

BILL NO. 106

**Thirty-first Legislative Assembly
First Session**

Act to Amend the Financial Administration Act

The Commissioner of Yukon, by and with the advice and consent of the Legislative Assembly, enacts as follows

1 This Act amends the *Financial Administration Act*.

2 The Act is amended by adding the following section immediately after section 3

"3.1(1) No Minister shall be appointed or remain appointed as a member or an alternate member of the management board at such time as

- (a) the Minister,
- (b) any member of the family of the Minister,
- (c) any sole proprietorship or partnership of which the Minister or any member of the family of the Minister is a proprietor or partner, or
- (d) any corporation controlled directly or indirectly by the Minister or any member of the family of the Minister

is more than one year in arrears on any amount owed to the government.

(2) The word "family" in subsection 3.1(1) means spouse or common-law partner and dependent child or children."

3 Subsection 8(3) of the Act is amended by deleting the expression "15 days" where it appears and substituting for it the expression

"five days".

4 Section 14 of the Act is amended by adding the following subsections immediately after subsection 3

"14(3.1) This section does not apply to any part of a debt or obligation owed to the government by a

- (a) Minister,
- (b) any member of the family of a Minister,
- (c) any sole proprietorship or partnership of which a Minister or any member of the family of a Minister is a proprietor or partner, or
- (d) any corporation controlled directly or indirectly by a Minister or any member of the family of a Minister.

(3.2) The word "family" in subsection 14(3.1) means spouse or common-law partner and dependent child or children."

5 Section 35 of the Act is amended by adding the following subsections immediately after subsection 3

"35(3.1) The Deputy Head of the Department of Finance is authorized to retain money by way of set-off from any money due or payable to a

- (a) Minister,
- (b) any member of the family of a Minister,
- (c) any sole proprietorship or partnership of which a Minister or any member of the family of a Minister is a proprietor or partner, or
- (d) any corporation controlled directly or indirectly by a Minister or any member of the family of a Minister

if any or those persons or companies

- (a) owes money to the government,
- (b) has received an overpayment from the government, or
- (c) has received an advance under section 27 that has not been repaid or accounted for.

(3.2) The word "family" in subsection 35(3.1) means spouse or common-law partner and dependent child or children."