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**SECTION 3**

**TREASURY BOARD**

**3.01 ORGANIZATION OF TREASURY BOARD**

**AUTHORITY:** *FINANCIAL ADMINISTRATION ACT*

**ADMINISTRATION:** TREASURY BOARD SECRETARIAT

**EFFECTIVE DATE:** DECEMBER 2023

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### 3.01 ORGANIZATION OF TREASURY BOARD

#### (1) PURPOSE

The *Executive Council Act* designates that there shall be a committee of the Executive Council called the Treasury Board which shall advise on budget preparation, financial analysis, government organization, operating policy and procedures, financial administration, collective bargaining, staff relations, human resource development, and classification. Treasury Board, in the exercising of its powers, is subject to the direction of the Lieutenant Governor in Council and the Lieutenant Governor in Council may, by Order, amend or revoke any decision of Treasury Board. The powers and responsibilities of Treasury Board are more specifically set out in the *Financial Administration Act* (FAA).

#### (2) BACKGROUND

##### (a) COMPOSITION OF TREASURY BOARD

Treasury Board consists of the Minister of Finance, as Chairperson to the Board, and not more than four other members of the Executive Council appointed by the Lieutenant Governor in Council. The Secretary to Treasury Board is also appointed by the Lieutenant Governor in Council. Staff of the Treasury Board Secretariat Operations Section of the Department of Finance are responsible to provide advice to Treasury Board and assist Treasury Board to carry out its various functions and responsibilities.

##### (b) POWERS, FUNCTIONS AND DUTIES OF TREASURY BOARD

- (i) The FAA establishes the powers, functions and duties of Treasury Board. In accordance with Part I, Sections 2, 3 and 4 of the FAA, Treasury Board shall act for the Executive Council in relation to:
  1. general policy on the administration of the Public Service of Prince Edward Island;
  2. the organization of the Public Service or any portion thereof;
  3. the control of the establishments therein and the determination of terms and conditions of employment of persons employed by the Province of Prince Edward Island;
  4. the preparation of the Estimates of Capital and Operating Revenue and Expenditure;
  5. the review of expenditure plans and programs, and the recommendation of priorities;
  6. financial management, including estimates, expenditures, financial commitments, accounts, fees or charges for the provision of services or the use of facilities, rentals, licenses, leases, revenues from the disposition of property, and procedures by which departments or reporting entities manage, record and account for revenues received or receivable from any source; and

7. such other matters as may be referred to it by the Lieutenant Governor in Council.
- (ii) In addition to these functions, the FAA empowers Treasury Board to execute the following duties:
1. prepare the:
    - (i) Estimates of Operating Revenue and Expenditure, and
    - (ii) Estimates of Capital Revenue and Expenditure;
  2. assign to the Secretary such functions as the Board considers appropriate;
  3. direct the manner and form in which the appropriation accounts of the Province are to be kept;
  4. establish procedures for the processing and approval of the transfer of funds among appropriation accounts;
  5. set rules and guidelines for the administration of departments; and
  6. direct the coordination of administrative functions among and within departments and reporting entities.
- (iii) Treasury Board, through the FAA, is also empowered to:
1. require from any public officer or any agent of the Government any account, return, statement, document, report or information that the Board considers necessary for the performance of its functions;
  2. establish or abolish positions within the civil service; and
  3. take such action as it considers necessary for the efficient administration of the public service.

(c) **AUTHORITY**

Government departments, Crown corporations and reporting entities are subject to the direction of Treasury Board in relation to the authority vested in Treasury Board by the FAA.

(3) **DEFINITIONS**

The various organizations of Government are defined as follows in the FAA and schedules thereto:

- (a) “**department**” means a department or a division of the public service listed in Schedule “A”;
- (b) “**Crown corporation**” means a corporation which is:
- (i) established by an Act or incorporated under the *Companies Act* or the *Business Corporations Act*; and
  - (ii) accountable to a Minister or through a Minister to the Legislative Assembly for the conduct of its affairs, and includes a corporation:

1. in which the Government owns a majority of the shares carrying the right to appoint at least a majority of the members of the board of directors;
2. in which the Government owns the net assets of the corporation such that the Government has the ongoing right to access them;
3. in which the Government controls the financial and operating policies of that organization without relying on the cooperation of others;
4. which is stated to be a Crown agent by its Act of Incorporation or by this Act; or
5. which is included in Schedule “B”; or
6. which is a subsidiary of any corporation referred to in subclauses (1) to (6).

(c) “reporting entity” means an organization that:

- i. is not listed in Schedule “A”, and
- ii. is accountable for the administration of its financial affairs and resources to a Minister or through a Minister to the Legislative Assembly and includes those listed in Schedule “B,” “C” or “D”.

#### **(4) APPLICATION**

This policy is for information and reference purposes only.

#### **(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 Treasury Board decision is deemed necessary.