

Annual Report

Office of the Ethics
Commissioner of Alberta

April 1, 2024, to March 31, 2025

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COMMISSIONER'S MESSAGE

It is my pleasure to submit my second annual report for the Office of the Ethics Commissioner. This report covers the period April 1, 2024, to March 31, 2025.

The primary work of this office is conducted pursuant to the requirements and authorities found in the *Conflicts of Interest Act*. This legislation is intended to ensure Members of the Legislative Assembly, Designated Office Holders, Senior Officials, Designated Senior Officials and Premier's and Ministers' staff do not use their public office to improperly further their, their direct associates' and in some cases third parties' private interests. This helps preserve the public's confidence that elected officials and others serving in a public service role are acting in the public interest without consideration for their own specific private interests.

This is accomplished by reviewing the financial affairs of these individuals, with the exception of Senior Officials, annually with a view to identifying any possible conflicts of interest between their public roles and their private interests. The advice we provide, if followed, protects these individuals. This office also provides advice with respect to the various requirements under the *Conflicts of Interest Act* that may apply in specific circumstances.

Generally, based on third party requests for investigation where the request contains sufficient grounds and particulars to warrant an investigation, we will conduct investigations and provide reports to the parties as prescribed in the *Conflicts of Interest Act*.

The Ethics Commissioner is also responsible for the administration of the *Lobbyists Act*. The *Lobbyists Act* enhances the integrity and accountability of government by fostering openness and transparency about who is influencing the decisions of public office holders. For example, the *Lobbyists Act* forbids a person from simultaneously performing the activities of lobbying and providing paid advice to Government and prescribed Provincial entities, unless an exemption is given. The Office of the Ethics Commissioner maintains an electronic lobbyist registry system accessible through our website that enables online registration by lobbyists and allows searches by the general public as way of ensuring the public is aware of the activities of lobbyists.

I am pleased to say that I have joined a busy office which has both the privilege of and responsibility for administering the *Conflicts of Interest Act* and the *Lobbyists Act*. We deal with a variety of issues, many of which are both complex and sensitive. Given these significant responsibilities, we continually evaluate our work and have been considering our work with a view to ensuring we are doing it in the most effective and efficient way possible.

Finally, I would like to thank the team I work with on a daily basis. They are dedicated, knowledgeable and experienced professionals who take seriously the responsibility we have been given. They continue to be of great assistance in helping me in my role as Ethics Commissioner.

Shawn McLeod
Ethics Commissioner of Alberta

MANDATE

The *Conflicts of Interest Act, RSA 2000, c.C-23*, was passed in 1991 and created the Office of the Ethics Commissioner of Alberta. The Ethics Commissioner is an Officer of the Legislature and is appointed by an Order in Council following a motion in the Legislative Assembly approving the appointment. The Office also has responsibilities under the *Lobbyists Act, SA 2007, c L-20.5*, under which the Ethics Commissioner appoints the Lobbyist Registrar, and Part I of the *Public Service Act*.

The Ethics Commissioner reports to the Legislative Assembly through the Speaker and files annual reports and investigation reports with the Speaker for tabling in the Legislature. The Ethics Commissioner presents budgetary estimates through the Standing Committee on Legislative Offices. The Legislative Assembly approves the budget for the Office of the Ethics Commissioner.

CONFLICTS OF INTEREST ACT

Through the *Conflicts of Interest Act*, and the *Public Service Act*, the Office of the Ethics Commissioner:

- Promotes an understanding of obligations of Members of the Legislative Assembly, Designated Office Holder, Designated Senior Official, and political staff under the Acts;
- Receives financial disclosure statements from Members, Designated Senior Officials, Designated Office Holders and political staff in the Premier's and Ministers' offices;
- Provides advice to current and former Members, political staff, Designated Senior Officials, and Designated Office Holders;
- Provides advice to individuals governed by post-employment restrictions; and
- Hear appeals pertaining to conflict of interest decisions of Deputy Ministers under the Code of Conduct for the Public Service of Alberta.
- Investigates alleged breaches of the *Conflicts of Interest Act* by Members, Designated Senior Officials, political staff and breaches of the conflicts of interest and post-employment provisions of the *Public Service Act* by Designated Office Holders.

LOBBYISTS ACT

The *Lobbyists Act* is intended to enhance the integrity and accountability of government by fostering openness and transparency about who is influencing decisions made by public office holders. The *Lobbyists Act* establishes two categories of lobbyists: consultant lobbyists and organization lobbyists. The *Lobbyists Act* prohibits a person from lobbying the Government or a prescribed provincial entity and providing paid advice at the same time, and from lobbying in respect of a subject matter if a person associated with them provides paid advice to Government or a prescribed provincial entity on that subject matter (and vice versa), unless an exemption is granted.

The requirement to register as an organization lobbyist applies once a lobbyist performs, or is required to perform, over 50 hours of lobbying annually (including preparation time), either individually or collectively with others in their organization. However, some lobbyists, as a matter of practice, register before they reach the threshold. Consultant lobbyists are required to register within ten days of entering into an undertaking to lobby. The Office of the Ethics Commissioner maintains a web-based lobbyist registry system and database. It is searchable by the general public. The registry provides openness and transparency by:

- Recording the identities and activities of people paid to lobby public office holders;
- Recording the identities of organizations and clients who pay lobbyists to lobby public office holders on their behalf;
- Allowing lobbyists to file, update, renew and terminate registrations by submitting returns and notices for acceptance into the system; and
- Allowing public scrutiny.

The registry allows access 24 hours per day, seven days per week, for both the public and lobbyists.

The Ethics Commissioner may authorize any individual in the Office of the Ethics Commissioner to act as Registrar and to perform any of the powers, duties or functions of the Registrar under the *Lobbyists Act*. The Ethics Commissioner delegates the administrative and enforcement responsibilities of the Registrar to the Lobbyist Registrar, who is also the General Counsel to the Ethics Commissioner.

Under the *Lobbyists Act*, certain powers and responsibilities are reserved for the Ethics Commissioner and cannot be delegated, including:

- Exemptions from the contracting prohibitions in s. 6 of the *Lobbyists Act* (e.g. allowing a person to provide paid advice to government while at the same time lobbying the government), with or without conditions;
- Issuing advisory opinions and interpretation bulletins; and
- Banning serious offenders from lobbying.

The Ethics Commissioner reports to the Legislative Assembly through the Speaker of the Legislative Assembly on investigations under the *Lobbyists Act*. If the Legislature is sitting, the report is tabled. If the Legislature is not sitting, the report is distributed to Members, after which the Ethics Commissioner may make the report public. A report provided when the Legislature is not sitting is tabled when the Legislature next sits.

DISCLOSURE PROCESS

This year, all Members of the Legislative Assembly, Designated Office Holders, Designated Senior Officials and political staff complied with their obligation to file disclosure statements. However, several were late in filing and had to be reminded they were late and would be subject to an administrative penalty if the disclosure was not filed within a set period of time. This year, 10 warning letters and 4 administrative penalties were assessed.

Disclosure statements include information about the Member, Designated Office Holder, Designated Senior Official or political staff, spouses or adult interdependent partners and minor children. It requires disclosing:

- All assets, liabilities and liabilities of the individual, their spouse or adult interdependent partner, minor children and private corporations controlled by the individual their spouse, adult interdependent partner and children.
- Any income received in the previous twelve months.
- Any legal proceedings brought against them and any taxes owing.
- Arrears in maintenance payable.
- Any non-commercial or private aircraft travel.
- Gifts over \$250.

The Office of the Ethics Commissioner received private disclosures from 87 Members and met with each Member personally to discuss their disclosure. Public disclosure statements are posted on the Office of the Ethics Commissioner website sometime after the Member's meeting with the Ethics Commissioner.

Designated Office Holders are required to submit disclosure statements under the *Public Service Act* and Designated Senior Officials are required to submit disclosure statements under the *Conflicts of Interest Act*. Disclosure meetings were conducted with all Designated Office Holders and all Designated Senior Officials. There are no public disclosure statements for Designated Office Holders or Designated Senior Officials.

Members of the Premier's and Ministers' Staff, including Chiefs of Staff, Press Secretaries, and Ministerial Assistants are also required to provide financial disclosure to the Office of the Ethics Commissioner. There are no public disclosure statements for political staff.

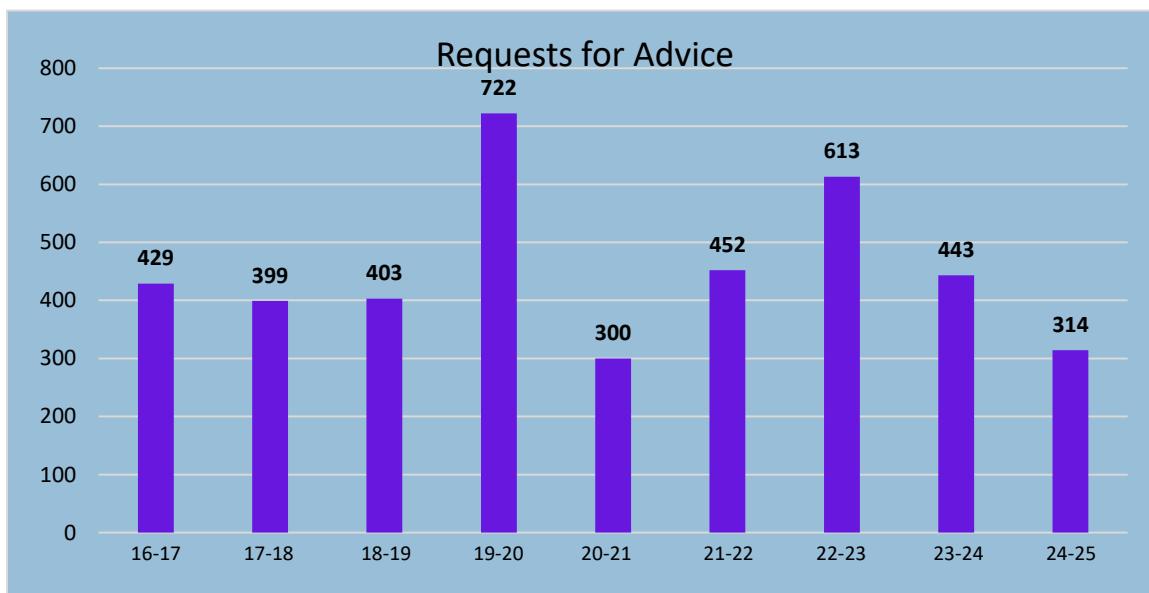
Number of individuals who were late in submitting all disclosure information

Category of Filer:	Compliance:
Members of the Legislative Assembly	6 late filing warning letters were issued
	1 MLA was issued an administrative penalty
Designated Office Holders	1 late filing warning letter was issued
	1 DOH was issued an administrative penalty
Political Staff	2 late filing warning letters were issued
	2 political staff members were issued an administrative penalty
Designated Senior Officials	1 late filing warning letter was issued
	0 DSOs were issued an administrative penalty

REQUESTS FOR ADVICE

Members, Designated Office Holders, Designated Senior Officials, and political staff may seek advice from the Ethics Commissioner about their obligations under the *Conflicts of Interest Act* and Part 2 of the *Public Service Act*. The request is generally required to be in writing and advice is also generally given in writing.

Total Requests for Advice under the Conflicts of Interest Act 2024-25



Breakdown of Requests for Advice

Types of Advice	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
Gifts	61	200	276	217	126
Post-Employment	24	87	166	125	45
Outside Activities	39	19	23	28	8
Investments	59	54	58	13	33
Family	9	6	19	7	8
Constituency Issues	4	5	7	6	3
Codes of Conduct	10	4	5	2	16
Contracts with the Crown	5	4	1	0	2
Taking Part in Decisions	24	5	8	11	15
Conflicts of Interest/Other	38	28	21	12	17
Reviewing SO Appointments	5	12	12	8	4
Concurrent Employment	22	28	17	14	37
Total	300	452	613	443	314

Gifts

Members seek advice about the acceptability of gifts or other benefits, such as invitations to events, as well as their obligations with respect to recording and reporting of gifts and other benefits.

Post-Employment

Post-employment questions arise from departing Ministers, Designated Office Holders, Designated Senior Officials and political staff.

Outside Activities

Questions regarding outside activities almost exclusively deal with volunteer board activities in community organizations and clarification on external business activities.

Investments

Investment requests relate to blind trusts and personal investments of the individual or their family and how such investments may be held. Where potential conflicts existed, appropriate steps were taken by the parties to remove themselves from the situation prior to a conflict arising.

Family

Questions involving family members involve either the employment or activities of a spouse or child.

Constituency Issues

Questions relate to assisting constituents, using the constituency allowance for social obligations within the constituency. Where questions about the Member's constituency allowance fall within the mandate of the Office of the Speaker, the Member is referred to the Legislative Assembly Office.

Codes of Conduct

Agencies, boards and commissions seek advice regarding the requirements for Codes of Conduct under the *Conflicts of Interest Act*.

Contracts

Contract questions are often raised by individuals about their dealings with Alberta Treasury Branch, and by others regarding other business, financial or Crown contracts.

Taking Part in Decisions

Generally, individuals consider their personal holdings and those of close family members and ask whether it is appropriate to participate in a decision before the Legislative Assembly or one of its committees, or before Executive Council or one of its committees. The Office of the Ethics Commissioner advises whether a private interest is involved and, if so, what steps the individual must take in light of the private interests.

Conflicts of Interest/Other

This is a general category where requests for advice do not fall within the other categories but do fall within the general scope of the *Conflicts of Interest Act*.

Reviewing Senior Official Appointments and Vetting of Potential Board Member Appointments

Sometimes, as part of the screening and hiring process, potential conflicts of interest issues arise with certain candidates for certain senior government or board positions. In these cases, or in cases where it is prudent to ensure there are no underlying conflict of interest issues, the Office of the Ethics Commissioner may review selected candidate's backgrounds and investment holdings to ensure there are no issues and provide related advice.

Concurrent Employment

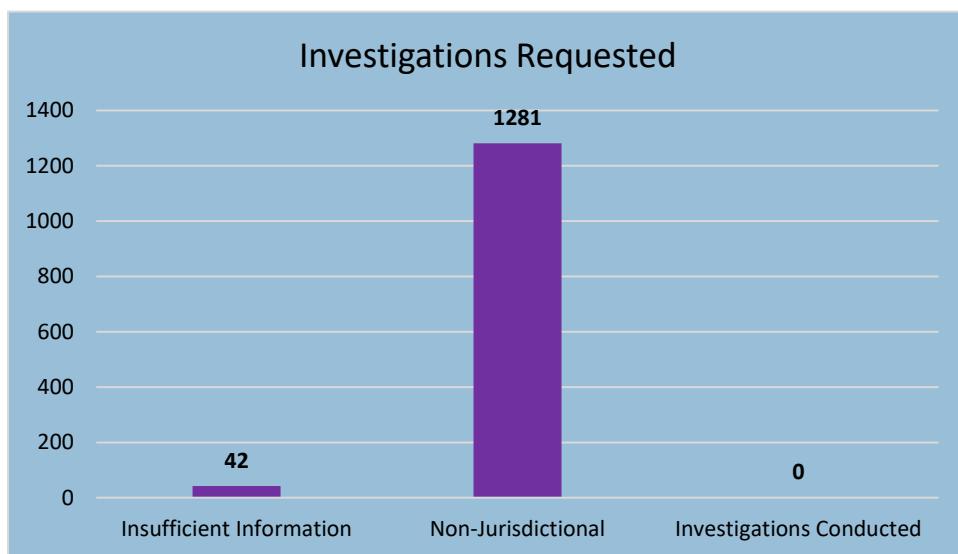
Designated Senior Officials and Chief Executive Officers of certain public agencies are required to obtain the Ethics Commissioner's approval for any outside employment. There were 37 requests for concurrent employment approval made by Designated Senior Officials in 2024-2025.

REQUESTS FOR INVESTIGATION

Investigation requests, once received, are considered and then acted upon accordingly. If sufficient grounds are provided, and the issue is within the jurisdiction of the Office of the Ethics Commissioner, an investigation is conducted.

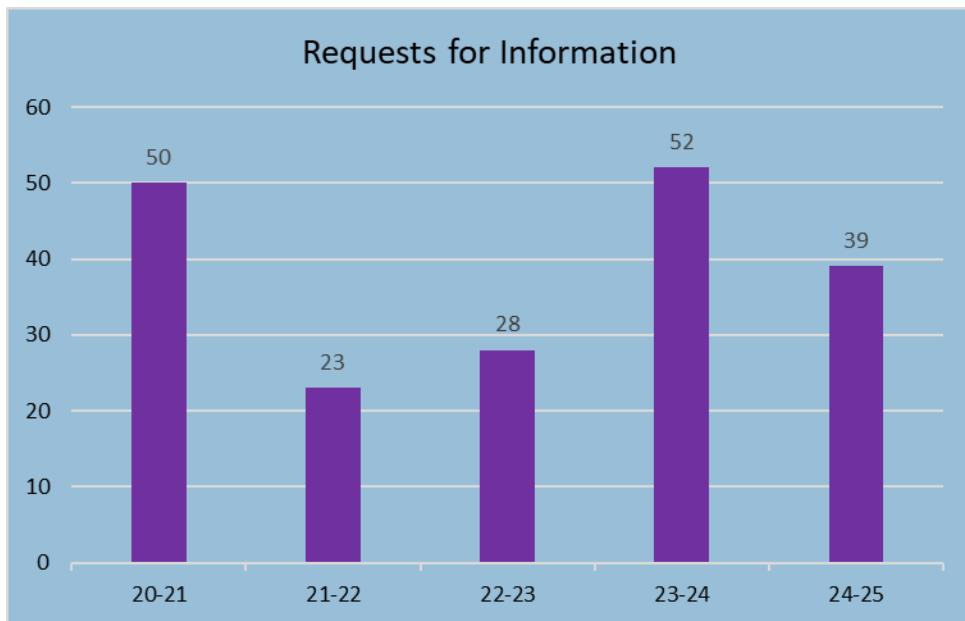
Request for Investigations by Category 2024-2025 Total: 1323 (up from 95 last year)

Of the 1323 requests for investigation, the Office of the Ethics Commissioner found that the Office did not have jurisdiction (1281 cases), or insufficient information (42 cases) was provided to warrant an investigation. Investigation reports are tabled in the Legislative Assembly and can also be found at: <http://www.ethicscommissioner.ab.ca/publications/investigation-reports>.



REQUESTS FOR INFORMATION

The Office of the Ethics Commissioner received 39 requests for information this year, down from 52 the year prior. The majority of requests were from individuals seeking clarification about the Office of the Ethics Commissioner's mandate and the relevant legislation. Information requested concerned employment standards, professional standards and conduct, Member compensation, post-employment, blind trusts, gift acceptance, public disclosure, conduct in non-profit organizations and legislation surrounding investigations. Persons who could not be assisted were referred, where possible, to the appropriate office that could answer the inquiry.



CODE OF CONDUCT REVIEWS

The Office of the Ethics Commissioner reviews and approves the Codes of Conduct of various agencies, boards and commission under Part 4.3 of the *Conflicts of Interest Act*. This year, the Office of the Ethics Commissioner approved Codes of Conduct for six (6) new agencies.

BUDGET AND FISCAL UPDATE

The Office of the Ethics Commissioner continually ensures prudent expenditure of public funds and strives to find internal efficiencies and savings wherever possible and reasonable. Full copies of the 2024-25 audited financial statements are located on the Office of the Ethics Commissioner website: <http://www.ethicscommissioner.ab.ca/publications/annual-reports/>.

	2022-2023 Budget	2022-2023 Actual	2023-2024 Budget	2023-2024 Actual	2024-2025 Budget	2024-2025 Actual
Salaries and Employee Benefits	\$789,000	\$783,200	\$798,000	\$829,749	\$867,000	\$909,556
Supplies and Expenses	\$186,500	\$121,369	\$201,500	\$140,135	\$154,000	\$137,852
Capital Acquisitions	n/a	n/a	n/a	n/a	n/a	n/a
Total	\$975,500	\$904,569	\$999,500	\$969,884	\$1,021,000	\$1,047,408
Budget Allocation Variance	n/a	\$70,931 (surplus)	n/a	\$29,616 (surplus)	n/a	(\$26,408) (deficit)

Note: As noted on page 8 of the Office of the Ethics Commissioner audited financial statements posted on the office website, of the \$26,408 deficit, \$24,651 of that deficit pertains to accrued vacation pay for employees.

EVENTS AND CONFERENCES

Participating in annual conferences is very beneficial to further the work of the Office. Conferences provide the Office of the Ethics Commissioner the opportunity to exchange information with peers on issues of common interest and to review legislative and regulatory differences and trends. The office attended the Canadian Conflicts of Interest Network (CCOIN) conference and the Lobbyists Registrars and Commissioners Network (LRCN) conference in 2025.

PUBLICATIONS

Review of brochures and guides is undertaken on an ongoing basis to ensure they are current. Educational information is reviewed to ensure it is as user-friendly as possible. Brochures and bulletins on the public website are reviewed and updated as needed.

PUBLIC INTEREST DISCLOSURE ACT REPORTING

The *Public Interest Disclosure Act* requires the Office of the Ethics Commissioner to disclose in this annual report whether or not any public interest disclosures were made to the office under the *Public Interest Act*, whether any investigations were conducted, and the results of any investigations conducted. The Office of the Ethics Commissioner of Alberta received no disclosures, and conducted no investigations, under the *Public Interest Disclosure Act* during the fiscal 2024-25 reporting year.

LOBBYISTS ACT AND REGISTRY UPDATE

REGISTRAR'S MESSAGE

The Alberta Lobbyist Registry continues to see growth in the number of registrations and the number of lobbyists registered in Alberta, with 1,088 active registrations as of March 31, 2025 compared to 998 active as of March 31, 2024. This growth has been modest but steady since the inception of the Lobbyist Registry in September 2009.

The Lobbyist Registrar and staff continued to respond to requests for guidance and assistance and review registrations to ensure compliance with the *Lobbyists Act*. The volume of requests for guidance and assistance with using the Lobbyist Registry remained consistent with recent years. Lobbyists are encouraged to continue to reach out to this office for any guidance or assistance that is required.

Regarding enforcement, no formal investigations were conducted. Two administrative penalties were issued for a total of \$800.00 this year for failure to comply with registration deadlines. One organization had its registration removed from the Lobbyist Registry for failure to comply with the requirement to file a return.

The *Lobbyists Act* and its regulations were not amended during this year. However, the Lobbyist Registrar continued to update the website resources as needed, including updates to guidance on the acceptability of gifts offered by lobbyists and updates to reflect changes brought about by the ongoing health system restructuring.

REQUESTS FOR AND PROVISION OF GUIDANCE

As part of a proactive approach to achieving compliance with the *Lobbyists Act*, the Lobbyist Registrar continued to respond regularly to requests for guidance from lobbyists, potential lobbyists, and others about the *Lobbyists Act* provisions, as well as to requests for assistance with using the Lobbyist Registry application and website.

The Registrar regularly addressed questions and provided guidance about:

- whether a particular organization or individual is subject to the *Lobbyists Act* and needs to register in the Lobbyist Registry;
- the applicable registration deadlines and requirements;
- whether certain information must be disclosed in a registration in the Lobbyist Registry and how to disclose the required information;
- whether certain activities fall within the definition of “lobby” and the scope of the *Lobbyists Act*;
- the contracting prohibitions, the prohibition on contingent payments, and the ‘prohibited gifts’ provision in the *Lobbyists Act*;

- how to set up an account in the Lobbyist Registry;
- how to change a password, account user, or account information in the Lobbyist Registry;
- how to complete, submit, update or terminate a registration in the Lobbyist Registry.

This year, the Lobbyist Registrar received and addressed at least 145 requests for information or guidance about the interpretation and application of the *Lobbyists Act* and at least 615 requests for assistance with using the Lobbyist Registry application and website. These numbers are approximate and based on internal efforts to track all requests received and answered.

In addition to responding to requests on an individual basis, the Registrar continued to send courtesy emails to all individuals with an active user account in the Lobbyist Registry to remind or notify them of important and timely *Lobbyists Act* issues where necessary.

The Registrar also continued to regularly review and enhance the resources on the Lobbyist Registry website and in the Lobbyist Registry application to give detailed and clear guidance about the *Lobbyists Act* and Lobbyist Registry on a proactive, transparent, and widespread basis. During this fiscal year, the Registrar:

- updated the FAQ on the Lobbyist Registry website;
- created and added new FAQ to the Lobbyist Registry website;
- updated the question text and help icon content in registration and request forms in the Lobbyist Registry application;
- reviewed and updated existing guidance documents on the Lobbyist Registry website.

INFORMATION ON FILING REGISTRATIONS

As in previous years, the Lobbyist Registrar continued to review registrations submitted to the Lobbyist Registry to ensure compliance with the applicable registration requirements. This involved making inquiries of and following up with lobbyists with a view to having them accurately and transparently disclose all information required to be disclosed in their registrations pursuant to the *Lobbyists Act*, including lobbying activities, lobbyist information, and organization or client information. However, lobbyists remain liable for ensuring that the information that they provide in their registrations is forthright, coherent, complete, up-to-date, and accurate.

This office also continued to issue courtesy reminders and notifications to *registered* lobbyists about their filing deadlines and to *unregistered* users (i) who had set up an account in the Registry but never created or filed any registrations or (ii) who had an account in the Registry and had created a draft registration but never completed or filed the draft. Although ultimately it remains lobbyists' responsibility to ensure that they complete and submit any necessary registrations within the timelines required by the Act, we continue to carry out those services with a view to promoting compliance, to assisting users with fulfilling their filing obligations, and to preventing or mitigating breaches of the registration requirements at the earliest opportunity.

As in past years, this office also continued to compile and post quarterly ‘Lobbyist Registry Reports’ on the Lobbyist Registry website, which provide basic statistics about active registrations.

INVESTIGATIONS AND ENFORCEMENT

While this office continues to take a proactive approach to compliance, lobbyists remain responsible for ensuring that they are familiar and comply with their obligations under the Act.

The Lobbyist Registrar and Ethics Commissioner have enforcement powers available to encourage compliance with the Act, including the ability to remove a return from the Lobbyist Registry if a lobbyist does not comply with certain filing requirements under the Act, the ability to commence an investigation and/or impose an administrative penalty, and, if a lobbyist is convicted of an offence, the ability to impose a prohibition from lobbying and from filing or having a return filed for a period of up to two years.

During the fiscal year, the Registrar continued to make inquiries of and follow up with lobbyists and potential lobbyists to determine whether they have breached or are in breach of the *Lobbyists Act* and to seek explanations for any non-compliance. The main goal of these inquiries is to ensure that lobbyists and potential lobbyists are following the legislation. However, these inquiries are also carried out with a view to determining whether a warning, an administrative penalty, and/or other enforcement action is necessary to achieve compliance with the *Lobbyists Act* provisions.

The Lobbyist Registrar issued the following two administrative penalties this year totaling \$800.00.

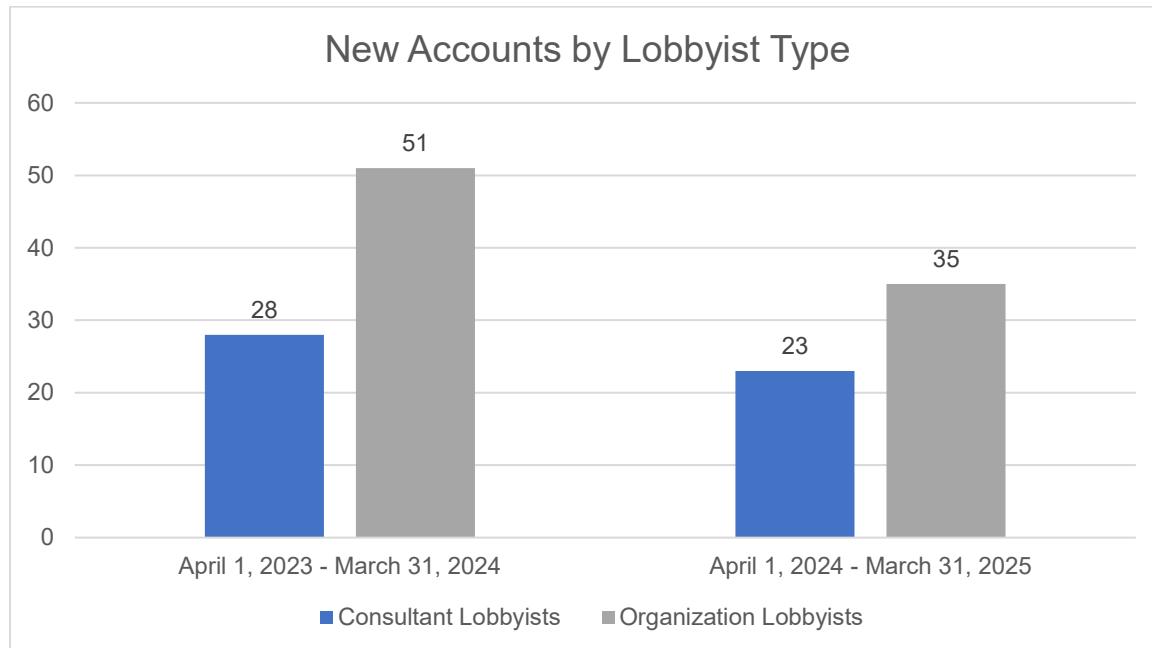
- An administrative penalty of \$300.00 was issued to the designated filer of an organization lobbyist for a failure to comply with the obligation to file the organization’s semi-annual renewal return by the legislative deadline. The designated filer had no history of non-compliance with the registration deadlines.
- An administrative penalty of \$500.00 was issued to the designated filer of a consultant lobbyist for a failure to comply with the obligation to file an Initial Return in respect of an undertaking to lobby within ten (10) days after entering into the undertaking. The designated filer had a history of non-compliance with the registration deadlines.

The Lobbyist Registrar also removed one organization’s registration from the Lobbyist Registry for failure to comply with the requirement to file a return. A Notice of Removal of Registration was posted on the Lobbyist Registry website in accordance with section 11(11).

STATISTICAL YEAR IN REVIEW

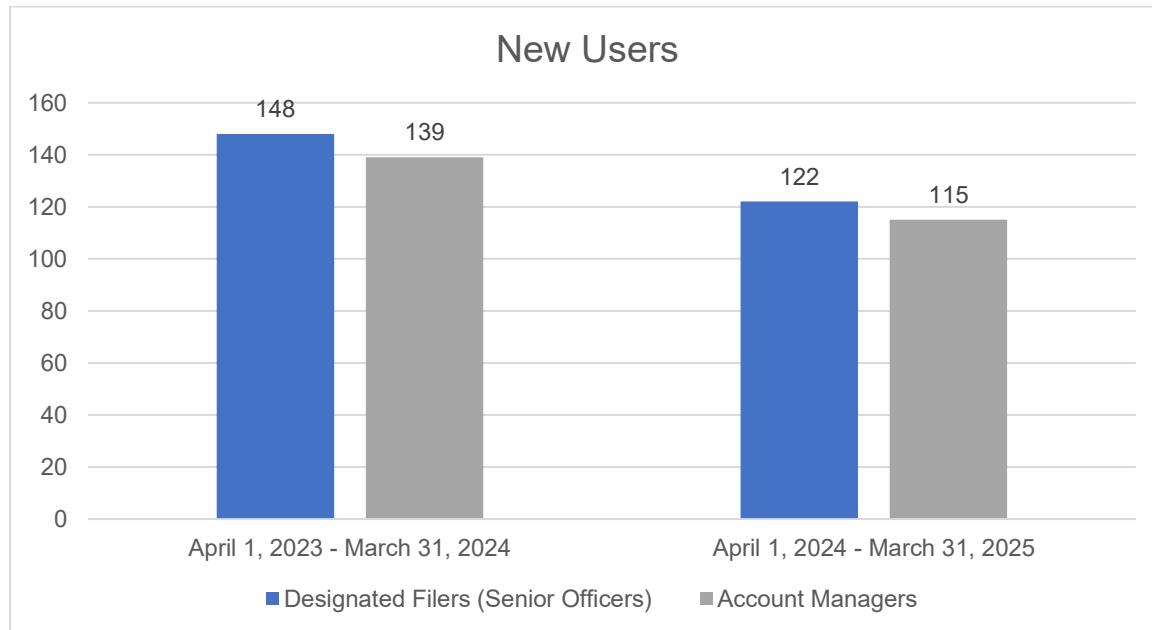
New Accounts by Lobbyist Type between April 1, 2024 - March 31, 2025

Provides a count of all new organization accounts in the Registry by lobbyist type. There are two types of lobbyists: consultant lobbyists and organization lobbyists.



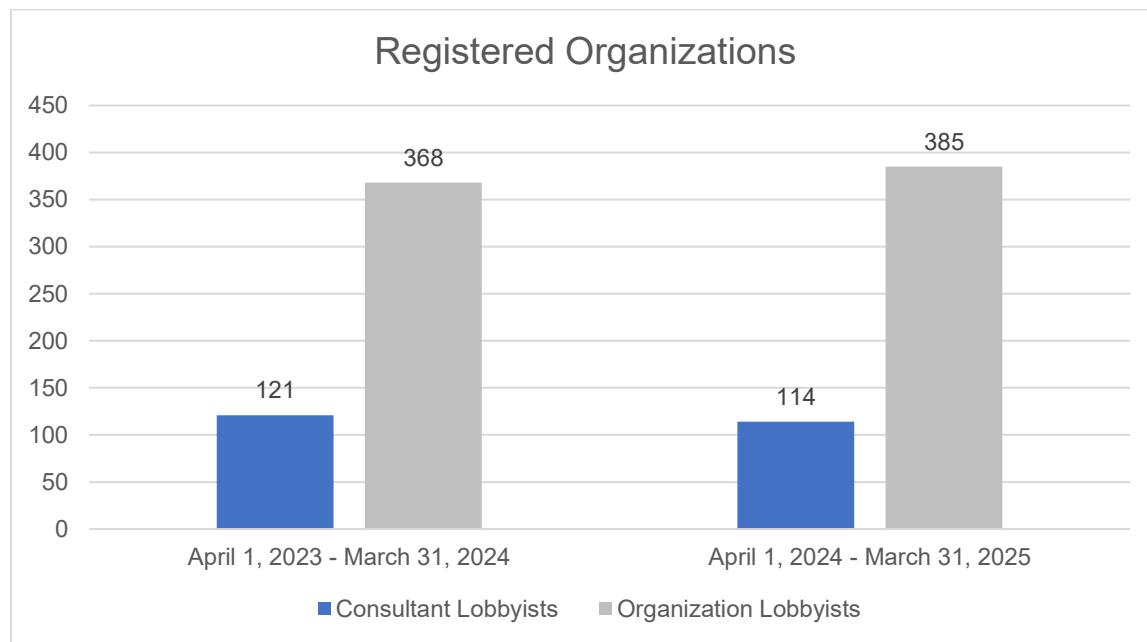
New Users between April 1, 2024 - March 31, 2025

Provides a count of all new users in the Registry by user account type. There are two types of user accounts: designated filers and account managers.



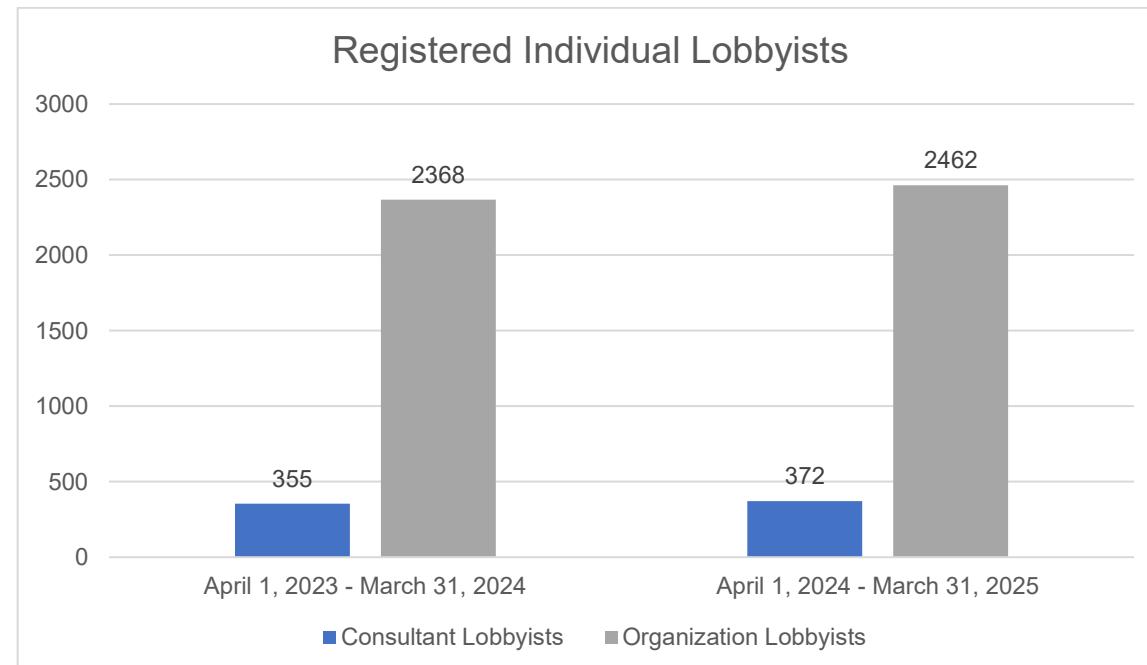
Registered Organizations by Lobbyist Type as of March 31, 2025

Provides a count of all organizations that have one or more active registrations by lobbyist type. There are two types of lobbyists: consultant lobbyists and organization lobbyists.



Registered Individual Lobbyists by Lobbyist Type as of March 31, 2025

Provides a count of all individuals registered as lobbyists by lobbyist type. There are two types of lobbyists: consultant lobbyists and organization lobbyists.



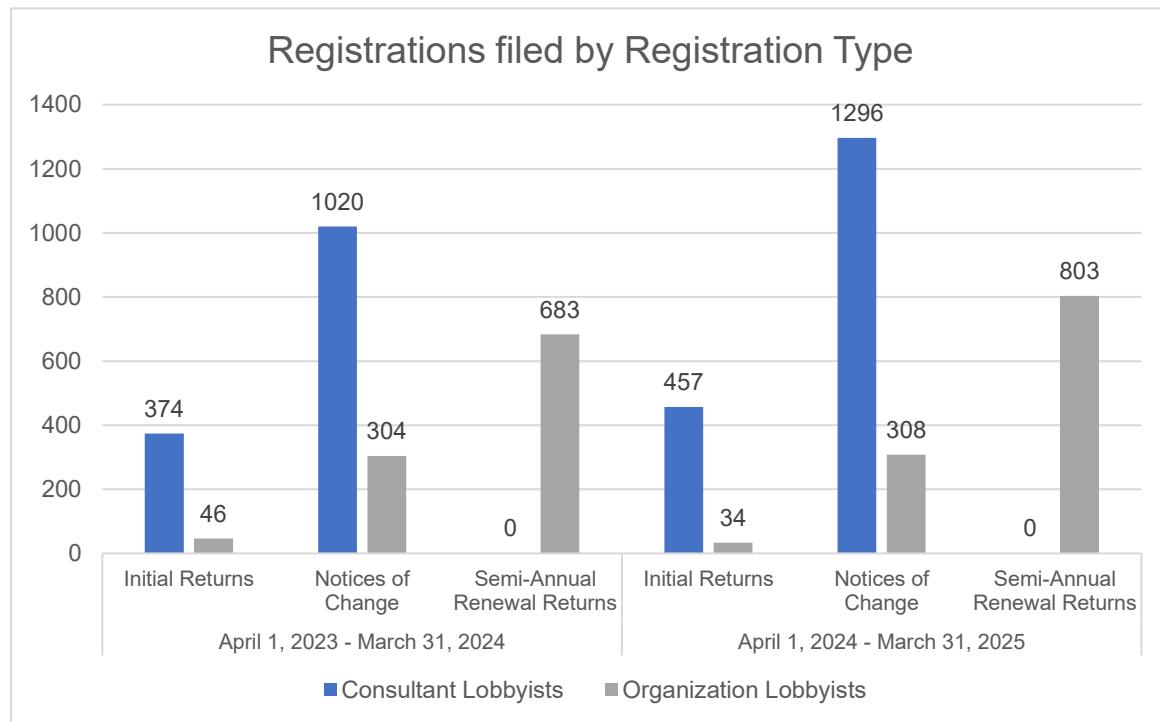
Active Registrations by Lobbyist Type as of March 31, 2025

Provides a count of all active registrations for each lobbyist type. Since an initial return must be filed for each undertaking to lobby on behalf of a client, many consultant lobbyists have multiple registrations in the Registry at the same time. An organization lobbyist only has one registration in the Registry at any given time.



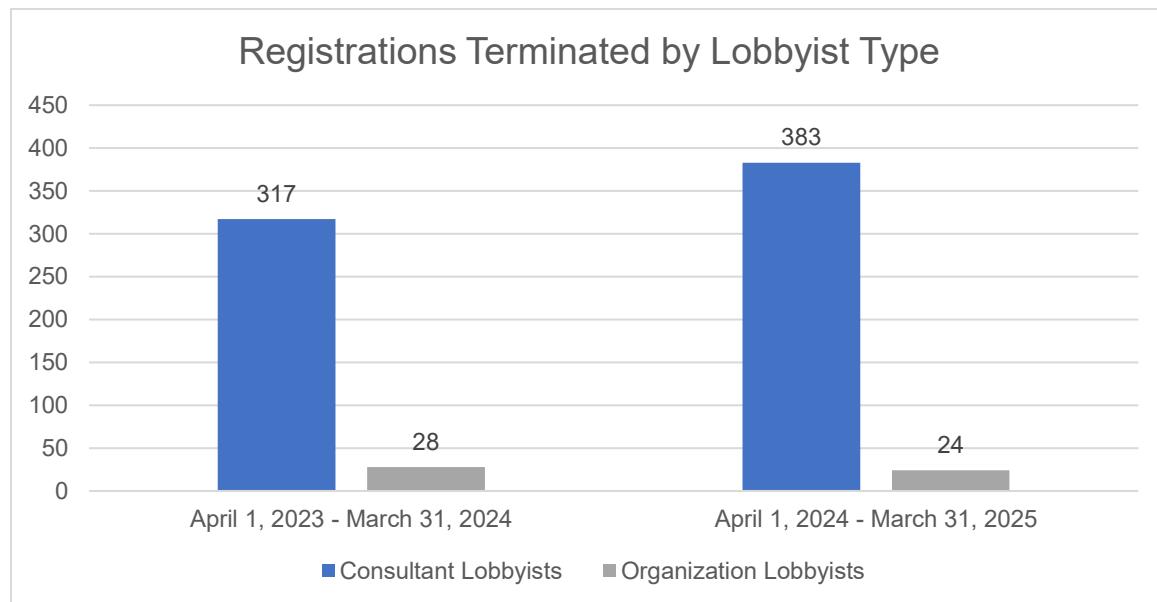
Registrations Filed between April 1, 2024 - March 31, 2025

Provides a count of all registrations filed by registration type. There are three registration types: Initial Returns, Notices of Change and Semi-Annual Renewal Returns.



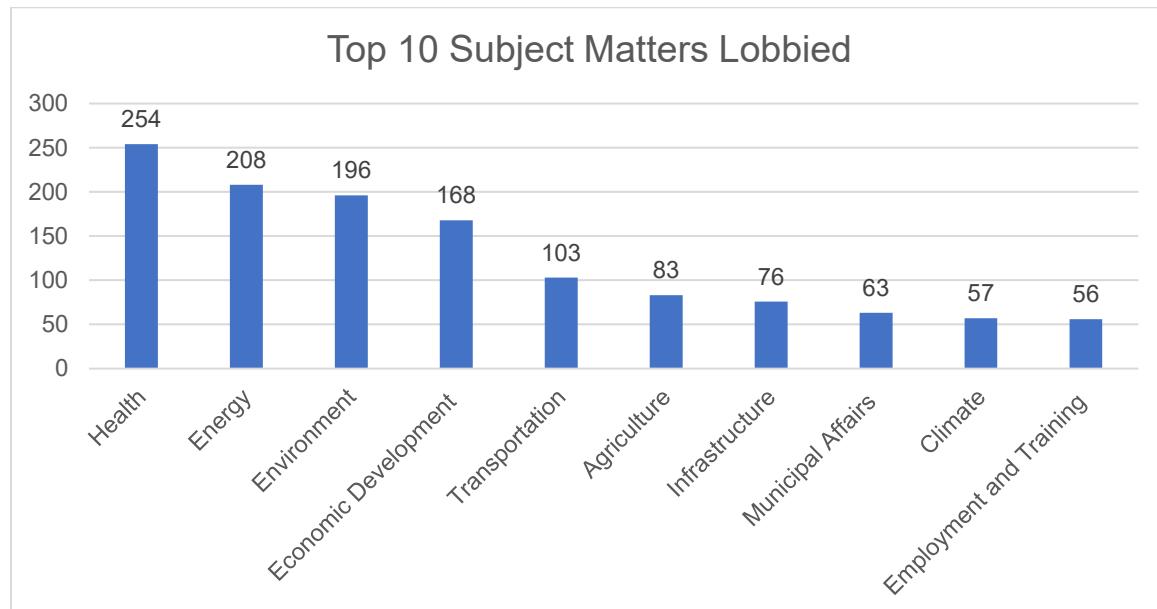
Registrations Terminated between April 1, 2024 – March 31, 2025

Provides a count of all terminated registrations by lobbyist type. There are two types of lobbyists: consultant lobbyists and organization lobbyists.



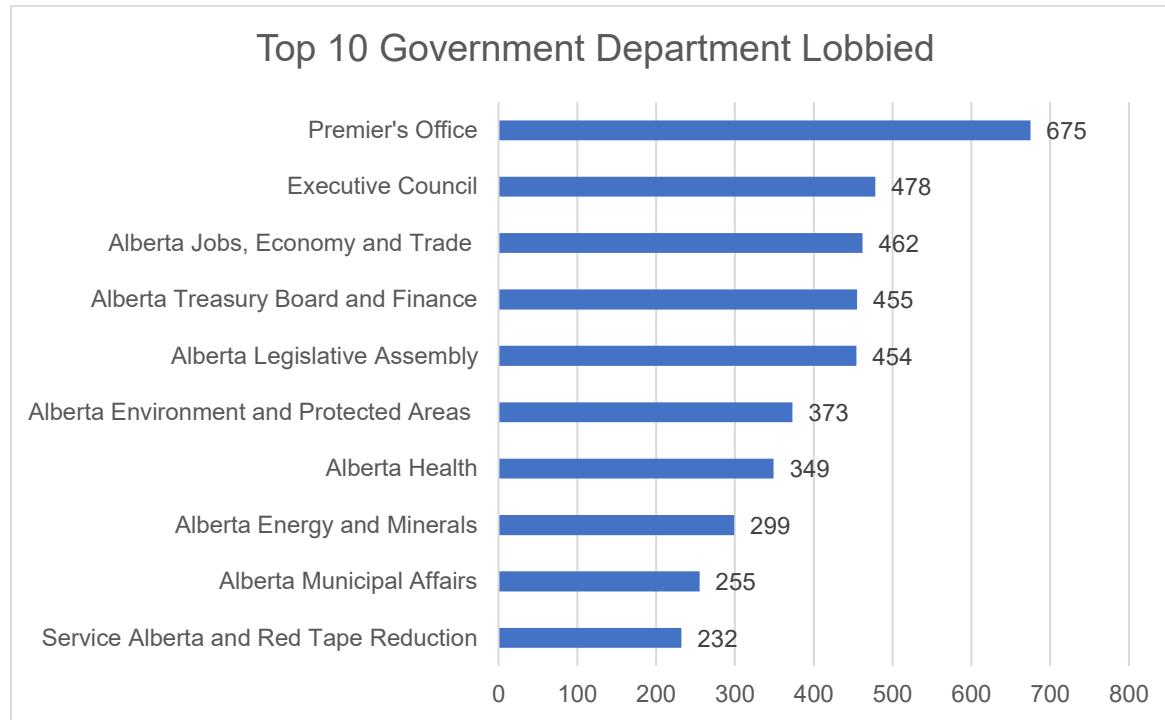
Active Registrations by Subject Matter as of March 31, 2025

Provides a count of all active registrations that indicate the subject matter.



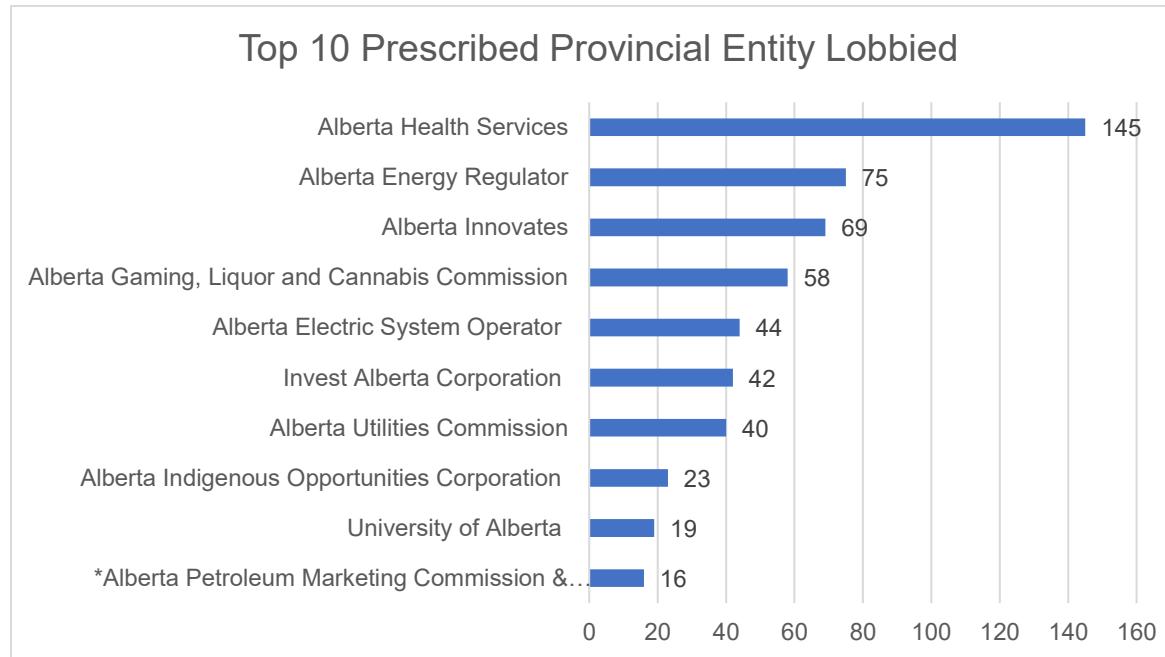
Active Registrations by Government Departments Lobbied as of March 31, 2025

Provides a count of all active registrations that indicate the Government department.



Active Registrations by Prescribed Provincial Entities Lobbied as of March 31, 2025

Provides a count of all active registrations that indicate the prescribed Provincial entity.



*Alberta Petroleum Marketing Commission & University of Calgary (tied)