



**Office of the Commissioner for
Federal Judicial Affairs Canada**

**Quarterly Financial Report
for the quarter ended
December 31, 2016**

Statement outlining results, risks, and significant changes in operations, personnel, and program

1. Introduction

This Quarterly Financial Report (QFR) has been prepared by management as required by section 65.1 of the *Financial Administration Act* and in the form and manner prescribed by the Treasury Board Accounting Standard 1.3. This QFR should be read in conjunction with the *Main Estimates* and *Supplementary Estimates*. It has not been subject to an external audit or review.

1.1 Mandate

The Office of the Commissioner for Federal Judicial Affairs (FJA) Canada was created in 1978 under the authority of the *Judges Act* to safeguard the independence of the Judiciary and to put federally appointed judges at arm's length from the administration of the Department of Justice. It exists to promote better administration of justice and focuses its efforts on providing a sound support role to the federal judiciary.

It administers three distinct and separate components that are funded from different sources. Statutory funding is allocated for the judges' salaries, allowances and annuities, and surviving beneficiaries' benefits. Voted appropriations are provided in two separate votes to support the administrative activities of FJA and the Canadian Judicial Council (CJC).

The administration of FJA is structured to reflect the distinctiveness of its role in supporting federal judicial activities. Under the Program Alignment Architecture, in addition to Internal Services, the organization is broken down into three programs: payments pursuant to the *Judges Act*, CJC, and FJA. FJA's organizational priorities are improved financial control framework, succession planning and human resource management, information management and modernization of FJA processes and tools.

Further details about FJA's authority, mandate, and programs can be found below and in FJA's *Report on Plans and Priorities (RPP)*, *Main Estimates* and *Supplementary Estimates (A)* located on FJA's and the Treasury Board websites at www.fja-cmf.gc.ca and www.tbs-sct.gc.ca.

1.2 Basis of Presentation

This QFR has been prepared by management using an expenditure basis of accounting. The accompanying Statement of Authorities includes FJA's spending

authorities granted by Parliament and those used by the department consistent with the *Main Estimates, Supplementary Estimates (A)* and *Supplementary Estimates (B)* for both the 2015-16 and the 2016-17 fiscal years. This QFR has been prepared using a special purpose financial reporting framework designed to meet financial information needs with respect to the use of spending authorities.

The authority of Parliament is required before moneys can be spent by the Government. Approvals are given in the form of annually approved limits through appropriation acts or through legislation in the form of statutory spending authority for specific purposes.

When Parliament is dissolved for the purposes of a general election, section 30 of the *Financial Administration Act* authorizes the Governor General, under certain conditions, to issue a special warrant authorizing the Government to withdraw funds from the Consolidated Revenue Fund. A special warrant is deemed to be an appropriation for the fiscal year in which it is issued.

FJA uses the full accrual method of accounting to prepare and present its annual departmental financial statements that are part of the departmental performance reporting process. However, the spending authorities voted by Parliament remain on an expenditure basis.

2. Highlights of fiscal quarter and fiscal year to date (YTD) results

FJA is financed by the Government through Parliamentary Appropriations (e.g. Statutory Votes for payments pursuant to the *Judges Act* and Employee Benefits Plans (EBP) and Budgetary Votes to support the administration of FJA and CJC).

Vote-netting is a means of funding selected programs or activities wherein Parliament authorizes FJA to apply revenues collected towards costs directly incurred for specific activities. FJA has the authority to spend revenues received during the year arising from the provision of administrative services.

Changes to Departmental Authorities

As at December 31, 2016 the total authorities provided to FJA increased by \$29.2 million compared with the same quarter last fiscal year. This net increase is comprised of:

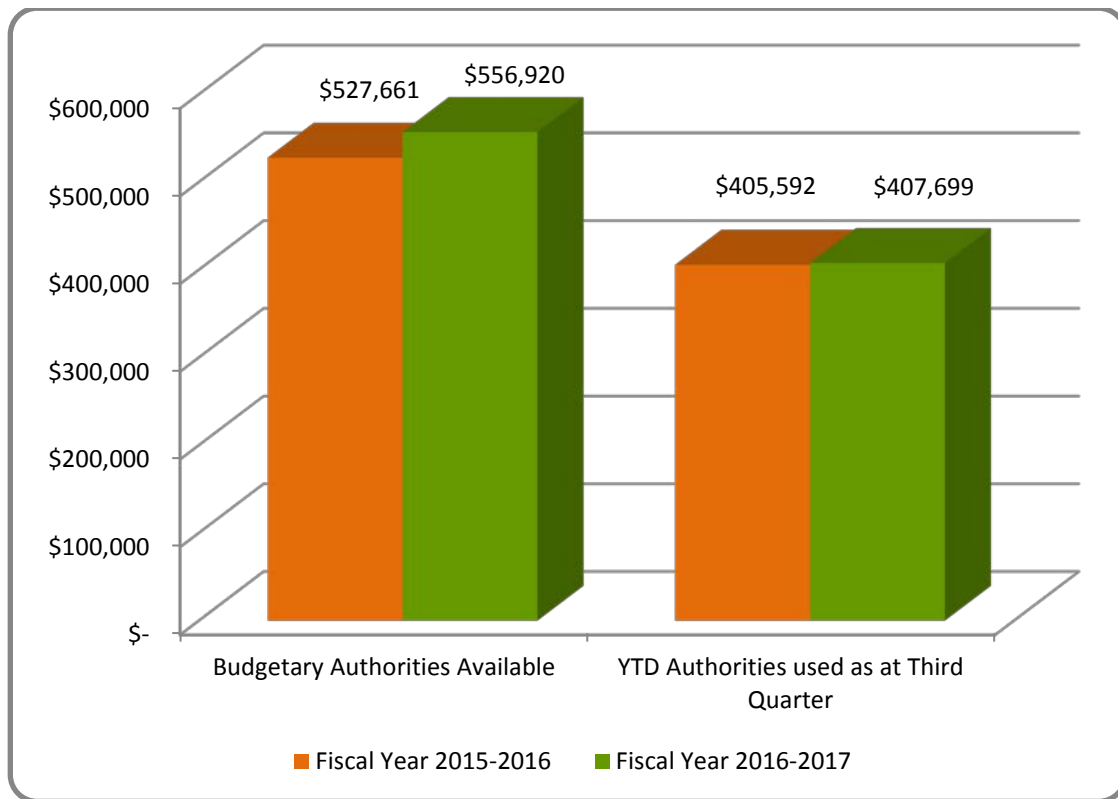
- An increase of \$30.4 million in statutory authorities for judges salaries, allowances and annuities. This increase is mostly due to a high volume of judicial appointments in 2015-16;
- An increase in FJA's operating authorities pertaining to transitional funding to March 31, 2017 for the Quadrennial Judicial Compensation and Benefits Commission of \$0.1 million and the implementation of an independent advisory board to select a new Supreme Court of Canada judge of \$0.2 million;
- A change in allocation of FJA's operating authorities of \$1 million pertaining to transitional funding to March 31, 2017, to cover unforeseeable legal fees for judges and expenses by deputy judges of the Supreme Courts of the Yukon and Northwest Territories. In 2015-16, the amount was fully allotted in *Supplementary Estimates (A)*, where as in 2016-17, the amount has been included as a frozen allotment. This has resulted in an effective decrease to authorities available for use; and
- A decrease in CJC's operating authorities of \$0.5 million pertaining to transitional funding to March 31, 2017 for the costs of complaints, investigations and inquiries under the *Judges Act*.

Changes to Budgetary Expenditures

Overall, FJA's quarterly and year-to-date budgetary expenditures are consistent with that of the previous fiscal year. As at December 31, 2016 the department's total net budgetary expenditures increased by 0.5% (\$2.1 million) compared with the same quarter last fiscal year. This variance is comprised of:

- A year-to date net increase of 0.9% (\$3.3 million) in personnel expenditures (including EBP and judges' salaries, annuities, and surviving beneficiaries' benefits issued pursuant to the *Judges Act*); and
- An overall net decrease of 0.4% (\$1.2 million) for all other non-salary expenditures.

Figure 1: Comparison of Authorities Granted and Used



The chart illustrates the variation in thousands of dollars of the annual budgetary authorities granted and used as at December 31, 2015 and 2016.

As at December 31, 2015 and 2016, FJA planned to spend \$527,661,533 in 2015-16 and \$556,920,085 in 2016-17. Authorities used as at the third quarter totalled \$405,592,285 in 2015-16 and \$407,699,187 in 2016-17.

3. Risks and Uncertainties

FJA's environment is complex due to the range of services it provides and the large number of clients served. Recognizing this context, FJA has developed a risk profile and actively monitors internal and external risks through its management team. Concise information about significant financial risks and uncertainties, the potential impact to FJA's 2016-17 financial plan and the strategies adopted to manage these financial risks and uncertainties are briefly outlined below. Further detail about FJA's internal and external risks can be found in FJA's 2016-17 RPP.

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This QFR reflects the results of the current fiscal period in relation to the *Main Estimates* for which full supply was released on June 23, 2016, *Supplementary Estimates (A)*, *Supplementary Estimates (B)* and the year-end operating budget carry forward.

FJA continues to operate within its existing reference levels, which have remained relatively constant for several years. The lack of new funding and the focus on addressing gaps and deficiencies at the operating level has limited FJA's ability to make investments in new strategic priorities. FJA has responded to these challenges by reallocating internal resources and identifying efficiencies, however, the ability to continue to do so is limited.

4. Significant changes in relation to operations, personnel and programs

As at December 31, 2016, we anticipate higher costs associated with legal fees incurred by judges in defending themselves in light of current judicial inquiries and other such complaints.

5. Approval by Senior Officers

Approved by:

Marc A. Giroux
Deputy Commissioner

Errolyn Humphreys
Chief Financial Officer

Ottawa, Canada

Date: March 1, 2017

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Statement of Authorities (unaudited)

Fiscal year 2016-2017 (in thousands of dollars)

	Total available for use for the year ending March 31, 2017*	Used during the quarter ended December 31, 2016	Year to date used at quarter- end
Vote 1 – FJA – Operating expenditures	8,238	1,737	5,552
Vote 5 – CJC – Operating expenditures	3,100	722	1,676
Less: Vote 1 – FJA – Revenues	(275)	(10)	(23)
Net Operating expenditures	11,063	2,449	7,205
Statutory authorities - EBP	1,018	247	741
Statutory authorities – Judges salaries, allowances and annuities	544,839	138,129	399,753
Total Budgetary Authorities	\$ 556,920	\$ 140,825	\$ 407,699

*Includes only Authorities available for use and granted by Parliament at quarter-end.

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Fiscal year 2015-2016 (in thousands of dollars)

	Total available for use for the year ending March 31, 2016*	Used during the quarter ended December 31, 2015	Year to date used at quarter-end
Vote 1 – FJA – Operating expenditures	8,952	1,803	5,164
Vote 5 – CJC – Operating expenditures	3,590	487	1,632
Less: Vote 1 – FJA – Revenues	(275)	(7)	(16)
Net Operating expenditures	12,267	2,283	6,780
Statutory authorities - EBP	964	241	723
Statutory authorities – Judges salaries, allowances and annuities	514,430	137,048	398,089
Total Budgetary Authorities	\$ 527,661	\$ 139,572	\$405,592

*Includes only Authorities available for use and granted by Parliament at quarter-end.

Departmental budgetary expenditures by Standard Object (unaudited)

Fiscal year 2016-2017 (in thousands of dollars)

	Planned Expenditures for the Year ending March 31, 2017	Expended during the quarter ended December 31, 2016	Year to Date Used at quarter-end
Expenditures			
Personnel <i>-including EBP</i>	514,113	131,567	382,243
Transportation and Telecommunications	23,625	5,265	14,392
Information	134	17	54
Professional Services	13,079	2,959	8,112
Rentals	291	46	138
Purchased Repair and Maintenance	145	19	36
Utilities, materials and supplies	67	15	28
Acquisition of Machinery & Equipment	114	25	83
Other subsidies and payments*	5,627	922	2,636
Total Gross Budgetary Expenditures	557,195	140,835	407,722
Less Revenues netted against Expenditures			
Revenues	(275)	(10)	(23)
Total net budgetary expenditures	\$ 556,920	\$ 140,825	\$ 407,699

**Timing difference – actual expenditures used during the quarter include interdepartmental settlements that were coded to the appropriate standard object in subsequent accounting periods.*

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Fiscal year 2015-2016 (in thousands of dollars)

	Planned Expenditures for the Year ending March 31, 2016	Expended During the Quarter ended December 31, 2015	Year to Date Used at quarter-end
Expenditures			
Personnel -including EBP	484,070	130,455	378,979
Transportation and Telecommunications	31,505	2,735	15,166
Information	165	9	55
Professional Services	3,303	5,207	6,802
Rentals	550	59	136
Purchased Repair and Maintenance	139	(10)	4
Utilities, materials and supplies	269	9	32
Acquisition of Machinery & Equipment	168	125	143
Other subsidies and payments*	7,767	990	4,291
Total Gross Budgetary Expenditures	527,936	139,579	405,608
Less Revenues netted against Expenditures			
Revenues	(275)	(7)	(16)
Total net budgetary expenditures	\$ 527,661	\$ 139,572	\$ 405,592

*Timing difference – actual expenditures used during the quarter include interdepartmental settlements that were coded to the appropriate standard object in subsequent accounting periods.