

Bill 2

BILL 2

2003

FINANCIAL STATUTES AMENDMENT ACT, 2003

(Assented to , 2003)

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

Financial Administration Act

Amends RSA 2000 cF-12

1(1) The *Financial Administration Act* is amended by this section.

(2) Section 1(1) is amended

(a) in clause (e)

- (i) in subclause (ii) by striking out** “that is incorporated by or under an Act of the Legislature, other than a” **and substituting** “, other than a corporation incorporated by or under a”;
- (ii) in subclause (iii) by striking out** “that is incorporated by or under an Act of the Legislature other than a” **and substituting** “, other than a corporation incorporated by or under a”;
- (iii) by repealing subclause (iv) and substituting the following:**

- (iv) a corporation that is a subsidiary of a corporation described in subclause (ii) or (iii) or that is controlled by a corporation described in subclause (ii) or (iii) directly or indirectly through one or more intermediary corporations,

but does not include a regional health authority or subsidiary health corporation under the *Regional Health Authorities Act*;

(b) by adding the following after clause (l):

- (l.1) “Minister responsible” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(c) in clause (r)(i) by striking out “that is incorporated by or under an Act of the Legislature, other than a” and substituting “, other than a corporation incorporated by or under a”;

(d) in clause (w) by striking out “but does not include a revolving fund”;

(e) by repealing clause (y).

(3) Section 10 is amended

(a) in subsection (1) by adding “and may engage in activities of a financial nature in connection with that responsibility” after “Act”;

(b) by adding the following after subsection (1):

(1.1) Subject to the approval of the Treasury Board, amounts required to be paid under agreements entered into for the purpose of managing fiscal risk may be paid out of the General Revenue Fund.

(4) Section 12 is repealed.

(5) Section 17 is repealed.

(6) Section 23 is repealed and the following is substituted:

Reporting of remissions, compromises and write-offs

23 Remissions and compromises made or approved under sections 21 and 22 and any write-offs made or approved during a fiscal year shall be reported in the public accounts for the fiscal year in which they were made or approved.

(7) The following is added after section 28:

Carry over of capital investment supply votes

28.1(1) In this section, “capital investment supply vote” means a supply vote classed as capital investment.

(2) Where, at the end of a fiscal year, a capital investment supply vote for that fiscal year has an unexpended balance, the Treasury Board may authorize that balance or any portion of that balance to be spent, notwithstanding section 28(1), in the fiscal year following the year for which the money was originally voted.

(3) An authorization under subsection (2) must be made on or before August 31 in the fiscal year following the year for which the money was originally voted.

(4) A payment made under an authorization under subsection (2) must be reported in the public accounts for the fiscal year in which the payment is made.

(5) This section applies to the 2003-04 and subsequent fiscal years.

(8) Section 30 is repealed and the following is substituted:

Reporting of special warrants

30 Special warrants and the payments made under the authority provided by each of those warrants shall be reported in the public accounts for the fiscal year for which the special warrants were issued.

(9) Section 43 is amended

(a) **in subsection (4) by striking out** “Provincial Treasurer’s power” **and substituting** “power of the Minister responsible”;

(b) **by repealing subsection (6) and substituting the following:**

(6) The Minister responsible may engage in activities of a financial nature respecting investment under this Part.

(10) Section 56(3) is repealed and the following is substituted:

(3) The Minister responsible may engage in activities of a financial nature respecting this Part.

(11) Section 65(2) is amended by adding “, in accordance with directions given by the Minister responsible,” after “subsection (1) may”.

(12) Section 67(2)(g) is repealed and the following is substituted:

(g) to make the payments required under agreements made pursuant to activities engaged in under section 56(3) by the Minister responsible, and

(13) Section 75 is amended

(a) **in subsection (1) by striking out** “The Provincial Treasurer shall prepare, in accordance with the regulations, a report” **and substituting** “A report shall be prepared, in accordance with the regulations,”;

(b) **by adding the following after subsection (2):**

(3) Reports prepared under subsection (1) shall be included in the public accounts.

(14) Part 8 is repealed.

(15) Section 81 is amended by adding the following after subsection (2):

(3) Subsection (1) does not apply to a loan or class of loans determined by the Minister responsible.

(16) Section 82 is amended

(a) **in subsection (2)(a) and (b) by striking out “1999” and substituting “2004”;**

(b) **by repealing subsection (11)(a);**

(c) by adding the following after subsection (11):

(12) Subsection (2)(a) does not apply to a Provincial corporation or Crown-controlled organization incorporated, in accordance with an approval under section 80, on or after February 1, 2003 but before January 1, 2004.

(17) Section 94 is amended

(a) in subsection (2)(b) by striking out “the Provincial Treasurer” **and substituting** “a deputy head”;

(b) in subsection (4) by striking out “The Provincial Treasurer may, in giving the Provincial Treasurer’s” **and substituting** “A deputy head may, in giving his or her”.

(18) Section 96(2) is repealed and the following is substituted:

(2) A deputy head or a Provincial corporation may, by consenting to a particular assignment or class of assignments, exempt that assignment or class of assignments from the operation of subsection (1).

(19) In the Act, except sections 43(6), 56(3), 67(2)(g), 75(1) and 94(2)(b) and (4), “Provincial Treasurer” is struck out wherever it occurs and “Minister responsible” is substituted.

(20) In the following provisions “Provincial Treasurer’s” is struck out wherever it occurs and “Minister’s” is substituted:

section 13(1);
section 28(7);
section 31(4).

(21) The Schedule is repealed and the following is substituted:

**Schedule
Provincial Agencies
to be Continued**

In accordance with section 82(4) of the *Financial Administration Act*, the Provincial agencies set out in Parts 1 to 20 that are in existence on December 31, 2004, continue after that date until they are discontinued in accordance with section

82(2)(b) of the *Financial Administration Act*, or they sooner expire, are disestablished or are wound up.

Part 1
Provincial Agencies Under the
Ministry of Aboriginal Affairs
and Northern Development

Metis Settlements Appeal Tribunal established under section 180 of the *Metis Settlements Act*.

Northern Alberta Development Council established under section 2 of the *Northern Alberta Development Council Act*.

Part 2
Provincial Agencies Under the Ministry
of Agriculture, Food and
Rural Development

Agriculture Financial Services Corporation established under section 2 of the *Agriculture Financial Services Act*.

Alberta Agricultural Products Marketing Council continued under section 3 of the *Marketing of Agricultural Products Act*.

Irrigation Council established under section 50 of the *Irrigation Districts Act*.

Irrigation Secretariat established under section 52 of the *Irrigation Districts Act*.

Part 3
Provincial Agencies Under the Ministry
of Children's Services

Social Care Facilities Review Committee established under section 2 of the *Social Care Facilities Review Committee Act*.

Part 4
**Provincial Agencies Under the Ministry
of Community Development**

Alberta Foundation for the Arts established under section 2 of the *Alberta Foundation for the Arts Act*.

The Alberta Historical Resources Foundation established under section 38 of the *Historical Resources Act*.

Alberta Human Rights and Citizenship Commission continued under section 15 of the *Human Rights, Citizenship and Multiculturalism Act*.

Alberta Sport, Recreation, Parks and Wildlife Foundation continued under section 2 of the *Alberta Sport, Recreation, Parks and Wildlife Foundation Act*.

The Government House Foundation established under section 2 of the *Government House Act*.

Premier's Council on the Status of Persons with Disabilities established under section 2 of the *Premier's Council on the Status of Persons with Disabilities Act*.

The Wild Rose Foundation created under section 2 of the *Wild Rose Foundation Act*.

Part 5
**Provincial Agencies Under the
Ministry of Energy**

Alberta Petroleum Marketing Commission created under section 2 of the *Petroleum Marketing Act*.

Part 6
**Provincial Agencies Under the
Ministry of Environment**

Drainage Council established under section 2 of the *Drainage Districts Act*.

Environmental Appeal Board established under section 90 of the *Environmental Protection and Enhancement Act*.

Sustainable Development Co-ordinating Council continued under section 5 of the *Environmental Protection and Enhancement Act*.

Part 7
Provincial Agencies Under
Executive Council Office

The Council appointed under section 4 of the *Alberta Order of Excellence Act*.

Part 8
Provincial Agencies Under the
Ministry of Finance

Alberta Automobile Insurance Board established under section 653(1) of the *Insurance Act*.

Alberta Government Telephones Commission continued under section 2(1) of the *Telecommunications Act*, and its subsidiary 475342 Alberta Ltd.

Alberta Municipal Financing Corporation established under section 2 of the *Alberta Municipal Financing Corporation Act*.

Alberta Pensions Administration Corporation incorporated under the *Business Corporations Act*.

Audit Committee established under section 21(1) of the *Auditor General Act*.

Credit Union Deposit Guarantee Corporation continued under section 7 of the *Credit Union Act*, and its subsidiary SC Financial Ltd.

Local Authorities Pension Plan Board of Trustees established under section 3(1) of Schedule 1 to the *Public Sector Pension Plans Act*.

Management Employees Pension Board established under section 3(1) of Schedule 5 to the *Public Sector Pension Plans Act*.

N.A. Properties (1994) Limited incorporated under the *Business Corporations Act*, and the following subsidiaries:

- (a) Terra Losa Centre Ltd.;
- (b) 356395 Alberta Ltd.

Public Service Pension Board established under section 3(1) of Schedule 2 to the *Public Sector Pension Plans Act*.

Special Forces Pension Board established under section 3(1) of Schedule 4 to the *Public Sector Pension Plans Act*.

Treasury Board established under section 4 of the *Financial Administration Act*.

Part 9 Provincial Agencies Under the Ministry of Gaming

Alberta Gaming and Liquor Commission continued under section 2 of the *Gaming and Liquor Act*.

Part 10 Provincial Agencies Under the Ministry of Health and Wellness

Alberta Alcohol and Drug Abuse Commission continued under section 2 of the *Alcohol and Drug Abuse Act*.

Alberta Health Facilities Review Committee established under section 2 of the *Health Facilities Review Committee Act*.

Ambulance Advisory and Appeal Board established under section 11 of the *Ambulance Services Act*.

Board of Examiners in Podiatry appointed under section 7 of the *Podiatry Act*.

Dental Disciplines Advisory Committee established under section 66 of the *Dental Disciplines Act*.

Eye Care Disciplines Advisory Committee established under section 52 of the *Opticians Act*.

Health Disciplines Board established under section 3 of the *Health Disciplines Act*.

Health Professions Advisory Board established under section 22 of the *Health Professions Act*.

Health Services Utilization and Outcomes Commission established under section 7 of the *Government Organization Act*.

Hospital Privileges Appeal Board established under section 18 of the *Hospitals Act*.

Public Health Appeal Board established under section 3 of the *Public Health Act*.

Part 11
Provincial Agencies Under the
Ministry of Human Resources
and Employment

Labour Relations Board continued under section 8 of the *Labour Relations Code*.

Land Agent Advisory Committee established under section 23 of the *Land Agents Licensing Act*.

Occupational Health and Safety Council appointed under section 6 of the *Occupational Health and Safety Act*.

Part 12
Provincial Agencies Under the Ministry
of Innovation and Science

Alberta Agricultural Research Institute established under section 18(4) of the *Alberta Science and Research Authority Act*.

Alberta Energy Research Institute established under section 23(4) of the *Alberta Science and Research Authority Act*.

Alberta Forestry Research Institute established under section 28(2) of the *Alberta Science and Research Authority Act*.

Alberta Science, Research and Technology Authority continued under section 2 of the *Alberta Science and Research Authority Act* and the following subsidiaries:

- (a) Alberta Research Council Inc.;
- (b) iCORE Inc.

Part 13
Provincial Agencies Under
the Ministry of Justice

Fatality Review Board established under section 2 of the *Fatality Inquiries Act*.

Part 14
Provincial Agencies Under
the Ministry of Learning

Alberta Apprenticeship and Industry Training Board appointed under section 2 of the *Apprenticeship and Industry Training Act*.

Attendance Board appointed under section 129 of the *School Act*.

Board of Reference appointed under section 131 of the *School Act*.

Private Colleges Accreditation Board appointed under section 78 of the *Universities Act*.

Students Finance Board established under section 2 of the *Students Finance Act* and continued under section 4(1) of the *Student Financial Assistance Act*.

Part 15
Provincial Agencies Under the
Ministry of Municipal Affairs

Municipal Government Board established under section 486(1) of the *Municipal Government Act*.

Part 16
Provincial Agencies Under the
Ministry of Revenue

Alberta Securities Commission continued under section 11(1) of the *Securities Act*.

Arca Investments Inc. incorporated under the *Business Corporations Act*.

Orion Properties Ltd. incorporated under the *Business Corporations Act*.

Patria Properties Inc. incorporated under the *Business Corporations Act* (Ontario).

QA Investments Inc. incorporated under the *Business Corporations Act*.

546110 Ontario Inc. incorporated under the *Business Corporations Act* (Ontario).

629851 Ontario Inc. incorporated under the *Business Corporations Act* (Ontario).

735832 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023786 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023798 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023800 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023803 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023816 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023820 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023822 Alberta Ltd. incorporated under the *Business Corporations Act*.

1023825 Alberta Ltd. incorporated under the *Business Corporations Act*.

1331430 Ontario Inc. incorporated under *Business Corporations Act* (Ontario).

Part 17
Provincial Agencies Under the
Ministry of Seniors

Seniors Advisory Council for Alberta established under section 2 of the *Seniors Advisory Council for Alberta Act*.

Part 18
Provincial Agencies Under the
Ministry of the Solicitor General

Criminal Injuries Review Board continued under section 7 of the *Victims of Crime Act*.

Law Enforcement Review Board established under section 9 of the *Police Act*.

Victims of Crime Programs Committee established under section 5 of the *Victims of Crime Act*.

Part 19
Provincial Agencies Under the Ministry
of Sustainable Resource Development

Land Compensation Board established under section 25 of the *Expropriation Act*.

Natural Resources Conservation Board established under section 12 of the *Natural Resources Conservation Board Act*.

Part 20
Provincial Agencies Under the Ministry
of Transportation

Alberta Transportation Safety Board continued under section 22 of the *Traffic Safety Act*.

(22) The *Alberta Science and Research Authority Act* is amended by repealing section 17.

(23) The *Auditor General Act* is amended in section 11(a) by striking out “, revolving fund”.

(24) The *Environmental Protection and Enhancement Act* is amended

- (a) by repealing section 1(jjj);**
- (b) in section 30(4) by striking out “, the revolving fund”;**
- (c) by repealing section 31.**

(25) The *Government Organization Act* is amended in section 3(2) of Schedule 14 by striking out “not acquired by purchase out of the revolving fund”.

(26) The *Public Health Act* is amended by repealing section 3(13).

(27) The *Public Service Act* is amended by repealing section 3.

(28) Subsections (16), (21), (22) and (26) come into force on January 1, 2004.

Fiscal Responsibility Act

Amends RSA 2000 cF-15

2(1) The *Fiscal Responsibility Act* is amended by this section.

(2) Section 1 is amended

(a) by repealing clause (a) and substituting the following:

- (a) “accumulated debt” means the aggregate amount of
 - (i) unredeemed Government securities that have not matured and that are issued in respect of money raised under section 56(1) of the *Financial Administration Act*, excluding
 - (A) any amounts raised for the purpose of making advances to or purchasing securities of a Provincial corporation pursuant to section 58 of the *Financial Administration Act*,
 - (B) the amount of Government securities acquired and held under section 60 of the *Financial Administration Act*, and
 - (C) any amounts raised for the purpose of financing capital investment on or after April 1, 2003,
 - (ii) the total outstanding borrowings of the Alberta Social Housing Corporation pursuant to section 25(3) of the *Alberta Housing Act*, excluding any borrowings for the purpose of financing capital investment on or after April 1, 2003, and
 - (iii) the liability for future funding, as reported in the consolidated annual report, to enable school boards to repay debentures issued to the Alberta Municipal Financing Corporation, excluding any debentures issued for the purpose of financing capital spending by school boards on or after April 1, 2003;

(b) by adding the following after clause (b):

- (b.1) “capital investment” means an amount expended to construct, purchase or extend the life of capital assets of the Crown;

(c) by repealing clause (g);

(d) by repealing clause (h);

(e) by repealing clause (j) and substituting the following:

(j) “expenditure” includes expense and capital investment;

(j.1) “expense” means expense of the Crown for all purposes less

(i) any changes in liabilities respecting pensions, and

(ii) any changes in liabilities for future funding incurred for capital spending other than by the Crown on or after April 1, 2003;

(f) by repealing clauses (k) and (l) and substituting the following:

(k) “forecast” means forecast in the most recent quarterly budget update;

(k.1) “non-renewable resource revenue for fiscal policy purposes” in respect of a fiscal year means the lesser of

(i) \$3 500 000 000, and

(ii) the average of the following:

(A) the forecast non-renewable resource revenue for the previous fiscal year, and

(B) the actual non-renewable resource revenue for each of the 2 fiscal years preceding the fiscal year referred to in paragraph (A);

(l) “program expense” means expense less consolidated debt servicing costs;

(g) by repealing clause (p) and substituting the following:

(p) “revenue for fiscal policy purposes” means estimated revenue excluding estimated non-renewable resource revenue but including non-renewable resource revenue for fiscal policy purposes.

(3) Section 2 is repealed and the following is substituted:

Deficits disallowed

2(1) Actual expense for a fiscal year must not be more than actual revenue for that year.

(2) For the purposes of subsection (1),

- (a) actual expense does not include
 - (i) any amounts required to pay the cost of a public emergency or disaster declared by the Lieutenant Governor in Council,
 - (ii) any amounts paid or payable under the *Natural Gas Price Protection Act* from amounts allocated from the Alberta Sustainability Fund under section 2.1(2)(f), or
 - (iii) expenses paid or payable from amounts allocated from the Capital Account under section 2.2(2)(c),

and

- (b) actual revenue includes any amounts allocated from the Alberta Sustainability Fund under section 2.1(2)(c) and (d) but does not include any amounts allocated to the Alberta Sustainability Fund under section 2.1(2)(a).

Alberta Sustainability Fund

2.1(1) The Alberta Sustainability Fund is established as an account within the General Revenue Fund.

(2) Within the General Revenue Fund amounts may be allocated to and from the Alberta Sustainability Fund as follows:

- (a) if for a fiscal year actual non-renewable resource revenue exceeds non-renewable resource revenue for fiscal policy purposes, the difference must be allocated to the Alberta Sustainability Fund;
- (b) amounts determined by the Treasury Board may be allocated to the Alberta Sustainability Fund;
- (c) subject to subsection (3), if for a fiscal year actual non-renewable resource revenue is less than non-renewable

resource revenue for fiscal policy purposes, the difference may be allocated from the Alberta Sustainability Fund;

- (d) subject to subsection (3), if for a fiscal year
 - (i) actual revenue equals or exceeds revenue for fiscal policy purposes, and
 - (ii) actual revenue excluding actual non-renewable resource revenue is less than revenue for fiscal policy purposes excluding non-renewable resource revenue for fiscal policy purposes,

the difference referred to in subclause (ii) may be allocated from the Alberta Sustainability Fund;
- (e) subject to subsection (3), funds required to pay the cost of a public emergency or disaster declared by the Lieutenant Governor in Council may be allocated from the Alberta Sustainability Fund;
- (f) subject to subsection (3), amounts paid or payable under the *Natural Gas Price Protection Act* may be allocated from the Alberta Sustainability Fund.

(3) The net assets of the Alberta Sustainability Fund may not be reduced to an amount less than zero.

(4) Subject to section 2, if the net assets of the Alberta Sustainability Fund exceed \$2 500 000 000, the excess or any portion of it may be allocated by the Treasury Board from the Alberta Sustainability Fund.

Capital Account

2.2(1) The Capital Account is established as an account within the General Revenue Fund.

(2) Within the General Revenue Fund amounts may be allocated to and from the Capital Account as follows:

- (a) an amount determined by the Treasury Board from the net results of operations for the 2002-03 fiscal year may be allocated to the Capital Account;

- (b) an amount determined by the Treasury Board from amounts allocated from the Alberta Sustainability Fund under section 2.1(4) may be allocated to the Capital Account;
- (c) subject to subsection (3), amounts for capital spending whether directly by the Crown or through grants may be allocated from the Capital Account.

(3) The net assets of the Capital Account may not be reduced to an amount less than zero.

(4) Sections 3, 4 and 5 are repealed and the following is substituted:

Economic cushion

3 The consolidated fiscal plan must include an economic cushion for each fiscal year set out in the plan equal to a contingency allowance of at least 1% of revenue for fiscal policy purposes plus the aggregate of the following if the amount exceeds zero:

- (a) any estimated change in the combined total net financial assets of those Provincial agencies and regulated funds specified by the Treasury Board;
- (b) amounts estimated to be required for the consolidated capital plan required by section 7.1 of the *Government Accountability Act* less amounts otherwise provided for in the consolidated fiscal plan.

Changes from the budget

4(1) Subject to section 2, in a quarterly budget update, an amount that is not more than the amount of the contingency allowance for the fiscal year pursuant to section 3, less any commitments made in previous quarterly budget updates for that fiscal year, may be committed for program expense initiatives or revenue reduction initiatives that were not included in the consolidated fiscal plan for that year.

(2) The following are not commitments for the purposes of subsection (1):

- (a) an increase in program expense during a fiscal year that is required because of a public emergency or disaster declared by the Lieutenant Governor in Council;

- (b) an increase in the amount authorized to be spent under a supply vote under section 24(2) of the *Financial Administration Act* and an increase in any other expense that is offset by additional revenue received for the specific purpose of that expense;
- (c) an increase in amounts paid or payable for the fiscal year under the *Natural Gas Price Protection Act* from amounts allocated from the Alberta Sustainability Fund under section 2.1(2)(f);
- (d) an increase in expenses paid or payable from amounts allocated from the Capital Account under section 2.2(2)(c).

Debt elimination schedule

5 The accumulated debt must be no greater than the following:

- (a) \$6 245 000 000 by the end of the 2004-05 fiscal year;
- (b) \$6 245 000 000 by the end of the 2009-10 fiscal year;
- (c) \$6 245 000 000 by the end of the 2014-15 fiscal year;
- (d) \$3 123 000 000 by the end of the 2019-20 fiscal year;
- (e) zero by the end of the 2024-25 fiscal year.

(5) Section 8 is repealed and the following is substituted:

Application

8(1) This Act, as amended by section 2 of the *Financial Statutes Amendment Act, 2003*, except sections 2.1(1) and (2)(b) and 2.2(1) and (2)(a) of this Act, applies to the 2003-04 and subsequent fiscal years.

(2) Sections 2.1(1) and (2)(b) and 2.2(1) and (2)(a) apply to the 2002-03 and subsequent fiscal years.

(3) This Act as it read before the coming into force of section 2 of the *Financial Statutes Amendment Act, 2003* applies to the 2002-03 fiscal year.

(6) Section 9 is amended by adding “of” after “10” and by striking out “on Proclamation”.

Government Accountability Act

Amends RSA 2000 cG-7

3(1) The *Government Accountability Act* is amended by this section.

(2) Section 5 is amended

(a) by repealing subsection (1)(b), (c) and (d) and substituting the following:

(b) the total expense and a breakdown by category of expense,

(c) the consolidated net revenue or expense,

(d) the total capital investment, including a breakdown of capital investment by ministry,

(b) by repealing subsection (1)(f) and substituting the following:

(f) the net financial position and a breakdown by liabilities and financial and other assets,

(c) by repealing subsection (1)(h) and substituting the following:

(h) any other information the Minister of Finance considers appropriate.

(d) by repealing subsection (2)(b) and (c) and substituting the following:

(b) the total expense,

(c) the consolidated net revenue or expense,

(3) Section 7 is repealed and the following is substituted:

Government business plan

7(1) The Minister of Finance must prepare a government business plan as part of the consolidated fiscal plan for a fiscal year.

(2) The government business plan must be for a period that includes the fiscal year and at least 2 subsequent fiscal years.

(3) The government business plan must include the following:

- (a) the mission, core businesses and goals of the Government;
- (b) the measures to be used in assessing the performance of the Government in achieving its goals;
- (c) the performance targets set by the Government for each of its goals;
- (d) links to the ministry business plans.

(4) The following is added after section 7:

Consolidated capital plan

7.1(1) The Minister of Finance must prepare a consolidated capital plan for the Government as part of the consolidated fiscal plan for a fiscal year.

(2) A consolidated capital plan must be for a period that includes the fiscal year and at least the 2 subsequent fiscal years.

(3) A consolidated capital plan must include

- (a) the estimated total capital spending for each year of the consolidated capital plan, broken down by purpose of the capital spending,
- (b) the method and amount of funding for the capital spending for each year of the consolidated capital plan, and
- (c) any other information that the Treasury Board considers appropriate.

(5) Section 10 is amended

- (a) by repealing subsection (2)(c) and substituting the following:**

- (c) a comparison of the actual performance results to the targets included in the government business plan under section 7(3), and an explanation of any significant variances,

(b) by repealing subsection (2)(d) and substituting the following:

- (d) a message from the Minister of Finance providing an overview of the performance of the Government, and

(c) in subsection (3)

- (i) **by striking out “19” and substituting “18”;**
- (ii) **by striking out “Provincial Treasurer” wherever it occurs and substituting “Minister of Finance”.**

(6) Section 13(3) is amended

- (a) **in clause (a) by striking out “consolidated”;**
- (b) **by repealing clause (b) and substituting the following:**
 - (b) a summary of the total revenue, expense and capital investment targets for the ministry,
- (c) **by adding “and” at the end of clause (c) and adding the following after clause (c):**
 - (d) links to the government business plan.

(7) Section 14(2)(c) is repealed and the following is substituted:

- (c) a summary of expense and capital investment under each appropriation in the ministry, and

(8) The following is added after section 16:

Public Accounts

Contents of public accounts

17 The public accounts for a fiscal year shall include the following:

- (a) the consolidated annual report prepared under section 10,
- (b) the ministry annual reports prepared under section 14, including the reports or statements prepared pursuant to sections 23, 25(3), 28(5), 28.1(4), 30, 56(2), 66(2) and 75 of the *Financial Administration Act*, and
- (c) any supplementary schedules, statements, explanations and financial statements that the Minister of Finance may require.

(9) In the following provisions “Provincial Treasurer” is struck out wherever it occurs and “Minister of Finance” is substituted:

section 1(1)(d)(iv);
section 4(1) and (2);
section 5(2);
section 6(a);
section 8(1);
section 9;
section 10(1) and (2);
section 11(1);
section 12(1) and (2);
section 13(2).

(10) Subsections (2), (3), (4), (5)(a) and (b), (6), (7) and (8) apply to the 2003-04 and subsequent fiscal years.

(11) This section comes into force on April 1, 2003.

Explanatory Notes

Financial Administration Act

1(1) Amends chapter F-12 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1(1) In this Act,

(e) “*Crown-controlled organization*” means, unless subsection (3) applies,

(i) *an unincorporated board, commission, council or other body that is not a department or part of a department, 20% or more but fewer than a majority of whose members are appointed or designated, either by their personal names or by their names of office, by an Act of the Legislature or regulations under an Act of the Legislature, by an order of the Lieutenant Governor in Council or of a Minister of the Crown, or by any combination of them,*

and that is responsible for the administration of public money or assets owned by the Crown,

(ii) *a corporation that is incorporated by or under an Act of the Legislature, other than a local or private Act, 20% or more but fewer than a majority of whose members or directors are appointed or designated, either by their personal names or by their names of office, by an Act of the Legislature or regulations under an Act of the Legislature, by an order of the Lieutenant Governor in Council or of a Minister of the Crown, or by any combination of them, and that is responsible for the administration of public money or assets owned by the Crown,*

(iii) *a corporation that is incorporated by or under an Act of the Legislature other than a local or private Act, 50% or more but less than 100% of whose issued voting shares are owned by the Crown or held in trust for the Crown or are partly owned by the Crown and partly held in trust for the Crown, or*

(iv) *a corporation that is a subsidiary of a corporation referred to in subclause (ii) or (iii) or that is controlled by a corporation referred to in subclause (ii) or (iii) directly or indirectly through one or more intermediary corporations;*

(r) *“Provincial corporation” means*

- (i) *a corporation that is incorporated by or under an Act of the Legislature, other than a local or private Act, all or a majority of whose members or directors are appointed or designated, either by their personal names or by their names of office, by an Act of the Legislature or regulations under an Act of the Legislature, by an order of the Lieutenant Governor in Council or of a Minister of the Crown or by any combination of those methods,*
- (ii) *a corporation all of whose issued voting shares of every class are owned by the Crown or held in trust for the Crown or are partly owned by the Crown and partly held in trust for the Crown, or*
- (iii) *a corporation that is a subsidiary of a corporation referred to in subclause (i) or (ii) or that is controlled by a corporation referred to in subclause (i) or (ii) directly or indirectly through one or more intermediary corporations,*

but does not include a housing authority incorporated under section 42 of the Alberta Mortgage and Housing Corporation Act, SA 1984 cA-32.5, or a management body within the meaning of the Alberta Housing Act or a regional health

authority or subsidiary health corporation under the Regional Health Authorities Act;

- (w) *“regulated fund” means a fund containing public money except public money*
 - (i) *forming part of the General Revenue Fund,*
 - (ii) *received by a revenue officer for deposit in the General Revenue Fund that has not been deposited in the General Revenue Fund, or*
 - (iii) *owned or held by a Provincial agency,*

but does not include a revolving fund;

- (y) “*revolving fund*” means
- (i) *the revolving fund established under section 31 of the Environmental Protection and Enhancement Act,*
 - (ii) *a revolving fund established or continued under section 17, or*
 - (iii) *the revolving fund established under section 3 of the Public Service Act,*
- and includes a fund designated as a revolving fund by the regulations;*

(3) Section 10 presently reads:

10(1) The Provincial Treasurer is responsible for all matters related to the financial affairs of the Crown except those assigned to another person under this or any other Act.

(2) The Provincial Treasurer may prescribe the form and contents of the financial records of the Crown and of Provincial agencies.

(3) The Crown’s obligations in respect of the following pension plans shall be included in the financial records of the Crown in accordance with generally accepted accounting principles:

- (a) Local Authorities Pension Plan;*
- (b) Public Service Pension Plan;*
- (c) Universities Academic Pension Plan;*
- (d) Special Forces Pension Plan;*
- (e) Management Employees Pension Plan;*
- (f) Public Service Management (Closed Membership) Pension Plan;*
- (g) Members of the Legislative Assembly Pension Plan;*

(h) *the Teachers' Pension Plans.*

(4) Section 12 presently reads:

12(1) The Provincial Treasurer may authorize in writing

- (a) an employee of the Treasury Department,*
- (b) a fund administrator, with the prior approval in writing of the fund administrator, or*
- (c) an employee of a department other than the Treasury Department, an employee of a fund administrator or a member or employee of a Provincial agency or the board of a Provincial corporation with the approval in writing of*
 - (i) the employee, member or board, and*
 - (ii) in the case of an employee or member, the employee's department head or deputy head, the fund administrator by whom the employee is employed or the Provincial agency of which the member is a member or by which the employee is employed, as the case may be,*

to do any act or thing required or permitted to be done by the Provincial Treasurer under this or any other Act or a regulation under those Acts, except the power to make regulations and, subject to subsection (6), the power to make an authorization under this subsection.

(2) An authorization given under subsection (1) may be general or applicable to a particular case and may specify an employee, fund administrator or member by that person's personal name or by that person's name of office.

(3) An authorization under subsection (1)(b) or (c) to exercise the powers of the Provincial Treasurer under sections 13 and 77 shall only be made with the prior approval in writing of the Treasury Board.

(4) An act or thing done or document or instrument executed or signed pursuant to an authorization given under

subsection (1) has the same effect as if the act or thing were done or the document or instrument were executed or signed by the Provincial Treasurer.

(5) A document or instrument purporting to be executed or signed by an employee, fund administrator or member shall be admitted in evidence as proof, in the absence of evidence to the contrary, that

the employee, fund administrator or member was authorized under subsection (1) to execute or sign the document or instrument.

(6) The Provincial Treasurer may authorize in writing an employee of the Treasury Department to exercise the Provincial Treasurer's powers under subsection (1) subject to any conditions prescribed by the Provincial Treasurer, and in that case subsections (2) to (5) apply to an authorization given by that employee pursuant to subsection (1) to the same extent as though that authorization had been given by the Provincial Treasurer.

(5) Section 17 presently reads:

17(1) The Treasury Board may by directive establish revolving funds.

(2) A directive establishing a revolving fund may also specify

- (a) the total amount that may be paid into the revolving fund in any fiscal year;*
- (b) the maximum amount by which the aggregate of the advances made to the revolving fund from the General Revenue Fund may exceed at any time the aggregate of the amount credited in reduction of the advances;*
- (c) the purposes for which the revolving fund may be used;*
- (d) the Minister who is to administer the revolving fund and make payments from the revolving fund;*

(e) any other matter the Treasury Board considers necessary.

(3) The Provincial Treasurer may, on the request of the Minister who administers a revolving fund, make advances from the General Revenue Fund to the revolving fund of sums that are required to pay for land, supplies, services or other things that may be acquired by or disposed of using the revolving fund.

(4) Subject to a directive under subsection (1), the Minister who administers a revolving fund may dispose of or supply any land, supplies, services or other things acquired through the revolving fund on any terms and conditions that the Minister considers proper and charge for them.

(5) The proceeds of any charge made by a Minister under subsection (4) shall be credited in reduction of the amount of the advances made by the Provincial Treasurer to the revolving fund through which the land, supplies, services or other things were acquired.

(6) The revolving funds established under the following provisions are continued under this Act as if they were established by the Treasury Board under subsection (1) and the provisions governing

their operation were included in a directive made under subsection (1):

- (a) Department of Culture and Multiculturalism Act, RSA 1980 cD-15, section 9;*
- (b) Department of Education Act, RSA 1980 cD-17, section 14;*
- (c) Department of Forestry, Lands and Wildlife Act, SA 1986 cD-20.5, section 8;*
- (d) Department of Public Works, Supply and Services Act, SA 1983 cD-25.5, section 9;*
- (e) Department of Tourism, Parks and Recreation Act, SA 1992 cD-28.9, section 10;*
- (f) Department of Transportation and Utilities Act, RSA 1980 cD-30, section 10.*

(7) A reference in this or any other enactment to a revolving fund referred to in subsection (6) is deemed to be a reference to the revolving fund as it is continued under this section.

(6) Section 23 presently reads:

23 The Provincial Treasurer shall prepare a statement of all remissions and compromises made or approved under sections 21 and 22 and any write-offs made or approved during a fiscal year.

(7) Carry over of capital investment supply votes.

(8) Section 30 presently reads:

30 The Provincial Treasurer shall prepare for each fiscal year a statement of all special warrants issued during that fiscal year and the payments made from the authority provided by each of those warrants.

(9) Section 43 presently reads in part:

(4) In addition to and not in substitution for the Provincial Treasurer's power under a directive under section 17, the Provincial Treasurer may charge a cost, expense or other payment to the General Revenue Fund, to any fund the Provincial Treasurer is authorized to invest pursuant to an enactment or to any other fund approved by the Lieutenant Governor in Council if the cost, expense or other payment, in the opinion of the Provincial Treasurer, is in respect of investing on behalf of the fund.

(6) The Provincial Treasurer may enter into agreements or engage in other activities of a financial nature respecting investment under this Part, including, without limiting the generality of the foregoing, exchange agreements, futures agreements, option agreements, rate agreements, any other

financial agreements or any combination of the agreements or activities referred to in this subsection.

(10) Section 56(3) presently reads:

(3) The Provincial Treasurer may enter into agreements or engage in other activities of a financial nature, whether in anticipation of an order being made under subsection (1) or after an order is made under subsection (1), or both, respecting this Part, including, without limiting the generality of the foregoing, exchange agreements, futures agreements, option agreements, rate agreements, any other financial agreements or any combination of the agreements or activities referred to in this subsection.

(11) Section 65(2) presently reads:

(2) The signature of a person authorized to be affixed to Government securities or another instrument under subsection (1) may be printed, engraved, lithographed or otherwise reproduced

and the signature so reproduced is for all purposes valid and binding on the Crown notwithstanding that the person whose signature is so reproduced has ceased to hold office before the date of the Government securities, the date of the issue of the Government securities or the date of the other instrument, as the case may be.

(12) Section 67(2)(g) presently reads:

(2) Money required in connection with Government securities or in connection with money raised pursuant to section 56 other than by the issue of Government securities

(g) to make the payments required under agreements entered into or activities engaged in by the Provincial Treasurer under section 56(3), and

(13) Section 75 presently reads:

75(1) The Provincial Treasurer shall prepare, in accordance with the regulations, a report for each fiscal year of the Crown and for each fiscal year of a Provincial corporation during which it gave a guarantee or indemnity

- (a) summarizing the indemnities given under section 71(1) and the guarantees given in that fiscal year;*
- (b) showing the amounts paid by the Crown or the Provincial corporation during that fiscal year as a result of the Crown's or the Provincial corporation's liability under guarantees and indemnities;*
- (c) showing the amounts recovered during that fiscal year by the Crown or the Provincial corporation on debts owing to the Crown or the Provincial corporation as a result of payments made by them arising out of guarantees or indemnities.*

(2) If a guarantee is given by the Crown pursuant to an Act that was passed on or after May 24, 1996, the member of the Executive Council responsible for that Act under which it was given shall lay the guarantee agreement and any material amendment to the agreement before the Legislative Assembly not later than 45 days after the end of the fiscal year in which the agreement or amendment, as the case may be, is made or, if the Legislative Assembly is not then sitting, not more than 15 days after the beginning of the next sitting.

(14) Part 8 presently reads:

*Part 8
Public Accounts*

77 The public accounts for a fiscal year shall include

- (a) the consolidated annual report prepared under section 10 of the Government Accountability Act*

and the ministry annual reports prepared under section 14 of the Government Accountability Act,

- (b) the reports or statements prepared pursuant to sections 23, 28(5), 30, 56(2), 66(2) and 75, and*
- (c) any supplementary schedules, statements, explanations and financial statements that the Provincial Treasurer may require.*

(15) Section 81 presently reads:

81(1) If a Provincial corporation has the power to borrow money by issuing securities,

- (a) the Provincial Treasurer is the exclusive agent of the corporation for the purpose of negotiating and determining the terms and conditions of the loan,*
- (b) the corporation has no power to negotiate the loan otherwise than through the Provincial Treasurer as its agent, and*
- (c) no order in council shall be made under an Act to approve that borrowing except on the recommendation of the Provincial Treasurer.*

(2) If a Provincial corporation has the power to borrow money by way of overdraft or line of credit, the Provincial Treasurer may prescribe the amount of and the manner in which the money may be raised and the rate of interest that may be paid.

(16) Section 82 presently reads in part:

(2) All Provincial agencies in existence at that time are discontinued

- (a) at the beginning of January 1, 1999, and*

(b) *at the end of the last day of each successive 5-year period beginning with the period that begins on January 1, 1999.*

(11) *This section does not apply to the following:*

(a) *foundations established under the Advanced Education Foundations Act;*

(17) Section 94 presently reads in part:

(2) *The Crown is not bound by an assignment of a Crown debt unless*

(b) *in the case of a particular assignment to which the regulations do not apply, the Provincial Treasurer consents to the assignment and the assignment becomes binding on the Crown under this section.*

(4) *The Provincial Treasurer may, in giving the Provincial Treasurer's consent to a particular assignment pursuant to subsection (2)(b),*

(a) *prescribe any terms and conditions to which the consent is subject, and*

(b) *prescribe the time at which the Crown becomes bound by the assignment.*

(18) Section 96(2) presently reads:

(2) *The Provincial Treasurer or a Provincial corporation may, by consenting to a particular assignment, exempt that assignment from the operation of subsection (1) or may make regulations exempting a class of assignments from the operation of subsection (1).*

(19) Changes references to Provincial Treasurer.

(20) Changes references to Provincial Treasurer's.

(21) The Schedule presently reads:

Schedule
Provincial Agencies to Be Continued

1 In accordance with section 82(4) of the Financial Administration Act, RSA 1980 cF-9, the Provincial agencies set out in Parts 1 to 17

that are in existence on December 31, 1998, continue after that date until they are discontinued in accordance with section 82(2)(b) of the Financial Administration Act, RSA 1980 cF-9, or they sooner expire, are disestablished or are wound up.

Part 1
Provincial Agencies under the Ministry of Advanced Education and Career Development

1 Alberta Apprenticeship and Industry Training Board appointed under section 2 of the Apprenticeship and Industry Training Act, SA 1991 cA-42.3.

2 Private Colleges Accreditation Board appointed under section 64.2 of the Universities Act, RSA 1980 cU-5.

3 Private Vocational Schools Advisory Council established under section 4 of the Private Vocational Schools Act, RSA 1980 cP-17.

4 Students Finance Board established under section 2 of the Students Finance Act, RSA 1980 cS-24.

Part 2
Provincial Agencies under the Ministry of
Agriculture, Food and Rural Development

1 Agriculture Financial Services Corporation established under section 2 of the Agriculture Financial Services Act, SA 1993 cA-12.5.

2 Alberta Agricultural Products Marketing Council continued under section 3 of the Marketing of Agricultural Products Act, SA 1987 cM-5.1.

3 Alberta Agricultural Research Institute established under section 2 of the Alberta Agricultural Research Institute Act, SA 1987 cA-13.7.

4 Alberta Dairy Control Board constituted under section 3 of the Dairy Board Act, RSA 1980 cD-1.

5 Irrigation Council appointed under section 4 of the Irrigation Act, RSA 1980 cI-11.

6 Irrigation Appeal Tribunal appointed under section 181.2 of the Irrigation Act, RSA 1980 cI-11.

7 Land Compensation Board established under section 25 of the Expropriation Act, RSA 1980 cE-16.

Part 3
Provincial Agencies under the Ministry
of Community Development

1 Alberta Alcohol and Drug Abuse Commission continued under section 2 of the Alcohol and Drug Abuse Act, RSA 1980 cA-38.

2 Alberta Foundation for the Arts established under section 2 of the Alberta Foundation for the Arts Act, SA 1991 cA-21.5.

3 The Alberta Historical Resources Foundation established under section 34 of the Historical Resources Act, RSA 1980 cH-8.

4 *Alberta Human Rights and Citizenship Commission continued under section 14 of the Human Rights, Citizenship and Multiculturalism Act, RSA 1980 cH-11.7.*

5 *Alberta Order of Excellence Council appointed under section 4 of the Alberta Order of Excellence Act, RSA 1980 cA-35.*

6 *Alberta Sport, Recreation, Parks and Wildlife Foundation established under section 2 of the Alberta Sport, Recreation, Parks and Wildlife Foundation Act, SA 1994 cA-37.6.*

7 *The Government House Foundation established under section 2 of the Government House Act, RSA 1980 cG-7.*

8 *Seniors Advisory Council for Alberta established under section 2 of the Seniors Advisory Council for Alberta Act, SA 1991 cS-13.2.*

9 *The Wild Rose Foundation created under section 2 of the Wild Rose Foundation Act, SA 1984 cW-7.8.*

Part 4

Provincial Agencies under the Ministry of Economic Development

1 *Alberta Gaming and Liquor Commission continued under section 2 of the Gaming and Liquor Act, SA 1996 cG-0.5.*

2 *Alberta Opportunity Company created under section 3 of the Alberta Opportunity Fund Act, RSA 1980 cA-34.*

Part 5

Provincial Agencies under the Ministry of Education

1 *Attendance Board appointed under section 111 of the School Act, SA 1988 cS-3.1.*

2 *Board of Reference appointed under section 113 of the School Act, SA 1988 cS-3.1.*

3 *School Buildings Board established under section 189 of the School Act, SA 1988 cS-3.1.*

4 The Teaching Profession Appeal Board continued for the purposes set out in section 66 of the Teaching Profession Act, RSA 1980 cT-3.

*Part 6
Provincial Agencies under the
Ministry of Energy*

1 Alberta Oil Sands Technology and Research Authority created under section 3 of the Oil Sands Technology and Research Authority Act, RSA 1980 cO-6.

2 Alberta Petroleum Marketing Commission created under section 2 of the Petroleum Marketing Act, RSA 1980 cP-5.

*Part 7
Provincial Agencies under the
Ministry of Environmental Protection*

1 Drainage council appointed under the Drainage Districts Act, RSA 1980 cD-39.

2 Environmental Appeal Board established under section 83 of the Environmental Protection and Enhancement Act, SA 1992 cE-13.3.

3 Land Agent Advisory Committee established under section 23 of the Land Agents Licensing Act, RSA 1980 cL-2.

4 Natural Resources Conservation Board established under section 11 of the Natural Resources Conservation Board Act, SA 1990 cN-5.5.

5 Sustainable Development Co-ordinating Council continued under section 5 of the Environmental Protection and Enhancement Act, SA 1992 cE-13.3.

*Part 8
Provincial Agencies under
Executive Council Office*

1 Northern Alberta Development Council established under section 2 of the Northern Alberta Development Council Act, RSA 1980 cN-9.

Part 9
*Provincial Agencies under the Ministry of Family and
Social Services*

1 Persons with Developmental Disabilities Foundation continued under section 2 of the Persons with Developmental Disabilities Foundation Act, SA 1996 cP-4.07.

2 Social Care Facilities Review Committee established under section 2 of the Social Care Facilities Review Committee Act, RSA 1980 cS-15.

Part 10
*Provincial Agencies under the
Ministry of Intergovernmental
and Aboriginal Affairs*

1 Metis Settlements Appeal Tribunal established under section 180 of the Metis Settlements Act, SA 1990 cM-14.3.

Part 11
*Provincial Agencies under the
Ministry of Health*

1 Alberta Health Facilities Review Committee established under section 2 of the Health Facilities Review Committee Act, RSA 1980 cH-4.

2 Ambulance Advisory and Appeal Board established under section 11 of the Ambulance Services Act, SA 1990 cA-40.5.

3 Hospital Privileges Appeal Board established under section 33 of the Hospitals Act, RSA 1980 cH-11.

4 Premier's Council on the Status of Persons with Disabilities established under section 2 of the Premier's Council on the Status of Persons with Disabilities Act, SA 1988 cP-14.5.

5 Public Health Advisory and Appeal Board established under section 2 of the Public Health Act, SA 1984 cP-27.1.

Part 12
Provincial Agencies under
the Ministry of Justice

1 Criminal Injuries Appeal Board established under section 7 of the Victims of Crime Act, SA 1996 cV-3.3.

2 Fatality Review Board established under section 2 of the Fatality Inquiries Act, RSA 1980 cF-6.

3 Law Enforcement Review Board established under section 9 of the Police Act, SA 1988 cP-12.01.

4 Victims of Crime Programs Committee established under section 5 of the Victims of Crime Act, SA 1996 cV-3.3.

Part 13
Provincial Agencies under
the Ministry of Labour

1 Dental Disciplines Advisory Committee established under section 66 of the Dental Disciplines Act, SA 1990 cD-8.5.

2 Eye Care Disciplines Advisory Committee established under section 34 of the Opticians Act, RSA 1980 cO-8.

3 Health Disciplines Board established under section 3 of the Health Disciplines Act, RSA 1980 cH-3.5.

4 Labour Relations Board continued under section 8 of the Labour Relations Code, SA 1988 cL-1.2.

5 Occupational Health and Safety Council appointed under section 4 of the Occupational Health and Safety Act, RSA 1980 cO-2.

Part 14
Provincial Agencies under the
Ministry of Municipal Affairs

1 Debtors' Assistance Board constituted under section 2 of the Debtors' Assistance Act, RSA 1980 cD-5.

2 Municipal Government Board established under Part 12 of the Municipal Government Act, SA 1994 cM-26.1.

Part 15
Provincial Agencies under the Ministry Responsible
for Science, Research and
Information Technology

1 Alberta Research Council continued under section 2 of the Alberta Research Council Act, SA 1981 cA-35.1.

2 Science and Research Authority Board established under section 2 of the Science and Research Authority Act, SA 1995 cS-5.5.

Part 16
Provincial Agencies under the Ministry
of Transportation and Utilities

1 Alberta Motor Transport Board continued under section 2 of the Motor Transport Act, RSA 1980 cM-20.

2 Driver Control Board continued under section 20 of the Motor Vehicle Administration Act, RSA 1980 cM-22.

Part 17
Provincial Agencies under the
Ministry of Treasury

1 Alberta Automobile Insurance Board established under section 338(1) of the Insurance Act, RSA 1980 cI-5.

2 Alberta Government Telephones Commission continued under section 2(1) of the Telecommunications Act, SA 1988 cT-3.5, including the following:

- (a) NFI Finance, Inc.;*
- (b) NovAtel Finance, Inc.;*
- (c) Systems Finance, Inc.;*
- (d) Cellular Finance, Inc.;*
- (e) NFI, Inc.;*
- (f) 475342 Alberta Ltd.*

3 *Alberta Municipal Financing Corporation established under section 2 of the Alberta Municipal Financing Corporation Act, RSA 1980 cA-33.*

4 *Alberta Pensions Administration Corporation incorporated under the Business Corporations Act, SA 1981 cB-15.*

5 *Alberta Securities Commission continued under section 10(1) of the Securities Act, SA 1981 cS-6.1.*

6 *Audit Committee established under section 21(1) of the Auditor General Act, RSA 1980 cA-49.*

7 *Credit Union Deposit Guarantee Corporation continued under section 7 of the Credit Union Act, SA 1989 cC-31.1, and SC Financial Ltd.*

8 *Local Authorities Pension Plan Board of Trustees established under section 3(1) of Schedule 1 to the Public Sector Pension Plans Act, SA 1993 cP-30.7.*

9 *Management Employees Pension Board established under section 3(1) of Schedule 5 to the Public Sector Pension Plans Act, SA 1993 cP-30.7.*

10 *N.A. Properties (1994) Limited incorporated under the Business Corporations Act, SA 1981 cB-15, including the following:*

(a) *Terra Losa Centre Ltd.;*

(b) *356395 Alberta Ltd.*

11 *Public Service Pension Board established under section 3(1) of Schedule 2 to the Public Sector Pension Plans Act, SA 1993 cP-30.7.*

12 *Special Forces Pension Board established under section 3(1) of Schedule 4 to the Public Sector Pension Plans Act, SA 1993 cP-30.7.*

13 *Treasury Board established under section 4 of the Financial Administration Act, RSA 1980 cF-9.*

14 Universities Academic Pension Board established under section 3(1) of Schedule 3 to the Public Sector Pension Plans Act, SA 1993 cP-30.7.

(22) Amends chapter A-33 of the Revised Statutes of Alberta 2000. Section 17 presently reads:

17 Section 82(2)(a) of the Financial Administration Act does not apply in respect of the Authority.

(23) Amends chapter A-46 of the Revised Statutes of Alberta 2000. Section 11(a) presently reads:

11 The Auditor General

(a) is the auditor of every ministry, department, regulated fund, revolving fund and Provincial agency, and

(24) Amends chapter E-12 of the Revised Statutes of Alberta 2000. Sections 1(jjj), 30(4) and 31 presently read:

1 In this Act,

(jjj) “revolving fund” means the revolving fund established under section 31;

(4) The Provincial Treasurer shall, on the requisition of the Minister, make payments out of the Environmental Protection and Enhancement Fund for the purposes of the Fund to the Department, another Government department, a government of another

jurisdiction, another regulated fund within the meaning of the Financial Administration Act, the revolving fund or any person.

31(1) The Minister shall establish and administer a revolving fund for the Department for the purpose of

delivering services and programs under the administration of the Minister.

(2) The Provincial Treasurer shall, on the requisition of the Minister, advance from the General Revenue Fund to the revolving fund money required to pay for the cost of land, machinery, equipment, services, supplies, materials or stock that is provided or used for the purposes of the revolving fund.

(3) Where a payment is made from the revolving fund to pay for the cost of land, machinery, equipment, services, supplies, materials or stock required for the purposes of the revolving fund, the Minister may charge the Department, another Government department, a government of another jurisdiction, a regulated fund within the meaning of the Financial Administration Act or any person in respect of the use of the land, machinery, equipment, services, supplies, materials or stock.

(4) Amounts received or credited as charges under subsection (3) shall be credited in reduction of advances made under subsection (2).

(5) The net amount of advances under subsection (2) may not at any time exceed \$25 000 000.

(25) Amends chapter G-10 of the Revised Statutes of Alberta 2000. Section 3(2) in Schedule 14 presently reads:

(2) When any machinery, vehicles, equipment, stock or material not acquired by purchase out of the revolving fund is no longer required, the Minister may sell, lease or otherwise dispose of it on any terms and conditions the Minister considers proper and the proceeds, if any, of the sale or disposition form part of the General Revenue Fund.

(26) Amends chapter P-37 of the Revised Statutes of Alberta 2000. Section 3(13) presently reads:

(13) Notwithstanding section 82(2)(a) of the Financial Administration Act, the Public Health Appeal Board continues after January 1, 1999.

(27) Amends chapter P-42 of the Revised Statutes of Alberta 2000. Section 3 presently reads:

3(1) The Minister shall establish and administer a revolving fund for the Personnel Administration Office to enable the Minister to provide employee training and development services to any

Provincial agency, as defined in the Financial Administration Act, or to any department.

(2) The Provincial Treasurer shall, on the requisition of the Minister, advance from and out of the General Revenue Fund to the revolving fund any money required from time to time by the Minister to acquire services, supplies, equipment and labour services that are necessary to do anything referred to in subsection (1).

(3) The net amount outstanding at any time in respect of advances under subsection (2) shall not exceed \$500 000.

(4) On or before June 15 in each year, the Minister shall cause to be prepared an operating statement and balance sheet covering the revolving fund for the immediately preceding fiscal year.

(5) The operating statement and balance sheet shall be audited by the Auditor General in each fiscal year and included in the Public Accounts for that year.

(6) Any surplus arising from the revolving fund shall be paid into the General Revenue Fund and the amount of any deficit may be deducted from the surplus of any succeeding fiscal year or years before the surplus is transferred to the General Revenue Fund.

(28) Coming into force.

Fiscal Responsibility Act

2(1) Amends chapter F-15 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads:

1 In this Act,

- (a) *“accumulated debt” means the aggregate amount of*
 - (i) *unredeemed Government securities that have not matured and that are issued in respect of money raised under section 56(1) of the Financial Administration Act less*
 - (A) *any amounts raised for the purpose of making advances to or purchasing securities of a Provincial corporation pursuant to section 58 of the Financial Administration Act, and*
 - (B) *the amount of Government securities acquired and held under section 60 of the Financial Administration Act,*
 - (ii) *the total outstanding borrowings of the Alberta Social Housing Corporation pursuant to section 25(3) of the Alberta Housing Act, and*
 - (iii) *the liability for future funding, as reported in the consolidated annual report, to enable school boards to repay debentures issued to the Alberta Municipal Financing Corporation;*
- (b) *“actual” means amounts as reported in the consolidated annual report for a fiscal year;*
- (c) *“consolidated annual report” means a consolidated annual report prepared under section 10 of the Government Accountability Act;*
- (d) *“consolidated debt servicing costs” does not include principal repayments;*

- (e) *“consolidated fiscal plan” means the consolidated fiscal plan prepared under section 4 of the Government Accountability Act that is tabled with the main estimates for a fiscal year;*
- (f) *“Crown” includes a Provincial agency;*
- (g) *“Crown debt” means the liabilities of the Crown, excluding any liabilities respecting pensions, less the financial assets of the Crown;*
- (h) *“economic cushion” means the amount by which estimated revenue exceeds estimated expenditure;*
- (i) *“estimated” means estimated in the consolidated fiscal plan for a fiscal year;*
- (j) *“expenditure” means expenditure of the Crown for all purposes, but does not include any changes in liabilities respecting pensions;*
- (k) *“forecast” means forecast in a quarterly budget update;*
- (l) *“program expenditure” means expenditure less consolidated debt servicing costs;*
- (m) *“Provincial agency” has the meaning given to it by section 1(1)(p) of the Financial Administration Act but does not include the Provincial agencies referred to in section 2(5) of that Act or The Workers’ Compensation Board under the Workers’ Compensation Act;*
- (n) *“quarterly budget update” means a report made under section 9(1)(a), (b) or (c) of the Government Accountability Act;*
- (o) *“revenue” means revenue of the Crown from all sources;*
- (p) *“starting accumulated debt” means the accumulated debt at the end of the fiscal year in which Crown debt is eliminated.*

(3) Section 2 presently reads:

2 Actual expenditure during a fiscal year must not be more than actual revenue.

(4) Sections 3, 4 and 5 presently read:

3 The consolidated fiscal plan must include an economic cushion equal to at least 3.5% of the estimated revenue for each fiscal year set out in the plan.

4(1) If, in a quarterly budget update, forecast revenue less forecast consolidated debt servicing costs exceeds estimated program expenditure, not more than 25% of the excess may be committed in the fiscal year for program expenditure initiatives or revenue reduction initiatives that were not included in the consolidated fiscal plan for that year.

(2) If the Lieutenant Governor in Council has declared that a public emergency or disaster exists, an increase in program expenditure during a fiscal year that is required because of the emergency or disaster

(a) is to be deducted from forecast revenue for the purpose of determining whether there is an excess under subsection (1), and

(b) is not a commitment under subsection (1).

(3) An increase in the amount authorized to be spent under a supply vote under section 24(2) of the Financial Administration Act and an increase in any other expenditure that is offset by additional revenue received for the specific purpose of that expenditure

(a) are to be deducted from forecast revenue for the purpose of determining whether there is an excess under subsection (1), and

(b) are not commitments under subsection (1).

(4) Subject to section 2, if the excess calculated under subsection (1) is less than the calculation for a previous quarterly budget update, commitments referred to in subsection (1) based on a previous quarterly budget update are not affected by the reduction in the excess.

5 After the fiscal year in which Crown debt is eliminated as reported in the consolidated annual report, the Government must begin to reduce accumulated debt as follows:

- (a) by the end of the fiscal year 5 years after Crown debt is eliminated, by an amount that is at least 13% of the starting accumulated debt;*
- (b) by the end of the fiscal year 10 years after Crown debt is eliminated, by an amount that is at least 30% of the starting accumulated debt;*
- (c) by the end of the fiscal year 15 years after Crown debt is eliminated, by an amount that is at least 50% of the starting accumulated debt;*
- (d) by the end of the fiscal year 20 years after Crown debt is eliminated, by an amount that is at least 75% of the starting accumulated debt;*
- (e) by the end of the fiscal year 25 years after Crown debt is eliminated, by an amount that is 100% of the starting accumulated debt.*

(5) Section 8 presently reads:

8(1) This Act, except sections 5 and 7, applies to the 1999-2000 and subsequent fiscal years.

(2) Sections 5 and 7 apply to the fiscal years following the fiscal year in which Crown debt is eliminated.

(6) Section 9 presently reads:

9 Sections 1(b), 4, 5 and 10 and the Schedule to the Balanced Budget and Debt Retirement Act, SA 1995 cB-0.5, are repealed on Proclamation.

Government Accountability Act

3(1) Amends chapter G-7 of the Revised Statutes of Alberta 2000.

(2) Section 5 presently reads:

5(1) A consolidated fiscal plan must include estimated amounts for the Government for the fiscal year of

- (a) the total revenue and a breakdown by sources of revenue,*
- (b) the total expenditure and a breakdown by category of expenditure,*
- (c) the consolidated net revenue or expenditure,*
- (d) the total capital investment, including a breakdown by categories of the capital investment,*
- (e) the economic cushion under the Fiscal Responsibility Act,*
- (f) the net financial position and a breakdown by liabilities and financial assets,*
- (g) the borrowing requirements, and*
- (h) any other information the Provincial Treasurer considers appropriate.*

(2) A consolidated fiscal plan must include targets for the Government for each of the subsequent fiscal years included in the plan for

- (a) the total revenue from all sources,*
- (b) the total expenditure,*

- (c) *the consolidated net revenue or expenditure,*
- (d) *the economic cushion under the Fiscal Responsibility Act,*
- (e) *the net financial position, and*
- (f) *any other information the Provincial Treasurer considers appropriate.*

(3) *A consolidated fiscal plan must include the amounts by which the accumulated debt is projected to be reduced for each fiscal year set out in the plan.*

(3) Section 7 presently reads:

7(1) The Provincial Treasurer must prepare a consolidated business plan for the Government as part of the consolidated fiscal plan for a fiscal year.

(2) A consolidated business plan must be for a period that includes the fiscal year and at least the 2 subsequent fiscal years.

(3) A consolidated business plan must include

- (a) the goals set for each of the core businesses of the Government,*
- (b) the measures to be used in assessing the performance of the Government for each of the core businesses,*
- (c) the results desired by the Government for each of the core businesses, and*
- (d) a summary of the business plan of each ministry.*

(4) Consolidated capital plan.

(5) Section 10 presently reads:

10(1) The Provincial Treasurer must prepare and make public on or before June 30 of each year a consolidated annual report for the Province of Alberta for the fiscal year ended on the preceding March 31.

(2) The consolidated annual report must include for a fiscal year

- (a) the consolidated financial statements of the Province of Alberta,*
- (b) the amount by which the accumulated debt was reduced,*
- (c) a comparison of the actual performance results and the desired results included in the business plan under section 7(3),*
- (d) a message from the Provincial Treasurer providing an overview of the results achieved in the Government's core businesses, and*
- (e) any other information the Provincial Treasurer considers appropriate.*

(3) If the Auditor General's report under section 19 of the Auditor General Act in respect of a fiscal year is available when the Provincial Treasurer makes public the consolidated annual report for the fiscal year, the Provincial Treasurer must include the Auditor General's report with the consolidated annual report.

(6) Section 13(3) presently reads:

(3) A Minister must include in the ministry business plan

- (a) the same type of information for the ministry that must be included in a consolidated business plan for the Government under section 7,*

- (b) *a summary of the total revenue and expenditure targets for the ministry, and*
- (c) *any other information the Treasury Board or the Minister considers appropriate.*

(7) Section 14(2) presently reads:

(2) A Minister must include in the ministry's annual report for a fiscal year

- (a) the same type of information for the ministry that must be included in a consolidated annual report under section 10,*
- (b) the financial statements of each of the components of the ministry as supplemental information,*
- (c) a summary of expenditures under each appropriation in the ministry, and*
- (d) any other information the Treasury Board or the Minister considers appropriate.*

(8) Contents of public accounts.

(9) Changes references to "Provincial Treasurer" to "Minister of Finance".

(10) Application.

(11) Coming into force.