

## EXPLANATORY NOTES

### BILL

### No. 50

#### **An Act to amend *The Financial Administration Act, 1993***

#### **Clause of Bill**

1 This Act may be cited as *The Financial Administration Amendment Act, 2026*.

2 *The Financial Administration Act, 1993* is amended in the manner set forth in this Act.

#### 3 **Existing Provision**

None

#### **Explanation**

Section 6.1 is being added to allow the Minister of Finance to create and administer grant programs. Finance's grant authority is essential because it provides the legal foundation for the ministry to carry out its legislated fiscal responsibilities, eliminates compliance and audit risks, ensures that cross-government fiscal transfers are properly authorized, enables timely and effective government responses to fiscal needs, and aligns with best practices for a central finance ministry.

- **Clause (a):** This clause authorizes the minister to guide, promote, co-ordinate and implement a wide range of policies, strategies, and programs.
- **Clause (b):** This clause authorizes the minister to provide financial assistance, such as grants, or similar instruments in prescribed regulations for programs under Finance's authority.

#### **Existing Provision**

**69** No provision of this Act prevents, lessens or impairs any remedy given by law to the Crown or any other person

#### **Explanation**

Section 69 is amended to update the cross-reference to ensure it aligns with the new immunity provision added in section 70.

**Existing Provision**

None

**Explanation**

Section 70.1 adds a good faith immunity clause to the FAA to protect Ministry officials from civil litigation when acting in good faith. This is an immunity provision which is standard in most legislation.

**Existing Provision**

71(1) The Lieutenant Governor in Council may make regulations:

....

(b) defining, enlarging or restricting the meaning of any word or phrase used in this Act but not defined in this Act;

....

**Explanation**

Section 71 (Clause (b.1)) is amended to provide authority to set financial assistance program parameters, which could include eligibility requirements, application process, funding limits and repayment terms (if applicable) and administrative and oversight rules.

**Existing Provision**

None

**Explanation**

Subsection 71(1.1) is being added to allow a regulation to be made retroactive on when, pursuant to clause (1)(b.1), within the calendar year the grant, program or other financial assistance is to be paid.

**Existing Provision**

None

**Explanation**

This is the coming into force provision.