
SECTION 13

**CONTRACT SERVICES,
CONDITIONAL GRANTS
AND FUNDING AGREEMENTS**

**13.09 FEDERAL/PROVINCIAL, INTERPROVINCIAL
AND AGREEMENTS WITH OTHER AUTHORITIES**

AUTHORITY:

DEPARTMENT OF FINANCE
TREASURY BOARD SECRETARIAT

ADMINISTRATION:

DEPARTMENT OF FINANCE
TREASURY BOARD SECRETARIAT

EFFECTIVE DATE:

JUNE 2024

13.09 FEDERAL/PROVINCIAL, INTERPROVINCIAL AND AGREEMENTS WITH OTHER AUTHORITIES

(1) APPLICATION

The application of this policy is referenced to the schedules of the *Financial Administration Act* (FAA) and applies as follows:

- Schedule “A” - Departments (except the Legislative Assembly)
- Schedule “B” - Crown corporations
- Schedule “C” - Education Authorities
- Schedule “D” - Commissions

except to the extent that their enabling legislation may incorporate alternate requirements such as Ministerial or Board Authority.

While this policy **does not apply** to the Legislative Assembly or Reporting Entities subject to alternate legislation, **the spirit and intent** of the policy should serve as a **guideline** for these entities in developing their own policies. Reporting Entities that develop policies differing from Treasury Board policy require approval of Treasury Board.

(2) POLICY

All Federal/Provincial agreements, Interprovincial agreements and agreements with other authorities **must receive prior approval for Ministerial signature from Executive Council** pursuant to Section 10 of the *Executive Council Act*. Such agreements can only be signed by the Minister, or in the Minister’s absence, the Deputy Minister.

(3) PROCEDURE

- (a) Pursuant to section 10 of the *Executive Council Act*, LGIC may authorize a Minister, on behalf of Government, to enter into agreements with the following authorities:
 - (i) the Government of Canada, or a minister or agency of the Government of Canada;
 - (ii) the government of another province of Canada, or a minister or agency of the government of another province of Canada;
 - (iii) a municipality, education authority or other local authority; or
 - (iv) any person or group of persons.
- (b) All requests to enter Federal/Provincial agreements, Interprovincial agreements and agreements with other authorities that have financial implications must be submitted to Treasury Board in standard Treasury Board format, including a copy of the proposed agreement. Those with no financial implications must be submitted directly to Executive Council for consideration.
- (c) Treasury Board will review the submission, including financial implications of the submission, and forward it, along with the Board’s recommendation, to Executive Council for consideration.

- (d) Executive Council will determine whether the Minister responsible will be granted authority to enter into the proposed agreement.
- (e) The decision of Executive Council will be communicated to Treasury Board and the Department.

(4) ACCOUNTING AND ACCOUNTABILITY

- (a) The Department shall ensure that all cost-shared agreements are signed in accordance with Treasury Board policy as indicated in (2) above. Once signed, the Department is to advise the Office of the Comptroller of the terms and conditions associated with the claims process.
- (b) The Department is responsible for the preparation of claims and ensuring that the internal controls within the Department are adequate to verify that all claims are valid in accordance with the terms of the agreement.
- (c) The Department shall ensure that all claims are submitted on a timely basis in accordance with the terms of the respective agreement. The Department shall advise the Office of the Comptroller of all claims submitted so that the revenue can be recorded.
- (d) The Department shall notify the Office of the Comptroller of any delays in the collection of revenues in accordance with the terms of the agreement.
- (e) The Office of the Comptroller shall be entitled to make any inquiries and to review all documentation relating to claims as the Comptroller deems necessary.
- (f) The Office of the Comptroller shall monitor the status of all open claims for cost-shared agreements and take the necessary steps to resolve overdue claims. The Office of the Comptroller shall, if the Comptroller deems necessary, inform Treasury Board of delays in claiming cost-shared revenue.
- (g) The Office of the Comptroller shall perform any audits required pursuant to the various agreements and may also perform any other audit or investigation deemed appropriate.
- (h) The Department shall provide such other information as the Office of the Comptroller shall require.

(5) INTERPRETATION

In cases where an interpretation is required, such should be referred to the Secretary to Treasury Board, or their delegated officer, who will make the interpretation or refer the matter to Treasury Board, if a Board decision is deemed necessary.