



Office of the Ethics Commissioner

Candidates Seeking Provincial Election

2022

Candidates seeking election are not required to disclose personal information under the Conflicts of Interest Act. However, upon election to the Legislative Assembly, and being sworn in as a Member, the Office of the Ethics Commissioner of Alberta will provide the Member with disclosure forms which must be completed by the Member within 60 days. Once disclosure is completed, a meeting with the Ethics Commissioner is required. Thereafter, each calendar year, a Member is required to submit, upon request, a new disclosure statement and attend a meeting with the Ethics Commissioner.

What is the disclosure process?

The Conflicts of Interest Act requires Members to disclose all income, assets, liabilities, and financial interests of the Member, the Member's spouse or adult interdependent partner and minor children. The Member must also disclose any corporations controlled by the Member or the Member's spouse or adult interdependent partner as a director, senior officer or shareholder. Financial statements are required for all corporations or businesses. Members must also disclose any outstanding legal proceedings and any arrears of maintenance.

The decision whether a corporation is controlled by a Member or a Member's spouse or an interdependent partner is in the discretion of the Ethics Commissioner.

Following the review of the disclosure forms, and an in-person meeting with the Ethics Commissioner, the Office of the Ethics Commissioner of Alberta prepares a list of income, assets, liabilities, and financial interests of the Member. This information is then placed, without specific dollar amounts, into a public disclosure statement which is made available to the public. Public disclosure statements help ensure accountability.

Can a Member still own or run a business?

Business interests and operations may be continued by Members unless they are appointed to Executive Council. Candidates may wish to consult with the Office of the Ethics Commissioner of Alberta to discuss possible impacts to business operations and other restrictions prior to seeking a nomination.

Restrictions on Members of Executive Council and Leader of the Official Opposition

The Conflicts of Interest Act limits the business activities of Executive Council and the Leader of Her Majesty's loyal opposition. Members of Executive Council and the Leader of the Official Opposition may not engage in employment or in the practice of a profession, carry on a business or hold an office or directorship except in a social club, religious organization or political party.

It should be noted that, as a result, Members of Executive Council and the Leader of the Official Opposition are not allowed to own and rent residential or commercial properties unless the properties are part of a management arrangement. Executive Council members are allowed to continue to maintain professional qualifications, subject to some restrictions.

Members of Executive Council and the Leader of the Official Opposition are prohibited under the Conflicts of Interest Act from owning publicly traded securities unless held in a blind trust.

What if Members have dealings with ATB?

Members, spouses, adult interdependent partners and their private corporations are not permitted to enter into a contract to borrow money from Alberta Treasury Branches (ATB) after the Member is elected. This limitation also impacts a Member's ability to increase a line of credit with ATB and from being in an overdraft position on an ATB bank account. Members are not required to transfer their ATB mortgages to another financial institution upon election but should be prepared to do so when the mortgage comes up for renewal or renegotiation.

Government Employees

Employees of the government or any of its agencies cease to be employed if elected. As a result, a leave of absence is not available.

What else does a candidate need to know?

The Conflicts of Interest Act prohibits Members from using their influence or position to further the private interests of themselves, their spouse, minor children, and any corporation controlled by them or any combination of them. There are also restrictions with respect to Members' acceptance of gifts, travel on non-commercial aircraft, Members or their direct associates contracting with, or receiving certain benefits from, the Crown, and post-employment restrictions for members of Executive Council.

This brochure is of a general application and nature and is not intended to be a substitute for official advice from the Office of the Ethics Commissioner of Alberta. Please consult www.ethicscommissioner.ab.ca or contact the Office of the Ethics Commissioner at 780-422-2273 or info@ethicscommissioner.ab.ca to discuss specific questions.