

## Findings and Decisions Regarding Investigations Completed in 2016

(explanatory notes appear on the last page)

Dates (Note 1)	Contributor	Recipient	Circumstances (Note 2)	Direct Contribution Amount (Note 3)	Penalty issued by CEO to the Contributor (Note 4)	Return of Contribution by the Recipient (Note 5)
Commenced: January 2016  Concluded: July 2016	Progressive Conservative Association of Alberta	N/A	Late filing of Campaign Financial Statement	N/A	An administrative penalty in the amount of \$500 was issued against Party CFO for failure to file 2015 Provincial General Election campaign statement by filing due date.	Penalty amount paid May 13, 2016 from cheque dated May 9, 2016.
Commenced: January 2016  Concluded: July 2016	Wildrose Party	N/A	Late filing of Campaign Financial Statement	N/A	An administrative penalty in the amount of \$500 was issued against Party CFO for failure to file 2015 Provincial General Election campaign statement by filing due date.	Penalty amount paid April 25, 2016 from cheque dated April 20, 2016.
Commenced: November 2014  Concluded: June 2016	Raj Sherman Professional Corp. Empress Group Ltd.	Edmonton-Meadowlark Alberta Liberal Party Constituency Association  Alberta Liberal Party	Raj Sherman Professional Corp. and Empress Group Ltd. were deemed a single corporation, in accordance with section 1(3), and violated section 17(1)(a)(ii) by making an over-contribution in the 2011 annual period to the constituency association, in the 2012 annual period to the constituency association and in the 2013 annual period to the Alberta Liberal Party.	\$2,000 in 2011 \$2,000 in 2012 \$17,000 in 2013	An administrative penalty in the amount of \$500 was assessed to Empress Group Ltd. for the over-contribution in 2013. The time limits under section 51.02 for imposing penalties for 2011 and 2012 had expired.	The constituency association was ordered to return the excessive contribution amount of \$1,000 for 2011, \$1,000 for 2012 and the Party was ordered to return \$2,000 for 2013. The refunds were issued.  This information is posted in accordance with section 5.2(3)(a).
Commenced: February 2015  Concluded: January 2016	Truman Homes 1995 Inc. Truman Development Corp.	Calgary-Hays Progressive Conservative Association of Alberta Constituency Association	Truman Homes 1995 Inc. and Truman Development Corp. were deemed a single corporation, in accordance with section 1(3), and violated section 17(1)(a)(ii) by making an over-contribution in the 2012 calendar year.	\$1,200	Letter of reprimand	The constituency association was ordered to return the excessive contribution amount of \$200. The refund was issued.  The investigation revealed that the constituency association did not violate section 19 of the EFCDA.  This information is posted in accordance with section 5.2(3)(a).

## Findings and Decisions Regarding Investigations Completed in 2016

*(explanatory notes appear on the last page)*

Dates (Note 1)	Contributor	Recipient	Circumstances (Note 2)	Direct Contribution Amount (Note 3)	Penalty issued by CEO to the Contributor (Note 4)	Return of Contribution by the Recipient (Note 5)
Commenced: July 2015  Concluded: January 2016	Kenway Contractors (2006) Ltd. Kenway Contractors Ltd. Tri-Kem Electric Inc.	Edmonton-South West Wildrose Constituency Association	Kenway Contractors (2006) Ltd, Kenway Contractors Ltd and Tri-Kem Electric Inc. were deemed a single corporation, in accordance with section 1(3), and violated section 17(1)(a)(ii) by making an over-contribution in the 2014 calendar year.	\$3,000	Letter of reprimand	The constituency association was ordered to return the excessive contribution amount of \$2,000. The refund was issued.  The investigation revealed that the constituency association did not violate section 19 of the EFCDA.  This information is posted in accordance with section 5.2(3)(a).
Commenced: February 2016  Concluded: December 2016	Empress Group Ltd	Alberta Liberal Party	The Alberta Liberal Party accepted a contribution from Empress Group Ltd. that exceeded the contribution limits in contravention of section 19(1) of the EFCDA.	\$17,000	An administrative penalty of \$2,000 was issued against the Alberta Liberal Party under section 51.01(2) of the EFCDA.	The Party was ordered to return the excessive contribution amount of \$2,000. The refund was issued.  The penalty was paid November 21, 2016 from a cheque dated November 18, 2016.  This information is posted in accordance with section 5.2(3)(a).

*Note 1:*

Dates shown refer to the commencement and conclusion of the investigation.

The date commenced will reflect the date shown on the initial complaint, if the investigation was initiated by an external source. If the investigation was initiated by the Chief Electoral Officer, the date the decision was made to investigate will appear.

If an allegation regarding an excessive or prohibited contribution is founded, an investigation is commenced to determine whether the recipient violated the EFCDA. In this case, the date concluded will reflect the date that the investigation into the recipient's acceptance of the contribution was completed and appropriate notice was provided to those involved.

If an allegation is unfounded, the date concluded will reflect the date that appropriate notice was provided to those involved.

*Note 2:*

Disclosure is limited, by law, to violations that occurred on or after December 10, 2009. Results of investigations of alleged violations that occurred prior to that date cannot be disclosed, in accordance with the confidentiality provisions of the *Election Finances and Contributions Disclosure Act* (the Act).

Section references refer to the *Election Finances and Contributions Disclosure Act* (the Act).

*Note 3:*

\*Section 23 of the Act prescribes that if the individual charge for a ticket to a fundraising function is more than \$50, the expense portion is \$25 and the balance is deemed to be a contribution (*effective to December 31, 2012*).

*Note 4:*

Several criteria were considered in the assessment of penalties, including:

- Materiality/severity
- Number of violations
- Cooperation/self-reporting
- Due diligence/policies established to ensure compliance

*Note 5:*

Effective April 22, 2010, the Chief Electoral Officer had statutory authority to order a political entity to return prohibited contributions to the contributor, in accordance with section 51.1 of the Act. Prior to that, the political entity was advised to consider the voluntary return of a prohibited contribution.

An order is made when it is determined that a prohibited corporation made a contribution in violation of the Act. An order does not indicate any finding of statutory violation on the part of the political entity by the Chief Electoral Officer.

This information is updated to reflect contributions that have been returned.