



August 14, 2026

Standing Committee on Alberta's Economic Future
c/o Committee Clerk
3rd Floor, 9820 – 107 Street
Edmonton, Alberta T5K 1E7

By email: AEFCommittee.Admin@assembly.ab.ca

Dear Committee Members:

Re: Written Submission — Comprehensive Review of the Lobbyists Act

Thank you for the Committee's invitation of July 2, 2026. The Public Health Appeal Board is an independent quasi-judicial tribunal established under section 3 of the *Public Health Act, RSA 2000, c P-37*. Under section 5 of that Act, the Board hears appeals from persons directly affected by orders of executive officers and certain other decisions made in the administration of Alberta's public health system, most commonly decisions of Alberta Health Services – Environmental Public Health. Board members are appointed by the Lieutenant Governor in Council, and the Board's proceedings and decisions are posted publicly on the Public Health Appeal Board website.

The Board's overall experience is that the *Lobbyists Act* functions appropriately in relation to the Board's core work. In particular, the exemptions in section 3(2)(a) and (b) sensibly place the ordinary business of an appeal outside the lobbying regime: submissions made in the Board's proceedings, which are a matter of public record, and communications concerning the enforcement or application of the *Public Health Act* to a party's own matter, are not "lobbying." Parties, their counsel, and the responding health authority can accordingly participate fully in appeals without engaging registration requirements. The Board considers this the correct result and does not suggest any change to those exemptions.

The Board offers two observations arising from its vantage point as an adjudicative tribunal, for the Committee's consideration.

1. Application of the Act to adjudicative tribunals outside their proceedings. The exemptions in section 3(2) address communications made within a proceeding or concerning the application of legislation to a person's own circumstances. The Act contains no provision addressing communications directed to members of a quasi-judicial tribunal outside a proceeding — for example, communications by an industry association seeking changes to a tribunal's rules of procedure or general practices. Where a tribunal is a prescribed Provincial entity, such

communications appear capable of constituting registrable lobbying under section 1(1)(f)(i)(D). At the same time, tribunals' own procedural rules and the principles of natural justice already prohibit private communications intended to influence adjudication. The Board takes no position on whether the present scope of the Act is too broad or too narrow in this respect. It suggests only that the Committee consider whether the Act's intended application to adjudicative bodies would benefit from clarification, whether by a tailored provision, by regulation, or through interpretive guidance from the Registrar.

2. Accessibility of "prescribed Provincial entity" status. Before 2020, the entities prescribed for the purposes of the Act were listed in schedules to the Lobbyists Act General Regulation. Since the repeal of that regulation and its replacement, prescription operates principally by the default rule in section 3.1(2) — by reference to Part 4.3 of the Conflicts of Interest Act — subject to orders published in The Alberta Gazette. In the Board's experience, it is now difficult for a person without legal training to determine with confidence whether a particular body is a prescribed Provincial entity, and therefore whether communications with its members may engage the Act. The Board suggests the Committee consider recommending that a current, consolidated list of prescribed Provincial entities be published and maintained in a readily accessible form.

The Board would be pleased to provide any further information of assistance to the Committee. Thank you for the opportunity to contribute to the review.

Yours truly,



Paul M. Bourassa
Acting Chair, Public Health Appeal Board