

## Chapter 4

### AN ACT TO AMEND THE FINANCIAL ADMINISTRATION ACT

(Assented to March 14, 2006)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

**1. The *Financial Administration Act* is amended by this Act.**

**2. (1) Subsection 92(1) is repealed and the following substituted:**

Operating budget - general

92. (1) Every public agency other than the Workers' Compensation Board shall annually submit an operating budget for the following financial year for the approval of the Board.

Operating budget - WCB

(1.1) The Workers' Compensation Board shall annually submit an operating budget for the following financial year for the approval of the appropriate Minister.

**(2) Subsections 92(2) and (3) are amended by striking out "territorial corporation" and by substituting "public agency".**

**3. (1) Subsection 93(1) is repealed and the following substituted:**

Capital budget – general

93. (1) Every public agency other than the Workers' Compensation Board shall annually submit a capital budget for the following financial year for the approval of the Board.

Capital budget - WCB

(1.1) The Workers' Compensation Board shall annually submit a capital budget for the following financial year for the approval of the appropriate Minister.

**(2) Subsections 93(2) and (4) are amended by striking out "territorial corporation" and substituting "public agency".**

**(3) Subsection 93(3) is repealed and the following substituted:**

Approval of multi-year items

(3) Any item in a capital budget that will require expenditures in more than one financial year may be approved

- (a) by the Board in the case of a capital budget submitted under subsection (1); or

- (b) by the appropriate Minister in the case of a capital budget submitted under subsection (1.1).

**(4) Subsection 93(5) is repealed and the following substituted:**

Restriction on capital expenditures and commitments

(5) No public agency shall incur, or make a commitment to incur, a capital expenditure in any financial year, unless

- (a) the expenditure or commitment is included in an approved capital budget; or
- (b) the public agency is a territorial corporation that has an approved corporate plan and the expenditure or commitment is, in the opinion of the board, essential to continue a current business activity of the public agency as set out in the approved corporate plan.

**4. (1) That portion of section 94 preceding paragraph (a) is amended by striking out "territorial corporation" wherever it occurs and substituting "public agency".**

**(2) Paragraphs 94(a) and (b) are repealed and the following substituted:**

- (a) submit an amendment to the budget for the approval of
  - (i) the Board, in the case of a public agency other than the Workers' Compensation Board, or
  - (ii) the appropriate Minister, in the case of the Workers' Compensation Board; or
- (b) if the expenditure or commitment is required pursuant to an Act, give notice of the expenditure or commitment to
  - (i) the Board, in the case of a public agency other than the Workers' Compensation Board, or
  - (ii) the appropriate Minister, in the case of the Workers' Compensation Board.

**5. Section 95 is amended by striking out "by the appropriate Minister" and by substituting "under this Part".**

**6. Paragraph 107(f) is amended by adding "or a public agency" after "Government".**

**7. Sections 2 to 5 of this Act apply in respect of budgets for all fiscal years commencing after March 31, 2006.**

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