
**GUIDELINES FOR
CROWN AGENCIES' 2005/06
ANNUAL SERVICE PLAN
REPORTS**

March 2006

Prepared by the Crown Agencies Secretariat for
Crown Agencies that are winding up or whose functions are being
transferred to another Crown Agency or ministry

PURPOSE

These guidelines clarify the information that should be included in the 2005/06 annual report of a Crown Agency that will be winding-up in 2005/06 or 2006/07. This includes organizations whose functions are being transferred to a ministry or other organization. See Appendix A for the list of Crown Agencies that should use these guidelines.

KEY ELEMENTS

The key elements of the 2005/06 annual report for Crown Agencies that are winding up are described below. Crown Agencies may include additional information on performance if desired.

I. Signed Message to the Minister Responsible from the Chair

This should include:

- an assessment of the Crown Agency's position at year-end;
- significant market and industry issues that affected performance;
- major risks and uncertainties encountered, and their effect on performance; and
- Accountability Statement.

Crown Agencies are required to include an accountability statement in their annual reports. Accountability statements provide the reader with greater confidence regarding what is being reported in the plan.

The accountability statement should be signed by the Board Chair, on behalf of the Board of Directors, and should include the following points:

- Confirmation that the Board Chair, on behalf of the Board, is responsible for the information contained in the report; and
- An assurance statement regarding the completeness and reliability of the financial and non-financial information included in the report.

Example Accountability Statement

The 2005/06 [Organization XX] Annual Report was prepared under my/our direction in accordance with the Budget Transparency and Accountability Act. I am/we are accountable for the contents of the report. The information presented reflects the actual performance of [Organization XX] for the twelve months ended (December 31, 2005) March 31, 2006. All significant decisions, events and identified risks, as of (date), have been considered in preparing the report.

XX

Board Chair

II. Organizational Overview

A succinct overview that supports an understanding of the performance of the organization:

- the mission
- enabling legislation;
- description of products and services provided;
- location of operations; and
- principal markets or clients served.

III. The Year in Review

Highlights of financial and non-financial performance. This section should summarize overall performance for 2005/06, highlighting major initiatives or major developments that had a significant impact on performance during 2005/06 and what impact they had. Tables and graphs should be used as necessary to demonstrate performance trends over time.

In this section, Crown Agencies should provide information on significant events during the year, including direction from government on wind up or transfer, changes in mandate, size and program areas, allocation of functions and resources to other organizations, and wind up or transfer processes and timelines.

IV. Report on Performance (optional)

Crown Agencies may, if they choose to, report on all or aspects of performance against goals, objectives, strategies and measures. The decision to report or not on performance will be determined by wind up timelines, whether program areas will be continuing under another organization, whether the organization continued to operate normally in the year being reported on, whether the organization has continued to track performance throughout the year, and whether reporting on performance will add useful information for the reader.

V. Financial Report

Discussion and analysis of the organization's financial results from management's perspective. This section of the annual report should include the following elements:

- Management Discussion and Analysis
- Statement of Management Responsibility
- The Auditor's Report
- Audited Financial Statements
- Accompanying notes on the financial statements

The guidelines focus on Management Discussion and Analysis. The other four elements should be prepared in accordance with Generally Accepted Accounting Principles and should be consistent with requirements of the *Financial Information Act*.

Management Discussion and Analysis (MD&A)

The MD&A should include the following information:

- a description of activities undertaken during 2005/06;
- a comparison of budget to actual financial performance for the year;
- financial performance for 2004/05;
- an explanation of reasons for key financial variances from budget or significant changes in actual results from previous years;
- total capital expenditures for the year;
- total FTEs at year-end;
- an overview of the external business and policy environment affecting operations over the past year;
- major risks and opportunities that have affected financial performance; and
- key financial and operating statistics.

VI. Corporate Governance

The organization's board of directors and senior management:

- role and membership of the Board of Directors and board committees;
- names and job titles of senior executives; and
- key reporting relationships with Ministers, ministries and any other significant reporting relationships.

Note: if the governance structure has changed during the year, organizations should report on the previous and the current structure and membership.

OTHER REQUIREMENTS

Presentation

The annual report should focus on readability and Internet accessibility rather than elaborate hard copy production. The objective of this approach is to provide ready access to information in a cost-effective form.

Contact Information

Information on where the reader can go for more information on the organization or its subsidiaries (service plans, risk assessments, detailed project reports, etc.). This should include the organization's address, and phone numbers and Email addresses of key contacts, as well as the organization's website address. Organizations can also include contact information in this section for ministries or other organizations that the Crown Agency or program areas have or will transfer to.

Non-disclosure of Specific Information

Information contained in annual reports should comply with the *Freedom of Information and Protection of Privacy Act*. Under the Act, an annual report should not disclose information that falls within the following categories:

- Cabinet and local public body confidences;

- Policy advice, recommendations or draft regulations;
- Legal advice;
- Information for which disclosure would be harmful including information on the following:
 1. law enforcement;
 2. intergovernmental relations or negotiations, including negotiations relating to aboriginal self-government or treaties;
 3. financial or economic interests of a Crown agency;
 4. the conservation of heritage sites, etc.;
 5. individual or public safety;
 6. the business interests of a third party; and
 7. personal privacy.

Crown Agencies should refer to the *Freedom of Information and Protection of Privacy Act* for clarification on the types of information that fall under each category.

Notwithstanding the above, organizations should ensure that adequate information is provided on each key element of the minimum content requirements described in these guidelines to enable the objectives of the BTAA to be met.

If adherence to the *Freedom of Information and Protection of Privacy Act* necessitates excluding any information listed in the minimum content requirement section of these guidelines, the organization should identify the information that has been excluded and should provide an explanation for its exclusion. The explanation should be detailed enough to enable the public to understand the rationale for exclusion.

Review and Finalization

Annual Reports must be submitted in accordance with the following schedule:

	Crown Agencies with March 31 Year-end
Date for Crown Agency to submit draft report to Ministries for review	May 16
Date for Ministries to provide feedback to Crown Agency	May 23
Date for Crown Agency to submit draft report to Minister for review	June 1
Date for Crown Agency to submit final Board and Minister approved annual report electronically to Crown Agencies Secretariat for placing on CAS website	June 20
Date for Crown Agency to submit final annual report to Minister for tabling	June 22
Date for Crown Agency to send 104 copies of its annual report to the Deputy Sergeant-at-Arms	June 21 - 25
Date annual reports made public	June 26 - 30*

* *Date of Public Accounts release has not yet been finalized for 2006*

Because the Minister Responsible for a Crown Agency is required under the BTAA to make annual reports public, the Minister will review and approve the content and presentation of the report before it is finalized.

Ministry staff (service plans and annual reports of taxpayer supported and smaller commercial Crown Agencies are now being reviewed by Ministry staff rather than CAS staff) will assist the Minister's review by reviewing drafts of annual reports for consistency with these guidelines and the requirements of the BTAA, and will provide feedback on them to Crown Agencies. Draft annual reports need not be approved by the Board of Directors prior to being forwarded to the Ministry for review.

The final version of the annual report must be approved by the Crown Agency's Board of Directors and the Minister Responsible for the Crown Agency prior to being transmitted in final form to the Minister Responsible for filing with the Clerk of the House.

Filing of Annual Report

Under the BTAA, the Minister Responsible makes the annual report public by filing a copy with the Clerk of the House. Once the annual report has been made public, an electronic version will be posted on the Crown Agencies Secretariat website. Crown Agencies should also post annual reports on their own websites once the report has been made public by the Minister.

BTAA Section 18:

If a person is required to make a document public under this Act, the person meets that obligation by

- (a) either, as applicable,
 - (i) laying the document before the Legislative Assembly, if it is in session, or
 - (ii) filing the document with the Clerk of the Legislative Assembly, if the Legislative Assembly is not in session, and
- (b) making the document available to the general public in a reasonable manner, which may include by electronic means.

It is expected that the Legislature will not be in session after May 18, 2006.

Process for Tabling if the House is not in Session

The process for tabling annual reports will be as follows. The Crown Agency should send one copy of the report to the Minister Responsible's Office for the Minister to file with the Clerk of the House. The package sent to the Minister Responsible should include two additional documents: 1) a cover letter from the Crown Agency to the Minister; and 2) a memo for the Minister's signature from the Minister Responsible to the Clerk.

The cover letter from the Crown Agency to the Minister Responsible should include the following information:

- That the report is being sent to the Minister Responsible for the Crown Agency so that the Minister can file it with the Clerk of the House;
- The date the report is to be filed by (*i.e.* May 31 for organizations with a December 31 year end, or June 26 - 30 (exact date yet to be determined) for organizations with a March 31 year end.

An example of the second document required - the memo from the Minister to the Clerk - is attached in Appendix D.

The Minister Responsible or his or her designate will then file one copy of the annual report with the Office of the Clerk (this completes the requirement for the Minister to make it public).

The Crown Agency should also, just prior to May 31 (for December year end Crown Agencies) or June 26 - 30 (for March 31 year end Crown Agencies), provide 104 printed copies of the report to the Deputy Sergeant-at-Arms for distribution to Members of the Legislative Assembly, the Caucus research offices, the Library, the Speaker, the Clerk of the House, and the Press. Please refer to Appendix D "Guidelines on Report Distribution" for further details and a sample covering letter from the Crown Agency to the Deputy Sergeant-at-Arms.

Once the annual report has been filed by the Minister Responsible with the Clerk, organizations should publish their annual reports on their websites and have hard copies available for the public.

Process for Tabling if the House is in Session

In the unlikely event that the Legislature is sitting on the annual report publication date, the Minister Responsible for the Crown Agency will table one copy of the report in the House, rather than filing it with the Clerk.

The Crown Agency should, as above, provide 104 paper copies to the Office of the Sergeant-at-Arms of the Legislature for distribution to all Members of the Legislative Assembly, the Caucus research offices, the Library, the Speaker, the Clerk of the House, and the Press. These copies should be forwarded to the Deputy Sergeant-at-Arms a few days prior to the publication date with a covering letter. Please refer to Appendix D "Guidelines on Report Distribution" for a sample covering letter.

As soon as the annual report has been tabled in the Legislative Assembly, organizations should ensure the document is available to the public on their web site. Hard copies of the document should also be available to the public.

Appendix A

CROWN AGENCIES THAT SHOULD USE THESE WIND-UP GUIDELINES

BC Buildings Corporation
BC Rail - annual report reviewed by CAS
Land and Water BC

GUIDELINES ON REPORT DISTRIBUTION

If the House is Not in Session:

For annual reports that are cleared for distribution when the House is not in session, it is the responsibility of the Minister Responsible for the Crown Agency to officially file a copy of the report with the Office of the Clerk of the House with a covering memo.

Please see the first sample memo attached - memo from the Minister Responsible to the Clerk.

The distribution of reports to MLAs within the Legislative Assembly is the responsibility of the Sergeant-At-Arms. The standard distribution of reports includes, in addition to all MLAs, the Caucus research offices, the Library, the Speaker, the Clerk of the House and the Press. In order to facilitate this activity, it is requested that 104 copies of each annual report be delivered to Room 027 of the Legislature addressed to "*The Sergeant-at-Arms Supply Supervisor*." A note from the Crown Agency should be attached to the outside of the package stating that the report is "*cleared for release*" if the report has already been filed by the responsible Minister.

For reports that have not yet been filed by the Minister Responsible with the Office of the Clerk, i.e. reports that are considered "*embargoed*", please indicate this fact distinctly on each parcel. *Please note:* that due to storage limitations, the Sergeant-at-Arms cannot keep embargoed documents in the lock-up for longer than one week. After that, if not released for distribution (*i.e.* annual report filed by the Minister Responsible with the Clerk), they will be returned to the originator.

Please see the second sample memorandum attached - Memo to the Deputy Sergeant-at-Arms explaining when the report copies can be released for distribution.

Any questions concerning the distribution of reports should be directed to the Deputy Sergeant-at-Arms at 387-0953. Any questions concerning the tabling of reports should be directed to the Office of the Clerk of the House at 387-3785.

FIRST SAMPLE MEMORANDUM

OFFICE OF THE CLERK

SAMPLE MEMORANDUM

(WHEN HOUSE NOT IN SESSION)

From: Crown XXXX

Date:

To: E. George MacMinn, Q.C.
Clerk of the Legislative Assembly
Room 221, Parliament Buildings
Victoria, B.C. V8V 1X4

RE: ANNUAL REPORT FOR XXXXXX

Pursuant to section 18 (a) (ii) of the *Budget Transparency and Accountability Act*, please find attached for filing with your office one copy of the 2005/2006 Annual Report for XXXXX.

Signature
(Minister responsible for the Crown Agency)

SECOND SAMPLE MEMORANDUM

From: Crown XXX

Date:

To: D. V. Adamthwaite
Deputy Sergeant-at-Arms
Room 218
Parliament Buildings
Victoria, B.C. V8V 1X4

Re: 2005/2006 Annual Report For XXXX

Enclosed are 104 copies of the 2005/2006 Annual Report for XXXX for distribution in accordance with your standard distribution plan.

This report was filed with the Office of the Clerk of the House on (Date) and is therefore **cleared** for immediate release.

OR

This report will be filed with the Office of the Clerk of the House by the Minister during the week of (Date) and is therefore **embargoed** until such time as it is filed. (*Note: if the House is still in session on the date the annual report is due to be made public, this sentence should read "This report will be tabled in the House by the Minister on (date) and is therefore embargoed until then."*)

Signature

For additional information on these guidelines, please contact Jill Rogers,
Senior Advisor, Crown Agencies Secretariat, at 250-952-0768.