

Title:	Public Disclosure of Penalties				
Policy Number:	AF-FDP-1997-21				
Effective Date:	December 15, 2019				
Revision History:		Revision #	Revision Date	Revision Reason	Approved by
		1.0	December 15, 2019	Updated contact information, changes made due to reorganization, elimination of obsolete practices	Dan Lux, ED, Forest Stewardship and Trade

Purpose

The purpose of this Directive is to provide the public with information regarding *Forests Act* penalties in support of an open and transparent regulatory system. Doing so will increase public confidence in the enforcement of existing legislation and will improve compliance with the *Forests Act* and the associated Regulations.

Policy

Section 65 of the *Forests Act* enables the Minister to publish particulars of enforcement action taken under the *Act*. Forest Stewardship and Trade Branch has assumed responsibility for this Departmental requirement.

The information is publicly disclosed once the respondent has received a Notice of Penalty Assessment letter and accompanying invoice.

Requests for additional information are governed by the *Freedom of Information and Protection of Privacy Act (FOIPPA)*, and responded to through the Department’s FOIPPA office.

Disclosure occurs through weekly posting on Alberta Agriculture and Forestry (AF) website: (<https://www.alberta.ca/forest-management-compliance-and-enforcement.aspx>).

The Department may also issue a news release, notifying the public of a penalty, in its discretion.

Procedure

The Respondent will be notified that a penalty has been assessed by means of registered mail. The registration number is tracked on the Canada Post website to confirm Delivery.

Information to be disclosed includes (where applicable):

- Name of the person or corporation on the Notice;
- Area in which the contravention occurred;
- Description of the contravention, citing the section of the Act or Regulation and a capsule description of the section's contents (e.g. "operations not in accordance with an approved annual operating plan");
- Date of the contravention; and
- Amount of penalty

Where a case has or may develop a high public profile (due to the nature of the infraction, size of penalty, etc.) the Forest Area Manager should inform the Forest Stewardship and Trade Branch Executive Director. In consultation with Communications Division they *will* decide if a news release is appropriate. The news release should be issued concurrent with confirmation of service of the Notice of Penalty Assessment.

Authorities

Forests Act s. 65 - requires the Minister to disclose information on penalties for contravention of the *Act* or the regulations.

Contacts

Director, Timber Production, Audit & Enforcement
(780) 644-3135 (toll-free in Alberta by first dialing 310-0000)

Approved

Original signed by:



Date: December 15, 2019

Daniel Lux
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Forest Stewardship and Trade Branch
Agriculture and Forestry