

and if the condition is not performed, it may be enforced, or all proceedings may be had as if there had been no remission.

Recommendation by Treasury Board.

(4) No remission shall be made in any case unless such case has been considered, and the remission, whether total or partial, conditional or unconditional, has been recommended by the Treasury Board, and sanctioned and ordered by the Governor in Council. 5

Refunds to be paid out of Consolidated Revenue Fund.

(5) Refunds made under the provisions of this Act, or of any other Act, may be paid out of any unappropriated moneys in the Consolidated Revenue Fund. R.S., c. 178, s. 91, am. 10

Refunds of parliamentary fees.

34. Refunds of public moneys received in respect of proceedings before the Senate or House of Commons, which are authorized by resolution of the Senate or the House of Commons respectively, or by the rules and standing orders of either House, shall be notified by the proper officer of Parliament to the Minister and shall be paid by him out of the Consolidated Revenue Fund. R.S., c. 178, s. 35 (3), am. 15 20

Refusal of Comptroller to cause payment.

35. If the Comptroller declines to cause an issue of public moneys out of the Consolidated Revenue Fund on the ground that the money is not justly due, or that it is in excess of the authority granted by the Governor in Council or that there is no parliamentary authority, or if he is in disagreement with the deputy head of a department charged with the administration of a particular service as to the state of the unencumbered balance of the appropriation authorized for such service, or if the Auditor General objects, then upon a report of the case being submitted, the Treasury Board shall be the judge of the sufficiency of the objections, and may sustain them, or order payment to be made. R.S., c. 178, s. 42; s. 43; am. 25 30

Objection by Auditor General.

Accounting officers may be designated.

36. The Minister may designate such accounting officers or other clerks or employees in any department or branch of the public service as he may deem necessary for the carrying out of the provisions of this Act, and such officers, clerks or employees shall be under the direction and control of the Comptroller, and the Governor in Council may transfer any of the said officers, clerks or employees to the Department of Finance. 35 40