

# Code of Conduct

## Discussion Guide

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### Preamble

Municipal Affairs is exploring amendments to the *Municipal Government Act (MGA)* and the *Local Authorities Election Act (LAEA)* to enhance accountability and public trust in local elections and local elected officials. To support these efforts, Municipal Affairs is engaging with elected officials on code of conduct requirements.

### Background

The *MGA* requires councils to pass a bylaw establishing a councillor code of conduct, and provides discretionary authority to establish a code of conduct for council committees and other bodies. The Code of Conduct for Elected Officials Regulation lists topics that must be included in the bylaw as well as possible sanctions. Each code of conduct must include a complaint system, and a bylaw review is required at least every four years. A councillor cannot be disqualified or removed from office for a breach of conduct.

### Purpose

Code of conduct requirements were introduced in 2015, with the intent of strengthening local elected official accountability and ensuring appropriate enforcement of conduct violations. Most municipalities have had no issues or concerns with code of conduct bylaws. However, in some cases, it has exacerbated divisions, strained relationships, or allowed for a majority on a council to place overly punitive sanctions on other councillors. The only means to challenge code of conduct sanctions is through the Court of Queen's Bench, which is expensive and time consuming. In these cases, both the sanctions applied and subsequent legal challenges have limited the ability to govern fairly and effectively.

Municipal Affairs is looking for your insights and feedback on this direction to ensure any changes meet the needs of involved parties.

### Discussion Questions

1. Has your municipality experienced challenges related to enforcing its Code of Conduct?
  - a. If so, what were those challenges?
2. Do you think the current legislation on Code of Conduct is sufficient and meets the requirement of municipalities to provide fair and accountable governance?
  - a. If no, please provide your suggestions.

Your feedback may be sent through the survey at [your.alberta.ca/mga-code-of-conduct](https://your.alberta.ca/mga-code-of-conduct) or in writing to Municipal Affairs, Municipal Planning and Engagement, Engagement Team, at [ma.engagement@gov.ab.ca](mailto:ma.engagement@gov.ab.ca) by **June 14, 2022**.