

CPAWS-SAB Policy on Participation by CPAWS-SAB Employees and Contractors in Citizen Initiatives under Alberta’s *Citizen Initiative Act*

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CPAWS-SAB acknowledges that Alberta’s *Citizen Initiative Act*¹ (*CIA*) offers citizens and residents of Alberta enhanced opportunities to participate in the democratic governance of the province. Some citizen initiatives under the *CIA* may touch on areas of interest to CPAWS-SAB and its donors and supporters. As such, CPAWS-SAB anticipates that staff, contractors, volunteers, members, donors and supporters may participate as they see fit in citizen initiative processes.

CPAWS-SAB also acknowledges that the *Citizen Initiative Act* (*CIA*) and related legislation² dealing with election finances, impose restrictions on the participation of registered charities such as CPAWS-SAB and other registered charities.

In particular, CPAWS-SAB notes that the *Citizen Initiative Act* (*CIA*) and related legislation prohibits registered charities such as CPAWS-SAB from making a Contribution in support of citizen initiatives, engaging in Initiative Advertising, registering as a third party advertiser, or making a Contribution to a third party advertiser. There are significant penalties for violating the Contribution, Initiative Advertising, and third party advertising provisions of the *CIA*.

Therefore, it is incumbent upon CPAWS-SAB, as an affiliate of a registered charity, to exercise due diligence and take appropriate steps to ensure, to the best of its abilities, that its employees, directors and contractors are aware of the above rules and govern themselves accordingly.

To that end CPAWS-SAB establishes the following policy which must be adhered to by its employees, directors and contractors.

Definitions

¹ *Citizen Initiative Act*, SA 2021, c C-13.2, <<https://canlii.ca/t/56k7k>> and Citizen Initiative Regulation, Alta Reg 54/2022, <<https://canlii.ca/t/55d84>>.

² The related legislation includes the *Election Finances and Contributions Disclosure Act*, RSA 2000, c E-2, <<https://canlii.ca/t/56l18>> and the *Election Act*, RSA 2000, c E-1, <<https://canlii.ca/t/56kzv>>.

“Contribution” has the meaning accorded to the term under the *Election Finances and Contribution Disclosure Act (EFCDA)* See Appendix.

“Initiative Advertising” has the meaning accorded to the term under the *Citizen Initiative Act*. See Appendix.

“Own time” means any time other than paid time.

“Paid time” means the time in any week for which an employee or contractor is remunerated by CPAWS-SAB.

Policy

1. This policy applies to CPAWS-SAB’s employees and contractors during the initiative petition period for a citizen initiative under the *CIA*. The “initiative petition period” begins when the Chief Electoral Officer accepts and publishes an initiative. The initiative petition period ends when the signing period for that petition ends.
2. CPAWS-SAB recognizes that its employees, directors, contractors, volunteers, members, donors and supporters may participate, in their own time, and as they see fit, in any citizen initiative activities governed by the *CIA*. In doing so they must take reasonable care to ensure that their participation is not associated with CPAWS-SAB.
3. Employees and contractors of CPAWS-SAB must not use paid time to make a Contribution to any citizen initiative campaign under the *CIA*.
4. Employees and contractors of CPAWS-SAB must not use CPAWS-SAB email or social media accounts, or CPAWS-SAB goods or services when making an own time Contribution to any initiative under the *CIA*.
5. An employee or contractor must maintain records of their paid time that are adequate to demonstrate compliance with this policy.
6. Employees and contractors must not, in their capacity as employees and contractors of CPAWS-SAB, engage in Initiative Advertising during an initiative petition period.

Appendix: Summary of key definitions from the *CIA* and related legislation

Definition of “Contribution”

The *EFCDA* defines contribution as “the provision of money, real property, goods or services, or the use of real property, goods or services” without compensation for those goods, service etc. Contributions other than money are to be based on “the market value of the contribution at that time”.

Definition of “Initiative Advertising”

Section 24(1)(c) of the *CIA* defines initiative advertising broadly as

the transmission to the public by any means during an initiative petition period of advertising *that promotes or opposes* an initiative petition, the legislation, policy or constitutional question proposed by the initiative petition or the subject-matter of the legislation, policy or constitutional question (italics added)

This definition is subject to a number of carve outs and thus expressly does *not* include:

- i) the transmission to the public of an editorial, a debate, a speech, an interview, a column, a letter, a commentary or news,
- ii) ...
- iii) the transmission of a document or communication directly by a corporation or a group to its members, employees or shareholders, as the case may be,
- iv) the transmission by an individual, corporation or group on a non-commercial basis on the Internet, of the opinion of that individual, corporation or group,
- v) ...
- vi) ...

In addition, s 24(3) expressly *adds* the following activities as being *within* the definition of initiative advertising:

- (a) solicitation, whether direct or indirect, that promotes or opposes an initiative petition, and
- (b) organizing events where a significant purpose of the event is to promote or oppose an initiative petition, the legislation, policy or constitutional question proposed by the initiative petition or the subject-matter of the legislation, policy or constitutional question.