

March 31, 2007

Operations of the Office



July 2007

The Honourable George Hickes Speaker of the House Room 244, Legislative Building Winnipeg, Manitoba R3C 0V8

Dear Sir:

I have the honour to transmit herewith my report titled, *Operations of the Office for the year ended March 31, 2007*, to be laid before Members of the Legislative Assembly in accordance with the provisions of Section 28 of The Auditor General Act.

Respectfully submitted,

fard Sellinger

Carol Bellringer, FCA, MBA Auditor General

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Message from the Auditor General

This report reflects the results of the operations of the Office of the Auditor General for the year ended March 31, 2007. This is the first such report which I have issued since my appointment in July 2006. I would like to take this opportunity to thank all of the staff of the Office for their dedication to legislative auditing and their hard work this past year. This report outlines our collective accomplishments and our plans for the future.

Our relationships with the Members of the Legislature and senior management impact how well we understand their needs and, as a result, how well we can influence positive change, the prevention of problems and the issuance of accurate public reports. For that reason, one of the first things I did was to meet with Members of the Legislative Assembly and Deputy Ministers. Our most frequent contact with the Members of the Legislative Assembly is through our published audit opinions on government financial statements and our audit reports issued throughout the year. In addition, all of our reports are referred to the Public Accounts Committee (PAC), an all-party Legislative Committee. We met with the PAC four times this year who discussed two of our reports. This report describes more fully our audit activities, including those audit reports we issued during 2006/07 and those in progress, and provides further comments about our relationship with the PAC.

During my first year as Auditor General, I also reaffirmed our commitment to deliver a balance of financial statement, performance and special audit services. Our team structure was reorganized to support these services and a new visual identity was developed. The cover of this Operations Report displays this new visual identity. We worked with a design firm who captured our values into an image we are proud to be associated with.

We believe that the independent information, advice and assurance we provide to the legislature and senior officials contributes to public trust in the provincial government and its organizations. We are continually looking for ways to improve our operations to that end. I look forward to the opportunity, with my staff, of serving the Members of the Legislature and through them, the public, over the 10year term of my appointment.

Garol Sellinger

Carol Bellringer, FCA, MBA Auditor General

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1.0 Our Role and Purpose

Vision

Contributing to public trust in the provincial government and its organizations through the independent audit of management practices and accountability reports.

| Values | | | | | |
|-------------------------------------|-----------------------|--|--|--|--|
| In Interpersonal Relationships | | | | | |
| Respect | Honesty | | | | |
| Integrity | Openness | | | | |
| In Achieving Our Vision | | | | | |
| Teamwork | Balanced Perspectives | | | | |
| ndependence Professional Excellence | | | | | |
| | | | | | |

Mandate

The Auditor General Act (Appendix A) was proclaimed on May 1, 2002, replacing *The Provincial Auditor's Act* which was enacted in 1969. The legislation establishes the Office of the Auditor General as an independent entity, reporting to the Legislative Assembly. The Auditor General is appointed for a 10 year term.

The Act gives us the authority to audit all government organizations and recipients of public monies and to provide members of the Legislature with independent information, advice and assurance on:

- government accountability information (e.g., annual reports, the Public Accounts);
- compliance with legislative authorities; and
- the operational performance of government.

Our clients are Members of the Legislative Assembly (MLAs), and through them, the citizens of Manitoba. Government organizations and recipients of public monies are the beneficiaries of our work.

Strategic Priorities and Objectives

In 2006/07 we identified the following strategic priorities:

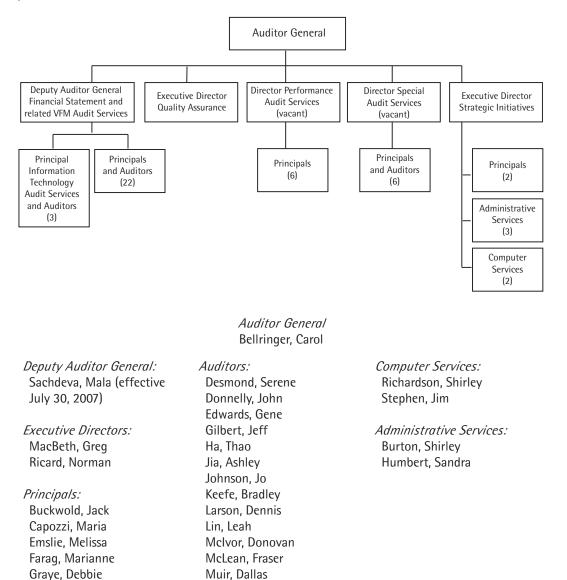
- supporting strong financial accountability across the government reporting entity;
- helping the Public Accounts Committee of the Legislature to put into practice its new rules;
- providing proactive advice that can assist and support government organizations to prevent problems from occuring; and
- focusing on accountability reports to provide legislators with independent assurance that public program information is accurate and complete.

These strategic priorities are the key areas where we believe we can make the greatest difference. Our audit activities (Section 3.0) are the main vehicles we use to address these priorities. Our performance objectives were developed to address how we will make a positive contribution, as follows:

- 1. Supporting adherence to professional standards.
- 2. Focusing audits on significant public sector issues.
- 3. Balancing the time allocated to conducting our audit activities, being financial statement audits, performance and special audits;
- 4. Providing fair, balanced and timely reporting with practical recommendations.
- 5. Supporting continuous improvement and professional development for our staff.
- 6. Maintaining a work place of choice that attracts and retains highly skilled employees.
- 7. Implementing leading administrative practices suitable for a legislative audit office.

Organizational Chart

The following organizational chart shows the teams that deliver our outputs as presented in Section 3.0.



Hay, Susan

Heke, John

Oswald, Ron

Storm, David

Torchia, Phil

Unryn, Larry

Wirth, Brian

Wright, James

Lewarton, Larry

Ngai, Jacqueline

Rahim, Faizul

Saunders, Barry

Shtykalo, Tyson

Thiessen, Brendan

Stoesz, Jon

Voakes, Grant

Yang, Angela

Finances

The Legislative Assembly Management Commission (LAMC), an all-party Legislative Committee, reviews and approves our annual budget. LAMC is also responsible for the annual approval of the auditor who is selected to audit our Office's financial statements. Frostiak and Leslie Chartered Accountants, Inc., were re-appointed to conduct the financial statement audit of our office for the period 2006/07 to 2010/11.

Our Office's audited financial statements for the year ending March 31, 2007, are presented in the final section of this Report.

2.0 Risk Management

Risk Management is the process of making and carrying out decisions that will minimize the liabilities and effects of possible adverse events (risks) on an entity's performance. We have established controls to reduce the likelihood that risks would adversely affect our ability to achieve our mandate and objectives.

Independence

We need to maintain our independence in order to ensure that we provide objective and non-partisan advice. To address the risk of loss of independence or perceived loss of independence we have a number of office policies and procedures in place and we comply with standards of our professional associations.

The requirement to follow government policies and procedures with respect to hiring, compensation, classification of staff position, and hiring through the Civil Service Commission (CSC) could one day impact our independence. As well, certain of our staff are part of the Government employees' union. While the working relationship with the CSC has been positive, the risk to our independence does exist since our role is to audit government organizations which would include the CSC. We will explore options to minimize the risk of loss of independence that this situation poses for our Office.

Credibility

Our reputation is critical to our success. Therefore we must avoid the risk of providing inappropriate or inaccurate assurance and advice. We strive to do this through using best practices in legislative auditing, including strong quality control practices.

We have faced legal challenges on some of our audit reports. When that happens, it can undermine our credibility. To address such challenges, we have had to

utilize financial resources to hire legal counsel to defend our assertion that our audits were conducted in accordance with professional standards and reported in good faith.

Relevance of Work

In order for our work to be beneficial to our clients, we must ensure that our reports are meaningful to them. We do this by ensuring our audits deal with significant public sector issues. We maintain contact with Members of the Legislature and government officials in order to keep current on trends/ developments within government organizations and ultimately, to be able to identify significant public sector issues for future audits.

In future we will develop strategies for even greater input from Members of the Legislature, the Public Accounts Committee and government officials in identifying audits of significant public sector issues.

Resources and Competencies

The quality of our assurance and advice is dependent on the knowledge, skills and ability of our employees. To be successful we need to be able to recruit and retain high quality professionals. We do this by providing a work environment that supports on-going opportunities for our staff to further develop their skills and by supporting a proper work-life balance.

This past year has seen the loss of several staff: four individuals retired, four accepted positions with Internal Audit and Consulting Services within the Department of Finance and one accepted a position with the private sector. The Information Technology audit team has been particularly impacted with the loss of internal expertise to undertake such audits. To deal with staff resourcing challenges, we are exploring long-term strategies for: recruitment of additional students; succession planning; retention of technical expertise; and maintaining in-depth knowledge of the public sector and legislative auditing.

3.0 Our Audit Activities

Our audit activities include financial statement, performance, and special audits. The products of our work take a variety of forms including: audit opinions, audit advice, management letters, and reports to the Legislature. In addition, we make a wide variety of presentations on our work to government organizations and to conferences, symposiums, and workshops. Beyond providing observations and recommendations regarding a particular program/entity, our reports identify good management practices and learnings that are of general relevance to public sector organizations. Appendix C therefore lists our reports going back to 1996 under different subject areas.

Financial Statement Audits

Strong financial stewardship by government organizations is critical. One of the central ways in which we support financial accountability is through the audit opinions we give on financial statements of government organizations and the Public Accounts. We support adherence to professional accounting standards, and transparency, as well as fair and accurate representation in public sector budgets and financial reports.

Financial statement audit activity includes:

- Providing opinions on annual financial statements, special reports, and public sector compensation disclosures;
- Issuing client management letters to provide financial, internal control, compliance, or general operational recommendations;
- Conducting overviews of government entities, which may also encompass file reviews of their private sector auditors. This work is necessary for our reliance on the work of the private sector firms for consolidation of their clients' financial statements into the Summary Financial Statements for the Province;
- Completing special reports on financial information, including claims; and
- Reviewing compliance with legislation to the extent required for the issuance of financial statement opinions.

Highlights of Output in 2006/07

- Provided attest audit opinions or overviews on over 100 government entities. (See Appendix A for attest audits conducted by the Auditor General's office and attest audits conducted by private sector accounting firms with overviews by the Office of the Auditor General.)
- Issued audit opinions on the Public Accounts of Manitoba in accordance with the statutory deadline and issued the Audit of the Public Accounts report to the Members of the Legislative Assembly in December 2006, released publicly in January 2007.
- Issued 23 management letters to our attest audit clients.

- Continued to work in partnership with several of the private audit firms as our agents in providing financial statement attest services.
- Provided feedback on audit plans, draft financial statements, and management letters prepared by external auditors during the course of their work on financial statement audits of government entities.

Future Direction

In the case of government entities that are complex or whose impact on the government's financial position is significant, and our office is the appointed auditor, we will conduct the financial statement audit rather than enter into an agency agreement with a private sector accounting firm. This approach will give us the opportunity to have first hand knowledge and understanding of the entity and through our direct involvement we can be proactive in ensuring that accounting practices are consistent with professional standards. For example, in 2007/08 we will undertake the financial statement audit of Manitoba Housing and Renewal Corporation. Lower risk financial statement audits will be contracted-out through a tendering process.

Performance Audits

Performance auditing examines management practices, controls and reporting systems with a focus on results. While carrying out performance audits we endeavor to:

- Select organizations or programs to examine which manage considerable public resources or which have a significant impact on their stakeholders and the public in general; and
- Design our audits in such a way that we focus on the key result areas of the organization or program, and further, within these key result areas, on those aspects at greatest risk of not being managed with due regard for efficiency, effectiveness and economy.

In conducting our audits, we look for:

- Inefficiencies (i.e., duplication of effort, failure to appropriately use Information Technology);
- Lack of due regard for economy;
- Whether key activities are in place and functioning as intended;
- Complexity of programs/initiatives;
- Adequacy of controls to safeguard assets from theft or misuse; and

• Adequacy of controls to ensure compliance with related Acts or regulations.

Because our work is increasingly focused on organizational performance, several factors can have an impact on what we accomplish. These factors include the extent to which:

- Clearly stated and measurable performance expectations have been established by government organizations;
- Appropriately detailed performance information has been gathered and analyzed by government organizations;
- Processes and performance have been benchmarked with comparable programs in comparable jurisdictions;
- Access to information and client staff resources is provided in a complete, timely, and cooperative manner;
- Effective board governance is in place; and
- Effective policy development capacity is in place.

Highlights of Output in 2006/07

| April 2006 | Audit of the Pharmacare Program | The overall purpose of the audit was to assess: if the Pharmacare Program was managed in a cost effective manner; and the Program's accountability reporting to the Legislature was adequate. We collaborated with seven other legislative audit offices in developing a set of common audit objectives that were used to conduct and report on our jurisdiction's Pharmacare/Drug Program. |
|------------------|--|---|
| October 2006 | Enhancing Audit Committee Practices in the Public Sector | This report outlines the responsibilities, relationships, and structures of an effectively functioning Audit Committee in the public sector. |
| | A Guide to Leading Edge Internal Audit in the Public Sector | This document provides public sector organizations with a guide to good practices in internal audit. The recommended practices are based on the Institute of Internal Audit Standards and extensive literature on internal auditing. |
| December 2006 | External Assessment of Internal Audit and Consulting Services (distributed in the Public Accounts Report) | The overall purpose of the assessment was to compare Manitoba's Internal Audit and Consulting Services (MIACS) with the Institute of Internal Audit Standards and applicable Canadian Institute of Chartered Accountants Standards to assist MIACS in modernizing their practices. |
| | Information and Communications Technologies Infrastructure Supporting the Public Accounts (distributed in the Public Accounts Report) | As part of the audit of the Public Accounts for the year ending March 31, 2006, we assessed general computer controls over the technological infrastructure supporting automated information systems significant to financial reporting for the Province. |
| | Audit of Child and Family Services Division, Pre- Devolution Child in Care Processes and Practices | The audit assessed whether the Child and Family Services Division of the Department of Family Services and Housing had an effective accountability framework in place relative to mandate agencies addressing children in care. |
| February 2007 | Audit of Workplace Safety and Health | The objectives of the audit focused on whether the Workplace Safety and Health Division of the Department of Labour and Immigration had adequate processes in place to: administer The Workplace Safety and Health Act and its regulations; manage its performance; and report on Program effectiveness to the Legislative Assembly. |

Status of Performance Audits in Progress

During 2007/08 we will complete audit work and report on the following performance audits which are in progress:

Provincial Management of the Environmental Livestock Program

• The purpose of our audit was to evaluate Conservation's operational efforts on protecting surface and groundwater from potential contamination caused by livestock operations.

Contaminated Land Management and Environmental Liabilities in Manitoba Part II

• We examined the processes for estimating and recording liabilities; departmental monitoring of compliance with applicable legislation; and licensing of landfills for those entities included in the Government Reporting Entity and in municipalities.

Mandatory Legislative Reviews

• We examined compliance with requirements to undertake reviews of acts and regulations and the process followed for such reviews.

Compliance with Authority Audits

- Ambulance Services.
- Oil and Gas Legislation.

Property Management of Government-Owned and Leased Buildings

• We examined the management information system; space management processes; and acquisition, leasing and disposal practices.

Pharmacare Part II

• We examined whether disbursements under the program were valid and accurate.

Municipal Assessments

• We examined whether the province has appropriate processes for ensuring fair and reliable property assessment practices.

The findings from several performance audits in process relate to accountability and performance management issues (Council on Post-Secondary Education, Highway Construction Contracting, Municipal Board, Sport Manitoba Inc., Wildfire Management). This, and our interest in fully understanding the issues in their full context, has led us to initiate discussions in 2007/08 with central government officials. We wish to better understand their expectations regarding the overall accountability and performance management framework, including planning, managing risks and results, and public reporting on performance. The results from the noted audits will be incorporated into this process and will be reported on to the Legislative Assembly in due course.

Special Audits

Audits Conducted Under Section 16 of The Auditor General Act

Section 16 of our Act enables us to respond to requests from the Minister of Finance, the Lieutenant Governor in Council, or the Standing Committee on Public Accounts to undertake audit work if we determine that the work would not interfere with the primary responsibilities of the Auditor General.

At the request of the Standing Committee on Public Accounts we commenced an Audit of the **Spirited Energy Advertising Campaign**. A report on this audit is expected in September 2007.

Allegations

Allegations are brought to our attention throughout the year. During 2006/07 we received 24 allegations. We conduct preliminary examinations of all such matters and decide first whether the matter falls within our authority or whether it is under the authority of another organization, such as the Provincial Ombudsman. For all matters which do fall within our authority, we conduct a risk assessment to determine the timing, nature and scope of the more detailed examination we will schedule. The matter may form the basis of a special audit or may be addressed in conjunction with another scheduled audit. Our reporting on such matters is to the Legislature, consistent with our Act.

Fieldwork was completed during 2006/07 on a special audit of Seven Oaks School Division Land Development. The report on this special audit will be issued in August 2007/08. As well, work commenced in 2006/07 on an examination of the Rural Municipality of La Broquerie.

Future Audits

During 2006/07 work was undertaken on Provincial Monitoring of Funding Provided to the Society for Manitobans with Disabilities. As a result of our work, we determined that we needed to expand our original audit scope to include an entity review. This further work will be undertaken in 2007/08.

4.0 Operating Trends

MLA Survey

Our last MLA survey conducted in 2002 was undertaken by an independent research firm in order to ensure respondent confidentiality. Our 2002 results indicated the following:

- 92% indicated that our Reports to the Legislative Assembly (RTLs) are an important service, and believed that our RTLs deal with matters of significance for the Legislative Assembly;
- 86% of MLAs agreed that the work of our Office contributes to improved public sector accountability in Manitoba;
- 84% indicated that the RTLs deal with issues in an unbiased and objective manner, and that the recommendations made were fair and practical; and
- 84% indicated they are satisfied with the overall quality of our RTLs.

In 2007/08 we will be briefing Members of the Legislature (MLAs) on the work of our Office. Subsequently, we will undertake another survey of MLAs using electronic voting equipment with assistance from an external facilitator.

Take-Up of our Recommendations

As a result of our audit work, we develop recommendations for management. With respect to our performance and special audit work conducted from April 1, 1997 to March 31, 2007, we have issued 1,117 recommendations.

We track the implementation status of our recommendations by requesting progress reports from the audited entities. We review the progress reports for plausibility and include the progress reports and our review comments in a report to the Legislative Assembly.

We begin tracking the implementation status of our performance and special audit recommendations within approximately three years of issuing the related report. Our most recent progress report request was as at December 31, 2005. This request included the recommendations from 18 reports issued between 1998 and

2003. These progress reports will be issued in 2007 in a report to the Legislative Assembly.

Including the results of our latest progress report request, we have followedup on the implementation status of 461 of the performance and special audit recommendations issued since April 1, 1997. The status of these recommendations is summarized below:

| Status of Performance and Special Audit Recommendations Followed-up | | | | | | |
|---|-----|------|--|--|--|--|
| Implemented 267 58% | | | | | | |
| Significant progress | 50 | 11% | | | | |
| Some progress | 87 | 19% | | | | |
| No progress | 20 | 4% | | | | |
| No longer relevant | 37 | 8% | | | | |
| TOTAL | 461 | 100% | | | | |

Public Accounts Committee of the Legislature

The Public Accounts Committee (PAC) is an all party committee chaired by a member of the Official Opposition and Vice-Chaired by a member of the Government Party. The PAC's primary role is to examine the financial administration of public assets and spending of public funds. One of the ways that the PAC does this is through its consideration of our audit reports all of which are referred to the PAC as required under *The Auditor General Act*. At the conclusion of its consideration of our audit reports PAC passes them. Passing our audit reports means that the Committee has completed its consideration of the report and has no further questions/aspects to examine regarding that report. The PAC also has the option of preparing a report to the Legislature on its examination of any of our reports and can include recommendations in its reports. As such, the PAC can play an important role in ensuring that our recommendations are appropriately acted upon. In fact, the PAC's procedural rules entitle it to systematically follow-up on Government's actions and responses to its recommendations in order to complete the accountability cycle.

To date, it has not been the practice of Manitoba's PAC to make recommendations and issue reports to the Legislature on its deliberations. By contrast, virtually all other Canadian PACs issue recommendations to the Legislature and follow-up on their implementation.

During 2006/07, the PAC held four meetings, discussed two, and passed one of four of our reports referred to the Committee. Since 2000, 14 of our audit reports have been referred to the PAC but have not yet been passed. Nine other of our reports issued between 2005 and 2007 have not yet been referred to the PAC.

Post Audit Survey

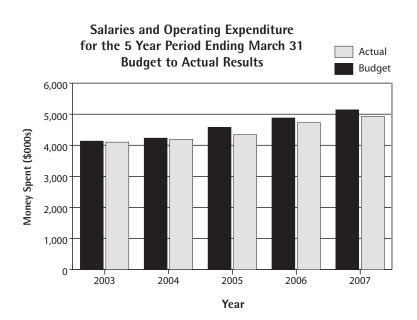
At the conclusion of our financial statement audits, we issue a survey to the audit committee and senior management to provide feedback on our performance and provide us with suggestions for improvement. As part of the survey, we ask the client to provide us with an overall assessment of whether they were satisfied with the delivery of our services, the skills and knowledge of the audit team, value added to their organization and our performance. The assessment is done using a numerical scale with "1" being very poor, "3" average, and "5" excellent.

During 2006/07, we sent our 27 surveys and received 22 completed responses (81% response rate). The average overall client assessment of our Office was approximately "4". This indicates that the clients believe we are better than average in the provision of financial statement audit services, but we recognize there is always room for improvement.

We intend to provide comparable surveys for our performance audits and will be reporting those results in the future.

Salaries and Operating Expenditures

The following chart reflects the budget to actual expenditures of the Office over the past five years. The slight increase in expenditures mainly reflects inflation and contractual salary adjustments. The level of staff in the Office has remained relatively constant over the same period.





Audit Costs

The average cost per audit hour is based on the actual salary cost and benefits plus operating costs. The audit hours are the total number of actual audit hours for the year. The increase in the average cost per audit in 2007 is primarily due to increased number of hours applied to study leave by new Chartered Accountant students and additional staff vacancies in 2007.

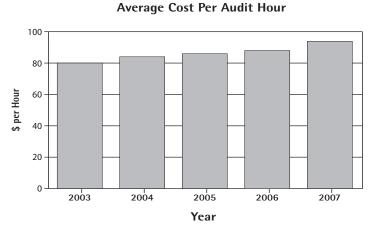
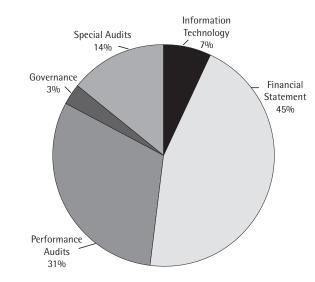


Figure 3

Figure 4

Allocation of Audit Time

The pie chart shows the percentage of time spent on financial statement audits, performance audits and special audits.

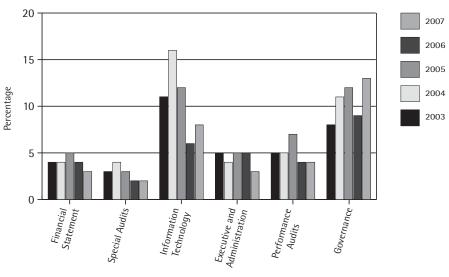


Allocation of Audit Time

Figure 5

Professional Development and Training

Time spent on professional development and training is depicted in the graph below.



Percentage of Hours for Professional Development and Training

Employee Survey

Our last staff survey conducted in 2004 (91% participation rate) indicated that 76% of respondents were satisfied to be working in our Office. We intend to undertake a staff survey in 2007/08 using electronic voting equipment.

5.0 How We Carry Out Our Work

Operating Principles

Independence

We conduct our work in an objective and unbiased manner.

Balanced Perspective

We put forth well considered and fair conclusions based on analysis of all opinions and where appropriate, reporting on strengths as well as weaknesses.

Teamwork

We work together cooperatively and in a coordinated manner to achieve a common goal.

Accountability

We are accountable for our individual contributions to the products and services provided by the Office.

Value-Added Work

We provide the Legislative Assembly with value-added reports.

Professional Conduct

We adhere to the Office values in carrying out our work.

Professional Excellence

We maintain sound audit methodology and meet the professional standards and competency requirements of our Office.

Financial Stewardship

We use taxpayers' money effectively and efficiently.

This section briefly describes key aspects of how we operate in order to be able to generate independent assurance and advice pursuant to our mandate and to deliver our primary output that being our reports.

Quality Control

As legislative auditors, we must exercise significant professional judgment in carrying out our work and reporting our findings and opinions. For this reason, we have in place a quality control process designed to provide us with reasonable assurance that:

• we are complying with professional standards, regulatory and legal requirement and internal policies; and

• the opinions and reports issued are appropriate in the circumstances.

Key elements of our quality control system include maintaining:

- qualified staff;
- adequate supervision and review throughout the audit process;
- an internal challenge process to ensure that our work is fair, balanced, meets professional standards, and produces appropriate audit reports and practical recommendations; and
- an independent quality review of files and reports for all assurance service areas in our office.

As well, the Institute of Chartered Accountants of Manitoba (ICAM) routinely conducts inspections of audit firms involved in the practice of public accounting as defined in the General Provisions of the ICAM By-laws. Although we are not an audit firm and as such are not required to undergo an inspection, we voluntarily participate in this process. In April 2006, ICAM conducted an inspection of the Office's financial statement auditing practice and concluded that we are operating in a manner consistent with professional standards. The next inspection is scheduled for 2010.

Our Performance Auditing and Reporting Process

To help ensure the completeness and accuracy of the work we undertake and the fairness of our reporting on it, staff from our Office maintain ongoing communication with senior management throughout the process. When we undertake a performance audit, we provide the entity that we are auditing with an opportunity to advise us of areas of concern for inclusion in our audit and to give us feedback on proposed audit criteria. We discuss with senior management and staff potential audit issues as they arise. Prior to preparing an audit report we meet with senior management to discuss key findings, conclusions and recommendations. Moreover, senior management is given an opportunity to review our draft report and to submit written comments on our recommendations; these comments are incorporated into our final report.

Prior to issuing a report, we are required by legislation to provide a copy to the Minister responsible for the program area that was audited as well as the Minister of Finance with a 14 notice that we will be releasing the report. Final reports of the Office are submitted to the Speaker for tabling with the Legislative Assembly. Each report is automatically referred to the Standing Committee on Public Accounts.

CCOLA

The Office is a member of the Canadian Council of Legislative Auditors (CCOLA) which consists of the Auditors General from each jurisdiction across Canada. We meet twice a year to discuss emerging issues and share practices in carrying out our mandate as legislative auditors. CCOLA has established several working committees. Our staff are represented on these committees. Participation on CCOLA and its committees is of collective benefit to the legislative audit community by giving us access to each others knowledge, information, and expertise. The CCOLA committees that we participated on in 2006/07 are:

- The Strategic Issues Group;
- The Human Resources Management Group;
- The Quality Assurance Committee;
- The Performance Reporting and Auditing Group;
- The Information Technology Committee;
- The Health Study Group; and
- The Governance Study Group.

Professional Development

Generally accepted auditing standards require that staff conducting audits have adequate technical training and proficiency in auditing. On an annual basis, staff are exposed to a wide variety of training opportunities some of which are provided in-house. In other cases, staff pursue individual training through seminars or short courses offered through external sources. We also invite guest speakers throughout the year to provide presentations on topics that help to maintain the knowledge of our staff about emerging issues within government organizations.

We also support individual staff members in the pursuit of specialist audit training applicable to the legislative audit environment including designations in the following:

- Information Technologist Audit Specialist;
- Certified Fraud Examiner/Investigative and Forensic Accountant; and
- Certified Internal Auditor.

Our Designation as an Articling Office

The Office is approved by the Institute of Chartered Accountants of Manitoba as a training office and supports articling students in their pursuit of the Chartered Accountant (CA) designation. In 2006/07, four articling students in our office wrote and passed the CA exam.

Competency Model

Competencies are those characteristics and behaviours that underlie performance on the job. In 2006/07 we prepared our Office's Competency Model which is based primarily on the model developed by the Civil Service Commission of Manitoba and has been adapted to suit our context. We have seven areas for which we have developed the expected competencies that our staff must meet:

- Leadership,
- Professional/Technical,
- Reasoning/Judgment,
- Managing for Results,
- Communicating Ideas, Findings, and Conclusions,
- Relationship Building, and
- Personal Effectiveness.

In 2007/08 we will be piloting a competency assessment process leading to the creation of professional development plans for each member of staff. Specific teams have been created to oversee the development of the plans and their implementation.

Office Support Functions

The Office's administrative services provide a wide range of functions to help us carry out our mandate including:

- in-house preparation of our reports to go to print;
- providing our staff with computer services including co-ordination of our website upgrades;
- safeguarding our Office assets including information security;
- updating when necessary our Office policies and procedures;

- preparing our annual budget, financial statements, monthly statements with variance explanations and other comptrollership responsibilities; and
- providing human resource management support.

Sustainable Development

In the spring of 2000, the Government of Manitoba committed to implementing sustainable development guidelines for operations of all departments, entities and related corporations. Our Office established a Sustainable Development Committee to review the guidelines and prepare an action plan. We submitted the action plan to Government Services in September 2002 and effective April 1, 2003 our Office began working toward the achievement of the action plan.

We contribute to sustainable development through the following initiatives:

- shredding and recycling of paper products;
- using recycled paper;
- reducing the number of paper copies of our audit reports by issuing CDs of our reports;
- including environmentally friendly technology criteria in the Request for Proposal for the lease of all new office machines;
- using an electronic auditing software program in part to help reduce paper and printer usage;
- promoting the acceptance of sustainable development principles in government departments and agencies through the performance of compliance and environmental audits; and
- conducting audits and reviews of sustainable development activities undertaken by the government reporting entity.

6.0 Financial Accountability

The audited financial statements for the Office are presented in the next section of this report.

Estimate Process

As per Section 27(3) of *The Auditor General Act*, the Office receives funding from the Legislative Assembly appropriations. The Auditor General annually presents to the Legislative Assembly Management Committee (LAMC) an estimate of the amount of money that will be required for the purpose of conducting the work of the Office for the forthcoming year. The amount approved by LAMC is included in the estimates submitted to the Legislature for review and debate.

The Office maintains a bank account from which its operating expenses are paid. Advances are provided by the Province up to the amounts approved by LAMC.

Note 6 to the financial statements summarizes the approved funding for the past two years. In both years, the Office managed within its allocated funding and returned unexpended balances to the Consolidated Fund in accordance with Section 27(4) of *The Auditor General Act*.

Year's Operations

Audit fee revenue increased because our billings reflected the impact of additional procedures required as a result of recently amended professional standards and because of new assignments.

Salaries remained relatively unchanged because the cost of living adjustment of 2.5% was offset by significantly higher position vacancies for a portion of the year.

Pensions and Other Benefits increased mostly due to increases to the pension and severance benefits earned by employees.

Printing costs decreased due to fewer reports issued and fewer copies of each report being printed.

The legal fees paid in 2006/07 totalled \$108,593.50. This compares to \$73,504.09 for 2005/06 and \$39,387.90 for 2004/05. The legal fees for 2006/07 include:

- Approximately \$13,000 paid to Thompson Dorfman Sweatman LLP who provide general legal advice to the Office of the Auditor General.
- Approximately \$50,000 to Duboff, Edwards, Haight & Schacter who are representing the Auditor General, Deputy Auditor General and the Office

of the Auditor General in defense of a "Notice of Application" following the OAG's issuance of *An Examination of the Crocus Investment Fund*. The OAG filed a "Motion to Strike" this Notice of Application which was denied, and which is now being appealed.

• Approximately \$40,000 to Aikins MacAulay & Thorvaldson LLP primarily for work on behalf of the former Auditor General in defense of an outstanding claim regarding audit work conducted in 1996/97 in conjunction with the Manitoba Telecom Services pension plan. Subsequent to year end the claims against the former Auditor General were dismissed.

Management's Responsibility for Financial Statements

The accompanying financial statements of the Office of the Auditor General for the year ended March 31, 2007 are the responsibility of management of the Office. Management has prepared the financial statements to comply with The Auditor General Act and with generally accepted accounting principles in Canada. The financial information presented elsewhere in this annual report is consistent with that in the financial statements.

To ensure the integrity and objectivity of the financial data, management maintains a comprehensive system of internal controls including an organizational structure that effectively segregates duties. These controls provide reasonable assurance that transactions are appropriately authorized, assets are adequately safeguarded and financial information is reliable and accurate.

The financial statements have been audited by the firm of Frostiak & Leslie, Chartered Accountants Inc. Their report to the Members of the Legislative Assembly, stating the scope of their examination and opinion on the financial statements, is attached.

Garol Sellinger

Carol Bellringer, FCA, MBA Auditor General May 18, 2007

Auditor's Report

FROSTIAK & LESLIE

Chartered Accountants Inc. Larry H. Frostiak, FCA, CFP, TEP Kenneth T. Leslie, CA Myles L. Pouteau, CA, TEP, CAFA

INDEPENDENT AUDITORS' REPORT

TO THE LEGISLATIVE ASSEMBLY OF MANITOBA

We have audited the accompanying financial statements of the Office of the Auditor General of Manitoba which comprise the balance sheet as at March 31, 2007 and the statements of operations, net assets and cash flows for the year then ended and a summary of significant accounting policies and other explanatory notes.

Management's responsibility for the financial statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian generally accepted accounting principles. This responsibility includes: designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

Auditor's responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement. We are also required to comply with applicable ethical requirements.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparations and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, the auditor expresses no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, these financial statements present fairly, in all material respects, the financial position of the company as at March 31, 2007 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Winnipeg, Manitoba May 18, 2007

tick + Leslie

Chartered Accountants Inc.

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200 - 1700 Corydon Avenue, Winnipeg, Manitoba, Canada R3N 0K1 Tel: 204-487-4449 Fax: 204-488-8658 www.cafinancialgroup.com

(Ste member www.taxspecialistgroup.ca

Balance Sheet as at March 31, 2007 (000s)

OFFICE OF THE AUDITOR GENERAL OF MANITOBA BALANCE SHEET

As at March 31, 2007, with comparative figures for 2006 (000's)

| | | 2007 | (| 2006 Note 10) |
|--|----|--------|----|------------------|
| ASSETS | | | | |
| Current assets | | | • | |
| Cash | \$ | 17 | \$ | 57 |
| Accounts receivable | | 135 | | 17 |
| Short term funding commitments - Province of Manitoba | | 353 | | 434 |
| Prepaid expenses | | 17 | | 149 |
| Work-in-process - audit fees | | 174 | | 172 |
| | | 696 | | 829 |
| Long term funding commitments - | | 40.400 | | 9.944 |
| Province of Manitoba (Note 3 & 7) | | 10,402 | | 9,944 |
| Capital assets (Note 4) | | 147 | | 229 |
| | \$ | 11,245 | \$ | 11,002 |
| LIABILITIES AND NET ASSETS | | | | |
| Current liabilities | | | | |
| Accounts payable | \$ | 99 | \$ | 74 |
| Accrued liabilities | Ť | 10 | | 16 |
| Accrued vacation pay | | 353 | | 434 |
| Current portion of lease obligations (Note 5) | | 42 | | 51 |
| | | 504 | | 575 |
| Duration for every coverence herefite (Note 7) | | 462 | | 584 |
| Provision for employee severance benefits (Note 7) Provision for employee pension benefits (Note 7) | | 9,939 | | 9,356 |
| Capital lease obligation (Note 5) | | 3,303 | | 42 |
| Capital lease obligation (Note 3) | | 10,905 | | 10,557 |
| | | | | |
| Net assets available | | 340 | | 445 |

See accompanying notes to financial statements.

Approved by the Office of the Auditor General of Manitoba:

Jarol llungen Auditor General Executive Director, Strategic Initiatives

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Statement of Operations and Net Assets Available as at March 31, 2007 (000s)

OFFICE OF THE AUDITOR GENERAL OF MANITOBA STATEMENT OF OPERATIONS AND NET ASSETS AVAILABLE

Year ended March 31, 2007, with comparative figures for 2006 (000's)

| | 2007 | 2006 (Note 10) |
|---|---------------|-------------------|
| Revenue | | |
| Province of Manitoba - net funding (Notes 3 & 6) | \$ 5,222 | \$ 5,271 |
| Audit fees | 692 | 600 |
| | 5,914 | 5,871 |
| Expenses | | |
| Salaries | 3,080 | 3,093 |
| Pension and other benefits | 1,348 | 1,279 |
| Professional fees | 794 | 793 |
| Office administration | 206 | 195 |
| Office rent | 167 | 165 |
| Information technology | 116 | 108 |
| Professional development | 102 | 94 |
| Memberships and publications | 50 | 48 |
| Printing | 39 | 74 |
| Travel | 7 | 2 |
| Interest and bank charges | 4 | |
| | 5,913 | 5,856 |
| Excess of revenue over expenses before undernoted | 1 | 15 |
| Amortization of capital assets | <u>(106</u>) | (101 |
| Excess of expenses over revenue | (105) | (86 |
| Net assets available, beginning of year | 445 | 531 |
| Net assets available,end of year | \$ 340 | \$ 445 |

See accompanying notes to financial statements.

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Statement of Cash Flows as at March 31, 2007 (000s)

OFFICE OF THE AUDITOR GENERAL OF MANITOBA STATEMENT OF CASH FLOWS

Year ended March 31, 2007, with comparative figures for 2006 (000's)

| | 2007 | () | 2006 lote 10) |
|--|------------------|----|------------------|
| Operating activities | | | |
| Excess of expenses over revenue | \$ (105) | \$ | (86) |
| Items not involving a current outlay of cash | | | |
| Amortization | 106 | | 101 |
| No. 1 II With Issue | 1 | | 15 |
| Net change in working capital balances | (110) | | 73 |
| Accounts receivable | (119) 81 | | (14) |
| Short term funding commitment - Province of Manitoba Prepaid expenses | 132 | | 51 |
| Work-in-process - audit fees | (2) | | (13) |
| Accrued vacation pay | (81) | | 14 |
| Accrued liabilities | 19 | | (1) |
| Long term funding commitment | (458) | | (568) |
| Provision for employee severance | (121) | | 29 |
| Provision for employee pension | 583 | | 544 |
| | 35 | | 130 |
| Investing activities | | | |
| Purchases of capital assets | (24) | | (72) |
| Financing activities | | | |
| Repayments of capital lease obligation | <u>(51</u>) | | <u>(51</u>) |
| Net Increase (decrease) in cash | (40) | | 7 |
| Cash, beginning of year | 57 | | 50 |
| Cash, end of year (Note 8) | \$ 17 | \$ | 57 |

See accompanying notes to financial statements.

Notes to Financial Statements as at March 31, 2007

OFFICE OF THE AUDITOR GENERAL OF MANITOBA NOTES TO FINANCIAL STATEMENTS

March 31, 2007 (000's)

1. NATURE OF OPERATIONS AND ECONOMIC DEPENDENCE

The Auditor General is appointed under The Auditor General's Act (Chapter 39) as an officer of the Legislature. The Act provides for the establishment of the Office of the Auditor General of Manitoba (the Office) and sets out the authority and powers of the Auditor General, identifies the audit services to be provided, and establishes reporting responsibilities.

All of the funding for the operations of the Office is approved by the Legislative Assembly Management Commission and is included in the Government's estimates which are voted through the Appropriation Act by the Legislative Assembly. Accordingly, the Office is economically dependent on the Province of Manitoba.

2. SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared in accordance with Canadian generally accepted accounting principles and reflect the following policies:

a) Revenue from the Province of Manitoba

In accordance with Section 27(3) of The Auditor General's Act, the costs of carrying on the business of the Office shall be paid from the Consolidated Fund of the Province of Manitoba. As a result, funding from the Consolidated Fund to cover the costs of the Office is reflected as revenue. Revenue also includes increases in future funding commitments from the Province of Manitoba for the Office's share of provisions recorded for unfunded pension benefits, and accrued severance benefits and increases to the accrued vacation payable. Revenue from the Province of Manitoba is reduced by the amount of audit fees and other recoveries collected by the Office which have been deposited to the Consolidated Fund (Note 6).

b) Revenue from audit fees

The Office is the financial statement auditor for a number of government entities that account for their financial activities outside of the Consolidated Fund. The Office charges a fee for this service. Audit fee revenue is recognized on the basis of the percentage of work completed. The amount reflected as work in process is valued at its estimated billable amount.

c) Leases

Leases are classified as capital or operating leases. Leases which transfer substantially all of the benefits and risks incident to ownership of property are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are charged to expense as incurred.

d) Vacation Pay

The value of employee vacation entitlements earned but not taken at the year end is recorded as a liability.

Notes to Financial Statements as at March 31, 2007

OFFICE OF THE AUDITOR GENERAL OF MANITOBA NOTES TO FINANCIAL STATEMENTS

March 31, 2007 (000's)

e) Measurement Uncertainty

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and revenues and expenses for the period reported. The more subjective of these are estimating the pension obligation and severance liability. Actual results could differ from those estimates.

f) Amortization

Capital assets are stated at cost. Capital assets are amortized using the straight line basis over the estimated useful life of the capital assets as follows:

| Computer software licenses | the life of the lic | ense over 1 year |
|---------------------------------|---------------------|------------------|
| Computer hardware, software and | | |
| computer equipment under capit | al lease | 3 years |
| Furniture and fixtures | | 10 years |

3. LONG-TERM FUNDING COMMITMENTS - PROVINCE OF MANITOBA

The long-term funding commitments from the Province of Manitoba represent the pension and severance benefits earned by the employees of the Office. The amount of this funding commitment is equal to the provisions recorded for the employees' severance and pension benefits.

The long-term funding commitment is increased every year by the amount of benefits earned by the employees of the Office and decreased by an amount equal to the value of pension benefits paid and processed through the Consolidated Fund on the Office's behalf, and by the value of severance benefits paid by the Office.

4. CAPITAL ASSETS

| | 2007 | | | | |)06 ie 10) | | |
|---|----------------------------------|---------------------|-----|-------------------|----|----------------------------|-----|----------------------------|
| | Accumulated Cost Amortization | | | Cost | | umulated | | |
| Computer hardware and software | \$ | 605 | \$ | 562 | \$ | 613 | \$ | 558 |
| Computer equipment under capital lease Furniture and fixtures | \$ | 292 233 1,130 | \$ | 268 153 983 | \$ | 402 <u>232</u> 1,247 | \$ | 330 <u>130</u> 1,018 |
| Net book value | | \$ | 147 | | | \$ | 229 | |

Notes to Financial Statements as at March 31, 2007

OFFICE OF THE AUDITOR GENERAL OF MANITOBA NOTES TO FINANCIAL STATEMENTS

March 31, 2007 (000's)

5. CAPITAL LEASE OBLIGATIONS

| | 2007 | 006 te 10) |
|--|----------------|-----------------------------|
| Capital lease - bears interest at 4.16%, with a monthly payment of principal and interest of \$4.2, expiring January 1, 2008 Less: Lease interest | 43 1 | 93 <u>4</u> |
| Less: Current portion of principal payments | 42 42 \$ | \$ 89 <u>51</u> 38 |

Future minimum lease payments for next year, principal and interest, is as follows:

2008

42

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Notes to Financial Statements as at March 31, 2007

OFFICE OF THE AUDITOR GENERAL OF MANITOBA NOTES TO FINANCIAL STATEMENTS

March 31, 2007 (000's)

6. REVENUE - PROVINCE OF MANITOBA

Net funding from the Consolidated Fund which is reflected as revenue is comprised of the following amounts:

| | 2007 | 2006 (Note 10) | |
|---|--------------|-------------------|--|
| Funding from the Legislative Assembly appropriations: Salaries Operating expenses | \$ | \$ | |
| | 4,656 | 4,701 | |
| Increase in future funding commitments from the Province | of Manitoba: | | |
| Employee pension benefits | 940 | 875 | |
| Severance pay | 61 | 57 | |
| Vacation pay | 9 | 14 | |
| | 1,010 | 946 | |
| Less : Audit fees and other recoveries | (444) | (376) | |
| | 566 | 570 | |
| Revenue from the Province of Manitoba | \$5,222 | \$ <u> </u> | |

Funding from the Legislative Assembly for the operations of the Office was originally approved in the annual estimates of the Government as follows:

| | 2007 | 2006 (Note 10) |
|---|-----------------------------|------------------------------|
| Salaries Other | \$ 4,115 <u> 1.027</u> | \$ 3,908 <u>973</u> |
| Approved estimates | \$ <u>5,142</u> | \$ <u>4,881</u> |
| Payments processed, as above Severance payments paid from the Consolidated Fund Vacation payments | \$ 4,656 182 91 | \$ 4,701 28 |
| | \$ <u>4,929</u> | \$ <u>4,729</u> |
| Unexpended balance | \$ <u>213</u> | \$ <u>152</u> |

Financial Statements and Notes

Notes to Financial Statements as at March 31, 2007

OFFICE OF THE AUDITOR GENERAL OF MANITOBA NOTES TO FINANCIAL STATEMENTS

March 31, 2007 (000's)

7. PENSION OBLIGATION AND SEVERANCE LIABILITY

Pension obligation

Employees of the Office participate as members of the Civil Service Superannuation Plan, a defined benefit pension plan.

The Office's portion of the pension benefits paid to retired employees is processed through central appropriations of the Government and is reflected in the Office's financial statements as both revenue and expenditure transactions. A provision is recorded at the year end to reflect the pension benefits earned by the Office's employees. The value of these earned benefits is determined based on the Office's pro-rata share of the most recent actuarial valuation of unfunded pension liabilities estimated for the Civil Service Superannuation Plan.

Severance liability

Provision has been made for employee severance entitlements based on one week of salary for each year of service up to a maximum of fifteen weeks. In addition to this severance, employees who retire in accordance with the provisions of The Civil Service Superannuation Act will also be eligible for severance pay:

- a) Employees with 20 or more years of accumulated service, an additional 2 weeks of pay;
- Employees with 25 or more years of accumulated service, an additional 2 weeks of pay plus the amount in a) above;
- c) Employees with 30 or more years of accumulated service, an additional 2 weeks of pay plus the amounts in a) and b) above;
- d) Employees with 35 or more years of accumulated service, an additional 2 weeks of pay plus the amounts in a) and b) and c) above.

The provision includes accumulated benefits for all employees and includes a probability rate provided by the Province of Manitoba.

Actuarial valuation

The most recent actuarial valuation report on the pension obligation and severance liability of the Office was prepared as at December 31, 2004. The next actuarial report will be dated December 31, 2007, but will not be released until the fall of 2008.

8. STATEMENT OF CASH FLOWS

Interest and bank charges included in the statement of cash flows that were paid during year are \$4 (2006 - \$5).

9. COMMITMENT

The Office's office premises are part of a lease between Transportation and Infrastructure and the owner of 330 Portage Avenue, Winnipeg, Manitoba. Our portion of the minimum annual lease payments is approximately \$166 which includes annual adjustments for occupancy costs. The lease expires August 31, 2009.

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Financial Statements and Notes

Notes to Financial Statements as at March 31, 2007

OFFICE OF THE AUDITOR GENERAL OF MANITOBA NOTES TO FINANCIAL STATEMENTS

March 31, 2007 (000's)

10. COMPARATIVE FIGURES

Prior year figures have been reclassified to comply with the current year's presentation. The prior year figures have been restated to reflect the accrual of accounts payable and accounts receivable. This has no effect on the Office's net income and net assets available.

Revenue from the Province and salary expense have been restated to exclude the effect of severance payments and vacation payments made by the Office.

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Appendices

Appendix A The Auditor General Act

The Auditor General Act

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C.C.S.M. c. A180

The Auditor General Act

Table of Contents

(Assented to July 6, 2001)

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

PART 1

DEFINITIONS

Definitions

1 In this Act,

"department" means a department or branch of the government; (« ministère »)

"external auditor" means a professional auditor or firm of professional auditors appointed to audit the financial statements of a government organization; (« vérificateur externe »)

"government organization" means a department, government agency or fund included in the summary financial statements of the government reporting entity referred to in clause 65(1)(b) of *The Financial Administration Act*; (« organisme gouvernemental »)

"public money" means public money as defined in *The Financial Administration Act*; (« fonds publics »)

"recipient of public money" means

(a) a person, organization or other body

(i) that has received, directly or indirectly, a grant, loan or advance from the government or a government organization,

(ii) to whom the government or a government organization has transferred property for no consideration or consideration substantially less than its fair market value, or

(iii) for whom the government or a government organization has guaranteed the performance of an obligation or given an indemnity,

(b) a business entity or organization that has received a tax credit under a Manitoba law, or



The Auditor General Act

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(c) a business entity or organization that has issued a share, debt obligation or other security, if a person is eligible for a tax credit under a Manitoba law in respect of that acquisition or ownership of the security,

but does not include a government organization. (« bénéficiaire de fonds publics »)

PART 2

AUDITOR GENERAL

Appointing the Auditor General

2(1) On the recommendation of the Standing Committee of the Assembly on Legislative Affairs, the Lieutenant Governor in Council must appoint an Auditor General of Manitoba, as an officer of the Assembly, to provide the Assembly with independent information, advice and assurance under this Act.

Role respecting government policy objectives

2(2) Nothing in this Act is to be interpreted as entitling the Auditor General to question the merits of policy objectives of government.

S.M. 2004, c. 42, s. 97.

Appointment process

3(1) The President of the Executive Council must convene a meeting of the Standing Committee on Legislative Affairs if

(a) the office of Auditor General is vacant;

(b) the term of the Auditor General in office will expire within 12 months; or

(c) the Auditor General has resigned and the resignation takes effect within 12 months.

Recommendations of committee

3(2) The Standing Committee on Legislative Affairs must consider candidates for the position of Auditor General and make recommendations to the President of the Executive Council.

Meetings of committee

3(3) To carry out its responsibilities, the Standing Committee on Legislative Affairs may meet during a session of the Legislature or during a recess after prorogation.

No other public office

3(4) The Auditor General may not be nominated for, be elected as, or sit as a member of the Assembly, and may not hold any other public office or engage in any partisan political activity. $\overline{S.M. 2004, c. 42, s. 97}$.

Term

4 The Auditor General is to hold office during good behaviour for a term of 10 years, and may be reappointed for further terms of 10 years each.

Salary

5(1) The Auditor General must be paid a salary within the range of salaries paid to senior deputy ministers in the civil service, and is entitled to the same privileges of office as a senior deputy minister.

No reduction in salary

Appendix A The Auditor General Act

The Auditor General Act

Page 3 of 10

The Auditor General's salary must not be reduced except by a resolution of the Assembly 5(2) carried by a vote of 2/3 of the members voting.

Civil Service Superannuation Act applies

The Auditor General is an employee within the meaning of The Civil Service Superannuation 6(1)Act.

Civil Service Act does not apply

The Civil Service Act, except sections 42 and 43, does not apply to the Auditor General. 6(2)

Suspension or removal

The Lieutenant Governor in Council may suspend or remove the Auditor General from office 7(1) on a resolution of the Assembly carried by a vote of 2/3 of the members voting.

Suspension if Assembly not sitting

When the Assembly is not sitting, the Lieutenant Governor in Council may suspend the 7(2) Auditor General for cause, if advised to do so in writing by a majority of a committee consisting of the President of the Executive Council and the recognized leaders of the members belonging to the political parties in opposition. But a suspension imposed when the Assembly is not sitting may not continue beyond the end of the next sitting.

Deputy Provincial Auditor General

On the Auditor General's recommendation, the Lieutenant Governor in Council may appoint a 8(1) Deputy Auditor General in accordance with The Civil Service Act.

Duties

If the Auditor General is absent or unable to act or if the office is vacant, the Deputy Auditor 8(2) General has the powers and must carry out the responsibilities of the Auditor General.

Salary in certain cases

During any period that the Deputy Auditor General must assume the Auditor General's 8(3) responsibilities for an extended period, the Lieutenant Governor in Council may direct that the Deputy be paid a salary within the same range as the Auditor General.

No other public office

8(4) The Deputy Auditor General may not be nominated for, be elected as, or sit as a member of the Assembly, and may not hold any other public office or engage in any partisan political activity.

PART 3

RESPONSIBILITIES OF THE AUDITOR GENERAL

AUDIT OF ACCOUNTS AND FINANCIAL STATEMENTS

Audit of government accounts

The Auditor General is the auditor of the accounts of the government, including those relating 9(1) to the Consolidated Fund, and must make any examinations and inquiries that he or she considers necessary to enable the Auditor General to report as required by this Act.

Audit of other public money

The Auditor General is responsible for examining and auditing public money that is not part 9(2) of the Consolidated Fund, unless an Act provides otherwise.

The Auditor General Act

Audit of the Public Accounts

9(3) The Auditor General is responsible for examining and auditing the financial statements included in the Public Accounts under *The Financial Administration Act*, and any other statements the Minister of Finance presents for audit.

Opinion about the Public Accounts

9(4) The Auditor General must express an opinion as to whether the financial statements included in the Public Accounts fairly present information in accordance with the accounting policies of the government stated in the Public Accounts and on a basis consistent with that of the preceding year, and must set out any reservations the Auditor General might have.

Report to ministers

9(5) At least once in each year, the Auditor General shall make a report about the examinations and audits conducted under this section to the minister responsible for each government organization concerned and to the Minister of Finance. The Auditor General must allow at least 14 days for those ministers to review and comment on the report before finalizing it for submission to the Assembly under subsection 10(1).

Advice to officials

9(6) The Auditor General may advise appropriate officers and employees of matters discovered in conducting examinations and audits under this section.

Annual report to Assembly

10(1) No later than December 31 in each year, the Auditor General must report to the Assembly about the examinations and audits conducted under section 9.

Content of the report

10(2) The report must indicate anything resulting from the work of the Auditor General that he or she considers should be brought to the Assembly's attention, including, but not limited to, circumstances in which

(a) required information was not provided or was not provided within a reasonable time;

(b) accounts were not properly kept or public money was not fully accounted for;

(c) essential records were not maintained, or the rules and procedures applied were insufficient, to

(i) safeguard and control public property,

(ii) secure an effective check on the assessment, collection and proper allocation of revenue, or

(iii) ensure that expenditures were made only as authorized;

(d) public money was expended for purposes other than those for which it was appropriated by the Legislature;

(e) financial and administrative provisions of Acts, regulations, policies and directives were not complied with.

Report may include recommendations

10(3) The report may include any recommendation the Auditor General wishes to make, and may

Appendix A (cont'd)

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Appendix A (contd) The Auditor General Act

The Auditor General Act

Page 5 of 10

draw attention to and make recommendations about any audit conducted by an external auditor under section 12.

SPECIAL REPORT TO ASSEMBLY

Special report to Assembly

11 The Auditor General may make a special report to the Assembly on any matter of pressing importance or urgency that he or she considers should not be deferred until the next annual report under section 10 is presented.

AUTHORITY OVER EXTERNAL AUDITORS

Scope of an external audit

12(1) When an external auditor is appointed to audit the financial statements of a government organization, the Auditor General may require the external auditor to give the Auditor General a description of the proposed scope of the audit before the audit is begun. The Auditor General may then require changes to be made in the scope of the audit.

Further directions

12(2) Before an external auditor issues an audit opinion on the financial statements of a government organization, the Auditor General may require the external auditor to

(a) give the Auditor General a copy of the proposed audit opinion, the financial statements, and any recommendations arising out of the audit of the financial statements; and

(b) conduct additional examinations relating to the financial statements.

Audit working papers

12(3) The Auditor General may require an external auditor to give the Auditor General a copy of the audit working papers.

Audit opinion

12(4) As soon as an audit is completed, an external auditor must give the Auditor General a copy of the audit opinion on the financial statements of a government organization and any recommendations arising out of the audit of the financial statements.

Reliance on external auditor's report

13 In order to fulfil his or her responsibilities as the auditor of the government's accounts, the Auditor General may rely on the report of an external auditor of a government organization or of a subsidiary of a government organization.

AUDIT OF OPERATIONS

Audit of operations

14(1) In carrying out his or her responsibilities under this Act, the Auditor General may examine and audit the operations of a government organization with regard to any of the following matters:

(a) whether financial and administrative provisions of Acts, regulations, policies and directives have been complied with;

(b) whether public money has been expended with proper regard for economy and efficiency;

(c) whether the Assembly has been provided with appropriate accountability information;

The Auditor General Act

(d) whether the form and content of financial information documents is adequate and suitable.

Report to ministers

14(2) At least once in each year, the Auditor General shall make a report about the examinations and audits conducted under this section to the minister responsible for each government organization concerned and to the Minister of Finance. The Auditor General must allow at least 14 days for those ministers to review and comment on the report before finalizing it for submission to the Assembly.

Report to officials

14(3) The Auditor General may advise appropriate officers and employees of matters discovered in conducting examinations and audits under this section.

Report to Assembly

14(4) The Auditor General must report to the Assembly annually on the work carried out under this section, and may bring to the Assembly's attention anything he or she considers necessary, including recommendations.

AUDIT OF RECIPIENT OF PUBLIC MONEY

Audit of recipient of public money

15(1) The Auditor General may conduct an examination and audit in respect of public money received by a recipient of public money, including the matters listed in subsection 14(1), and may require the recipient to prepare and give to the Auditor General the financial statements setting out the details of the disposition of the public money received.

No obstruction

15(2) No person shall obstruct or provide false or misleading information to the Auditor General or a person employed under the Auditor General in conducting an examination or audit under this section, or conceal or destroy any records or things relevant to an examination or audit.

Offence

15(3) A person who contravenes subsection (2) is guilty of an offence and is liable on summary conviction to a fine of not more than \$10,000.

Reliance on report of other auditor

15(4) The Auditor General may rely on the report of an auditor appointed by a recipient of public money.

SPECIAL AUDIT ON REQUEST

Special audit on request

16(1) When requested to do so by the Lieutenant Governor in Council or the Minister of Finance, or by resolution of the Standing Committee on Public Accounts, the Auditor General may examine and audit the accounts of a government organization, recipient of public money or other person or entity that in any way receives, pays or accounts for public money. But the Auditor General is not obliged to do so if he or she is of the opinion that it would interfere with the primary responsibilities of the Auditor General.

Report

16(2) The Auditor General must report the findings of an audit under this section to the person or body that requested the audit and to the minister responsible for any government organization concerned.

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Report submitted to the Assembly

16(3) The Auditor General may submit a report of an audit under this section to the Assembly if it is in the public interest to do so, but must allow at least 14 days for the minister responsible for the government organization and the Minister of Finance to review and comment on the report before finalizing it for submission to the Assembly.

JOINT AUDIT

Joint audit

17 With respect to public money that is spent jointly, the Auditor General may undertake a joint audit with the Auditor General of Canada, an Auditor General or Provincial Auditor of another province or territory, or an auditor of a municipality.

PART 4

POWERS OF THE AUDITOR GENERAL

Access to records

18(1) Despite any other Act, the Auditor General is entitled to access at all reasonable times to the records of any government organization that are necessary for the purpose of this Act.

Access to information

18(2) The Auditor General may require and is entitled to receive any information necessary for the purpose of this Act from

(a) any person in the public service or formerly in the public service;

(b) any current or former director, officer, employee or agent of a government organization or of a recipient of public money; or

(c) any other person, organization or other body that the Auditor General believes on reasonable grounds may have information relevant to an examination or audit under this Act.

No access to Cabinet confidences

18(3) Despite subsections (1) and (2), the Auditor General shall not have access to information described in subsection 19(1) of *The Freedom of Information and Protection of Privacy Act*, except in the circumstances mentioned in subsection 19(2) of that Act.

Part V of Evidence Act powers

19 The Auditor General or his or her delegate may examine any person on oath on any matter that the Auditor General considers relevant to an examination and audit under this Act, and for that purpose the Auditor General or delegate has the powers of a commissioner appointed under Part V of *The Manitoba Evidence Act*.

Staff in government organizations

To carry out responsibilities under this Act more effectively, the Auditor General may place a person or persons employed under the Auditor General in any government organization, and the organization must provide the necessary office accommodation.

Security requirements

The Auditor General must ensure that every person employed under the Auditor General who is to examine records of a government organization complies with any security requirements applicable to persons employed in that organization.



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PART 5

GENERAL PROVISIONS

STAFF AND OFFICE OF THE AUDITOR GENERAL

Staff appointed under Civil Service Act

22(1) Officers and employees necessary to enable the Auditor General to perform his or her duties must be appointed in accordance with *The Civil Service Act*.

Civil Service Superannuation Act applies

22(2) Officers and employees of the Auditor General, including the Deputy Auditor General, are employees within the meaning of *The Civil Service Superannuation Act*.

Office of the Auditor General

23 The Auditor General is responsible for the internal operations of his or her office and for the persons employed under the Auditor General. For those purposes, the Auditor General may

(a) establish office policies and procedures consistent with practices followed by the government;

(b) charge fees for services provided by the office on a basis approved by the Lieutenant Governor in Council;

(c) delegate to any person employed under the Auditor General any responsibility or power that the Auditor General has under this Act, other than the responsibility to report to the Assembly;

(d) maintain an independent bank account; and

(e) contract for professional services.

CONFIDENTIALITY

Confidentiality

24(1) The Auditor General and everyone employed under the Auditor General shall preserve secrecy concerning all matters that come to their knowledge in the course of their work under this Act, and shall not communicate those matters to any person unless required to do so in connection with the proper administration of this Act or a proceeding under this Act, or in a court of law.

Exception

24(2) Nothing in subsection (1) limits the Auditor General's right to report under this Act on the conclusions of an examination or audit.

Working papers confidential

The working papers relating to an examination or audit by the Auditor General or a person employed under the Auditor General are confidential and must not to be laid before the Assembly or any committee of the Assembly.

ANNUAL REPORT OF AUDITOR GENERAL'S OFFICE

Annual audit of Auditor General's office

26(1) Each year, an auditor whose appointment is approved by the Legislative Assembly Management Commission must examine the accounts of the office of the Auditor General and prepare

Appendix A (cont'd) The Auditor General Act

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a report. The Commission may also direct the auditor to conduct an audit respecting any of the matters listed in subsection 14(1).

Annual report

26(2) Before August 1 each year, the Auditor General must report to the Assembly on the operations of his or her office. The report must include

(a) information on the performance of the office; and

(b) the report on the annual audit under subsection (1).

ESTIMATES

Estimates

27(1) The Auditor General shall present annually to the Legislative Assembly Management Commission estimates of the amount of money that will be required for the purpose of this Act.

Special report

27(2) The Auditor General may make a special report to the Assembly if he or she thinks that the amount of money provided in the estimates submitted to the Legislature is inadequate.

Money

27(3) The money required for the purpose of this Act is to be paid out of the Consolidated Fund from money authorized by an Act of the Legislature.

Unexpended money to be paid into Consolidated Fund

27(4) All money which has been authorized by an Act of the Legislature to be paid and applied for the purposes of this Act that remains unexpended at the end of the fiscal year must be paid to the Minister of Finance and becomes part of the Consolidated Fund.

TABLING REPORTS IN THE ASSEMBLY

Tabling reports in the Assembly

28(1) When making a report to the Assembly under this Act, the Auditor General must submit the report to the Speaker. The Speaker must lay a copy of it before the Assembly within 15 days after receiving it if the Assembly is sitting or, if it is not, within 15 days after the beginning of the next sitting.

Distribution to members of the Assembly

28(2) On receiving a report under this Act, the Speaker must direct that copies be sent to the members of the Assembly.

Referral to Public Accounts Committee

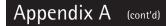
28(3) A report to the Assembly under this Act stands referred to the Standing Committee on Public Accounts.

PROTECTION FROM LIABILITY

Protection from liability

29 No proceeding may be instituted against the Auditor General, the Deputy Auditor General, or any person employed under the Auditor General,

(a) for any act done in good faith in the performance or intended performance of a duty or in the



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exercise or intended exercise of a power under this or any other Act or regulation; or

(b) for any neglect or default in the performance or intended performance or in the exercise or intended exercise in good faith of a duty or power described in clause (a).

TRANSITIONAL, CONSEQUENTIAL, REPEAL AND COMING INTO FORCE

Transitional

30 The Provincial Auditor appointed under **The Provincial Auditor's Act** continues in office as the Auditor General under this Act as if appointed under this Act for a term that expires on the day the appointment under **The Provincial Auditor's Act** would expire.

31

NOTE: The Schedule referred to in this section contained consequential amendments to other Acts that are now included in those Acts.

Repeal

32 *The Provincial Auditor's Act*, R.S.M. 1987, c. P145, is repealed.

C.C.S.M. reference

33 This Act may be referred to as chapter A180 of the *Continuing Consolidation of the Statutes of Manitoba*.

Coming into force

34 This Act comes into force on a day fixed by proclamation.

NOTE: S.M. 2001, c. 39 was proclaimed in force May 1, 2002.

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Public Accounts

Summary Financial Statements Consolidated Fund (Operating Fund and other Special Funds) Fiscal Stabilization Fund Debt Retirement Fund Amounts Paid to MLAs

Crown Organizations

Board of Administration under The Embalmers and Funeral Directors Act Cooperative Loans and Loans Guarantee Board **Cooperative Promotion Board** Council on Post Secondary Education Helen Betty Osborne Foundation Horse Racing Commission Legal Aid Services Society of Manitoba Manitoba Agricultural Credit Corporation Manitoba Gaming Control Commission Manitoba Health Services Insurance Plan Manitoba Hospital Capital Financing Authority Manitoba Trade and Investment Corporation Public Schools Finance Board Special Operating Agencies Financing Authority University College of the North University of Manitoba (and subsidiaries)

Special Operating Agencies

Public Trustee

Other

Canada-Manitoba Agreement on the Transfer of Federal Gas Tax Revenues Civil Service Superannuation Fund Estates and Trusts under Administration by the Public Trustee Labour Market Development Agreement

Listing of Audit Entities



Manitoba Home Care Employees' Benefits Trust Fund Public Sector Compensation Disclosure Statement Public Service Group Insurance Fund Teachers' Retirement Allowances Fund University of Manitoba Pension Plans Winnipeg Child and Family Services Employee Benefits and Retirement Plan

Financial Statement Audits Conducted by the Auditor General's Office Under an Agency Agreement with a Private Sector Accounting Firm

Public Accounts

Northern Affairs Fund

Crown Organizations

Brandon University (and subsidiaries) Centre culturel franco-manitobain Economic Innovation and Technology Council Manitoba Centennial Centre Corporation Manitoba Habitat Heritage Corporation Manitoba Housing and Renewal Corporation Manitoba Water Services Board University of Winnipeg (and subsidiaries)

Government Enterprises

Leaf Rapids Town Properties Ltd.

Special Operating Agencies

Manitoba Text Book Bureau Organization and Staff Development

Other

Brandon University Retirement Plan University of Winnipeg Pension Plan

Appendix B Listing of Audit Entities (cont'd)

Financial Statement Audits Conducted by Private Sector Accounting Firms With Overviews Performed by the Office of the Auditor General

Crown Organizations

Addictions Foundation of Manitoba Assiniboine Community College Cancer Care Manitoba Child and Family Services of Central Manitoba Child and Family Services of Western Manitoba Collège universitaire de Saint-Boniface Communities Economic Development Fund **Crown Corporations Council** Diagnostic Services of Manitoba Inc. First Nations of Northern Manitoba Child & Family Services Authority First Nations of Southern Manitoba Child & Family Services Authority General Child and Family Services Authority Insurance Council of Manitoba Manitoba Adolescent Treatment Centre Inc. Manitoba Arts Council Manitoba Boxing Commission Manitoba Community Services Council Inc. Manitoba Development Corporation Manitoba Film and Sound Recording Development Corporation Manitoba Floodway Authority Manitoba Health Research Council Manitoba Opportunities Fund Ltd. Métis Child and Family Services Authority Red River College **Regional Health Authorities:** Assiniboine Regional Health Authority Inc. Brandon Regional Health Authority Inc. Burntwood Regional Health Authority Inc. Churchill Regional Health Authority Inc. Interlake Regional Health Authority Inc. Nor-Man Regional Health Authority Inc. North Eastman Health Authority Inc. Regional Health Authority – Central Manitoba Inc. South Eastman Health/Sante Sud-Est Inc.

Listing of Audit Entities



Rehabilitation Centre for Children Inc. Sport Manitoba Inc. Tire Stewardship Board Travel Manitoba

Government Enterprises

Manitoba Hazardous Waste Management Corporation Manitoba Hydro-Electric Board Manitoba Liquor Control Commission Manitoba Lotteries Corporation Manitoba Product Stewardship Corporation Manitoba Public Insurance Corporation Venture Manitoba Tours Ltd. Workers Compensation Board of Manitoba

Special Operating Agencies

Civil Legal Services Agency Companies Office Fleet Vehicles Agency Food Development Centre Industrial Technology Centre Land Management Services Manitoba Education Research and Learning Information Networks (MERLIN) Manitoba Securities Commission Materials Distribution Agency Office of the Fire Commissioner Pineland Forest Nursery Property Registry Vital Statistics Agency

Appendix C Listing of Selected Auditor General's Reports by Subject Area

Many of our reports identify sources of good management practices and advice that departments, agencies, crowns and other public sector bodies can draw on. As such, many of our reports have wider relevance for the public sector. These reports can be accessed through our website at www.oag.mb.ca.

Financial Stewardship

- Annual Audit of the Public Accounts
- A Study of Investment Disclosure Practices Risk Capital Funds (Spring 1998)
- Revenue System Review (March 2001)
- Agassiz School Division (Special Audit, March 2001)
- Investigation of the Rural Municipality of St. Clements and Review of Municipal Financial Accounting and Reporting Standards in Manitoba (Special Audit, September 2002)
- Student Financial Assistance Program (September 2002)
- Northern Manitoba Community Councils' Financial Reporting Standards (March 2004)
- University of Winnipeg Financial Review (March 2004)
- Review of Municipal Financial Accounting and Reporting Standards in Manitoba (March 2004)
- A Review of School Division Financial Accounting and Reporting (December 2005)
- Infrastructure Tangible Capital Assets Audit Report(December 2005)
- The Use of Derivative Financial Instruments in the Province of Manitoba (December 2005)

Service Delivery

- Canada-Manitoba Communications Agreement (Spring 1998)
- Urban Shared Services Corporation, Implementation of Shared Food Services (June 2000)
- Investigation of an Adult Learning Centre in Morris-Macdonald School Division (Special Audit, September 2001)

Listing of Selected Auditor General's Reports by Subject Area

- Public Housing (December 2002)
- A Review of the Student Records Section of the Professional Certification and Student Records Unit (March 2004)
- Investigation of the Maintenance Branch of the Manitoba Housing Authority (Special Audit, November 2004)
- Pharmacre Program (April 2006)
- Workplace Safety and Health (February 2007)

Accountability

- Accountability Framework for Departments (September 1996)
- Public Schools Program Accountability Framework (September 1996)
- Child and Family Support Branch Agency Accountability (Summer 1999)
- Dakota Tipi First Nation Gaming Commission and First Nation Gaming Accountability in Manitoba (Special Audit, March 2003)
- Voluntary Sector Grant Accountability: Perspectives and Practices (February 2005)
- Aiyawin Corporation: The Consequences of Mismanagement in a shared Responsibility Framework (Special Audit, March 2006)
- Child & Family Services Division, Pre-Devolution Child in Care Processes and Practices (December 2006)

Procurement

• Tendering of the Home Oxygen Therapy Services Contract (Spring 1998)

Entity Review

- Office of the Public Trustee (Spring 1998)
- Office of the Public Trustee Criteria of Control (Summer 1999)
- An Investigation of Manitoba Lotteries Corporation (Special Audit, May 2000)

Appendix C

(cont'd)

Appendix C (cont'd) Listing of Selected Auditor General's Reports by Subject Area

- Lions Club of Winnipeg Housing Centres (Special Audit, March 2001)
- An Examination of Le Collège de Saint-Boniface (Special Audit, August 2003)
- A Review of Crown Corporations Council (March 2004)
- Investigation of Hydra House LTD (Special Audit, June 2004)
- Investigation of the Crocus Investment Fund (Special Audit, May 2005)
- Review of the Workers Compensation Board (Special Audit, January 2006)
- External Assessment of Internal Audit and Consulting Services (December 2006)

Environmental Protection/Sustainable Development

- Sustainable Development Innovations Fund (Spring 1998)
- Review of the Province of Manitoba's Management of Contaminated Sites (November 2005)
- The Protection of Well Water Quality in Manitoba (November 2005)

Managing for Results, Performance Measurement and Reporting

- Highway Planning: Strategic and Long Range (September 1996)
- Planning for Highway Construction (Spring 1998)
- Business Planning and Performance Measurement: An Assessment of Timeliness of Implementation and Effectiveness of the Process in Departments (July 2000)
- A Study of Trends and Leading Practices in Business Planning and Performance Measurement (December 2000)
- Performance Reporting in Annual Reports: Current Practices Among Crown Entities (December 2002)
- Attributes of Managing and Reporting Results: A Survey of Senior Management (March 2004)

Listing of Selected Auditor General's Reports by Subject Area

Information Technology

- University of Winnipeg, Investment in Information Technology (June 2000)
- Keewatin Community College Investment in Information Technology (February 2002)
- Assinibione Community College Investment in Information Technology (December 2002)
- Red River College (March 2004)
- Computer Security Incident Response Capability (March 2004)

Oversight and Governance

- An Examination of Governance in Manitoba's Crown Organizations (June 1998)
- A Dialogue on Governance (June 1998)
- An Examination of School Board Governance in Manitoba (October 2000)
- An Examination of Regional Health Authorities' Governance in Manitoba (January 2003)
- Enhanced Board Governance in Not-For-Profit Organizations (February 2005)
- Enhancing Audit Committee Practices in the Public Sector (October 2006)
- A Guide to Leading Edge Internal Audit in the Pubic Sector (October 2006)

Policy Development Capacity

- A Review of the Policy Development Capacity Within Government Departments (November 2001)
- A Guide to Policy Development (January 2003)
- A Quality Assurance Guide for Policy Development (November 2005)

Website Version

