



ESTIMATES

Tax Court of Canada

Performance Report

For the period ending
March 31, 1999

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 82 Departmental Performance Reports and the government's report *Managing for Results - Volumes 1 and 2*.

This *Departmental Performance Report*, covering the period ending March 31, 1999, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's pilot *Report on Plans and Priorities* for 1998-99. The key result commitments for all departments and agencies are also included in Volume 2 of *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government.

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
<http://www.tbs-sct.gc.ca/tb/key.html>

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**TAX COURT OF CANADA
(TCC)**

DEPARTMENTAL PERFORMANCE REPORT

For the period
ending
March 31, 1999

The Hon. Anne McLellan
Minister of Justice and
Attorney General of Canada

TABLE OF CONTENTS

SECTION I: MESSAGE FROM THE REGISTRAR	1
SECTION II: DEPARTMENTAL OVERVIEW	2
<u>MANDATE, VISION AND MISSION</u>	<u>2</u>
<i>Mandate</i>	<i>2</i>
<i>Vision.....</i>	<i>2</i>
<i>Mission</i>	<i>2</i>
<u>OPERATING ENVIRONMENT</u>	<u>3</u>
<i>Our services</i>	<i>3</i>
<i>Our Clients.....</i>	<i>4</i>
<i>Links to Other Federal Departments.....</i>	<i>5</i>
<u>PROGRAM OBJECTIVE.....</u>	<u>6</u>
<u>STRATEGIC OBJECTIVES</u>	<u>6</u>
<u>CHALLENGES IN MANAGING CHANGE</u>	<u>6</u>
<u>ORGANIZATION OF THE DEPARTMENT.....</u>	<u>7</u>
<u>DESCRIPTION OF BUSINESS LINES.....</u>	<u>7</u>
<i>Introduction.....</i>	<i>7</i>
<i>Description.....</i>	<i>7</i>
SECTION III: DEPARTMENTAL PERFORMANCE.....	9
<u>PERFORMANCE EXPECTATIONS</u>	<u>9</u>
<u>DEPARTMENTAL PERFORMANCE ACCOMPLISHMENTS.....</u>	<u>11</u>
<i>Business Line.....</i>	<i>11</i>
<i>Service Lines</i>	<i>11</i>
SECTION IV: CONSOLIDATED REPORTING	20
<u>YEAR 2000 (Y2K) READINESS.....</u>	<u>20</u>
<i>Action Plan.....</i>	<i>20</i>
<i>Contingency Plan.....</i>	<i>20</i>
<i>Conclusion</i>	<i>20</i>
SECTION V: FINANCIAL PERFORMANCE.....	21
SECTION VI: OTHER INFORMATION.....	24

SECTION I: MESSAGE FROM THE REGISTRAR

The Tax Court of Canada has committed itself to participating in improving the Canadian judicial system to ensure that it meets the needs of today's society – in other words, to ensure that it is modern, accessible, prompt and affordable.

On the basis of this management philosophy, the Court largely completed the in-depth re-engineering of its services during 1998-99. This report will enable you to ascertain the progress we have made since beginning this re-engineering exercise, assess whether the steps taken thus far are consistent with our mandate, vision, mission and strategic priorities and determine what remains to be done to meet our goal of providing the citizens of Canada with a court that is accessible, efficient, fair and independent.

In the past fiscal year, our new Y2K-compliant automated appeals management system (the Appeals System Plus, or ASP) was implemented. As we move into the 21st century, the ASP will allow us to better meet the growing needs of the Canadian public.

We strongly believe that our clients have an important role to play in improving our practices and procedures. Over the coming fiscal year, we will be conducting a new client satisfaction survey. The information gleaned from it will enable us to modify our service to clients accordingly.

Neither the creation of a courts administration service to meet the administrative needs of the Tax Court of Canada and the Federal Court of Canada nor the elevation of the Tax Court of Canada to superior court status took place as expected in 1998-99. The changes resulting from the creation of the courts administration service will of course have a major impact on the Court's organizational structure and on the everyday life of its employees.

Since its creation in 1983, the Court has been able to make a prominent place for itself in the Canadian judicial system because of its great capacity for adapting to change and the excellence of its staff, who are highly committed to client service. These same qualities will enable us to meet the challenges awaiting us in the coming months while honouring our commitments to all Canadians.

R.P. Guenette

SECTION II: DEPARTMENTAL OVERVIEW

Mandate, Vision and Mission

Mandate

The Tax Court of Canada has exclusive original jurisdiction to hear and determine references and appeals on matters arising under the *Income Tax Act*, the *Canada Pension Plan*, the *Old Age Security Act*, the *Petroleum and Gas Revenue Tax Act*, the *Unemployment Insurance Act*, the *Employment Insurance Act*, Part IX of the *Excise Tax Act* and the *Cultural Property Export and Import Act*. The Court also has exclusive original jurisdiction to hear and determine appeals on matters arising under the *War Veterans Allowance Act* and the *Civilian War-related Benefits Act* as referred to in section 33 of the *Veterans Review and Appeal Board Act*.

Vision

We would like the TCC to be recognized nationally and internationally as a self-governing and avant-garde body that distinguishes itself by the excellence of its services, its highly skilled work force, the efficiency with which it communicates with its partners, clients and employees, its use of the most advanced technology and the straightforwardness of its rules and procedures.

Mission

We are committed to providing the public with an accessible and efficient appeal process and to working together to maintain a fair and independent court.

Operating Environment

The Tax Court of Canada, like the Federal Court of Canada and the Supreme Court of Canada, was established by the federal Parliament pursuant to its power under section 101 of the *Constitution Act, 1867*.

The Tax Court of Canada was created in 1983 as the successor to the Tax Review Board, which had been established in 1970 to replace the Tax Appeal Board created in 1946. These changes had two main objectives: to give the organization greater independence from the government and to ensure that taxpayers continued to have access to justice.

Our Services

Our services

The Court's services include

- an independent review of Revenue Canada decisions;
- a review of applications for an extension of the time for serving a notice of objection to the Minister of Revenue's assessment, for appealing to the TCC or for appealing to the Federal Court of Canada;
- the awarding to parties of legal costs arising out of court proceedings;
- at Revenue Canada's request, the interpretation of legislation within the Tax Court of Canada's fields of jurisdiction;
- the provision of information and documents on appeals before the Court and on its past decisions; and
- a review of the information requests received through our Internet site (in 1998-99, the Court received information requests from throughout Canada, and also from Australia, Cambodia, the United States and New Zealand).

Our Clients

<i>Outside Clients</i>	<i>In-house Clients</i>
<p>Our outside clients, namely the public, include:</p> <p>parties</p> <ul style="list-style-type: none">• appellants or applicants• interveners• respondent <p>representatives</p> <ul style="list-style-type: none">• lawyers• accountants• agents <p>interested individuals and groups</p> <ul style="list-style-type: none">• corporations (suppliers, experts)• individuals (taxpayers)• government departments, agencies and officials• the media	<p>Our in-house clients include:</p> <ul style="list-style-type: none">• judges• employees

Links to Other Federal Departments

During the past fiscal year, the Tax Court of Canada's Legal Information Services unit was consulted a number of times by other federal government departments in relation to the amendment of statutes or regulations.

Our Legal Information Services unit is also consulted regarding the interpretation of legislation with respect to which the Tax Court of Canada has jurisdiction.

The Tax Court of Canada was consulted by:	Purpose of the consultation
Department of National Revenue	<p>Interpretations of legislation relating to the Tax Court of Canada's areas of jurisdiction.</p> <p>Application of the provisions relating to extensions of time for filing an appeal to the Tax Court of Canada under subsection 28(1) of the <i>Canada Pension Plan</i> and subsection 103(1) of the <i>Employment Insurance Act</i>.</p> <p>Production of brochures containing information on the Tax Court of Canada.</p>
Department of Justice	Amendment of the <i>Tax Court of Canada Act</i> to reflect amendments to the <i>Excise Tax Act</i> and the <i>Income Tax Act</i> .
Department of Human Resources Development	Making appropriate amendments to the <i>Tax Court of Canada Act</i> as a result of the repeal of section 43 of the <i>Old Age Security Regulations</i> .
Department of Veterans Affairs	Amendment of two provisions in the <i>Tax Court of Canada Act</i> regarding the name of the <i>Merchant Navy Veteran and Civilian War-related Benefits Act</i> , which is now the <i>Civilian War-related Benefits Act</i> .

Program Objective

To provide an easily accessible and independent Court for the expeditious disposition of disputes between any person and the Government of Canada on matters arising under the *Tax Court of Canada Act* or any other legislation under which the Court has original jurisdiction.

Strategic Objectives

The Tax Court of Canada's mission statement is comprised of four commitments to our clients on behalf of all Canadians. It is from these commitments that we derive our strategic objectives:

Strategic Objectives of the Tax Court of Canada

1. to improve the effectiveness of the Court's appeal process;
2. to improve public access to the Court and its services;
3. to improve service delivery; and
4. to ensure the judicial independence of the Court.

Challenges in Managing Change

The year 2000 "bug", conversion of the positions of Court employees to the new Universal Classification Standard and the possible establishment of a courts administration service for the Tax Court of Canada, the Federal Court-Trial Division, the Federal Court of Appeal and the Court Martial Appeal Court are some of the challenges the Tax Court of Canada will face over the next few months.

Organization of the Department

The Court, which has its Headquarters in Ottawa, consists of the Chief Judge, the Associate Chief Judge, 19 other judges and two supernumerary judges. To ensure that appeals are heard, the Chief Judge may appoint deputy judges with the approval of the Governor in Council. There are currently eleven deputy judges.

The Chief Judge is responsible for the apportionment of work among the judges and the assignment of individual judges to specific sittings of the Court. The Court has regional offices in Montréal, Toronto and Vancouver and shares accommodations with the Federal Court of Canada in Edmonton, Calgary, Winnipeg, Québec, Halifax and Fredericton. For income tax appeals, the Court may sit in roughly 40 locations across Canada. For employment insurance appeals, it may sit in over 80 locations across Canada.

The Registrar, who is a deputy of the Commissioner for Federal Judicial Affairs as the result of a delegation of authority under subsection 76(2) of the *Judges Act*, is the deputy head of the Tax Court of Canada. The Commissioner for Federal Judicial Affairs reports to the Minister of Justice. The Registrar, as the principal officer of the Court, is responsible for the administration of the Court.

Description of Business Lines

Introduction

The business line structure described below was approved by the Treasury Board under the Planning, Reporting and Accountability Structure (PRAS) document.

The Court consists of one main business line (the Registry) and three service lines: Appeals Management, Corporate Services and Strategic Planning and Communications.

Description

The Registry of the Tax Court of Canada provides a range of services to the Court through the following service lines: **Appeals Management, Corporate Services and Strategic Planning and Communications.**

1. Appeals Management

This service line provides litigants with guidance and advice on Court practices and procedures and provides the judges of the Court with orderly and efficient scheduling of hearings.

2. Corporate Services

This service line provides the Registry with support in the areas of finance, administration, security, library services, facilities management, human resources and information technology.

3. Strategic Planning and Communications

This service line provides the Registry with support relating to strategic planning, communications, legal information, and editing and revising.

By tabling various reports in Parliament, the Strategic Planning and Communications Directorate ensures that the Court honours its major result commitments to the Canadian public.

Section III: DEPARTMENTAL PERFORMANCE

Tax Court of Canada

Planned Spending	\$ 10,358,000
<i>Total Authorities</i>	<i>\$ 13,051,584</i>
1998-1999 Actuals	\$ 12,966,514

The summary financial information presented above are intended to show the following:

- . what the plan was at the beginning of the year (Planned Spending);
- . what additional spending parliament has seen fit to approve (Total Authorities); and
- . what was actually spent (1998-99 Actuals).

The difference of \$2,693,584 between the Planned Spending of \$10,358,000 and Total Authorities of \$13,051,584 included funding for:

	\$=000's
A project to decrease Employment Insurance Inventories	827
A rollover from the 1997-98 fiscal year	138
A loan to build a Year 2000 compliant Appeals System	1,331
Funds for signed collective agreements	388
Employee Benefit Plan Adjustment	10
Total	2,694

Performance Expectations

As mentioned in our previous departmental performance reports, re-engineering of the Tax Court of Canada's services has been our highest priority since the 1996-97 fiscal year.

In that context, to honour its commitment to **providing the public with an accessible and efficient appeal process**, the Tax Court of Canada inaugurated its new Y2K-compliant automated appeals processing system, the Appeals System Plus (ASP), on December 8, 1998.

Over the next few months, the Court will continue to work on making our processes more accessible and user-friendly so that it will be easier for the Canadian public to gain access to the Court and its services. We will also intensify our efforts to win the trust of the Canadian public by favouring a reporting process that is transparent but does not compromise the fundamental principle of judicial independence. The following table briefly sets out our major result commitments.

Table of Major Result Commitments

Tax Court of Canada (TCC)

to provide Canadians with:	demonstrated by:	achievements reported in:
<p>Fair treatment of litigants and the effective stewardship of public funds through an efficient court of record for hearing cases related to income tax and other federal programs, such as the Canada Pension Plan, Employment Insurance and Old Age Security</p>	<ul style="list-style-type: none"> ♦ a timely cost-effective appeal process supported by a Y2K compliant computer system ♦ client satisfaction with the efficiency of the appeal process and the case of consultation of the Court's rules, which will be measured by conducting ad hoc surveys and applying service standards ♦ equal access for all Canadians who wish to file appeals to the Tax Court of Canada ♦ effective and efficient administration of the Court 	<p>Sections II, III and IV of the Departmental Performance Report</p> <p>Sections II and III of the Departmental Performance Report.</p> <p>Sections III of the Departmental Performance Report.</p> <p>Sections II, III, IV and V of the Departmental Performance Report.</p>

Departmental Performance Accomplishments

Business Line

The Registry

a) Commitment to Leadership

The Registrar of the Court favours a performance-based system of management characterized by enthusiastic and visible leadership. He is also responsible for guiding his senior managers toward strategic management and performance of the Tax Court of Canada's mandate, vision and mission.

The Registrar must also ensure that his senior managers succeed in obtaining the commitment of all employees in order to maintain a high level of motivation and encourage full attainment of our strategic objectives (page 6 of this report) and honour our result commitments (see table on page 10).

b) Key Issues of 1998-99

The key issues of the 1998-99 fiscal year at the Tax Court of Canada included the inauguration of our new automated appeals management system on December 8, 1998, the investment of resources to deal with the year 2000 "bug", the consolidation of the administrative services of the Federal Court of Canada and the Tax Court of Canada, and the constant improvement of our service to clients.

Service Lines

Appeals Management Directorate

a) Appeals System Plus

The Court's new appeals processing system, the Appeals System Plus (ASP) has been operational since December 8, 1998. Through it, we are now able to obtain data on:

- 1) the number of appeals filed with the TCC by year;
- 2) the number of appeals by Act under the TCC's jurisdiction;
- 3) the number of appeals by type of procedure;
- 4) the time required to deal with an appeal; and
- 5) the number of cases that have been appealed to the Federal Court of Canada.

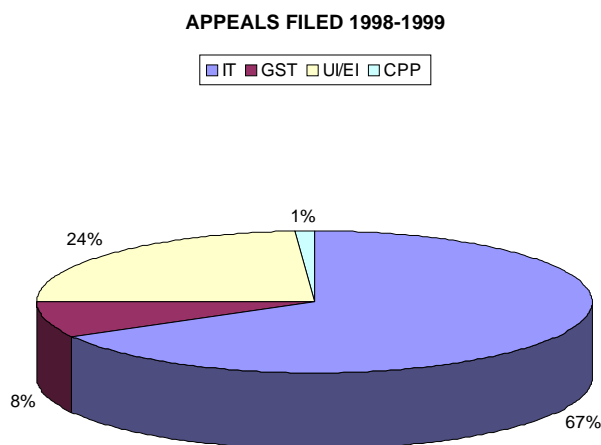
Over the past fiscal year, 5,673 appeals (see **Table 1**) were filed with the Tax Court of Canada.

TABLE 1 APPELS FILED – FISCAL YEAR 1998-1999

	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	Total
IT Inf.	169	156	176	174	152	153	1274	65	107	85	105	143	2759
IT Gen.	121	89	91	70	61	98	88	81	70	74	87	92	1022
GST Inf.	28	30	24	30	27	28	31	14	24	13	26	29	304
GST Gen.	8	4	4	7	12	11	15	5	12	8	15	70	171
UI/EI	104	130	191	118	115	99	86	118	66	130	88	112	1357
CPP			1				2	5	10	12	13	13	56
OAS									1		1	1	3
PGRT													
WVA													
CWB													
EXP									1				1
Total	430	409	487	399	367	389	1496	288	291	322	335	460	5673

Legend	
IT Inf.	Income Tax – Informal Procedure
IT. Gen.	Income Tax – General Procedure
GST Inf.	Goods and Services Tax – Informal Procedure
GST Gen.	Goods and Services Tax – General Procedure
UI/EI	Unemployment Insurance – Employment Insurance
CPP	Canada Pension Plan
OAS	Old Age Security Act
PGRT	Petroleum and Gas Revenue Act
WVA	War Veterans Allowance Act
CWB	Civilian War-related Benefits Act
EXP	Cultural Property Export and Import Act

Graph 1



Of these, 1,274 income tax appeals under the informal procedure were filed in October 1998. While this figure may appear exaggerated, it can be explained by the fact that there is a new \$100 filing fee which took effect on November 1, 1998. As a result, in one appeal case relating to the research and development credit, counsel for the appellants filed more than 1,100 appeals in October 1998 to avoid paying the new filing fee.

As can be seen from **Graph 1**, 67% of the appeals filed with the Tax Court of Canada in 1998-99 were related to income tax, while 24% were related to employment (formerly unemployment) insurance. These accordingly represent 91% of all appeals filed with the Court.

Table 2 and **Graph 2** show appeals disposed of in 1998-99.

It should be noted that these data include not just appeals filed and disposed of in 1998-99, but also appeals filed in previous years that were disposed of in 1998-99.

Of the 5,870 appeals disposed of by the Tax Court of Canada between April 1, 1998, and March 31, 1999, 206 (3.5%) have been appealed to the Federal Court of Canada.

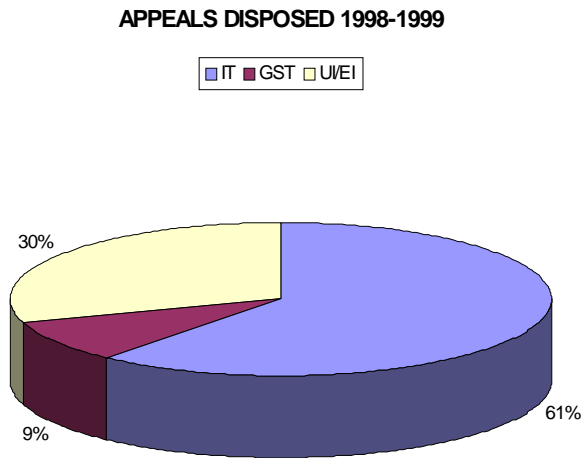
We note that 61% of the appeals disposed of in 1998-99 were related to income tax, while 30% were related to employment (formerly unemployment) insurance. These accordingly represent 91% of all appeals disposed of during the past fiscal year.

TABLE 2 APPEALS DISPOSED - FISCAL YEAR 1998-1999

	April	May	June	July	August	Sept.	Oct.	Nov.	Dec	Jan.	Feb	March	Total	
IT	Inf.	178	196	141	196	161	188	166	112	70	131	126	207	1872
	Gen.	108	126	132	126	135	133	120	154	112	112	139	230	1627
	Old	1	8	18	11	3	1	12	16	1	2	4	1	78
GST	Inf.	17	29	36	26	32	40	22	24	17	26	28	31	328
	Gen.	9	10	20	17	16	16	13	7	31	15	18	28	200
UI/EI		140	179	211	136	169	155	203	181	79	91	102	107	1753
CPP												1		1
OAS											1			1
PGRT														
WVA														
CWB														
EXP											5	5		10
Total	453	548	558	512	516	533	536	494	310	377	423	610	5870	

Legend	
IT Inf.	Income Tax – Informal Procedure
IT Gen.	Income Tax – General Procedure
IT Old	Income Tax – Old Procedure
GST Inf.	Goods and Services Tax – Informal Procedure
GST Gen.	Goods and Services Tax – General Procedure
UI/EI	Unemployment Insurance / Employment Insurance
CPP	Canada Pension Plan
OAS	Old Age Security Act
PGRT	Petroleum and Gas Petroleum Tax
WVA	War Veterans Allowance Act
CWB	Civilian War-related Benefits Act
EXP	Cultural Property Export and Import Act

Graph 2



b) Compliance with prescribed deadlines

The *Tax Court of Canada Act* and the rules made under it establish certain deadlines to ensure that appeals are disposed of promptly.

Table 3 presents a range of appeals disposed of during the 1998-99 fiscal year. It indicates the fiscal years in which the appeals disposed of in 1998-99 were filed. To sum up, it can be concluded that 60% of the appeals disposed

of were filed in either the current or the preceding fiscal year.

Table 3

	Disposed 1998-99	Disposed in 1998-99 but Filed in			
		1998-99	1997-98	1996-97	Prior
Income Tax - General	1 627	103 (6%)	496 (31%)	633 (39%)	395 (24%)
Income Tax – Informal	1 872	196 (11%)	1 294 (69%)	321 (17%)	61 (3%)
GST – General	200	11 (6%)	68 (34%)	80 (40%)	41 (20%)
GST – Informal	328	31 (9%)	195 (60%)	91 (28%)	11 (3%)
Employment Insurance	1 753	151 (9%)	937 (53%)	601 (34%)	64 (4%)

It should be noted that during this period, 78% of the appeals disposed of under the informal procedure (whether involving income tax or the GST) were filed in either the current or the preceding fiscal year. The prescribed deadlines for appeals filed under the general procedure are longer than those provided for under the informal procedure, so it can be expected that the average life cycle of a general procedure appeal will be much longer than that of other appeals.

It should also be noted that appeals under both types of procedure are often postponed pending another decision by the Tax Court of Canada or another court. We have taken into account this period during which the Court cannot proceed, which extends the life cycle of an appeal.

c) Electronic Transmission of Documents

Where the electronic transmission of documents between the Court and its clients is concerned, we are behind schedule. Over the past year, our resources have been devoted primarily to the implementation of our new Appeals System Plus (ASP) and to the development of our action plan and contingency plan against the effects of the year 2000 "bug". Once it is operational, electronic transmission will enable us to do even better at attaining our strategic objectives of *improving public access to the Court and its services* and improving service delivery. As soon as the problems relating to the year 2000 "bug" have been resolved, we will be able to devote more energy to the electronic transmission of documents.

Corporate Services Directorate

a) Comptrollership

According to the Treasury Board's comptrollership policy, the Court's managers must:

- , ensure that their duties are performed giving due consideration to obtaining the best possible value from public resources;
- , make decisions in light of timely, relevant and reliable financial information, analysis and advice;
- , implement cost-effective controls, suitable to the Court environment, in order to ensure probity;
- , authorize transactions before they are entered into;
- , understand and report appropriately on their financial accountability;
- , ensure that the financial management organization, systems and processes meet the Court's actual needs.

Complying with this Treasury Board policy will permit our managers to honour our commitment to **effective and efficient administration of the Court.**

Modern comptrollership means better information and better advice for decision making. It means more emphasis on the effective use of information to provide strategic advice and to add value while redirecting efforts through more efficient processing of transactions. At the Tax Court of Canada, modern comptrollership delivers one overall key benefit: the TCC's increased effectiveness in fulfilling its mission and achieving its objectives as indicated on pages 2 and 6 of this Report. This is a commitment made by the Registrar. Senior management of the Court are driven by business planning, measuring results, sharing common values and demonstrating strong leadership. All elements which support the Court's mission and values.

b) Universal Classification Standard

For the past few years Treasury Board Secretariat, federal departments, bargaining agents, the Canadian Human Rights Commission and the Office of the Auditor General of Canada have worked together developing the Universal Classification Standard (UCS). The UCS will replace our 30-year old work evaluation system consisting of 72 different classification standards. The goal of UCS is three-fold: to achieve a more *straightforward and efficient means of valuing and describing work*; to evaluate the *full range of work* within the Public Service; and to *identify and value characteristics of work of men and women*, including those that were historically undervalued or invisible (gender neutrality).

The Tax Court of Canada has successfully completed their rating submissions for both the 5K and 40K samples conducted across the federal government. This data submitted by all federal departments is necessary for the Treasury Board Secretariat to complete calculations necessary to establish weights and levels. The Court is doing internal relativities and is also working with the Federal Court of Canada to ensure compatibilities of positions. The collective bargaining process will be able to continue this Fall, upon completion of the weights and levels for all groups and levels.

c) Merger of the Two Courts

Although progress has been made toward the consolidation of the administrative services of the Federal Court of Canada and the Tax Court of Canada announced by the Minister of Justice, the Honourable Anne McLellan, on June 25, 1998, it was not completed in 1999 as expected.

However, a copy of the second draft of the legislation that will implement the administrative reform of the Federal Court of Canada and the Tax Court of Canada was sent to those courts for their comments on August 10, 1999.

Corporate Services have been briefing the Registrar on the strategic implications of the merger (ex. human resources strategy, staffing, financial and information technology strategies, communications strategy, etc.). Various documents have been prepared to put together an action plan and a framework to ensure executive leadership and a smooth transition of this merger.

The bill is expected to be introduced in the House of Commons early in the fall session.

Strategic Planning and Communications Directorate

a) Performance Indicators

Performance indicators are important in that they improve the Court's ability to attain the following two strategic objectives: *improving the effectiveness of its appeal process* and *improving service delivery*. Over the past few months, the Strategic Planning unit has intensified its efforts to develop the Court's performance indicators. Statistics taken from the ASP will now enable us to evaluate the effectiveness and appropriateness of these indicators.

b) Internet Site

The objective of our Internet site is to *improve public access to the Court and its services*. However, the development of our Internet site is behind schedule, especially as regards incorporation of the Court's judgments, as the Court has devoted a substantial portion of its human and financial resources to the implementation of the ASP and to preparation for the year 2000 "bug". It should be mentioned that the demand from Canadians who consult our site and refer to the availability of the Court's judgments is growing rapidly.

c) Communications Unit

The role of the Communications unit, which was created in 1998, is to further *improve public access to the Court and its services* and inform the Canadian public of the Tax Court of Canada's mandate, vision, mission and services. To this end, the Communications unit recently collaborated with the Appeals Management Directorate on the publication of two brochures explaining the appeal process. The first relates to income tax and the goods and services tax (GST), while the second relates to employment insurance and the Canada Pension Plan. In addition, to ensure that the Tax Court of Canada's mandate, mission and vision and the services it provides to Canadians are more widely known, the Communications unit has developed a number of fact sheets and information brochures, which are available at our Ottawa, Montréal, Toronto and Vancouver offices.

Finally, to mark the 15 years of existence of the Tax Court of Canada and make its services more widely known, the Communications unit co-ordinated the preparation of information stands which were set up on the ground floor of the Centennial Towers building on June 29, 1999.

d) Legal Information Services

Our goal in creating the Legal Information Services unit was to be able to attain even more effectively three of the Court's strategic objectives: contributing actively to *the effectiveness of the Court's appeal process*, *improving public access to the Court and its services* and *improving service delivery*. The mandate of Legal Information Services is therefore to improve the quality of our services by providing legal information relating to the statutes, rules and procedures governing the Court so as to:

1. more clearly identify the organization's legal information and training needs and respond to those needs;
2. ensure that the Court's rules and procedures are applied and construed uniformly;
3. ensure that operational practices reflect our rules of procedure and are accessible; and
4. inform all the Court's employees of amendments to statutes or regulations and ensure that they understand the impact of those amendments on their responsibilities.

In terms of results, Legal Information Services is responsible for publishing a two-volume office consolidation. The first volume includes the Acts pertaining to the TCC's mandate while the second includes the Court's rules. The office consolidation gives the Court's judges and staff easy and rapid access to high-quality legal information, in a user-friendly format, that is updated regularly.

Legal Information Services is also consulted on a regular basis by private businesses to confirm the accuracy of their information; this happens primarily where a business wants to include a summary of the *Tax Court of Canada Act* in a publication or to obtain information on how to file an appeal. Two examples are the publishers of Robert McMechan & Gordon Bourgard, *Tax Court Practice* (Carswell), and *O'Brien's Encyclopedia of Forms: Labour Relations and Employment*, 11th edition (Canada Law Book).

Legal Information Services also provides the Court's staff with high-quality legal training to enable them to better serve the Canadian public. In addition to promoting the Court's corporate image through the presentation of highly professional courses, another objective of the training is to renew the trust of citizens in the judicial system. The following is one example of the type of courses Legal Information Services plans to give: *Access to the Court: Providing Information vs. Legal Advice. Do You Know the Difference?* This course will give employees the training they need to determine what type of information they can or cannot give out and will help them feel more comfortable and self-assured when answering questions from the public.

Finally, Legal Information Services has begun negotiating a possible agreement with the Michigan Judicial Institute (United States) for an exchange of information on legal training for court employees. The Michigan Judicial Institute has developed a number of courses that could be adapted to our needs and our circumstances. In return, it is especially interested in obtaining the course on the work of court registrars developed by the TCC.

Section IV: CONSOLIDATED REPORTING

YEAR 2000 (Y2K) READINESS

Action Plan

The objective of the plan is to assess, plan, control and document all the activities, actions and contingencies required to mitigate the risks posed by the Y2K issue. The scope of the project encompasses the Y2K activities undertaken by the Tax Court of Canada. The review focuses on the plans and actions of the Tax Court of Canada's various services groups and operational divisions which are the focal point of the Tax Court of Canada's Y2K activities.

Contingency Plan

Minimum service levels for each of the mission or departmental critical business functions were determined in April 1999 and a risk assessment based upon the interrelated processes of input, processing, output and interfaces was performed the same month. The results varied from a low to a medium risk exposure.

In the case of crisis all TCC critical activities would revert to manual processing to maintain full operations. The interim information captured during the contingency period would be input in our electronic systems once they would be available.

On the last TCC operation week of 1999, the necessary actions required to support the execution of our contingency procedures will be executed. All TCC systems will be backed-up and all systems will be shutdown on December 31, 1999. Systems will be re-activated and tested on January 3, 2000 in preparation to the first official day of business on January 4. Should any anomalies or crisis occur on start-up an assessment of the consequence and severity of the problem will be done to determine if contingency procedures are to be applied. The problems and proposed actions will be reviewed by the Y2K Steering Committee for authorization or for proposed review by the TCC Management Committee. Any actions required to resolve an identified problem would then be executed and once in place and tested normal business activities would resume.

Conclusion

In conclusion, it should be mentioned that an article published in the *Globe and Mail*¹ on April 1, 1999, assessing the readiness of federal government institutions states that the Court is 100% ready.

We plan to conduct further tests in November to ensure that our contingency plan is satisfactory.

¹ "Ottawa on track' with millennium bug goals," *Globe and Mail*, April 1, 1999. Article based on data published by Treasury Board Secretariat.

Section V: FINANCIAL PERFORMANCE

The following tables apply to the Tax Court of Canada. They provide a brief summary of our financial performance.

Table 1. Summary of voted appropriations

Table 2. Comparison of total planned spending with actual expenditures, 1998-99

Table 3. Historical comparison of total planned spending with actual expenditures

Table 4. Non Respendable Revenues

The marked difference between the "planned spending" and "total authorities" amounts in Tables 1 and 2 is due mainly to a \$1,310,000 loan received to build a new Y2K-compliant appeals management system (see page 11 for further information), \$827,000 in additional funding received to extend a project aimed at reducing the unemployment and employment insurance appeal inventories, and \$388,000 received for signed collective agreements. For further information, see page 9. The Year 2000 loan and collective agreement funds are also the main factors behind the increase in actual expenditures in 1998-99 over those in prior years shown in Table 3. The revenues in Table 4 consist of hearing fees (\$476,000 in 1998-99) and sales of copies of judgments (\$40,000 in 1998-99).

Table 1. Summary of voted appropriations

Financial Requirements by Authority (\$ millions)

Vote		1998-1999		
		Planned Spending	Total Authorities	Actual
50	Program - Registry of the Tax Court of Canada Operating Expenditures ¹	10.4	13.1	13.0
	Total Department	10.4	13.1	13.0

Total Authorities are Main Estimates plus Supplementary Estimates plus other authorities.

Table 2. Comparison of total planned spending with actual expenditures, 1998-99 (\$ millions)

Registry of the Tax Court Of Canada	FTEs	Operating ¹	Capital	Voted Grants and Contri- butions	Subtotal: Gross Voted Expendi- tures	Statu- tory Grants and Contri- butions	Total Gross Expendi- tures	Less: Respen- dable Revenues	Total Net Expen- ditures
Registry	120	10.4	—	—	10.4	—	10.4	—	10.4
<i>total authorities</i>	<i>126</i>	<i>13.1</i>	—	—	<i>13.1</i>	—	<i>13.1</i>	—	<i>13.1</i>
Actuals	113	13.0	—	—	13.0	—	13.0	—	13.0
Total	120	10.4	—	—	10.4	—	10.4	—	10.4
<i>total authorities</i>	<i>126</i>	<i>13.1</i>	—	—	<i>13.1</i>	—	<i>13.1</i>	—	<i>13.1</i>
Actuals	113	13.0	—	—	13.0	—	13.0	—	13.0
Other Revenues and Expenditures									
Non Respendable Revenues									(0.4)
<i>total authorities</i>									<i>(0.4)</i>
Actuals									(0.5)
Cost of Services Provided by Other Departments									3.3
<i>total authorities</i>									<i>3.3</i>
Actuals									3.2
Net Cost of the Program									13.2
<i>total authorities</i>									<i>15.9</i>
Actuals									15.7

1. Operating includes contributions to employee benefit plans.

Numbers in *italics* denote Total Authorities for 1998-99 (Main and Supplementary Estimates and other authorities).

Bold numbers denote actual expenditures/revenues in 1998-99.

Due to rounding, figures may not add to totals shown.

Table 3. Historical comparison of total planned spending with actual expenditures (\$ millions)

Business Line	Actual 1996-97	Actual 1997-98	1998-99		
			Planned Spending	Total Authorities	Actual
Registry of the Tax Court of Canada	11.4	11.2	10.4	13.1	13.0
Total	11.4	11.2	10.4	13.1	13.0

Total Authorities are Main Estimates plus Supplementary Estimates plus other authorities.

Table 4. Non Respendable Revenues (\$ millions)

Business Line	Actual 1996-97	Actual 1997-98	1998-99		
			Planned Spending	Total Authorisations	Actual
Registry of the Tax Court of Canada	0.5	0.4	0.4	0.5	0.5
Total Non Respendable Revenues	0.5	0.4	0.4	0.5	0.5

Section VI: OTHER INFORMATION

Contacts for Further Information

Further information on the strategic planning portion of this document can be obtained by contacting:

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Legislation Administered by the Tax Court of Canada

The Tax Court of Canada has authority to hear cases on matters arising under the following Acts:

<i>Income Tax Act</i>	R.S.C. 1985, c. 1 (5th Supp.), as amended
<i>Canada Pension Plan</i>	R.S.C. 1985, c. C-8, as amended
<i>Old Age Security Act</i>	R.S.C. 1985, c. O-9, as amended
<i>Petroleum and Gas Revenue Tax Act</i>	R.S.C. 1985, c. P-12, as amended
<i>Unemployment Insurance Act</i> (repealed)	R.S.C. 1985, c. U-1, as amended
<i>Employment Insurance Act</i> (Part III)	S.C. 1996, c. 23, as amended
<i>Excise Tax Act</i> (Part IX)	R.S.C. 1985, c. E-15, as amended
<i>Cultural Property Export and Import Act</i>	R.S.C. 1985, c. C-51, as amended
<i>War Veterans Allowance Act</i>	R.S.C. 1985, c. W-3, as amended
<i>Civilian War-related Benefits Act</i>	R.S.C. 1985, c. C-31, as amended
<i>Veterans Review and Appeal Board Act</i>	S.C. 1995, c. 18, as amended