



Office of the Ethics Commissioner

General Tips and Guidelines for Members Considering Running in a Federal Election

2017

It is not uncommon for a Member of the Legislative Assembly of Alberta considering seeking election as a Member of Parliament to contact the Office of the Ethics Commissioner seeking advice. The Conflicts of Interest Act is silent on this issue.

A Member is able to continue as a Member of the Legislative Assembly while seeking a nomination in a federal riding as part of the lead-up to a federal election. However, the Member should consult with political party leadership and personal legal counsel, if appropriate, in advance of pursuing a federal nomination to become a Member of Parliament.

If a Member is successful in being nominated in a federal riding, and once the election is called, the Member must immediately resign as a Member of the Legislative Assembly. This requirement is a result of Section 65 of the Canada Elections Act which states that a Member of a Legislative Assembly is ineligible to be a candidate in a federal election. Members may want to consider whether, for optical or other reasons, they wish to resign earlier.

Below are some general tips for consideration which have been provided to other Members in the past considering running in a federal election.

- Nomination and Member-related activities are to be kept separate. This includes keeping separate records of expenses, donations received, and calendars.
- Public resources are not to be used for a nomination campaign, which includes Members' official letterhead and Members' business cards.
- Scheduling Member-related duties to occur immediately before or after nomination meetings or events should be avoided, particularly if travel is involved and expenses will be claimed from the Legislative Assembly Office.
- The nomination should not be discussed with others when attending Government of Alberta, caucus or constituency events. If someone raises it with a Member, they should be directed to the Member's website, to the volunteers supporting the nomination, or an arrangement should be made for an appropriate time to discuss the matter.

- Direct involvement in personal fund-raising for the nomination as a federal candidate should be restricted. Fundraising should be left to volunteers and supporters.
- Following the official start date of the federal election, and prior to submitting nomination papers to Elections Canada, a resignation must be submitted by the Member to the Alberta Legislative Assembly pursuant to s.31 of the Legislative Assembly Act. This can be done by either declaring so openly in the Member's place in the Assembly during the proceedings or by delivering to the Clerk a resignation signed by the Member and attested to by two witnesses.