

1980

## c 254 Management Board of Cabinet Act

Ontario

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CHAPTER 254

Management Board of Cabinet Act

1.—(1) In this Act,

Interpre-  
tation

- (a) "Board" means the Management Board of Cabinet;
- (b) "Chairman" means the member of the Executive Council appointed as Chairman of the Board by the Lieutenant Governor;
- (c) "ministry" means a ministry of the Government of Ontario and includes a board, commission, authority, corporation or other agency of the Government of Ontario;
- (d) "public service" means all ministries or any part thereof;
- (e) "secretariat" means the staff of the Board reporting to the Board through the Secretary;
- (f) "Secretary" means the Secretary of the Board;
- (g) "Vice-Chairman" means the member of the Executive Council who by order in council is appointed the Vice-Chairman of the Board.

(2) Except as otherwise provided in this Act, section 1 of the *Financial Administration Act* applies to this Act. 1971 (2nd Sess.), c. 12, s. 1; 1972, c. 1, s. 2.

Idem  
R.S.O. 1980,  
c. 161

2.—(1) The Management Board of Cabinet is continued and shall consist of the Chairman, the Vice-Chairman and not fewer than four and not more than six other members of the Executive Council designated from time to time by the Lieutenant Governor in Council.

Composition  
of Board

(2) The Lieutenant Governor in Council may designate other ministers to serve as alternates in the absence of members of the Board.

Alternate  
members

(3) The Chairman shall preside at meetings of the Board and is responsible for the operation and administration of the Board and the secretariat.

Chairman's  
powers and  
duties

**Absence of  
Chairman**

(4) When the Chairman is absent from any meeting, the Vice-Chairman shall preside at the meeting and, when both the Chairman and Vice-Chairman are absent, the members present at a meeting shall appoint a member to preside at the meeting.

**Secretary**

(5) The Lieutenant Governor in Council shall appoint an officer, to be known as the Secretary of the Management Board of Cabinet, who shall perform such functions as the Board may assign to him, and the Secretary of the Management Board of Cabinet shall rank as and have all the powers and duties of a deputy minister of a ministry.

**Officers and  
employees**

(6) Such other officers and employees as are necessary for the proper conduct of the business of the Board shall be appointed under the *Public Service Act*.

R.S.O. 1980,  
c. 418

**Procedure**

(7) The Board may determine its rules and methods of procedure and shall keep a minute book in which shall be recorded the proceedings of the Board.

**Quorum**

(8) Three members of the Board constitute a quorum. 1971 (2nd Sess.), c. 12, s. 2; 1972, c. 1, s. 2.

**Duties of  
Board**

**3.—(1)** The Board shall be a committee of the Executive Council with the following powers and duties:

- (a) to co-ordinate the implementation of programs sanctioned or provided for by the Legislature;
- (b) to direct the preparation and review of forecasts, estimates and analyses of revenues, expenditures, commitments and other data pertaining to authorized or proposed programs and to assess the results thereof;
- (c) to control expenditures of public money within the amounts appropriated or otherwise provided for by the Legislature;
- (d) to approve organization and staff establishments in the public service;
- (e) to establish, prescribe or regulate such administrative policies and procedures as the Board considers necessary for the efficient and effective operation of the public service generally;
- (f) to initiate and supervise the development of management practices and systems for the efficient operation of the public service; and

(g) to report to the Executive Council on any other matter concerning general administrative policy in the public service that is referred to it by the Executive Council or on which the Board considers it desirable to report to the Executive Council.

(2) The Board may require from any public officer or any agent of the Crown any account, return, statement, document, report or information that the Board considers necessary for the performance of its duties. Board may require production of documents

(3) The Board may issue such administrative directives as it considers necessary in the performance of its duties. Administrative directives

(4) The Board may undertake or order such studies and examinations of the operation and administration of any part of the public service as the Board considers necessary for the performance of the duties of the Board. Studies

(5) The Board in the exercise of its powers and duties under this or any other Act is subject to the direction of the Executive Council which may amend or revoke any action of the Board. 1971 (2nd Sess.), c. 12, s. 3. Board subject to direction of Executive Council

4.—(1) Where an accident happens to any public work or building when the Legislature is not in session and an expenditure for the repair or renewal thereof is urgently required, or where any other matter arises when the Legislature is not in session in respect of which an expenditure not foreseen or provided for by the Legislature is urgently required for the public good, the Board shall estimate the amount to be required for such expenditure and the Lieutenant Governor in Council upon the report of the Treasurer of Ontario that there is no appropriation for the expenditure and upon the report of the Board stating its estimate and upon the recommendation of the minister of the ministry concerned that the expenditure is urgently required, may order a special warrant to be prepared to be signed by the Lieutenant Governor authorizing the payment of the amount estimated to be required for such expenditure. Special warrants

(2) A warrant issued under this section shall be deemed to be an appropriation for the fiscal year in which it is issued. 1971 (2nd Sess.), c. 12, s. 4; 1972, c. 1, s. 2. Warrant an appropriation

5. Where an appropriation is exhausted or a sufficient amount was not provided and the public interest or the urgent requirements of the public service necessitate further payments, the Board, upon the report of the minister of the ministry concerned as to the necessity for further Board orders

payments and stating the reason why the appropriation is insufficient and the amount estimated to be required, may make an order authorizing payments to be made against such amount as it considers proper. 1971 (2nd Sess.), c. 12, s. 5; 1972, c. 1, s. 2.

## Regulations

**6.** Subject to the approval of the Lieutenant Governor in Council, the Board may make regulations,

- (a) respecting the collection, management and administration of, and accounting for, public money;
- (b) respecting the retention and disposal of records;
- (c) fixing the scale of allowances for travelling and living expenses to be allowed to any person employed in or in connection with any part of the public service, except those allowances which have been determined by bargaining under the *Crown Employees Collective Bargaining Act*;
- (d) for any purpose necessary for the efficient administration of the public service. 1971 (2nd Sess.), c. 12, s. 6 (1); 1972, c. 97, s. 1.

R.S.O. 1980,  
c. 108

Chairman to  
be minister  
of ministry  
R.S.O. 1980,  
c. 147

**7.** For the purposes of the *Executive Council Act*, the Chairman of the Board is a minister having charge of a ministry. 1971 (2nd Sess.), c. 12, s. 7; 1972, c. 1, s. 2.