

1971 Bill 134

Fourth Session, 16th Legislature, 20 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 134

The Taxpayers' Protection Act

MR. HYNDMAN

First Reading

Second Reading

Third Reading

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BILL 134

1971

THE TAXPAYERS' PROTECTION ACT

(Assented to _____, 1971)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. The Provincial Auditor shall be the Auditor General of Alberta and, in addition to any function performed by him under any other Act, shall act as a protector for the taxpayer by examining, in such manner as he may deem necessary, the accounts relating to the General Revenue Fund and to the disbursement of Public Money and shall ascertain whether in his opinion

- (a) there is any waste or needless expenditure,
- (b) the accounts have been faithfully and properly kept,
- (c) all public money has been fully accounted for, and the rules and procedures applied are sufficient to secure an effective check on the assessment, collection and proper allocation of the revenue,
- (d) money has been expended for the purposes for which it was appropriated by the Legislature, and the expenditures have been made as authorized, and
- (e) essential records are maintained and the rules and procedures applied are sufficient to safeguard and control public property.

2. (1) The Auditor General shall report annually to the Legislative Assembly the results of the examinations required to be made by him by this Act and shall call attention to every case in which he has observed that

- (a) waste or needless expenditure has occurred, or
- (b) any officer or employee has wilfully or negligently omitted to collect or receive any money belonging to Alberta, or
- (c) any public money was not duly accounted for and paid into the General Revenue Fund, or
- (d) any appropriation was exceeded or was applied to a purpose or in a manner not authorized by the Legislature, or

Explanatory Notes

This Act, in establishing the office of Auditor General of Alberta

- (a) materially expands the functions of the present Provincial Auditor,
- (b) reflects the purpose and scope of the office of Auditor General of Canada.

The broad purpose of this Act is to establish an objective and independent office of the Auditor General, responsible directly to the Legislature and removable only by the Legislature, to protect the taxpayers of Alberta and to ensure that their tax monies are being properly spent and that there is no waste or needless expenditure of those monies.

Specifically, the purposes of this Bill are

- (1) to uncover and check waste and needless expenditure,
- (2) to ensure that all government expenditures have been properly authorized,
- (3) to provide a public watchdog respecting the collection and allocation of tax revenues,
- (4) to ensure that special warrants and the funds spent thereby have met the criteria of being "urgently" needed for the public good.

Section 2 ensures that the high standards of independence and objectivity of the present Provincial Auditor will be carried forward to the new office of the Auditor General, with its new responsibilities, and that the office will be strong, capable, efficient and equipped to operate effectively.

- (e) an expenditure was not authorized or was not properly vouched or certified, or
- (f) there has been a deficiency or loss through the fraud, default or mistake of any person, or
- (g) a special warrant authorized the payment of any money,

and to any other matter that in his opinion should be brought to the attention of the Legislative Assembly.

(2) The Auditor General shall include in the report made by him as provided in subsection (1) such information as in his opinion should be brought to the attention of the Legislative Assembly in relation to the accounts and financial statements of any board, agency or Crown corporation.

(3) When the report is prepared, the Minister shall lay a copy thereof before the Legislative Assembly within fifteen days after the commencement of the next ensuing session.

3. Notwithstanding the provisions of any other Act, the Auditor General is entitled to free access at all convenient times to all files, documents and other records relating to the accounts of every department, board, agency and Crown corporation.

4. This Act comes into force on the day upon which it is assented to.

(2) Ensures that as a specialist the Auditor General gathers, evaluates and reports the information which, based on his professional judgment, he believes is wanted or needed by the Legislature.

(3) Provides a mechanism whereby a direct, prompt report to the Legislature can be made by the Auditor General on an annual basis.