

LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
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REPORT OF THE STANDING COMMITTEE ON FINANCE
ON BILL #1
AN ORDINANCE TO AMEND THE BUSINESS LOANS AND
GUARANTEES ORDINANCE

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The Standing Committee on Finance has concluded its consideration of Bill #1 - An Ordinance to Authorize Loans and Guarantees for Business Enterprises. The Committee, at this time wishes to draw to the attention of the Assembly its concern that the regulations under this Ordinance be finalized and tabled for Committee consideration as quickly as possible. During discussions on the legislation, the Committee received the assurance of the Minister of Economic Development and Tourism, The Honourable Tagak Curley, that the department was proceeding to finalize the regulations and that these regulations would be tabled for Committee consideration in due course.

The Committee's desire that the regulations under the proposed Ordinance be introduced forthwith stems from an issue which was raised by the Auditor General in his report on "Any Other Matter" for the year ended March 31, 1983. Briefly, by way of background, the Auditor General expressed a number of concerns related to the operations of the Business Loans and Guarantees Fund, among them, that the regulations under the present Business Loans and Guarantees Ordinance were outdated and that "A procedure should be established to ensure that regulations are amended concurrent with ordinances". After considering this matter, the Standing Committee on Public Accounts made the following recommendation:

- "(3) The Standing Committee on Public Accounts recommends to the Legislature and the Executive Council that wherever possible that legislation including amendments to new legislation come into effect only when the regulations are amended and/or written and approved by the proper body."

Report and Proceedings of the Public Accounts Committee,
Volume 1, April 1984, P.3.

In support of its recommendation the Committee stated:

"... The Standing Committee on Public Accounts feels quite strongly that legislation, particularly legislation designed to serve the people must have regulations ready as soon as possible following assent. The regulations to any legislation provides the details to the administrative procedures, the explanation, the direction and if not readily available can cause confusion and delay in the implementation of the law itself."

The intention of the Standing Committee on Finance in raising this issue, at this time, is not to resurrect past sins but to indicate support and concurrence with the recommendation of the Public Accounts Committee and more specifically as it touches on the proposed Business Loans and Guarantees Ordinance before this Assembly.