

TREASURY BOARD DIRECTIVE

TO: Comptroller General

DIRECTIVE: 03/01

SUBJECT: Authority of the Comptroller General to retain money by way of set-off.

AUTHORITY: This directive is issued pursuant to Section 38 of the *Financial Administration Act RSBC 1996 ch. 138*.

APPLICATION: This directive applies to all ministries, offices and appropriations as defined in the *Financial Administration Act*.

DIRECTIVE: Treasury Board hereby confirms past policy and practice and authorizes the Comptroller General to retain money by way of set-off, out of any money due or payable to a person by the government or out of a trust fund, where:

- (a) that person owes money to the government;
- (b) an overpayment has been made by the government; or
- (c) an advance made to that person under section 36 *Financial Administration Act* has not been paid or accounted for.

In this directive, the term "person" includes a corporation, partnership or party, and the personal or other legal representatives of a person.

AMENDMENT OF EXISTING POLICIES: No change; confirming existing Treasury Board Policy as set out in the Financial Management Operating Policy Manual.

EFFECTIVE DATE: August 3, 2000

Joy K. MacPhail
Vice-Chair, Treasury Board