

1995 BILL 213

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Third Session, 23rd Legislature, 44 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 213**

**PUBLIC ACCOUNTS COMMITTEE ACT**

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MRS. ABDURAHMAN

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First Reading.....

Second Reading.....

Committee of the Whole .....

Third Reading.....

Royal Assent .....

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*Bill 213*  
*Mrs. Abdurahman*

## **BILL 213**

1995

### **PUBLIC ACCOUNTS COMMITTEE ACT**

*(Assented to , 1995)*

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

Definitions

- 1** In this Act, unless a contrary intention appears,
- (a) "Chairman" means the Chairman of the Standing Committee on Public Accounts of the Legislative Assembly of Alberta;
  - (b) "Committee" means the Standing Committee on Public Accounts of the Legislative Assembly of Alberta;
  - (c) "Deputy Chairman" means the Deputy Chairman of the Committee;
  - (d) "Member" means a member of the Committee.
  - (e) "Provincial committee" has the same meaning as in the *Financial Administration Act*;
  - (f) "Provincial corporation" has the same meaning as in the *Financial Administration Act*;
  - (g) "public money" has the same meaning as in the *Financial Administration Act*.

- Committee**            **2** The Committee appointed by the Legislative Assembly shall consist of 11 members inclusive of the Chairman.
- Representatives**    **3** Each political party represented in the Legislative Assembly shall be represented on the Committee in as close a proportion as possible to the number of Members of that party in the Legislative Assembly.
- Terms**                **4** Each member of the Committee shall hold office for the term of the Legislature in which he was appointed unless he resigns or is removed earlier by resolution of the Legislative Assembly.
- Chairman**            **5** The Chairman of the Committee shall be a member of the Official Opposition.
- 6(1)** The Committee may meet when the Legislative Assembly is in session, recessed or adjourned, at a specified time during the day to be determined by the Committee;
- (2)** Notwithstanding subsection (1), the Committee shall not meet at the same time as the Legislative Assembly is meeting.
- Role and mandate of the Committee**    **7** The Committee shall:
- (a) examine the past and planned expenditures of all provincial government departments, crown agencies, Provincial corporations, or Provincial committees in which public funds are invested to ensure that resulting policies and programs are implemented and delivered in a cost effective and efficient manner;
  - (b) investigate and report to the Legislative Assembly on the privatization of any Provincial corporation;
  - (c) investigate and report to the Legislative Assembly on any special matter relating to the expenditure or use of public money which the Committee deems to be of importance;
  - (d) investigate and report to the Legislative Assembly upon any financial management or control system put in place

by the government to ascertain whether such system is structured to ensure legislative accountability of the expenditure of public money;

- (e) investigate and report on any matter referred to the Committee by the Legislative Assembly.

**8 The Committee may:**

- (a) request the Auditor General to perform value-for-money audits of any government department, crown agency, provincial corporation or Provincial committee that the Committee designates for review in order to ensure the efficiency and effective operation of programs in meeting their stated objectives;
- (b) require the Auditor General to perform specific or special purpose reviews and report the findings to the Committee;
- (c) request from the government any financial information or documents required to complete its investigation or review;
- (d) prepare reports of its findings and make recommendations on an annual basis and submit these to the Legislative Assembly;
- (e) submit both majority and minority reports, if required, on any matter.

**9(1)** Where a recommendation is made to the Legislative Assembly pursuant to section 8(d), a member of Executive Council shall reply to the recommendation within 120 days of its being made to the Legislative Assembly.

**(2)** The reply referred to in subsection (1) shall be tabled in the Legislative Assembly if it is then sitting or if it is not then sitting, by delivering a copy to the Clerk of the Legislative Assembly.

**10** There shall be referred to the Committee, without special reference, the Public Accounts, the annual budget and quarterly

budget updates, any business plan prepared by a department of Government and performance reports, audit working papers prepared by the Office of the Auditor General pertaining to the Province's finances, and any reports prepared by the provincial Audit Committee.

**Sub-committees**

**11(1)** Subject to sub-section (2), the Committee may appoint a sub-committee or sub-committees of three or more of its members to inquire into and report to the Committee upon such matters as the Committee directs.

(2) Not more than two sub-committees shall be appointed at the same time.

(3) A sub-committee shall report in writing to the Committee as soon as practicable on each matter referred to that sub-committee.

(4) Subject to section 6, a sub-committee may sit at any time notwithstanding that the Committee is sitting at the same time.

**Witnesses**

**12(1)** The Committee may summon members of Executive Council, senior public servants, or any other person to appear before it to give evidence and produce documents under oath.

(2) A summons to a witness shall be signed by the Chairman or Deputy Chairman.

(3) A summons to a witness may be served upon the witness either personally or by being left at, or sent by double-registered mail to, his usual place of business or abode.

**Continuance of evidence**

**13** Where the Committee, as constituted at any time, or a sub-committee of the Committee, as constituted at any time, has taken evidence in relation to a matter, but the Committee has ceased to exist before reporting on the matter, the Committee as next constituted may consider that evidence as if it had been given before it.

**14** The *Auditor General Act* is amended by adding the following after section 17:

17.1 The Auditor General shall perform such duties as may be requested pursuant to section 8 of the *Public Accounts Committee Act*.

**Commencement** 15 This Act comes into force upon Proclamation.