



PARLIAMENT OF THE COOK ISLANDS

PARLIAMENT PAPER NO. 13

Rarotonga.

Sir,

Pursuant to section 21(1) of the Public Expenditure Review Committee and Audit Act 1995-96, the Regulations Act 1971-72 and the Legislative Service Act 1968-69, I have the honour to submit the Public Expenditure Review Committee and Audit (Appointment of Director) Order 2004, Serial No. 2004/19

I have the honour to be,

Sir,

Your obedient servant,

(Paul R.S. Allsworth)
Director of Audit

The HON. SIR GEOFFREY HENRY, KBE, Minister for PERCA

Price \$1.50

2004/19



**PUBLIC EXPENDITURE REVIEW COMMITTEE AND AUDIT
(APPOINTMENT OF DIRECTOR) ORDER 2004**

Sir Frederick Goodwin

Queen's Representative

ORDER IN EXECUTIVE COUNCIL

At Avarua, Rarotonga this 12 th day of October 2004

Present:

**HIS EXCELLENCY THE QUEEN'S REPRESENTATIVE
IN EXECUTIVE COUNCIL**

PURSUANT to section 21(1) of the Public Expenditure Review Committee and Audit Act 1995-96, His Excellency the Queen's Representative, acting by and with the advice and consent of the Executive Council, hereby makes the following Order.

ANALYSIS

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| 1. Title | 2. Appointment of Director
Schedule |
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ORDER

1. Title – This Order may be cited as the Public Expenditure Review Committee and Audit (Appointment of Director) Order 2004.

Price \$1.50

2. Appointment of Director – Paul Raui Steven Allsworth is hereby appointed Director of the Office of the Public Expenditure Review Committee and Audit, upon the terms and conditions set out in the Schedule hereto.

Tauepa Tutakiao-Tupa
Acting Clerk of the Executive Council

This Order is administered by the Office of the Public Expenditure Review Committee and Audit

BY AUTHORITY:
Cook Islands Government 2004

SCHEDULE**1.0 APPOINTMENT AND TERM**

The Director of the Office of the Public Expenditure Review Committee and Audit ("the Director") shall be appointed for a term (subject to clause 9 hereof) of three (3) years, commencing from the date of the Warrant of Appointment is signed by the Queen's Representative.

2.0 DUTIES

The Director shall subject to the provisions of Part III of the Public Expenditure Review Committee and Audit 1995-96 ("the Act") report to the Minister charged with the responsibility of the Office of the Public Expenditure Review Committee and Audit ("the Minister"). The Director shall diligently and faithfully perform his functions under the Act and shall devote his best skill and energies to the discharge of his functions and shall use his best endeavours to protect and promote the interests and standing of the Public Expenditure Review Committee and Audit Office ("PERCA").

3.0 REMUNERATION

3.1 The Director shall receive a Gross Taxable Annual Salary of \$70,000 per annum.

3.2 Where there is a general public service salary increase or review of salaries of officers of the Public Service during the term of the appointment, such increase or review shall apply to and include the salary of the Director.

4.0 LEAVE ENTITLEMENT

4.1 The Director shall be entitled to paid annual leave of twenty (20) working days per annum, such leave to be taken at such time and times as may be determined by the Minister in consultation with the Director. Such leave shall not, if not taken in the year in which it falls due, be carried forward to any succeeding year.

4.2 The Director shall be entitled to not more than fifteen (15) days paid sick leave per annum, which leave shall not, if not taken in the year in which it falls due, be carried forward to any succeeding year.

4.3 The Director shall be entitled to bereavement leave for immediate family members.

4.4 The Director shall be entitled to special and national representation leave, where the Director is representing the country at Conferences and Seminars.

5.0 TRAVEL AND ACCOMMODATION ALLOWANCE

The Director shall be entitled when traveling on official business within the Cook Islands or overseas to the same travel, accommodation, meal, incidental and other allowances as are normally paid to other Heads of Ministries/Departments.

6.0 MOTOR VEHICLES

The Director shall be entitled to the use of a motor vehicle provided by the Office.

7.0 POLITICS PROHIBITED

The Director acknowledges and agrees that in the interests of maintaining the independence and integrity of PERCA, that he shall not engage in political activity or become a member of or adviser in any capacity to a political party and shall before becoming a candidate for election as a member of Parliament resign from Office.

8.0 CONFIDENTIALITY

8.1 The Director acknowledges that all information that may come into his possession during the term of his appointment is confidential to the Crown, and the Director agrees that he will not at any time without the consent of the Minister, use or convey such information to any person except in the normal course of his duties as may be required by law.

8.2 On the termination of his appointment for whatever cause, the Director shall leave with or forthwith return to PERCA, any files, documents, precedents, reports or other information of or relating to the Crown (including all copies and extracts thereof) which may have come into his possession during the term of his appointment.

9.0 EARLY TERMINATION

9.1 The Director may be removed or suspended from Office in accordance with section 23 of the Act.

9.2 Where the Director is rendered incapable of the proper performance of his duties as a result of mental or physical illness, the appointment may be terminated by the Queen's Representative acting on the advice of the Prime Minister after consultation with the Public Expenditure Review Committee.

10.0 TERMINATION BY AGREEMENT

The Director may terminate this Agreement at any time by giving not less than three (3) months notice in writing to the Minister, who shall then advise the Queen's Representative to revoke the Directors's Warrant of Appointment.

11.0 ARBITRATION

In the event of any dispute or difference arising regarding any matter or thing arising out of these terms and conditions or the interpretation of any clause, matter or thing herein contained or hereby contemplated, such dispute or difference shall be referred to and settled by the Chief Justice of the Cook Islands or his nominee, who is hereby appointed as sole arbitrator pursuant to the Arbitration Act 1908 or any statutory modification or re-enactment thereof for the time being in force in the Cook Islands.
