

PRIVY COUNCIL OFFICE

Management Framework Review

Contribution Programs for Parties and Intervenors to Commissions of Inquiry

Final Report

February 22, 2007

Appendix 3 -

MANAGEMENT'S RESPONSE AND ACTION PLAN

Management Framework
Management’s Response and Action Plan

**The Deputy Minister of Corporate Services has overall responsibility for the Action Plan*

Acronyms used
PCO = Privy Council Office
TBS = Treasury Board Secretariat
TB = Treasury Board
CSB = Corporate Services Branch
LO/C = Legal Operations/Counsel

Recommendation	Management response	Corrective Measures	Lead	Time Frame
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Administrative Framework					
1	That a memorandum of understanding be developed that clearly defines all of the various respective administrative responsibilities of the PCO and a commission of inquiry based on all activities associated with the administrative framework.	Recommendation accepted.	A memorandum of understanding will be developed.	CSB	Completed. This practice began with the Air India Commission in May 2006
2	That procedures and guidelines be developed for all activities related to the operational cycle of the management framework of the contribution programs for a commission of inquiry.	Recommendation accepted.	Procedures and guidelines will be developed.	CSB LO/C	May/June 2007.
3	That the guides for commissions of inquiry, incorporating a section on contribution programs providing funding for parties and intervenors to an inquiry, be updated and distributed.	Recommendation accepted.	The guidelines are being updated and the next edition will include a section on funding. The Treasury Board Secretariat will be consulted as needed.	CSB LO/C	May/June 2007.
4	That a formal planning process, including a list of activities to be completed, and monitoring of that process, be established.	Recommendation accepted.	This will be carried out for all new commissions.	CSB	Completed. This practice began with the Air India Commission in May 2006.

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5	That the review of the Commissioner’s recommendations for funding be completed before they are communicated publicly to parties and intervenors to a commission of inquiry.	Recommendation accepted.	Orders establishing all new commissions with a funding component will instruct the Commissioner to make recommendations to the Clerk of the Privy Council.	LO/C CSB	Completed. This practice began with the Air India Commission in May 2006.
6	That the development of a generic contribution program be considered and Treasury Board approval for it sought. This program would define the general financial terms and conditions by which assistance could be granted to parties and intervenors to any other inquiry for which the PCO might be responsible for managing in future. As for approval of the funding for financial assistance, it could be included in the initial submission to the Treasury Board covering the overall financial needs of any newly created commission of inquiry.	Recommendation accepted.	The Treasury Board Secretariat will be consulted and, with their support, a generic contribution program for funding will be developed.	CSB LO/C	During Fiscal Year 2007-2008.

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Claims Verification Process					
7	A) That the obligation for parties and intervenors to submit claims indicating the hours claimed based on the categories of activity of hours worked by counsels as specified in the contribution agreement be included in agreements. B) That consideration should also be given to adding an appendix to the agreement containing a model claim form to be used by counsels of the parties and intervenors when preparing the invoices for their representing fees.	Recommendation accepted.	A generic table will be developed and counsels will be notified of the obligation to submit hours based on specific categories. The table will be adapted to meet the requirements of each commission, when necessary.	CSB	a) Completed. b) February/March 2007.
8	That the respective responsibilities of the PCO and a commission of inquiry with respect to verification of claims and due diligence be specified and detailed in a guide or guidelines in order to avoid duplication of work.	Recommendation accepted.	This will be documented in the next memorandum of understanding and in the procedures and guidelines.	CSB	May/June 2007.

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9	That detailed verification procedures for the administrative officials of a commission of inquiry be developed that are specific to this type of contribution program.	Recommendation accepted.	Detailed verification procedures will be developed.	CSB	May/June 2007
10	That a standard analytical tool facilitating the verification work of a commission of inquiry, and the due diligence of the PCO, be developed and used to document all claims verification procedures used in accordance with the financial terms and conditions as set out in contribution agreements.	Recommendation accepted.	A standard analytical tool will be developed. This tool will be adapted to meet the requirements of each commission, as necessary.	CSB	Completed Recommendation followed with the implementation of the contribution program for the Air India Commission.

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Policy on Transfer Payments

11	That the reasons justifying requests for exemptions to the presentation of a Result-based Management and Accountability Framework and/or a Risk-based Audit Framework be included in all future Treasury Board submissions seeking approval of the terms and conditions of a similar contribution program.	Recommendation accepted.	In the future, PCO, in cooperation with TBS, will ensure that the appropriate supporting documentation is provided.	CSB	Completed.
12	That all concepts appearing in rulings recommending funding by commissioners be clearly defined and that these definitions be formally documented in the contribution agreements.	Recommendation accepted.	All clarifications to the Commissioner’s recommendations will be obtained before the Clerk of the Privy Council approves them.	CSB	Completed. Recommendation followed with the implementation of the contribution program for the Air India Commission.