



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

The principal legal framework for public audit in Katsina State is the Katsina State Audit Law 2020¹⁰³ signed by Governor Aminu Masari on 29th December 2020. The principal law has been amended and cited as Katsina State Audit (Amendment) Law 2021¹⁰⁴ signed on 11th November 2021 by Governor Aminu Masari.

S.29(1) and (2) of the Katsina State Audit Law 2020 indicates that “funding of the salaries and overheads of the State Auditor-General shall be in accordance with the appropriation act of the State House of Assembly. Any amount standing to the credit of the State Auditor-General in the annual appropriation Bill shall be paid on a first line charge to the State Auditor-General and disbursed as approved by the State House of Assembly”.

Also, S.14(d) of the Katsina State Audit (Amendment) Law 2021 states that “the Auditor Generals are to submit draft annual estimates directly to the State House of Assembly, make any necessary amendments after receiving comments from the State House of Assembly and then submits the amended estimates to the Ministry of Budget for inclusion in the appropriation bill, no changes shall be made to the estimates submitted by the Auditor Generals to the Ministry of Budget and Economic

Planning without the prior agreement of the State House of Assembly, and; the Executive must not control or direct access to the resources of the Auditor Generals/Offices.”

There is no evidence that the legal provision stated above and contained in the Katsina State Audit Law 2020 and the 2021 amendment has been operational since December 2020 when the principal law or November 2021 when the amended law was signed by Governor Aminu Masari. This is despite the issuance of letter of instruction¹⁰⁵ by the Secretary to the State Government - Mustapha Muhammad Inuwa on 16th July 2021 directing agencies of government to commence implementation of the Katsina State Audit Law 2020. Financial autonomy and operational independence for Supreme Audit Institutions especially at subnational level are foundational pillars of achieving public accountability. It is crucial that the Executive arm in Katsina State fully comply with these legal provisions to ensure that the State Auditor-General remains independent, able to perform his/her statutory functions and not subjected to the direction or control of any individual or authority as a result of financial constraints.

Lack of Transparency in the Appointment of the Auditor-General

S.23(1) of the principal law states that “the Auditor General shall be appointed by the Governor on the recommendation of the State Civil Service Commission, subject to the confirmation by the House of Assembly.” Although S.23(2)(a) and (b) was amended to read that “the Auditor General shall be a professional accountant with a minimum of fifteen years (15) post qualification and cognate experience in accounting and or auditing fields within and outside audit institutions”, nothing in the legal framework points to the procedure to be followed in

appointing the Auditor-General for Katsina State. Such procedure would include advertising the vacancy online and in newspaper publication for a minimum number of weeks and setting a date for interview of shortlisted candidates.

Stating and clarifying procedures to be followed in appointing who becomes Auditor-General is very important to ensure the best candidate for such sensitive and important position is appointed.

¹⁰³ <https://www.katsinastate.gov.ng/wp-content/uploads/2020/12/Katsina-State-Audit-Law-2020.pdf>

¹⁰⁴ <https://www.katsinastate.gov.ng/wp-content/uploads/2021/12/Law-to-amend-the-Katsina-State-Audit-law-2020.pdf>

¹⁰⁵ <https://www.katsinastate.gov.ng/wp-content/uploads/2021/07/Audit-Law-Instruction.pdf>



No Clarity of Tenure for the State Auditor-General

S. 25 of the principal law which has been amended states that “the Auditor-General shall remain in office until he has attained the age of sixty (60) years and shall not be more than fifty-six (56) years at the time of first appointment”.

This legal provision subjects the tenure of the Auditor-General in Katsina 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 Katsina State as Auditor-Generals appointed for the State will spend an undefined term of office between one to four years. While there could be an age bracket on appointing the Auditor-General, Katsina State Audit (Amendment) Law 2021 ought to have provided 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

Beyond the annual financial audit, the Auditor-General for Katsina State should conduct other types of audits including compliance audit and performance audit. This would ensure adherence to fiscal and procurement regulations by government agencies and guarantee value for money on programs and projects implemented by the government of Katsina State.

Effectiveness of Public Accounts Committee

There are no indications the Public Accounts Committee of the House of Assembly in Katsina State has reviewed the 2020 report of the Auditor-General for Katsina State. It is equally not clear if the Committee has backlog of reports to review. The effectiveness of the Public Accounts Committee in reviewing audit reports on the accounts of Katsina State and making recommendations to correct public finance management gaps could not be ascertained during this research exercise as relevant

officials did not provide required information despite repeated engagements. The role of the Public Accounts Committee in ensuring timeous review of annual audit reports cannot be overemphasized and very crucial to concluding the audit action cycle for proper accountability. 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.

Citizens' Participation in the Audit Process

While the 2020 report¹⁰⁶ of the Auditor-General for Katsina State is accessible to the public, there is no evidence citizens or Civil Society Organizations are actively involved in the Katsina State audit process. Evidence received¹⁰⁷ from a Civil Society Organization working in Katsina State confirmed exclusion of citizens in the audit process of the State. A CSO representative stated “There is poor involvement of Civil Society Organizations in the audit process in Katsina even as the State has passed and assented to the modern audit law last year (2020). The Public Account Committee of the House of Assembly could only invite CSOs during the ceremony of audit report presentation to the House of Assembly but could not do so during the actual review”.

Citizens should be involved in audit planning and execution by the Auditor-General and the review exercise conducted by the Public Accounts Committee. Citizens should also be able to use audit information to demand accountability or engagement with relevant officials. 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.

¹⁰⁶ <https://www.katsinastate.gov.ng/wp-content/uploads/2021/05/REPORT-OF-THE-AUDITOR-GENERAL-ON-THE-ACCOUNTS-OF-THE-GOVERNMENT-OF-KATSINA-STATE-OF-NIGERIA-FOR-THE-YEAR-ENDED-31ST-DEC-2020.pdf>

¹⁰⁷ https://docs.google.com/forms/d/11MTI9X0Zi_bTJHhUXAPuXMi3wyuhdqr4vEpUaIJU2sk/edit#responses