

## Findings and Decisions Regarding Investigations Completed in 2012 and 2013

Last updated: May 22, 2014

(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: September 2012  Concluded: September 2012	Mike Allen, Progressive Conservative Association of Alberta candidate for the electoral division of Fort McMurray-Wood Buffalo in the 2012 Provincial General Election	A candidate in the 2012 Provincial General Election for another electoral division	The candidate was accused of violating the <i>EFCD</i> A for making a contribution to another candidate's campaign in June 2012	\$2,000	None	Not applicable. The investigation revealed that the allegation was unfounded.  The contribution did not violate any provisions of the <i>EFCD</i> A.  This information is posted at the request of the contributor, in accordance with section 5.2(3)(b).
Commenced: October 2012  Concluded: April 2013	Paul Marcaccio	Progressive Conservative Association of Alberta (PCAA)	<a href="#">View the Chief Electoral Officer's decision here regarding a prohibited contribution made in April 2012</a>	\$25,000	Letter of reprimand	The PCAA returned the contribution voluntarily upon receipt of notification that the contribution was made in contravention of the <i>EFCD</i> A.  Receipt of the contribution by the PCAA did not violate any provisions of the <i>EFCD</i> A.  This information is posted in accordance with section 5.2(3)(a).
Commenced: October 2012  Concluded: April 2013	1. Katz Group Canada Inc. 2. Daryl Katz 3. Renee Katz 4. Barry Katz 5. Ida Katz 6. John D. Karvellas 7. Karvellas Consulting Inc. 8. Brad Gilewich 9. Brad Gilewich Professional Corporation 10. Paul Marcaccio Professional Corporation 11. Paul Marcaccio 12. J. Robert Black Professional Corporation 13. James Low & Associates Inc. 14. SPC Investments Ltd. 15. Durstling Family Trust 16. Scott Family Trust 17. Laurie Anderson	Progressive Conservative Association of Alberta (PCAA)	<a href="#">View the Chief Electoral Officer's decision here regarding a prohibited contribution made in April 2012</a>	1. \$30,000 2. \$30,000 3. \$30,000 4. \$30,000 5. \$30,000 6. \$25,000 7. \$25,000 8. \$25,000 9. \$25,000 10. \$25,000 11. \$25,000 12. \$25,000 13. \$25,000 14. \$25,000 15. \$20,000 16. \$20,000 17. <u>\$15,000</u> <u>\$430,000</u>	None	Not applicable. The allegations were unfounded.  Except as noted above with respect to Paul Marcaccio, neither the contributions nor the acceptance of contributions violated any provisions of the <i>EFCD</i> A.  This information is posted in accordance with section 5.2(3)(b).
Commenced: July 2013  Concluded: October 2013	Solo Liquor Stores	Progressive Conservative Association of Alberta Candidate in the Electoral Division of Calgary-Greenway	Solo Liquor Store #1, Solo Liquor Store #4, Solo Liquor Store #7, Solo Liquor Store (Bankview) Ltd., Solo Liquor Store (Copperfield) Ltd., and Solo Liquor Store (Panorama) Ltd. were deemed a single corporation, in accordance with section 1(1)(l)(vi), and made an over-contribution in June 2012	\$10,000	\$2,500 administrative penalty (issued and received)	The Candidate returned the contribution voluntarily.  Receipt of the contribution by the candidate did not violate any provisions of the <i>EFCD</i> A.  This information is posted in accordance with section 5.2(3)(a).

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Commenced: August 2013  Concluded: December 2013	GJN Holdings Inc. HNJG Holdings Inc.	Progressive Conservative Association of Alberta Candidate in the Electoral Division of Calgary-Greenway	GJN Holdings Inc. and HNJG Holdings Inc. were deemed a single corporation, in accordance with section 1(1)(l)(vi), and made an over-contribution in June 2012	\$1,000	Letter of reprimand	The Candidate returned the contribution voluntarily.  Receipt of the contribution by the candidate did not violate any provisions of the <i>EFDA</i> .  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.