



# **Alberta Utilities Commission**

## ***Conflict of Interest Policy and Procedure***

**ALBERTA UTILITIES COMMISSION**  
***Conflict of Interest Policy and Procedure***

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**Part 1**

**Alberta Utilities Commission *Conflict of Interest  
Policy and Procedure***

## 1 Introduction

The public, interveners who appear before the Alberta Utilities Commission (AUC or Commission) and the utility sector under the jurisdiction of the AUC have a right to fairness and impartiality from the AUC. The AUC has an obligation to ensure that there is no actual or perceived conflict between the private interests of AUC members and employees and their statutory responsibility to carry out the duties imposed on the Commission under the utility statutes in a fair and impartial manner.

At the same time, Commission members, and employees should be treated fairly under the AUC *Conflict of Interest Policy and Procedure (Conflict Policy)* and all restrictions should be essential for establishing and maintaining confidence in the AUC as a fair, impartial regulator.

All questions, comments, or concerns about the *Conflict Policy* should be directed to the AUC's Conflict of Interest Committee (Committee).

For descriptions and examples of what the *Conflict Policy* mean in hypothetical situations, please refer to Part 2: Guide to AUC *Conflict Policy*.

## 2 Definitions

For purposes of the Conflict Policy, unless the context otherwise requires,

**Commission member** means an individual appointed pursuant to an Order in Council, as amended from time to time, to the Commission.

**Conflict Policy** means this Conflict Policy for the AUC, as amended from time to time.

**Employee** includes any individual employed by the Alberta Utilities Commission and includes senior officers but does not include Commission members.

**AUC Conflict of Interest Committee** shall consist of the following individuals or their designates:

- Chief Executive
- General Counsel
- Director, Human Resources
- a Commission Member
- an Executive Director

**Minor child** refers to a child under the age of majority (18 years old) or a child over 18 years of age but who is incapacitated or otherwise unable to control his or her own financial affairs.

The **private interest** of an employee does not include an interest in a matter that is of general application, that affects a person as one of a broad class of the public, that affects the compensation or benefits of an employee, or

that is trivial.

**Spouse** includes two people who are living together on a bona fide domestic basis. The term does not include a spouse who is living apart from the Commission member or employee if they have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

### **3 Application**

#### **General**

The Conflict Policy applies to all Commission Members and staff. Commission Members must also meet the requirements of the Provincial Ethics Commissioner relating to Senior Officials. Where similar or identical requirements are found both in the Conflict Policy and the Provincial Ethics Commissioner's requirements, Commission Members will be in compliance with the Policy by adhering to the Provincial Ethics Commissioner's requirements.

The Chair of the AUC or designate has the authority in exceptional circumstances to exempt an employee from application of all or parts of the *Conflict Policy*.

Conflicts between your private interests and the execution of your statutory responsibilities, not specifically addressed in the Conflict Policy, will be considered according to the principles and intent of the Conflict Policy.

### **4 Administration of the *Conflict Policy***

#### **4.1 AUC Chair's Responsibility**

The Chair of the AUC, will appoint a Conflict of Interest Committee (Committee) to administer the *Conflict Policy*, one of whom shall be designated as the chair of the Committee. Commission Members and Executive Directors shall be appointed to rotating three (3) year terms on the Committee.

#### **4.2 Committee Responsibility**

The Committee is responsible for ensuring the *Conflict Policy* is maintained and administered in a fair and consistent manner. The Committee will provide the Chair of the Commission with an annual update on compliance with the *Conflict Policy*.

The Committee shall review the disclosures of the employees. The Chair of the Committee shall review the disclosures of the Committee Members. The Chair of the AUC shall review the disclosure of the Chair of the Committee.

The Provincial Ethics Commissioner reviews the disclosures of AUC Commission Members.

The Committee:

- administers the *Conflict Policy* for the AUC and issues instructions as necessary for implementation of the *Conflict Policy*;
- may issue supplementary instructions that modify but do not detract from matters dealt with in these *Conflict Policy*, provided that the supplemental instructions are not more permissive than the *Conflict Policy*

- and promotes the *Conflict Policy* and any supplemental *Conflict Policy* on a regular basis to ensure that you are aware of your obligations.

## 5 Responsibilities

### 5.1 Impartiality

You must carry out your duties with impartiality at all times.

### 5.2 Disclosure

You must disclose to the Committee, or your direct leader, manager, director or executive director any situation in which your involvement is a real or perceived conflict of interest.

Any subsequent use and disclosure of information provided to the employer pursuant to this section will be subject to the provisions of the *Freedom of Information and Privacy Act*.

### 5.3 Furthering Private Interests

You are in conflict of interest and in violation of the *Conflict Policy* if you

- take part or are perceived to take part in a decision in the course of carrying out your duties that you knew or should have known might further a private interest of yours, your spouse, or your minor child;
- use your public role or are perceived to use your public role to influence or seek to influence an AUC or government decision that could further a private interest of yours, your spouse, or your minor child; or
- use or communicate information or are perceived to use or communicate information not available to the general public that was acquired in the course of carrying out your duties, to further or seek to further your own private interest or that of your spouse or minor child or others.

### 5.4 Reporting Violation of the *Conflict Policy*

You have a responsibility to report situations of real or perceived conflicts of interest of other Commission members or employees. These situations must be reported to the Chair of the Committee so that appropriate steps are taken to address the matter.

No action shall be taken against an individual for reporting such a situation unless the report is made maliciously or without reasonable grounds. Whenever possible, the name of the person reporting such information will be kept confidential and no documentation regarding the reporting will be placed on the person's human resource file.

## 6 Dealing with Others

You may exercise regulatory or other discretionary authority over others. If the nature of the relationship between you and those other persons are or will be perceived as undermining the impartiality of the Commission, then you must cease acting in those situations and immediately advise your direct leader or the Committee. In emergency situations, you must act impartially and notify your direct leader or the Committee immediately after exercising your authority.

In due course, the Committee must be notified of all such conflicts and make a decision that resolves the conflict. You may then only exercise the authority in question in compliance with the Committee's directions.

## **7 Outside Employment and Volunteer Activities**

You may take supplementary employment, including self-employment, unless the terms of your employment with the Commission prohibits such employment, or participate in voluntary activities unless such pursuits cause an actual or perceived conflict of interest or are performed in such a way as to appear to be an official act or to represent an AUC opinion or policy.

- Prior to accepting any supplementary employment or participating in a voluntary activity where it appears or where you believe that a conflict of interest might arise, you must notify either the Committee or your direct leader, in writing about the nature of such supplementary employment or volunteer activity. Direct leaders must then notify the Committee immediately. The Committee shall determine whether a conflict arises and if so, how you may comply with the *Conflict Policy*.
- You must not accept additional compensation for duties that you perform in the course of your AUC employment.
- You must not allow the performance of your official duties to be influenced by offers of future employment or the anticipation of offers of employment nor may you use your position or AUC premises or equipment to solicit services as a private consultant.

## **8 Investments**

### **8.1 Prohibitions respecting Assets/Interests**

You, your spouse, and your minor children must not have any direct or indirect monetary or financial interest in the following:

- Public utility, owner or operator of a public utility regulated by the AUC or affiliate as designated by the AUC
- any business involved in any phase of the generation, transmission, distribution of energy in any form in Alberta regulated by the AUC
- any business participating in Power Pool transactions or the retailing of electricity or natural gas,
- any other entity regulated by the AUC.

These prohibitions apply to you, your spouse's, and/or your minor child's investments, including directly owned stocks and securities. An exception may apply if a spouse holds financial assets or interests as part of his/her employment compensation package. However, details of the compensation package must be disclosed to the Committee by completing Section 3: Disclosure of Prohibited Financial Interests of the Employee Certification and Financial Disclosure Summary Form (see Appendix A).

You must ensure that you, your spouse's, and your minor children have divested directly owned stocks, securities and other financial interests;

- **at a time directed by the Committee,**
- and in any event no later than two years from the date of the Committee's decision that holding the financial interest is in breach of the Conflict Policy.

During the divestiture period, you must not deal with any matters that pertain to businesses in which you may have a prohibited direct or indirect financial interest.

If you terminate employment and then return to the AUC to resume employment within one year of when you left, you will be normally required to divest any non-exempt assets within 60 days from the date that you resume employment.

You are required to complete the Certification and Financial Disclosure Summary annually to declare your assets and interests.

Ownership of assets or interests prohibited by the Conflict Policy must be disclosed in Section 3: Disclosure of Prohibited Financial Interests, on the Employee Certification and Financial Disclosure Summary Form (see Appendix A). The Committee will then determine whether a conflict exists and what action, if any, should be taken.

In addition to these prohibitions, if you have real or perceived conflicts of interest between your duties at the AUC and your personal interests and/or relationships, you have a responsibility to avoid conflict and/or remove yourself from the conflict.

You must come into compliance with the Conflict Policy by divesting non-exempt assets within the time period established by the Committee or action (ranging from removal or transfer of job duty to termination of employment contract, if necessary) may be required. The disclosure form and decision will be retained with your employee file. In very limited circumstances the use of a blind trust may be considered in order to transition into compliance with the Conflict Policy. The cost of the creation and maintenance of the blind trust will be borne personally by you.

If you are uncertain as to whether your existing financial interests or future acquisitions constitute a conflict of interest, you must ask the Committee for clarification. To assist you, please review the List of Companies and Businesses (Appendix B) attached to the Conflict Policy. The list contains the names of companies and businesses in which you are prohibited from investing or holding any financial interest. The list is not exhaustive, for example, the listed companies may have affiliate or subsidiary companies in which you may be prohibited from investing or holding any financial interests.

In the case of companies owning Power Plants with less than 20 MW of capacity, however, you may be able to invest if the power plant asset is not material to the company given the company's other assets. This type of investment must be disclosed if you already own it and the Ethics Committee will decide whether it is prohibited. Committee approval is required if you are contemplating an investment in such a company or business.

If you have any questions you should contact Stephen Iley 403-592-4361 of the Ethics Committee.

## 8.2 Exempt Assets/Interests

The following types of assets/interests are not subject to disclosure:

- Assets and interests in partnerships, proprietorships, joint ventures, private companies, family businesses, and directly owned shares in public companies that do not do business with the AUC or with companies that are not regulated by the AUC or are otherwise included in section 8.1
- Real property i.e. residences, recreational property, or farms, that are not encumbered with utility rights of way or leases from which revenue or other financial benefits are received or property that is not being sold to utility companies.
- Assets and interests intended for private use that are not of a commercial character, such as
  - household goods and personal effects,
  - works of art, antiques, and collectibles,
  - automobiles and other personal means of transportation,
  - cash and deposits,
  - Canada Savings Bonds (and other security investments of fixed value issued/guaranteed by any level of government in Canada or government agencies),
  - registered retirement savings plans, mutual funds, pension plans, registered savings plans under federal or provincial government programs (e.g., home, education) that may have utility related investments, provided the individual has no control over decisions of the plan, fund, or other vehicle to buy, sell, or hold those underlying securities,
  - guaranteed investment certificates and similar financial instruments, and
  - annuities and life insurance policies issued by financial institutions.
- Assets and interests that are not directly or indirectly related to the work of the AUC.

## 8.3 Specific Requirements for Commission Members

Commission members must meet the requirements of the Ethics Commissioner for the Province of Alberta and the applicable legislation. This includes an annual re-certification to the Provincial Ethics Commissioner that discloses all financial assets and interests of Commission members, their spouses, and/or their minor children.

## 9 Acceptance of Gifts

You may not accept fees, gifts, or other benefits that are connected directly or indirectly with the performance of your AUC duties from any individual, organization, or corporation, other than

- tokens exchanged as part of protocol;
- the normal presentation of gifts to persons participating in public functions, awards, speeches, lectures, presentations, or seminars; or,

- the normal exchange of hospitality between persons doing business together;

The above-mentioned gifts and hospitality must be of small monetary value.

Commissioners shall not accept any fees, gifts or other benefits in any form that may fall under the meaning of the normal exchange of hospitality between persons doing business together.

With respect to staff, the following rules apply:

- Acceptance of free invitations to social, cultural or sporting events is not appropriate especially private events that include only the staff attending the event or only the staff and the donor attending the event. Your Executive Director or designate, though, has discretion in approving these invitation. Staff must request permission to attend. Approval should be rare.
- Acceptance of free invitations to events where a large cross section of people have been invited, for example dinners or receptions at the annual CAMPUT conference or Stampede parties, are generally acceptable. Staff should seek approval from their Executive Director or designate if there is some doubt as to whether acceptance is appropriate.
- Executive Directors may accept lunch invitations but must pay for their own lunch. The usual cautions still apply, for example, if there is a live application, invitations from the applicant or any hearing participant must be declined.
- Staff below the level of Executive Director may also accept lunch invitations provided that they have the approval of the Executive Director or designate and staff pay for their own lunch. The usual cautions apply, for example, if there is a live application, invitations from the applicant or any hearing participant must be declined.
- The restrictions on accepting lunch invitations do not apply to staff in the non-regulatory areas of the Commission’s business. For example, staff from corporate services may accept lunch invitations from potential or existing service providers, provided that service providers are not companies that we regulate and the lunch falls within the meaning of the normal exchange of hospitality between persons doing business together. However, in all circumstances cautious judgment must be applied so as not to bring the reputation of the AUC into disrepute.

You must not solicit gifts, hospitality, or other benefits from companies and businesses described in section 8.1. Gifts, hospitality, or other benefits may be solicited from companies, other than those included in section 8.1, for the purpose of club/team events or charities providing that the principles of the *Conflict Policy* are adhered to.

## 10 Political Activity

You are not restricted from participation in political activity, except that

- you must not participate directly in soliciting contributions;
- the section “Outside Employment and Volunteer Activities” of the Conflict Policy applies;
  - Commission members may not seek nomination as a candidate in a federal, provincial, or municipal council election, run in the election or hold office in a political party or constituency association.
  - employees who run as candidates in a federal, provincial, or municipal council election must take a leave of absence without pay commencing on the day after the

writ for the election is issued or on the day that their candidacy is publicly announced, whichever is later—the restriction of soliciting contributions does not apply to such employees once the leave of absence starts;

- employees who are elected to federal, provincial, or municipal council office must resign their employment effective the day of the federal or provincial election; and
- employees who seek election and are not elected are entitled to return to the same or similar employment effective the day after the election.
- you may run for office on a local school board and may be subject to employment conditions as determined by the Committee i.e. compulsory leave of absence without pay during election and incumbency.

#### **11 Trade Knowledge and Intellectual Property**

You must respect the proprietary knowledge and intellectual property rights of companies and businesses in the utility sector regulated by the AUC, interveners, customers, suppliers, and others.

#### **12 Adherence to AUC Policies**

You are responsible to know and adhere to AUC policies. Leaders are responsible to know, communicate, and enforce AUC policies.

#### **13 Post-Employment Restrictions**

At no time shall you use or give to others confidential information obtained while employed at the AUC.

#### **14 Review Process**

You may ask the Chair of the AUC for a review of a Committee decision by notifying the Chair of the AUC in writing of the request and the grounds for the review. The Chair of the AUC or his designate shall conduct the review.

#### **15 Consequences**

If you do not comply with the *Conflict Policy*, you may be subject to disciplinary action, up to and including dismissal or termination of employment contracts for cause.

**Part 2**

**Guide to Alberta Utilities Commission *Conflict of Interest Policy and Procedure***

## About This Guide

This guide provides further interpretation of the Alberta Utilities Commission Conflict of Interest Policy and Procedure (*Conflict Policy*).

To use this guide effectively, you should read the actual *Conflict Policy* along with the explanations found in this Guide. The section numbering in this guide matches the numbering in the *Conflict Policy*.

### 1 Introduction

The *Conflict Policy* is based on the AUC values of objectivity and impartiality. These values must be foremost in your mind when you are assessing the ethical implications of your actions:

- you must not use your public role for private gain,
- you must treat members of the public, industry and all others objectively, and
- you must be neutral and impartial in performing your duties.

You should feel free to discuss any matter you are unsure about, or any actions or situations that you think may breach the *Conflict Policy* with your direct Leader, manager, executive director, Human Resources, or the Committee. This cannot be emphasized enough: **Open and honest discussion can greatly decrease the possibility of a breach of the *Conflict Policy*.**

You may be bound by a code of ethics or conflict of interest policy under the Professional Societies Act. Both the AUC *Conflict Policy* and these professional codes of ethics should work harmoniously together. If you believe there is or could be a conflict between the *Conflict Policy* and your professional society's code of ethics or conflict of interest policy, please discuss this with your executive director or manager or the Committee.

#### When does a conflict of interest occur?

A conflict of interest exists if

- your private or personal interests influence or appear to influence the impartial, objective performance of your AUC duties,
- your private interests are in direct or perceived conflict with your official duties and responsibilities to the AUC, or
- you gain or appear to gain an advantage for yourself or others by virtue of your position with the AUC.

#### What is a perceived conflict of interest?

A conflict of interest exists when your actions/situation may be reasonably perceived in such a way that questions or undermines your fairness or impartiality. AUC employees must avoid all real and perceived conflicts of interest.

## 2 Definitions

*See Section 2 in the Conflict Policy.*

## 3 Application

*See Section 3 in the Conflict Policy.*

## 4 Administration of the **Conflict Policy**

*See Section 4 in the Conflict Policy.*

## 5 Responsibilities

You must observe the *Conflict Policy* regarding impartiality, disclosure, and furthering private interests.

### 5.1 Impartiality

Impartiality means you should not give preferential treatment in any official matter to individuals or organizations in which you have a personal interest and/or relationship.

#### **Examples**

- For instance, your position involves approving applications, and you speed up the processing time for a relative's application as a favour. This would result in a conflict, as you would be giving preferential treatment to someone you know outside the organization.
- You approve a routine application for an organization in which a relative is employed (though not in a position of influence), following the standard process and established criteria. In this case, no conflict of interest exists because you did not give preferential treatment.

### 5.2 Disclosure

It does not matter whether the conflict of interest is real or perceived; you must take appropriate actions to resolve or remove the conflict. Whether this means taking steps yourself to solve the problem or bringing the situation to the attention of your direct leader, you are obliged to take action when you identify any potential conflict of interest situation.

### 5.3 Furthering Private Interests

A private interest is one that is unique to you, your spouse, or your minor child (any child under the age of majority)—as opposed to an interest that would apply to all AUC employees or members of the general public.

A private interest could be

- a volunteer or paid job you have with an outside organization,
- a spouse's or minor child's volunteer or paid employment,
- a financial investment you have made, or

- any other matter concerning your personal finances.

A private interest does not include

- a program that would apply to all Albertans,
- a matter that affects you as one of a broad public category,
- an interest that affects the compensation or benefits of an employee, if the matter is under review, or
- a trivial interest of very minor significance.

### **Examples**

- You recommend your spouse's consulting firm to do some research work for AUC. If you are in a position of influence, you would be using your public role to attempt to influence an AUC decision (e.g., awarding a contract), which would further the private interest of your spouse by creating potential income.
- Your spouse works for Company X. A decision involving that company goes to hearing, and you are selected to work on the hearing. In this situation, you should disclose the occupation of your spouse to your leader and be careful not to give any confidential information to your spouse. If your spouse is in a position of influence within the company, you must remove yourself from the hearing decision so that the AUC not only is but also appears to be impartial.
- If you were a farmer as well as an AUC employee, you would still be eligible to participate in AUC decisions developed specifically for all farmers and to benefit from them.
- If your child owns a \$10 share in an organization affected by an AUC decision, that is considered a trivial interest. However, if the decision were to have a significant impact on share price or the share amount were significant, your interest may no longer be considered trivial and could be a conflict of interest.

### **Document confidentiality**

You may be in contact with or have access to some highly confidential material. It is your responsibility to maintain the confidentiality of these items.

### **Examples**

- You would be in breach of the *Conflict Policy* if you released a hearing decision or details on it before the AUC's planned release to the public.

It would also be a conflict if you gave confidential information submitted to the AUC by one company to another company or former employee of the AUC. This is preferential treatment that contravenes the *Conflict Policy*.

## **5.4 Reporting Violations of the Conflict Policy**

*See Section 5.4 in the Conflict Policy.*

## 6 Dealing with Others

### Inspection, regulatory, or discretionary authority

Under the *Conflict Policy*, you may not exercise inspection, regulatory, or other discretionary authority over others in situations where your impartiality could be questioned. You may not give preferential treatment to relatives, friends, or others if it could be perceived that you are giving them an advantage/benefit because they know you.

In emergency situations when it may not be possible to obtain direction before you get involved, you should handle the situation impartially and then let your direct leader know what happened.

### Examples

- You are an inspector responsible for inspecting a site owned by a close personal friend or family member.
- You are assigned to help mediate a negotiated settlement process between a utility company and some local landowners, and you learn your brother is an intervener.

## 7 Outside Employment and Volunteer Activities

You may have an outside job or volunteer position as long as it does not cause an actual or perceived conflict of interest with the work of the AUC and does not interfere with your position at the AUC.

If you are interested in taking on an extra job or a volunteer position, you should bring it to the attention of the Committee or your executive director or manager before you accept any such position. They can help you determine whether that position will interfere with your regular position at the AUC.

### 7.1 Obtaining outside work

A conflict of interest can exist if it appears to others that you have gained unfair advantage in obtaining outside work because of your public role with the AUC. This could occur in groups that are privatizing, outsourcing, or divesting certain functions and you want to submit a bid for the contract.

A conflict of interest can exist if you perform duties (self-employed or for another organization) that are part of the core processes of the AUC. It is also a conflict situation if you work for a company that is under the jurisdiction of the AUC or a business that is providing service to a regulated company or a company that does business with the AUC directly. An example of a business that could present such a conflict is a construction and engineering company building transmission lines for transmission facility owner.

### 7.2 Volunteering

While the AUC supports participation in volunteer activities, the outside work restrictions apply to these activities as well. The volunteer organization should gain no advantage from your public role at the AUC.

As part of the AUC, you must be mindful of your public role when you are involved with an organization that is lobbying the AUC or the Government of Alberta. Depending on your role at the AUC, you could be in a conflict situation if you help to publicly advance views that are contrary to AUC policy.

### 7.3 Receiving additional compensation

It is unacceptable to receive additional compensation for performing your AUC duties.

#### Example

- A conflict would occur if you accepted additional compensation or an honorarium from an outside company for providing advice or giving a presentation as part of your normal AUC job responsibilities.

## 8 Investment and Management of Assets

You must be and be seen to be impartial in performing your job duties. You must not have monetary interest of any kind in any business that is regulated by the AUC or described in section 8.1 of the *Conflict Policy*. To assist you, there is a List of Companies and Businesses (Appendix B) attached to the Conflict Policy. The list contains the names of companies and businesses in which you are prohibited from investing or holding any financial interest. The list is not exhaustive, for example, the listed companies may have affiliate or subsidiary companies in which you may be prohibited from investing or holding any financial interests.

In the case of companies owning Power Plants with less than 20 MW of capacity, however, you may be able to invest if the power plant asset is not material to the company given the company's other assets. This type of investment must be disclosed if you already own it and the Ethics Committee will decide whether it is prohibited. Committee approval is required if you are contemplating an investment in such a company or business.

If you have any questions you should contact Darrin Low 403-592-4407 of the Ethics Committee.

### 8.1 Prohibited interests

*See Section 8.1 in the Conflict Policy.*

#### Examples

- A conflict of interest would result if you bought or sold shares in a company that the AUC regulates or you advised others to do so. This would be a conflict because you may have or be perceived to have an unfair advantage over others because of your public role.
- A conflict would exist if your spouse directly owns shares as part of his/her employment compensation package in a company regulated by the AUC. However, this situation is acceptable provided that you disclose the interest to the Committee and remove yourself from any role at the AUC that has decision making authority or significant influence over the regulatory affairs of the company.
- If you have the ability or are seen by others to have the ability to influence the profitability of a business in which you have invested through performing your AUC job duties, this is considered a conflict of interest.

### 8.2 Exempt interests

*See Section 8.2 in the Conflict Policy.*

### **8.3 Specific Requirements for Commission Members**

*See Section 8.3 in the Conflict Policy.*

## **9 Acceptance of Gifts, Invitations to Social, Cultural or Sporting Events, and Lunch**

The Commission's policy is expressed in some detail in section 9 of the Conflict Policy. It will be repeated here.

You must not accept gifts from other organizations, individuals or corporations that fall under the regulatory oversight of the AUC or do business with the AUC i.e. suppliers, other than small, inexpensive mementos. The value of gifts should not exceed \$50.00 and must not include cash, cheques, gift cards or gift certificates. If you have doubts about the appropriateness of any gift, you must speak to your executive director or his or her delegate.

Acceptance of free invitations to social, cultural or sporting events is not appropriate especially private events that include only the staff attending the event or only the staff and the donor attending the event. The Executive Director or delegate, though, has discretion in approving these invitations. Staff must request permission to attend. Approval should be rare.

Acceptance of free invitations to events where a large cross section of people have been invited, for example dinners or receptions at the annual CAMPUT conference or Stampede parties, are generally acceptable. Staff should seek approval from their Executive Director or delegate if there is some doubt as to whether acceptance is appropriate.

Executive Directors may accept lunch invitations but must pay for their own lunch. The usual cautions still apply, for example, if there is a live application by the inviter's company under consideration, you must decline.

Staff below the level of Executive Director may also accept lunch invitations provided that they have the approval of the Executive Director or delegate and staff pay for their own lunch. The usual cautions apply, for example, if there is a live application by the inviter's company under consideration, you must decline.

The restrictions on accepting lunch invitations does not apply to staff in the non-regulatory areas of the Commission's business. For example, staff from corporate services may accept lunch invitations from potential or existing service providers, provided that service providers are not companies that we regulate and the lunch falls within the meaning of the normal exchange of hospitality between persons doing business together.

You and AUC clubs and teams must not solicit gifts, hospitality, or other benefits from companies or their staff directly or indirectly regulated by the AUC. Gifts, hospitality, or other benefits may be solicited from companies that are not regulated by the AUC providing that the principles of the *Conflict Policy* are adhered to.

## **10 Political Activity**

This section in the *Conflict Policy* summarizes the process that you must follow if running for a federal, provincial, or municipal council or a local school board. If you are running for local school board office or serving on the local board, the terms of your employment may be amended depending on the size of the school district, the nature of school board duties you are carrying out and the amount of time required to serve on the school board. Other political activity is acceptable, as long as it follows the guidelines set out in the Outside Employment and Volunteer Activity section.

You may be an active participant in politics but you may not participate directly in soliciting contributions. This restriction is intended to remove any element or suggestion of undue influence in soliciting campaign funds. The AUC makes decisions that affect the public and industry and a request for financial support could be misconstrued as implying that a contribution would mean better service at the AUC or a certain outcome.

### **Examples**

- You would not be in violation of the *Conflict Policy* if you are the treasurer of a constituency association involved in developing funding strategies for a candidate and you do not directly solicit contributions. It is even acceptable for you to promote a candidate door to door, as long as you do not solicit funds at the same time.
- It is inappropriate for you to wear campaign buttons when you meet and serve the public as part of your job at the AUC. Your political activity must not interfere with your work requirements at the AUC.

### **11 Trade Knowledge and Intellectual Property**

*See Section 11 in the Conflict Policy.*

### **12 Adherence to AUC Policies**

*See Section 12 in the Conflict Policy.*

### **13 Post-Employment Restrictions**

If you stop working for the AUC, you are still responsible for adhering to the following restrictions:

- You may not provide data or information gained through your employment at the AUC to clients or your new company when that information is not public knowledge (e.g. information about a decision that is not yet public).

### **14 Review Process**

*See Section 14 in the Conflict Policy.*

### **15 Consequences**

You must certify that they have read and understand the *Conflict Policy*, using the Employee Certification and Financial Disclosure Summary Form.

## **Appendix A**

### **Employee Certification and Financial Disclosure Summary Form**

**AUC Conflict of Interest Policy and Procedure  
(Conflict Policy)**

**Employee Certification and  
Financial Disclosure Summary Form**

**This document will be retained with your employee file.**

**Section 1 – Individual Information**

Name \_\_\_\_\_  
Division \_\_\_\_\_  
Job Title \_\_\_\_\_

**Section 2 – Disclosure of Prohibited Financial Interest**

Please read the attached section 8.1 of the Conflict Policy and review the attached List of Companies which identifies companies that the AUC regulates and in which you are restricted from having financial interests.

*Check one of the two boxes below:*

2A.  I, my spouse, and/or my minor children, as defined in section 2 of the Conflict Policy, **do not** directly or indirectly own or have any prohibited assets or financial interests in companies, businesses or other entities described in section 8.1 of the Conflict Policy.

**OR**

2B.  I, my spouse, and/or my minor children as defined in section 2 of the Conflict Policy, **do** directly or indirectly own or have prohibited financial interests in companies, businesses or other entities described in section 8.1 of the Conflict Policy.

**Section 3 – Disclosure of Prohibited Financial Interests**

*The following are the prohibited financial assets that I have declared in section 2B above (use additional pages if necessary):*

**3A. Securities and Other Interests in Public Corporations:** List all securities or other interests (i.e. shares, bonds, debentures, options, derivative securities and other financial instruments), held by you, your spouse, and/or minor children in companies, limited partnerships, trusts and other business entities that are publicly traded and which are described in section 8.1 of the Conflict Policy.

Name of public corporation or business entity \_\_\_\_\_

Description of the financial interest (i.e. shares, bonds, etc.) \_\_\_\_\_

Owner of financial interest (you, spouse or minor child) \_\_\_\_\_

Is it part of a spousal compensation package? \_\_\_\_\_

**3B. Private business interests:** List all financial interests in private (not publicly traded) companies, partnerships, proprietorships, trusts or other business entities, held by you, your spouse, and/or minor children that do business with the AUC or with companies that are described in section 8.1 of the Conflict Policy. This includes financial interests in private businesses owned by others or businesses owned or controlled by you, your spouse and/or minor children.

Name of company or business entity \_\_\_\_\_

Description of business \_\_\_\_\_

Description of financial interest (i.e. shares, bonds, loans) \_\_\_\_\_

Owner of financial interest (you, spouse or minor child) \_\_\_\_\_

If it is owned by spouse, is it part of a compensation package? \_\_\_\_\_

Is this business owned or controlled by you, your spouse and/or minor children? \_\_\_\_\_

**3C. Real Property Interests:** List all interests in land held by you, your spouse, and/or minor children which have leases, right of ways or other interests that generate revenue or other financial benefit to you from companies or other business entities described in section 8.1 of the Conflict Policy. Also list any lands that you intend to sell to such companies or businesses.

Address or legal description of property \_\_\_\_\_

Description of interest ( i.e. lease, right of way, licence) \_\_\_\_\_

Owner of Interest (you, spouse or minor child) \_\_\_\_\_

Name of company or business making lease, right of way or licence payments \_\_\_\_\_

**3D. List any other significant liabilities, financial interests, and sources of income that may be a real or perceived conflict with the mission of the AUC.**

Description \_\_\_\_\_

**Section 4 - Certification**

I hereby certify that I have read and understand the AUC Conflict Policy and recognize that compliance with its terms and requirements is a condition of my employment with the AUC. I also certify that the information I have provided on this form as I know it, is accurate and true.

Employee signature \_\_\_\_\_ Date \_\_\_\_\_

Human Resources signature \_\_\_\_\_ Date \_\_\_\_\_

Committee Chair signature \_\_\_\_\_ Date \_\_\_\_\_

This information is being collected to ensure compliance with the Alberta Utilities Commission's *Conflict of Interest Policy and Procedure*. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act. If you have any questions regarding this collection, please contact Human Resources, telephone: (403) 592-4361.

## **Appendix B**

### **List of Companies and Businesses**

**LIST IS AVAILABLE ON REQUEST AS IT IS UPDATED PERIODICALLY**