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**Cc:** [Hepper, Fiona](#); [Hutchinson, Peter](#)  
**Subject:** RHI - Admin Agreement with Ofgem  
**Date:** 17 December 2012 12:03:25  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

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Patrick

I tried to get you on the phone. You may recall you provided advice a few weeks ago re the above. One further issue remains – Ofgem is content to provide us with audit information remotely but is not content to grant us right of physical access to conduct an audit. The reason it has given is that it is an independent body and such access would compromise that independence. Ofgem has pointed out that it is audited by the National Audit Office and in addition can provide us copies of reports of internal audits provided by Deloitte.

The Northern Ireland Audit Office had advised us that it had a statutory right of audit entry and then provided e-mail below. I have found the following pieces of legislation

- The Audit (NI) Order 1987;
- The Audit and Accountability (NI) Order 2003
- Audit and Accountability (NI) Order (Statutory Rights of Access : Exclusions) Order (NI) 2003.
- Government Resources and Accounts Act (Northern Ireland) 2001

I can't find anything within this legislation that would confirm that there is a right to audit entry given that Ofgem is an independent body, based in GB.

Grateful for your view – perhaps you could give me a call when you're free.

Joanne

### **Joanne McCutcheon**

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