



# INFORMATION BULLETIN

## Office of the Ethics Commissioner of Alberta

2026

## MEMBERS OF THE PREMIER'S AND MINISTERS' STAFF – OBLIGATIONS UNDER THE CONFLICTS OF INTEREST ACT

### I. EXECUTIVE SUMMARY

Part 4.2 of the *Conflicts of Interest Act* (the “Act”) places obligations on current and former members of the Premier’s and Ministers’ staff. These individuals are subject to certain obligations and restrictions during their employment and for a period of up to one year after their employment.

The Act defines “member of the Premier’s and Ministers’ staff” as an employee providing services other than administrative support who holds a position in the Office of the Premier or an office of a Minister. For ease of reference, this bulletin refers to these individuals as “political staff” or “political staff members”.

This bulletin provides information about the obligations placed on political staff to assist them in ensuring they are conducting their affairs consistent with the Act and the Code of Conduct for Political Staff (the “Code of Conduct”) set out under Order in Council 341/2020 and Order in Council 337/2025 (<https://www.alberta.ca/orders-in-council>).

This brochure only addresses those parts of the Act and the Code of Conduct that are administered by the Ethics Commissioner. For matters addressed by the Code of Conduct that are not administered by the Ethics Commissioner, and therefore not addressed here, political staff should consult with their Chief of Staff.

### II. WHAT ARE MY FINANCIAL DISCLOSURE OBLIGATIONS?

Sections 23.6 and 23.61 of the Act require political staff to file financial disclosure statements and direct associate returns with the Office of the Ethics Commissioner within 60 days of commencing employment and annually thereafter at a time specified by the Ethics Commissioner.

New political staff will receive a letter from our office outlining the process for submitting their disclosure. The staff member will be provided with a form and will be required to list all of the assets, liabilities, investments, sources of income, holdings and business interests of the staff member, their spouse or adult interdependent partner and their minor children as of a given date. The same process will then take place annually at a time specified by the Ethics Commissioner.

Once the financial information is submitted, the Office of the Ethics Commissioner reviews the information and then, if the Ethics Commissioner deems it appropriate or useful, the staff member will be contacted to come in for a meeting to discuss the Act and how it may impact them in performing their role.

All information submitted or discussed during a meeting with our office is kept strictly confidential and is not subject to the *Access to Information Act*.

Political staff are also required to inform the Ethics Commissioner of material changes to these statements within 30 days of the change, and the onus is on political staff to keep the Ethics Commissioner informed of any material changes to their personal affairs.

### **III. WHAT RESTRICTIONS APPLY TO ME UNDER THE CONFLICTS OF INTEREST ACT?**

#### **1. Restriction on Participating in Decisions Furthering Private Interests**

Section 23.2 of the Act reads:

**23.2** A member of the Premier's and Ministers' staff breaches this Part if he or she takes part in a decision in the course of carrying out his or her office or powers knowing that the decision might further a private interest of the member, a person directly associated with the member or the member's minor or adult child.

A person directly associated with the political staff member is:

- a) The political staff member's spouse or adult interdependent partner;
- b) Corporations of which the political staff member is a director or officer or in which they have an ownership interest;
- c) Partnerships in which the political staff member or a directly associated corporation is a partner; and
- d) Persons or groups of persons acting with the express or implied consent of the political staff member.

This section prohibits political staff from participating in decisions that might further their private interests or the private interests of a person directly associated with the political staffer or their minor or adult children. For example, if a political staff member's spouse owns a business that is bidding on a contract from the department in which that political staff member works, this section requires that the political staff member not be involved in any part of that decision.

## **2. Restriction on Influencing Decisions Furthering Private Interests**

Section 23.3 of the Act reads:

**23.3** A member of the Premier's and Ministers' staff breaches this Part if the member uses his or her office or powers to influence or to seek to influence a decision to be made by or on behalf of the Crown to further a private interest of the member, a person directly associated with the member or the member's minor child or to improperly further any other person's private interest.

This section prohibits political staff from using their office or powers to influence or seek to influence a government decision to further their private interests or the private interests of a person directly associated (see definition above) with the political staffer or their minor children. For example, this section would prohibit a political staff member from contacting department staff to suggest that the political staffer's spouse's business should be given special consideration in a bidding process.

This section also prohibits political staff from using their office or powers to improperly influence or seek to influence any other person's private interest. For example, this section would prohibit a political staff member from contacting department staff to insist that the political staffer's close friend's business should be awarded a contract following an RFP process, despite the friend's business not satisfying the requirements to be awarded that contract.

## **3. Restriction on Use of Insider Information**

Section 23.4 of the Act reads:

**23.4** A member of the Premier's and Ministers' staff breaches this Act if he or she uses or communicates information not available to the general public that was gained by the member in the course of carrying out his or her office or powers to further or seek to further a private interest of the member or any other person's private interest.

This section prohibits political staff from using or communicating confidential information gained in their employment to further their own or any other person's private interest. This section is not limited just to the private interests of the political staff member, their family and direct associates as it also applies to the private interests of any other person.

For example, if a political staffer is aware that the government is about to announce a large grant program and is aware that a publicly traded company may benefit from that grant program, the political staffer could not buy stock in that company in advance of the public announcement. Nor could they tell anyone else about that new grant program to allow that person to buy stocks in the same company.

#### **4. Restrictions on Publicly-Traded Securities (for the Premier's Chief of Staff only)**

In addition to the restrictions placed on all political staff, the Chief of Staff, Office of the Premier, is also subject to section 23.5 of the Act, which places restrictions on holding publicly-traded securities similar to those placed on Ministers. The Premier's Chief of Staff is restricted from owning publicly-traded securities, with some exceptions set out in the Act.

The Premier's Chief of Staff must divest themselves of publicly-traded securities, place the publicly-traded securities in a blind trust or investment arrangement or seek an exemption to continue holding the securities.

### **IV. WHAT ARE MY OBLIGATIONS UNDER THE CODE OF CONDUCT THAT ARE SUBJECT TO OVERSIGHT BY THE ETHICS COMMISSIONER?**

For the most part, the Code of Conduct for political staff is overseen by each political staff member's Chief of Staff. For those matters, political staff should consult with their Chief of Staff. However, the Ethics Commissioner does have a limited oversight role with respect to acceptance of gifts or other benefits by political staff.

Section 17 of the Code of Conduct, which is contained in OIC 337/2025 provides that political staff must have approval from the responsible Minister, the Premier's Chief of Staff and the Ethics Commissioner to accept the following gifts or other benefits:

- a) A ticket or invitation to an event, meal, reception, conference, or training opportunity, including a payment or waiver of the attendance fee and the payment or reimbursement of travel expenses, where the member is not acting in his or her official capacity to provide support to the Premier or a Minister, if the acceptance of the ticket or invitation would cause the total value of all gifts and other benefits accepted by the member from the same individual, organization or corporation in a calendar year to be \$500 or greater.
- b) A physical gift provided as a culturally-significant gesture, incident of protocol or matter of social obligation, if acceptance of the gift would cause the total value of all gifts and other benefits accepted by the member from the same individual, organization or corporation in a calendar year to be \$500 or greater.

The Ethics Commissioner has no role with respect to whether political staff may accept gifts or other benefits that do not fall into one of these two categories.

Should a political staff member be offered a gift or other benefit that falls within one of these two categories, the Ethics Commissioner will not review the acceptability of that gift unless the responsible Minister and the Premier's Chief of Staff have already provided their approval. As such, the Office of the Ethics Commissioner requests that political staff only seek approval from the Ethics Commissioner after the responsible Minister and the Premier's Chief of Staff have already provided approval.

When considering whether to approve a gift in either of the circumstances outlined above, the Ethics Commissioner must consider the following:

- a) Whether acceptance of the gift or other benefit would create a conflict of interest;
- b) Whether the political staff member is acting on behalf of the Premier or a Minister or in an official capacity, or both;
- c) Whether acceptance of the gift or other benefit is justified as a culturally-significant gesture, incident of protocol, or matter of social obligation;
- d) Whether acceptance of the gift or other benefit advances the interests of Albertans; and
- e) Any other factor that the Ethics Commissioner considers relevant.

## **V. WHAT ARE THE POST-EMPLOYMENT RESTRICTIONS THAT APPLY TO ME AND HOW CAN I ENSURE I AM IN COMPLIANCE?**

The following information is intended to assist political staff members in understanding the length of their post-employment or “cooling-off” period, what activity it restricts and when a waiver or reduction to the period might be warranted.

### **1. How long is the “cooling-off” period?**

Section 23.7 of the Act imposes restrictions on former political staff for a period of 12 months from one of the following events:

- a) **Last day as political staff:** Subsections 23.7(1) (lobbying restriction) and 23.7(2) (acting on a commercial basis or making representations on certain matters) apply for 12 months from an individual’s last day as a political staff member. For example, if a political staff member leaves their role on May 1 in a particular year these restrictions will remain in place until May 1 of the following year.
- b) **Last day of any direct and significant official dealing:** Subsections 23.7(3)-(5) apply from the last day the former political staff member had a direct and significant official dealing with the relevant individual, government department, organization, etc. For example, if a political staff member had a direct and significant official dealing with an organization on May 1 but did not end their time as a political staff member until October 1, the post-employment restrictions *with respect to that organization* will remain in place until May 1, not October 1, of the following year.

The phrase “direct and significant official dealing” is not defined in the Act. Whether an interaction qualifies as such will depend on the specific facts in each case.

**Direct** dealings typically consist of some interaction or direction regarding the entity, either specifically or in some cases generally, in question. For example, a Chief of Staff communicating the Minister’s direction to take a specific course of action with respect to a specific organization may be a direct dealing with that organization.

Whether a dealing is **significant** will depend on several factors, including the importance of the matter to the parties involved, the degree of involvement of the political staff member in the dealing and the nature of the subject matter.

Generally, **official** dealings are meetings, negotiations, briefings or contracts regarding government business and activities.

## **2. What restrictions apply after I leave my political staff role?**

Section 23.7 contains the following five restrictions:

- a) **Lobbying Restriction:** Subsection 23.7(1) prohibits a former political staff member from lobbying, as defined in the *Lobbyists Act*, any public office holder as defined in the *Lobbyists Act* for a period of 12 months from their last day as a political staff member.

The terms “lobbying” and “public office holder” are both defined in the *Lobbyists Act*, RSA 2007, c L-20.5, and that Act should be consulted for the full definition of those terms. The following paraphrased definitions are provided as a general guide.

“Lobbying” means to communicate, directly or through grassroots communication, with a public office holder in an attempt to influence policy, legislation, regulations, programs, grants, financial benefits or certain other matters for payment.

The term “public office holder” includes Members of the Legislative Assembly, Ministers, political staff, public servants and members of agencies, boards and commissions of the Alberta government. The lobbying restriction does not prevent former political staff members from lobbying orders of government other than the provincial government and related entities (other post-employment restrictions may).

- b) **“Ongoing Matters” Restriction:** Subsection 23.7(2) prohibits a former political staff member from acting on a commercial basis or making representations with any ongoing matter in which you acted for or advised a department or Provincial agency while a political staff member for a period of 12 months from their last day as a political staff member.

This provision is sometimes referred to as a “switching sides” provision. It prevents former political staff from acting for another party on an ongoing matter in which the political staff member previously acted for the government.

- c) **Restrictions on Representations re Contracts/Benefits:** Subsection 23.7(3) prohibits a former political staff member from making representations with respect to a contract with or benefit from a department or Provincial agency for 12 months from the last day they had a direct and significant official dealing with that department or Provincial agency.
- d) **Restrictions on Soliciting/Accepting Contracts/Benefits on own behalf:** Subsection 23.7(4) prohibits a former political staff member from soliciting or accepting a contract or benefit on their own behalf from a department or Provincial agency for 12 months from the last day they had a direct and significant official dealing with that department or Provincial agency.
- e) **Restrictions on Accepting Employment or Appointments:** Subsection 23.7(5) prohibits a former political staff member from accepting employment from any individual, organization, board or equivalent body for 12 months from the last day they had a direct and significant official dealing with that individual or entity. It also prohibits a former political staff member from accepting an appointment to the board of directors or equivalent body of the same entities during the same period.

### **3. Are there any exceptions to the post-employment restrictions?**

Subsection 23.7(6) provides an exception to the post-employment restrictions in limited circumstances. This subsection allows a former political staff member to accept employment with a department of the public service or a Provincial agency in accordance with Part 1 of the *Public Service Act*.

This exception generally allows a former political staff member to accept a role in the public service that is offered following an open and competitive process.

### **4. Can my cooling-off period be waived or reduced?**

A former political staff member may apply to the Ethics Commissioner for a waiver or reduction of the above time periods. The discretion to waive or reduce the cooling-off period rests with the Ethics Commissioner and is considered on a case-by-case basis. The circumstances in which the Ethics Commissioner may waive or reduce the cooling-off period are as follows (see section 23.71 of the Act):

- a) The conditions in which the employment is awarded are the same for all persons similarly entitled.
- b) The award results from an impartial process open to a significant class of persons
- c) The activity will not create a conflict of interest between the former political staff member and the public interest.

These waivers or reductions may be granted on any conditions that the Ethics Commissioner determines.

## **VI. WHAT DO I DO IF I HAVE QUESTIONS?**

The Office of the Ethics Commissioner encourages all current and former political staff members to contact our office by email at [info@ethicscommissioner.ab.ca](mailto:info@ethicscommissioner.ab.ca) if they are seeking advice regarding their obligations under the Act.

Pursuant to section 43 of the Act, the Ethics Commissioner may provide advice in writing to current and former political staff on matters respecting their obligations under the Act. Provided the current or former political staff member has communicated the material facts and complied with the Ethics Commissioners recommendations with respect to any advice given, no proceedings or prosecution can be taken against the political staff member with respect to the matter.

Please note, all advice requests must be in writing to ensure all the relevant facts on which advice is based are clearly outlined for the benefit of both parties. Advice will also be provided in writing for the benefit of both parties.

If you have any other questions, please feel free to email [info@ethicscommissioner.ab.ca](mailto:info@ethicscommissioner.ab.ca).