head of Service of Ekiti State. Financial autonomy and operational independence for Supreme Audit Institutions especially at subnational level are foundational pillars of achieving public accountability. It is therefore important for the Ekiti State Government to begin implementation of this legal provision and ensure costs to the office of the Auditor-General for Ekiti State are charged on the first line to the Consolidated Revenue Fund of the State.

## No Clarity of Tenure for the Auditors-General

S.21(3) of the Ekiti State Audit Law 2021 indicates that “a candidate for the position of the Auditor General shall not be less than 52 years of age and not more than 56 years of age at the time of his appointment”. Furthermore, S.24 of the law states that “the Auditor-General shall remain in office until he has attained the retirement age of sixty (60) years except where he is removed under the provisions of this law”. This legal provisions subject the tenure of the Auditor-General in Ekiti State to varying degrees of inadequacies as successive Auditor-Generals are likely

to have inconsistent number of years in service. Such inconsistencies could negatively affect policy implementation at the Office of the Auditor-General in Ekiti State as one Auditor-General could spend four years in office while another could spend between five to eight years. While there could be age bracket on appointing the Auditor-General, the Ekiti State Audit Law 2021 need to provide for a definitive term of office for the Auditor-General and such term of office should be clearly stated, consistent and predictable.

## Audit Mandate Execution

The Office of the Auditor-General for Ekiti State claimed<sup>66</sup> to have conducted financial, compliance and performance audits for the year ended 2020 with findings of the Auditor-General consolidated in a single report<sup>67</sup>. This laudable effort by the Auditor-General should continue and be scaled to ensure that more comprehensive compliance and performance audits are conducted regularly on government programs and projects in Ekiti State. The Auditor-General should also be provided with all required support by the State government.

<sup>63</sup> <https://budgetpedia.ng/Download/328/ekiti-laws/2545/ekiti-state-audit-law-2021>

<sup>64</sup> <https://ekitistate.gov.ng/hoa/2020/No15of2014.pdf>

<sup>65</sup> SAE Index 2021 Research Survey

<sup>66</sup> SAE Index 2021 Research Survey

<sup>67</sup> <https://ekitistate.gov.ng/wp-content/uploads/2021/2020AuditorGenReport.pdf>



## Effectiveness of Public Accounts Committee

While the Public Accounts Committee of Ekiti State House of Assembly has reviewed the report of the Auditor-General for 2019 and made seven recommendations to the Executive to correct audit anomalies, the Committee is yet to review the 2020 report of the Auditor-General as such no recommendation has been forwarded to the Executive arm to correct audit anomalies or to improve public finance management practices in the state<sup>68</sup>. The role of the Public Accounts Committee in ensuring timeous review of annual audit

reports is very crucial to concluding the audit action cycle for proper accountability in the utilization of public funds. Recommendations of Public Accounts Committee to improve accountability in the utilization of public funds must also be taken seriously and implemented as quickly as possible. It is not clear if all seven recommendations from review of the 2019 audit report by the Public Accounts Committee of Ekiti State House of Assembly forwarded to the Executive have been implemented.

## Citizens' Participation in the Audit Process

Although reports of the Auditor-General for Ekiti State are publicly accessible to citizens, participation in the audit process of Ekiti State through use of audit information to demand accountability or engagement with the Office of the Auditor-General and Public Accounts Committee is low and not encouraging. Civil Society Organizations in Ekiti State considered<sup>69</sup> themselves not to be involved in the audit process of the State. However, the Public Accounts Committee of Ekiti State House of Assembly

has promised to engage citizens and civil society organizations in the process of reviewing the 2020 report of the Auditor-General. 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 Parliament.

<sup>68</sup> SAE Index 2021 Research Survey

<sup>69</sup> [https://docs.google.com/forms/d/11MTI9X0Zi\\_bTJHhUXAPuXMi3wyuhdqr4vEpUaJU2sk/edit#responses](https://docs.google.com/forms/d/11MTI9X0Zi_bTJHhUXAPuXMi3wyuhdqr4vEpUaJU2sk/edit#responses)