

PAPER FOR FINANCE COMMITTEE
Proposed Changes to Special Funds

Introduction

The revision of the governance structure into portfolios on 1 April 2021, has resulted in changes in the lines of responsibility for the management of Special Funds. The legislation for the Special Funds therefore requires amendment to ensure that references to Accounting Officers and Council Committees are brought up to date.

As the legislation requires amendment, it is an opportune time to improve consistency in the references to Accounting Officer and to rectify other minor issues. The definition of Accounting Officer in Financial Regulations includes an Accounting Officer “appointed by the Financial Secretary”. It is proposed that the legislation is updated to remove all specific references to Accounting Officer and replace with a generic reference “by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund”. This will avoid the need for legislation to be amended each time there is a change in title for the responsible post holder.

Proposed Changes

A summary of the changes proposed is included in Annex A.

PAPER FOR FINANCE COMMITTEE
Proposed Changes to Special Funds

ANNEX A

Summary of Proposed Changes

LEGISLATION	SECTION	PROPOSED CHANGE (Changes indicated in blue)
Special Funds Ordinance, 2012		
Government Landlord Housing Capital Fund	3.(4)	<p>Insert authority for appointment of Accounting Officer and amended to provide consistency with the legislation for other funds.</p> <p>3.(4) Payments from the GLHC Fund may be authorised by the Financial Secretary, or a public officer nominated by the Financial Secretary to be the Accounting Officer for the in relation to such Fund.</p>
	3.(5)	<p>Update reference to Committee.</p> <p>3.(5) The Council Committee responsible for Health and Social Welfare Finance shall consider the monthly accounts and reports relating to the GLHC Fund to monitor the progress made in meeting the purpose of the Fund.</p>
Capital Receipts Fund	4.(4)	<p>Insert authority for appointment of Accounting Officer and amended to provide consistency with the legislation for other funds.</p> <p>4.(4) Payments from the Capital Receipts Fund may be authorised by the Financial Secretary, or a public officer nominated by the Financial Secretary to be the Accounting Officer for the in relation to such Fund.</p>
	4.(5)	<p>Update reference to Committee.</p> <p>4.(5) The Council Committee responsible for Infrastructure and Utilities Finance shall consider the monthly accounts and reports relating to the Capital Receipts Fund to monitor the progress made in meeting the purpose of the Fund.</p>
Other Locally Funded Projects Fund	5.(4)	<p>Update reference to authorised officers and amend to provide consistency with the legislation for other funds.</p> <p>5.(4) Payments from the OLFP Fund may be authorised by the Financial Secretary, or a public officer nominated by the Financial Secretary or to be the Accounting Officer in relation to such for the Fund.</p>

PAPER FOR FINANCE COMMITTEE
Proposed Changes to Special Funds

LEGISLATION	SECTION	PROPOSED CHANGE (Changes indicated in blue)
	5.(5)	Update reference to Committee. 5.(5) The Council Committee responsible for Economy and Finance shall consider the monthly accounts and reports relating to the OLFP Fund to monitor the progress made in meeting the purpose of the Fund.
Public Finance Ordinance, 2010		
Special Fund (IT Trading Account) Order, 2011	2,(2)	Update reference to Department. 2,(2) The purpose of the Fund is to manage the expenditures of the Information Technology section of the Finance Department Central Support Service and the revenues from charges for services provided to other sections of government and to certain statutory bodies.
	2.(3)	No changes are proposed. The authorised officers are listed below for information. 2.(3) Payments from the Fund may be authorised by the Financial Secretary, or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund
Special Fund (Transport Trading Account) Order, 2011	2. (2)	Update reference to Department. 2. (2) The purpose of the Fund is to manage the expenditures of the Transport section of the Public Works and Services Department Central Support Service and the revenues from charges for the hire of vehicles and plant provided to other sections of government and to the public.
	2.(3)	No changes are proposed. The authorised officers are listed below for information. 2.(3) Payments from the Fund may be authorised by the Financial Secretary, or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.
Special Fund (EDF Projects) Order, 2011		No changes are proposed. The authorised officers are listed below for information. 2.(3) Payments from the Fund may be authorised by the Financial Secretary, or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.
Special Fund (UNDP) Order, 2011	2.(3)	No changes are proposed. The authorised officers are listed below for information. 2.(3) Payments from the Fund may be authorised by the Financial Secretary, or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.

PAPER FOR FINANCE COMMITTEE
Proposed Changes to Special Funds

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Special Fund (DFID Projects) Order, 2011	Title	Update reference to DFID. SPECIAL FUND (DFID FCDO PROJECTS) ORDER, 2011
	1	Update reference to DFID. 1. This Order may be cited as the Special Fund (DFID FCDO Projects) Order, 2011 and comes into force on 1st April, 2011.
	2. (1)	Update reference to DFID. 2. (1) This Order establishes a Special Fund to be known as the DFID FCDO Funded Projects Fund (“the Fund”).
	2.(2)	Update reference to the United Kingdom Department for International Development. 2.(2) The purpose of the Fund is to manage the expenditure and revenues of projects for the economic, social, infrastructure and institutional development of St Helena (or where joint projects are established, St Helena Ascension and Tristan da Cunha) which are funded wholly or mainly by the United Kingdom Department for International Foreign Commonwealth and Development Office and which do not meet the purposes of any other special fund.
	2.(3)	No changes are proposed. The authorised officers are listed below for information. 2.(3) Payments from the Fund may be authorised by the Financial Secretary, or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.
Special Fund (Housing Service Trading Account) Order, 2013	2. (3)	No changes are proposed. The authorised officers are listed below for information. 2. (3) Payments from the Fund may be authorised by the Financial Secretary, or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.
Special Fund St Helena Audit Service Trading Account) Order, 2013	Title	Update reference to ST HELENA AUDIT SERVICE SPECIAL FUND (ST HELENA AUDIT ST HELENA SERVICE) ORDER, 2013
	2.(1)	Update reference to St Helena Audit Service 2. (1) This Order establishes a Special Fund to be known as the St Helena Audit St Helena Service -Trading Account Fund (“the Fund”).

PAPER FOR FINANCE COMMITTEE
Proposed Changes to Special Funds

LEGISLATION	SECTION	PROPOSED CHANGE (Changes indicated in blue)
	2.(2)	Update reference to St Helena Audit Service 2.(2) The purpose of the Fund is to manage the expenditures of, and revenues from charges for services provided by, the St Helena Audit St Helena Service with respect to the independent audit and review of the use of, and accounting for, resources by the St Helena Government.
Special Fund (Environmental Management Projects) Order, 2014	2. (3)	No changes are proposed. The authorised officers are listed below for information. 2. (3) Payments from the Fund may be authorised by the Financial Secretary or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.
Special Fund (Bulk Fuel Installation Trading Account) Order, 2016	2.(3)	Update reference to authorised officer. 2.(3) Payments from the Fund may be authorised by the Assistant Deputy Financial Secretary, who is the Accounting Officer for the Fund; or in accordance with one or more contractual agreements for the operation of the bulk fuel facilities
Special Fund (St Helena Airport Trading Account) Order, 2018	2. (3)	No changes are proposed. The authorised officers are listed below for information. 2. (3) Payments from the Fund may be authorised by the Financial Secretary or by a public officer nominated by the Financial Secretary to be the Accounting Officer for the Fund.
Special Fund (FCO Projects) Order, 2019		It is proposed that this fund be wound up and any balances held, combined with the Special Fund FCDO project (previously DFID Projects).