



Changes to annual reporting requirements

Treasury annual reporting webpage updated

Treasury has updated its annual reporting webpage, including its Annual Report Compliance Checklist and Annual Report Frequently Asked Questions – see www.treasury.nsw.gov.au/Annual_Reporting/Annual_Reporting.

Changes to annual reporting requirements

Agencies that are subject to the Annual Reports Acts

The *Annual Reports (Statutory Bodies) Act 1984* (ARSBA) definition of ‘statutory body’ has been modified by clause 18 of the *Government Sector Finance Regulation 2018* (GSFR). As a result, each agency listed in GSFR Schedule 2 Part 1 meets the ARSBA definition of ‘statutory body’. Accordingly, each of those statutory bodies must prepare its annual report in accordance with ARSBA requirements. Virtually all statutory bodies that were previously listed in Schedule 2 to the *Public Finance and Audit Act 1983* (PFAA) are now listed in GSFR Schedule 2 Part 1.

Similarly, the *Annual Reports (Departments) Act 1985* (ARDA) definition of ‘Department’ has been modified by GSFR clause 19. As a result, each agency listed in GSFR Schedule 2 Part 2 meets the ARDA definition of ‘Department’. Accordingly, each of those Departments must prepare its annual report in accordance with ARDA requirements. Virtually all Departments that were previously listed in PFAA Schedule 3 are now listed in GSFR Schedule 2 Part 2.

In addition, due to the operation of section 24A of the *Statutory State Owned Corporations Act 1989*, each statutory State owned corporation also meets the ARSBA definition of ‘statutory body’. Accordingly, each of those corporations must prepare its annual report in accordance with ARSBA requirements.

2020-21 annual reports must be submitted to Ministers by 31 October 2021

The general deadline for agencies to submit their 2019-20 annual reports was extended by one month to 30 November 2020. However, there will not be a similar general deadline extension for 2020-21 annual reports as neither ARDA nor ARSBA empowers the Treasurer to grant such a general deadline extension. [The 2019-20 general deadline extension was based on a provision in Schedule 2 to the *Government Sector Finance Act 2018*, which only applied to 2019-20 annual reports].

What senior executive salary bands should my agency use this financial year?

On 07 September 2020, the Statutory and Other Officers Remuneration Tribunal (SOORT) released the *2020 Annual Determination – SOORT – Public Service Senior Executive (PSSE)* with four Public Service Senior Executive salary bands that apply for financial years ending on or after 1 July 2020. These were exactly the same four salary bands that applied for financial years ended between 1 July 2019 and 30 June 2020 per the 2019 Annual Determination. However, certain individuals with salaries outside of the normal per annum range for a particular band were added to two of those bands. See https://www.treasury.nsw.gov.au/sites/default/files/2021-09/annual_reporting_faqs.pdf.

Internal audit and risk management policy attestation

In December 2020, Treasury issued Treasury Policy Paper (TPP) 20-08 *Internal Audit and Risk Management Policy for the General Government Sector*. TPP 20-08 replaced various TPPs including TPP 15-03 *Internal Audit and Risk Management Policy for the NSW Public Sector*.

TPP 20-08 Annexure C sets out an annual report attestation statement, which is generally consistent with the attestation statement previously required by TPP 15-03. For further information on TPP 20-08, including its annual report attestation statement, please contact: Director, Financial Management Governance & Analytics, Treasury
Telephone: 02 9228 3764
Email: finpol@treasury.nsw.gov.au

NSW Cyber Security Policy

In March 2021, the Department of Customer Service issued *NSW Cyber Security Policy* Version 4.0, which replaced the previous version of that Policy. Version 4.0 requires that agencies include a Cyber Security Attestation Statement in their annual reports, which is generally consistent with the attestation statement required by the previous version of that Policy. For further information on that Policy, including its annual report attestation statement, please email: cybersecuritypolicy@customerservice.nsw.gov.au.

No change but please note

ARDA and ARSBA remain in force for 2020-21 and 2021-22

Both ARDA and ARSBA remain in force for 2020-21 and 2021-22. Accordingly, each agency that meets the ARDA definition of 'Department' must prepare its annual report in accordance with that Act. Similarly, each agency that meets the ARSBA definition of 'statutory body' must prepare its annual report in accordance with that Act.

As noted above:

- agencies that meet the ARSBA definition of 'statutory body' are listed in GSFR Schedule 2 Part 1. Virtually all statutory bodies that were previously listed in PFAA Schedule 2 are now listed in GSFR Schedule 2 Part 1, and
- agencies that meet the ARDA definition of 'Department' are listed in GSFR Schedule 2 Part 2. Virtually all Departments that were previously listed in PFAA Schedule 3 are now listed in GSFR Schedule 2 Part 2.

Final

If you require further information, please contact accpol@treasury.nsw.gov.au.