SERVICE COMMISSIONS DEPARTMENT

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In replying, the above number and date of
this letter should be quoted.

31st July, 2020

Ms. Jacqui Sampson-Meiguel
Clerk of the House
Office of the Parliament
Cabildo Building
St Vincent Street
Port-of-Spain

Dear Ms. Sampson-Meiguel,

The Twenty-Eight Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the Fnancial Year 2018

Your letter Parl: 5/1/2 dated 24th June, 2020 on the subject at caption refers.

Public Service Commission noted the recommendation outlined in the Twenty-Eighth Report of the Public Accounts Committee (PAC) of Parliament, upon its examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the Financial Year 2018, that the Public Service Commission (PSC) consult with the Auditor General's Department to establish measures to ensure that Accounting Officers could be held accountable for meeting submission deadlines, thereby removing or reducing obstacles to the effectiveness of the Auditor General's Department audit scrutiny, by 31st July 2020.

The PSC wishes to inform that it held discussions with the Auditor General at its statutory meeting on 14th July 2020.

The discussions with the Auditor General established the following:

a) The PSC under its existing regulations, could address matters of discipline relating to Permanent Secretaries/Accounting Officers. However, in relation to the specific instances of any allegations that may be cited, there will be a need to determine, in accordance with the Code of Conduct chapter XI Civil Service Regulations, Civil Service Act, Chapter 23:01, that the concerned officers were:

    (i) guilty of misconduct and/or;
    (ii) performed their duties in a negligent manner as defined in the said Regulations.

b) At present, a legal mandate for the Office of the Auditor General to report to the PSC on any alleged action of misconduct does not exist outside of any possible enquiry investigating a breach of the Code of Conduct by an accounting officer, to which the Office of Auditor General contributes evidence. It was concluded that the Auditor General does not have a reporting mandate to the PSC.

c) The role of the Auditor General as defined by the Section 116 of the Constitution and the Exchequer and Audit Act, Chapter 69:01, established oversight responsibility over the ordinances and properties of the State. The Auditor General must attest as to whether these assets were managed with due diligence as spelt out in the relevant regulations, rules and procedures. In the discharge of these functions, the Auditor General must have unimpeded access to all documents and records relating to public accounts and was entitled to call upon any officer (s) to provide explanations and relevant information.

d) The Financial Regulations establish a reporting requirement by Accounting Officers to the Minster of any discovered irregularity connected with the public accounts. The Exchequer and Audit Act, defines Minister to mean the Minister responsible for Finance. Accounting Officers receive their letters of appointments from the Minister of Finance and as such have personal and pecuniary responsibility for the financial performance of the financial duties of their Ministries/Departments. The Financial Regulations provide for Accounting Officers to be answerable to the Public Accounts Committee as it relates to their stewardship of the financial matters on behalf of their Ministries/Departments.

In light of the foregoing, it was concluded that measures to ensure accountability by Accounting Officers were enshrined in the Constitution, the Exchequer and Audit Act and relevant regulations and directives by the Minister of Finance. However, should the institution of disciplinary measures be needed, the process as outlined in the Public Service Commission Regulations must be followed.

Respectfully,

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Director of Personnel Administration (Ag.)

SERVICE COMMISSIONS DEPARTMENT