


# CODE OF CONDUCT AND ETHICS POLICY


**EFFECTIVE DATE:** August 20, 2025

**ATTACHMENTS:** None

**PANEL APPROVAL DATE:** August 20, 2025

**PANEL CHAIR SIGNATURE:**  Original Signed

**MINISTERIAL APPROVAL DATE:** August 20, 2025

**MINISTERIAL SIGNATURE:**  Original Signed

## POLICY PURPOSE:

The purpose of the *Code of Conduct and Ethics Policy* is to establish a code for Members of the Power and Natural Gas Consumers' Panel to follow in their work on the Panel.

## BACKGROUND:

The people of Alberta have a right to public services that are conducted with impartiality and integrity. It is this special obligation to Albertans that demands that there not be, nor seem to be, any conflict between the private interests of Panel Members and their duty to the public.

At the same time, it is recognized that Panel Members should enjoy the same rights in their private dealings as any other citizens, unless it can be demonstrated that a restriction is essential to the public interest.

## PROCEDURES:

### Part 1 Definitions

1. For purposes of this Code, unless the context otherwise requires,
  - (a) "Advocate" means the person holding the position of Utilities Consumer Advocate who has responsibility for overseeing the day-to-day operations of the Office of the Utilities Consumer Advocate;
  - (b) "Panel" means the Power and Natural Gas Consumers' Panel;
  - (c) "Panel Members" means all the members who comprise the Panel;
  - (d) "Chair" means the Panel Member who is appointed, designated or elected to preside

- over the Panel;
- (e) "Code" means this Code of Conduct and Ethics for the Power and Natural Gas Consumers' Panel, as amended from time to time;
  - (f) "Code Administrator" means Chair or his or her designate;
  - (g) The "private interest" of a Panel Member does not include an interest:
    - (i) in a matter that is of general application, or
    - (ii) that affects a person as one of a broad class of the public, or
    - (iii) that affects the compensation or benefits of a Panel Member, or
    - (iv) an interest that is trivial;
  - (h) "Relative" includes spouse, adult interdependent partner, children, step-children, legal dependents, parents, siblings, in-laws, grandparents, grandchildren, nieces, nephews, aunts, uncles and first cousins;

## **Part 2**

### **Application**

#### **2. General**

- (1) This Code applies to all Panel Members but does not apply to the Advocate or to employees of the Office of the Utilities Consumer Advocate as they are subject to the Government of Alberta Code of Conduct. The Chair has the authority in exceptional circumstances to exempt a personal services contract employee from application of the Code.
- (2) This Code is in addition to any statute pertaining to the actions of the Panel Members and to any instructions issued by the Government of Alberta or the Chair.
- (3) Conflicts between the private interests of Panel Members and their duty to the public not specially addressed in this Code must be dealt with according to the principles and intent of the Code.

## **Part 3**

### **Administration of the Code**

#### **3. Responsibilities**

- (1)
  - (a) The Chair will administer the Code for the Panel Members and will issue instructions as necessary for implementation of the Code.
  - (b) The Deputy Minister will administer the Code for the Chair and the Advocate.
  - (c) The Advocate will administer the Alberta Government Code of Conduct for employees of the Office of the Utilities Consumer Advocate, and will issue

instructions as necessary for implementation of the Code.

- (2) The Chair may issue supplementary instructions which modify but do not detract from matters dealt with in this Code, provided that the supplemental instructions are not more permissive than this Code.
- (3) The Chair or designate will promote the Code and any supplemental Codes on a regular basis to ensure that Panel Members are aware of their obligations.
- (4) The responsible minister will ensure that the Panel has a Code in place.
- (5) Any questions regarding the interpretation or application of this Code are to be directed to the Chair or designate.

## **Part 4**

### **Panel Member Responsibilities under the Code**

#### **General Panel Member Responsibilities**

#### **4. Impartiality**

- (1) Panel Members are expected in all regards to conduct their duties with impartiality. Panel Members are expected to bring to the Panel the perspective of organizations and stakeholders that they represent, and in all cases in conducting their duties to act in the best interests of the small business, farm, and residential electricity and natural gas consumers in Alberta.

#### **5. Disclosure**

- (1) Panel Members are required to disclose to the Chair or designate any situation involving them which is a conflict or an apparent conflict of interest.
- (2) The Chair is required to disclose to the other Panel Members any situation involving them which is a conflict or an apparent conflict of interest.

#### **6. Furthering Private Interests**

- (1) Panel Members are in conflict of interest and in violation of this Code if they:
  - (a) take part in a decision in the course of carrying out their duties, knowing that the decision might further a private interest of them self, their spouse, their adult interdependent partner or minor child;
  - (b) use their public role to influence or seek to influence a Government decision which could further a private interest of themselves, their spouse, their adult

- interdependent partner or minor child;
- (c) use or communicate information not available to the general public that was gained in the course of carrying out their duties, to further or seek to further a private interest of themselves, their spouse, their adult interdependent partner or minor child.

## **Specific Panel Member Responsibilities**

### **7. Dealings with Others**

- (1) With respect to all matters conducted by the Panel, Panel Members must disclose any relationships that might bring the Panel Member's impartiality into question. The Chair shall determine how to proceed in order to avoid any perception of conflict. This may include, but is not limited to, having the Panel Member excuse himself or herself from the discussion in question.
- (2) Relatives of a Panel Member may work in the same branch, division, institution or department provided there is no opportunity to exercise favouritism, and no conflict of interest exists for the Panel Member.
- (3) Instaffing and recruitment processes, Panel Members who are on the selection panel shall disqualify themselves from competitions where applicants include relatives or other individuals where the continued participation of the Panel Member on the panel could raise a question as to their impartiality.
- (4) Panel Members shall, so far as it is known to them, disclose and discuss with the Chair situations which may be, or may appear to be, conflicts of interest under this section and shall make a declaration at Panel meetings of situations which may be, or may appear to be, conflicts of interest.

### **8. Outside Employment**

- (1) Panel Members may pursue employment outside the Panel, including self-employment, unless such employment:
  - (a) causes an actual or apparent conflict of interest;
  - (b) is performed in such a way as to appear to be an official act, or to represent a Panel opinion or policy;
  - (c) interferes with regular duties; or
  - (d) involves the use of Panel premises, equipment or supplies, unless such use is otherwise authorized.
- (2) Panel Members shall not allow the performance of their official duties to be influenced by offers of future employment or the anticipation of offers of employment.

### **9. Teaching**

- (1) Panel Members may teach courses at institutions for a fee provided that:

- (a) Panel information protection and privacy is respected;
  - (b) course preparation, instruction and marking is done on the Panel Member's own time; and
  - (c) no other real or perceived conflict arises.
- Should there be potential for a conflict, the Panel Member must inform the Chair, who will determine suitable actions.

## **10. Volunteer Activities**

- (1) Participation in volunteer activities is encouraged; however the restrictions as listed in Section 10(1) also apply to volunteer activity. Panel Members who are actively associated on a volunteer basis with any organization shall disclose to the Chair or designate, their interest in such an organization where a conflict of interest may arise. Such Panel Members shall disqualify themselves from participating in any Panel decision which could impact the organization.

## **11. Investment and Management of Private Assets**

- (1) Where an actual or proposed business or financial interest of a Panel Member or of the Panel Member's spouse, adult interdependent partner or minor child or children is affected, appears to be affected or may be affected, by actions taken or decisions made in which the Panel Member participates in the course of their Panel work, the Panel Member shall disclose the business or financial interest to the Chair or designate
- (2) If an actual or apparent conflict of interest situation exists under this section, the Chair or designate shall determine the method of resolution of the situation.
- (3) The Chair or designate may require financial disclosure of Panel Members in specific positions where, in the opinion of the Chair or designate, conflict could likely occur.
- (4) Information which is disclosed to the Chair or designate under this section shall be maintained on a confidential basis by the Chair or designate.

## **12. Acceptance of Gifts**

- (1) Panel Members shall not accept fees, gifts or other benefits that are connected directly or indirectly with the performance of their public service duties from any individual, organization or corporation, other than:
  - (a) the normal exchange of gifts between friends;
  - (b) the normal exchange of hospitality between persons doing business together;
  - (c) tokens exchanged as part of protocol; or
  - (d) the normal presentation of gifts to persons participating in public functions.

## **13. Political Activity**

- (1) There is no restriction upon participation in political activity by Panel Members except that:

- (a) Political activities must be clearly separated from activities related to a Panel Member's duties and responsibilities. Personal interests and business activities, including political activities, should not influence or appear to influence individual decisions made in the course of serving as a Panel Member. Panel Members must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities;
- (b) Panel Members must not engage in political activities while conducting Panel business or use government facilities, equipment, or resources in support of these activities.
- (2) Panel Members who are candidates for municipal office shall, if elected, be subject to the provisions of this Code regarding outside employment.

#### **14. Public Statements**

- (1) Panel Members who speak or write publicly shall ensure that they do not release confidential or privileged information unless they are specifically authorized to do so. Confidential information includes proprietary, business, financial, legal or other information which the Panel treats as confidential.
- (2) Panel Members are responsible for maintaining the confidentiality of information or documents, which includes the responsibility for ensuring that such information or documents are not directly or indirectly made available to unauthorized persons.
- (3) Panel Members must adhere to the requirements of the *Freedom of Information and Protection of Privacy Act*.

#### **15. Safe Disclosure**

- (1) Panel Members will respect the principle of safe disclosure and will ensure that the Panel has mechanisms for concerns to be brought forward without retribution.

## **Part 5 Crown Lands, Minerals and Resources**

#### **16. Dealings In Crown Land**

- (1) In all cases other than described in Section 19, a Panel Member is authorized to bid on, acquire or renew an estate or interest in Crown land if:
  - (a) the Panel Member has obtained the prior approval of his or her Code Administrator or designate, and
  - (b) the Panel Member has disclosed that they are a Panel Member and the details of their appointment.
- (2) Where a Panel Member owns, has an estate or interest in land being purchased by the Crown, the Panel Member shall declare his or her Panel Membership status to his or her

Code Administrator, or designate, and to the Deputy Head, or designate, of the department or departments involved in the transaction.

#### **17. Acquiring Permits or Licenses for Crown Minerals or Resources**

- (1) A Panel Member is authorized to acquire a natural resource permit, or an interest in a natural resource permit, provided it does not cause a conflict of interest. Should there be potential for perception of conflict, the interest must be disclosed to the Code Administrator.

### **Part 6 Review Process**

#### **18. Review of Decision**

- (1) A Panel Member may apply to the Panel for a review of a ruling of a conflict of interest by their Code Administrator under this Code. The Panel will conduct an investigation and provide a recommendation to the Panel Member's Code Administrator. If the Panel is unable or unwilling to act, then the Panel Member may apply to the Deputy Minister for a review. The Deputy Minister will be asked to appoint an investigator and provide a recommendation to the responsible Minister following submission of the investigator's report.
- (2) A Chair may apply to the Minister for a review of a ruling of conflict of interest by his or her Code Administrator. The Minister will appoint an investigator and will make a decision as the responsible Minister following receipt of the investigator's report. Where the responsible Minister is unable to act, the responsible Minister will determine an alternate review mechanism.

### **Part 7 Penalties and Consequences**

#### **19. Penalties and Consequences**

- (1) Panel Members who do not comply with any provisions of this Code may be subject to disciplinary action, up to and including dismissal.

#### **POLICY REVIEW PROCESS AND DATE:**

This policy will be reviewed by the Panel on or before May 31 of each year and will be updated as required.

Last updated: June 19, 2025