

## **Give auditor general the info he needs**

Public accounts committee criticizes Tories for withholding revenue data

By DAVID JACKSON Provincial Reporter

The MacDonald government was under fire again Wednesday for not giving the province's financial watchdog all the information around almost \$1 billion in anticipated revenue, information the law says he's entitled to have.

The all-party public accounts committee affirmed Auditor General Jacques Lapointe's right of access to any information he needs to do his job, and it is sending that opinion to the premier, finance minister and head of the Treasury and Policy Board. Tory members on the committee voted against the action.

"The auditor general is the eyes and ears of the public," New Democrat finance critic Graham Steele said. "They're the people who are trying to make sure that things are going right, on behalf of the public.

"Now the government is arguing with them about what information they have. It's not a good sign. A government that's running well doesn't get into fights with its auditor general."

Criticism over the lack of disclosure started two weeks ago when Mr. Lapointe released his latest report.

The report said — and Mr. Lapointe repeated Wednesday — that senior staff in the Finance Department and at the Treasury and Policy Board withheld information related to revenue estimates and financial statements.

On Wednesday, he said his office typically checks all the information around revenue estimates. But in this case, Mr. Lapointe said, the government didn't share information backing up nearly \$1 billion in user fees and other cost recoveries. That's about 14 per cent of total provincial revenue.

Mr. Lapointe said the information he sought included cabinet documents and legal opinions, but he pointed out his office, by its nature, deals with confidential information all the time.

"I was unable to fully complete my job and wasn't able to express an opinion because of the lack of information, so in fact I have to have this information," Mr. Lapointe said.

Premier Rodney MacDonald said he didn't know what specific documents staff didn't give Mr. Lapointe, but he said the government will follow the law.

"We have a responsibility to follow the law and we will do so," he said prior to a cabinet meeting.

The Auditor General Act says that "every officer, clerk or employee of an agency of government shall provide the auditor general with such information and explanation as the auditor general requires and the auditor general shall have free access, at all times, to the

files, records, books of account and other documents, in whatever form, relating to the accounts of any agency of government."

Mr. Lapointe and senior officials from the Finance Department and the Treasury and Policy Board will sit down next month to discuss disclosure. Mr. Steele said if the government still doesn't comply, Mr. Lapointe may have to get a court order to obtain the information.

Angus MacIsaac, head of the Treasury and Policy Board, said there may have been a communication problem.

"We always try to be forthcoming with information. That's, I believe, a hallmark of this government," Mr. MacIsaac said. "We're rather anxious to communicate with him to listen to his concerns."

The Tories have butted heads with the auditor general over user fees in the past.

In former auditor general Roy Salmon's 2000 report, he said there didn't seem to be any rationale for some fees government charged. The report noted a 1998 Supreme Court of Canada decision that struck down probate fees in Ontario because there wasn't a reasonable connection between the fee and the cost of providing the service.

Mr. MacIsaac said the government makes every effort to justify its fees.

Liberal committee member Wayne Gaudet said Nova Scotians deserve to know what's going on in government, and he's upset that Mr. Lapointe didn't get all the information.

Chuck Porter, a Tory on the committee, said he believed cabinet documents should stay confidential.

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