



ESTIMATES

Tax Court of Canada

2002-2003
Estimates

Part III – Report on Plans and Priorities

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are tabled in the spring and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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Tax Court of Canada

**2002-2003
Estimates**

Report on Plans and Priorities

Approved

The Hon. Martin Cauchon
Minister of Justice and Attorney General of Canada

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Section I: Registrar's Message

I am pleased to present the Report on Plans and Priorities for fiscal year 2002-03 for the Tax Court of Canada. This report reflects our Planning, Reporting and Accountability Structure (PRAS) which was approved by Treasury Board.

This report will enable you to ascertain the progress we have made, 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 an accessible, effective, fair and independent Court.

The amalgamation of the administrative services of the Tax Court of Canada, the Federal Court of Canada and the Court Martial Appeal Court, which should come about in 2002-03, could cause the postponement, or indeed cancellation, of certain projects.

However, that will not prevent us from continuing to focus on individual citizens through the diversification of both the electronic and traditional means made available so that Canadians may have even easier access to the Court and its services. We will also be developing new material containing information designed to demystify the appeal process and the judicial process in general.

As Registrar of the Tax Court of Canada, I would like to assure Canadians that we are listening to them and that no effort will be spared to provide them with high quality services and information and access to a fair and equitable judicial process.

Our resolve to constantly improve our services has given the Court an important place in the Canadian judicial system thanks to our great adaptability and the excellence of our highly dedicated employees. These same qualities will enable us to meet the challenges awaiting us in the coming months.

R. P. Guenette

**Management Representation
Report on Plans and Priorities 2002-2003**

—

I submit, for tabling in Parliament, the 2002-2003 Report on Plans and Priorities (RPP) for the Tax Court of Canada.

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To the best of my knowledge, the information in this document:

- accurately portrays the TCC's plans and priorities;
- is consistent with the disclosure principles contained in the *Guidelines to the preparation of the 2002-2003 Report on Plans and Priorities*;
- is comprehensive and accurate; and
- is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning, Reporting and Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____

R. P. Guenette
Registrar

Date: _____

Section II: Raison d'être of the Tax Court of Canada

As its name suggests, the Tax Court of Canada is a court of law. Its formal mandate is set out in the *Tax Court of Canada Act*.

The Tax Court of Canada's fundamental purpose is to provide individuals or companies with a means to appeal decisions by the Canada Customs and Revenue Agency relating to, among other things, income tax, the goods and services tax, employment insurance and the Canada Pension Plan. The role of the Court's judges, who are independent of the federal government, is to decide, for example, whether an appellant must pay a disputed amount of income tax or whether an appellant qualifies for employment insurance benefits.

The administrative arm of the Court, known as the Registry, is an integral part of the federal government but has no ties to the Canada Customs and Revenue Agency. It serves both to support the judges' work and to manage the various aspects of the relationship between the public and the Court (filing documents, dispensing information, etc.). It is responsible for ensuring that the Court's appeal process is accessible and efficient and for maintaining a fair and independent court.

Section III: Plans and Priorities by Strategic Outcome

The Tax Court of Canada's program objective revolves around the following four strategic priorities:

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.

These four strategic objectives, which are closely linked to the federal government's horizontal priorities with respect to Government On-Line and the Service Improvement Initiative, enable us to provide services geared to the public, to measure the concrete results of our services for Canadians and to live up to the values of our fellow citizens with regard to ease of access to relevant information and access to fair, equitable and prompt justice.

All this is underpinned by efficient and responsible use of public funds through gradual and effective implementation of the federal modern comptrollership initiative whose purpose is to integrate both financial and non-financial performance information for managers and to provide managers with a more advanced approach to risk management, appropriate monitoring systems and a common set of ethical values and principles.

**To improve the effectiveness of the Court's appeal process
(Total of planned resources: internal resources)**

Our Report on Plans and Priorities for 2001-02 dealt with the implementation of an important pilot project aimed at enhancing the efficiency of the Court's appeal process by allowing the electronic transmission of documents via our Web site between appellants or their representatives and the Court.

This project was launched on September 1, 2001, and it will be completed on March 31, 2002. Up to now, the results of the pilot project have been most encouraging. We expect that the electronic transmission of documents will continue on a permanent basis starting on April 1, 2002.

It is important that we offer Canadians various means of communicating with the Court. Canadians may rest assured that electronic transmission of documents will not displace the various other ways of interacting with the Court; it is simply an

additional means. Our goal is to provide the best possible service, whether it be in person, on the telephone or on the Internet.

**To improve public access to the Court and its services
(Total of planned spending: \$610,000)**

Since January 2000, the judgments of the Court have been available to the public on our Web site. It is clear from the comments we have received that Canadians want us to publish even more judgments. For 2002-03, we expect to spend \$600,000 on the translation of judgments that will be published on our Web site.

Moreover, we anticipate that the preparation of an information pamphlet entitled "Your Day in Court" will be completed in 2002-03. The cost of publication of this pamphlet intended to help appellants who wish to represent themselves or to be represented by someone other than a lawyer is estimated to be approximately \$10,000.

The text of the pamphlet will also serve as the basis for an interactive part of our Web site that will explain to Canadians the roles of the main participants in a case before the Tax Court of Canada. This interactive section will contribute greatly to demystifying the appeal process. The project will be carried out using our internal resources and should be completed by the 2003-04 fiscal year.

**To improve service delivery
(Total of planned resources: internal resources)**

Amalgamation of administrative services

A major project in which the Tax Court of Canada will be involved in 2002 and 2003 is the amalgamation of its administrative services with those of the Federal Court of Canada and the Court Martial Appeal Court.

Bill C-30 is expected to be passed during the current session of Parliament. It is not possible at this time to provide figures on the costs related to the amalgamation.

Obviously, the amalgamation of administrative services remains a huge imponderable for 2002-03, and we could find ourselves constrained to postpone or cancel certain projects.

Modern Comptrollership

The application of modern comptrollership at the Tax Court of Canada is already under way. One person (FTE) has been assigned on a temporary basis for this purpose using funding received from Treasury Board.

Modern comptrollership is synonymous with improving our management abilities and capabilities. We are constantly challenging our management philosophy to develop and apply a risk management approach in the management of the Court's main business line and its service lines. Rigorous stewardship is being applied to safeguard public assets and to develop key control systems including management processes and measures of success. The Court already has a statement of values which are based on respect, professionalism, teamwork and client orientation.

Performance indicators and service standards

Our performance indicators and service standards constitute important factors in assessing the quality of the services we provide to Canadians.

We are able, through our indicators and our standards, to measure progress made and real results achieved for each of our projects. The performance information provides the Court's managers with the knowledge they require in order to be able to effectively manage the programs for which they are responsible.

Over the past two years, we have assessed and reassessed the relevance of each of our indicators and standards in order to ensure that they meet the requirements of our clients with respect to delivery of our services. In 2002-03, our indicators and standards should be posted on our Web site.

**To ensure the judicial independence of the Court
(Total of planned resources: internal resources)**

Based on comments we have received from appellants, we think there is a problem of perception regarding the judicial independence of the Court. We have little control over this perception, as it depends chiefly on whether an appellant wins or loses in the Tax Court of Canada. However, it is our intention to include more information on this subject in our communication material.

Section IV: Organization

1. Structure of the Organization

Registry of the Tax Court of Canada

This main business line provides Canadians with the right to an accessible court of record for appeals in areas involving taxation and other federal programs such as employment insurance and the Canada Pension Plan.

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.

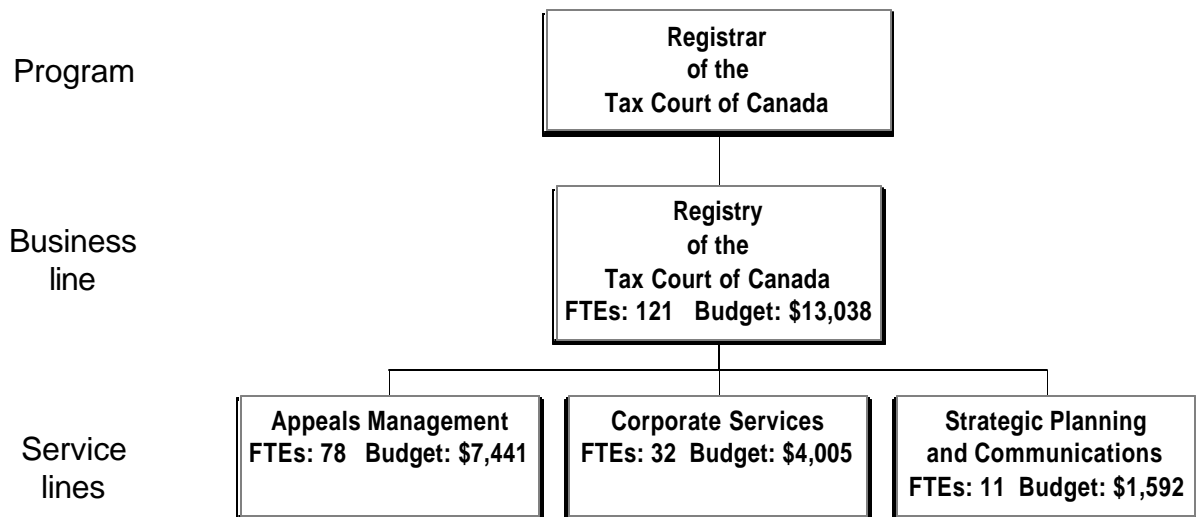
The Registry of the Tax Court of Canada provides a range of services to the Court. It provides internal services to the Chief Judge and the other judges of the Court in, for example, establishing the hearings schedule. The Registry also provides the public and litigants with information and advice relating to the Court's rules of procedure.

The following service lines support the Registry in the provision of services to Canadians.

- **Appeals Management** – This service line administers the operational procedures necessary to resolve disputes between any person and the Government of Canada on questions arising over the interpretation of the *Tax Court of Canada Act* or any other legislation under which the Court has exclusive original jurisdiction. Appeals Management provides the public with guidance and advice on the Court's practices and procedures. It also provides the judges of the Court with the orderly and efficient scheduling of hearings.
- **Corporate Services** – This service line provides the Registry with support relating to finance, administration, security, the library, human resources, facilities management, information management and information technology. Corporate Services provides its clients with effective, low-cost management and administrative services capable of supporting the Court's strategic policies.
- **Strategic Planning and Communications** – This service line provides services in the area of the preparation of accountability reports for Parliament and the Canadian public concerning the Court's administrative performance. This service line also prepares communication material necessary to understanding the Court's mandate and its activities and sees to the publication of the Court's judgments on its Web site. In addition, this service line

coordinates the translation of the Court's judgments and handles the revision of the translations.

Business Line of the Tax Court of Canada



Planned Spending

(\$ thousands)	Forecast Spending 2001-2002*	Planned Spending 2002-2003	Planned Spending 2003- 2004	Planned Spending 2004-2005
Budgetary Main Estimates (gross)	10,799	11,338	10,940	10,940
Non-Budgetary Main Estimates (gross)	--	--	--	--
Less: Respendable Revenue	--	--	--	--
Total Main Estimates	10,799	11,338	10,940	10,940
Adjustments**	2,721	1,700	1,500	1,500
Net Planned Spending	13,520	13,038	12,440	12,440
Less: Non-respendable revenue	550	550	550	550
Plus: Cost of services received without charge	3,837	4,132	3,941	1,914
Net Cost of Program	16,807	16,620	15,831	13,804
Full Time Equivalent	121	121	121	121

*Reflects the best forecast of total planned spending to the end of the fiscal year.

**Adjustments are to accommodate approvals obtained since the Main Estimates and include Budget initiatives, Supplementary Estimates etc.

Offices of the Court

The Court has its own court accommodation in Vancouver, London, Toronto, Ottawa and Montreal, and shares accommodations with the Federal Court of Canada in Edmonton, Calgary, Winnipeg, Quebec City, Halifax and Fredericton. In other locations, the Court uses provincial court accommodation, where available, leases commercial accommodation or partners with other levels of government.

The Judges

The Court, which has its Headquarters in Ottawa, consists of the Chief Judge, the Associate Chief Judge, 20 other judges including three supernumerary judges. In addition, to ensure the expeditious hearing of appeals, the Chief Judge may appoint up to 11 deputy judges. There are currently nine deputy judges at the Court.

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.

+Appendix I: Financial Information

Table 1.1: Non-Respendable Revenue

(thousands of dollars)	Forecast Revenue 2001- 2002*	Planned Revenue 2002-2003	Planned Revenue 2003- 2004	Planned Revenue 2004- 2005
Registry of the Tax Court of Canada	530	530	530	530
Appeal Fees	20	20	20	20
Sale of Judgments				
Total Non-respendable Revenue	550	550	550	550

* Reflects best forecast of total planned spending to the end of the fiscal year.

Table 1.2: Net Cost of Program for 2002-2003

	Registry of the Tax Court of Canada
(thousands of dollars)	
Net Planned Spending	13,038
Plus: <i>Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	3,703
Contributions covering employees' share of insurance premiums and costs paid by TBS	429
	17,170
Less: Respendable Revenue	-
Less: Non-respendable Revenue	550
2002-2003 Net Program Cost	16,620

Appendix II: Other Information

Table 2.1: Jurisdiction of 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 IV)	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>Customs Act</i> (Part V.1)	R.S.C. 1985, c. 1 (2nd Supp.), 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

Table 2.2: Contacts for Further Information

Further information on the strategic planning portion of this document can be obtained by contacting:
<p>Stephen Balogh Acting Director, Strategic Planning and Communications Tax Court of Canada 200 Kent Street, 4th Floor Ottawa, Ontario K1A 0M1</p>
Further information on the financial portion of this document can be obtained by contacting:
<p>Mr. Paul Waksberg Director, Finance and Materiel Management Services Corporate Services Directorate Tax Court of Canada 200 Kent Street, 4th Floor Ottawa, Ontario K1A 0M1</p>

