



**OFFICE OF THE ETHICS COMMISSIONER
PROVINCE OF ALBERTA**

Report

**of the Investigation
under the *Conflicts of Interest Act***

by

**Hon. Marguerite Trussler, Q.C.,
Ethics Commissioner**

into allegations involving

Hon. Jason Kenney

May 24, 2019

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Introduction

By a letter dated May 15, 2019, and received in my Office May 22, 2019, Heather Sweet, MLA for Edmonton – Manning, requested that I conduct an investigation into a potential ethical violation by the Premier of Alberta, Jason Kenney.

The alleged violation arises from a fundraising letter sent by the United Conservative Party soliciting contributions to cover the United Conservative Party's outstanding campaign debt of \$340,000.

The letter in question (which is attached) was signed by "Premier Jason Kenney". The complaint is that the United Conservative Party is using Jason Kenney's position as Premier to fundraise.

Scope and Authority Under Act

Before dealing with the specifics of this complaint, it is instructive to review the Conflicts of Interest Act and the role and powers of the Ethics Commissioner. The Office of the Ethics Commissioner is created by the Conflicts of Interest Act. The Act sets out the obligations of Members and Ministers, as well as the parameters of the jurisdiction of the Ethics Commissioner. The Ethics Commissioner has no power beyond that given in the provisions of the Act. Notwithstanding some broad reaching philosophical provisions in the preamble to the Act, the scope of the Act is narrow in that it only deals with the financial ethics of Members. The object of the Act to make sure no Member or his or her direct associates obtain a financial benefit as a result of being a Member through such things as insider knowledge, influence and inappropriate gifts, to name a few examples. The Act does not deal with moral integrity.

Therefore in considering the complaint, I am restricted to considering whether Premier Kenney furthered a private interest as set out in the preamble, and sections 2 and 3, of the Act.

Fundraising is a political activity. When a Member of the Legislative Assembly fundraises for the Member's party, that Member is furthering a political interest as opposed to a private interest. This distinction has been made by me in the past and by my predecessors, other ethics commissioners and courts across Canada.

Signing a fundraising letter as "Premier Jason Kenney" is furthering a political activity and, in so signing, Premier Kenney did not contravene the Conflicts of Interest Act.

Findings and Conclusion

I am not deciding whether signing a letter as "Premier" to fundraise for a party offends the dictionary or generally held view of the meaning of ethical, or is appropriate practice, as such a determination does not fall within the jurisdiction of the Conflicts of Interest Act.

If I were asked, I would suggest that this practice be avoided because it is not considered appropriate to use a government office (eg. Premier, Minister) to raise funds for a political party, but is not prohibited by the Conflicts of Interest Act.

A handwritten signature in blue ink, appearing to read "M. Trussler".

Hon. Marguerite Trussler, Q.C.
Ethics Commissioner