

Memorandum

From: Honourable Mickey Amery, KC, ECA
Minister

Date: October 31, 2023

To: Honourable Danielle Smith
Premier of Alberta
307 Legislature Building

Subject: **Process and parameters for the Premier and Ministers to obtain legal advice from the Attorney General**

Context:

As Attorney General, I am providing you with the attached guidelines, outlining the process and parameters under which you and other ministers may seek legal advice from me in my role as Attorney General.

While this issue relates to broader aspects of our system of government, it also pertains to section 3 of the *Conflicts of Interest Act*, which provides as follows:

3 A Member breaches this Act if the Member uses the Member's office or powers to influence or to seek to influence a decision to be made by or on behalf of the Crown to further a private interest of the Member, a person directly associated with the Member or the Member's minor child or to improperly further another person's private interest.

Process:

As Attorney General, I am responsible for ensuring that public affairs are administered according to the law, and for superintending all matters relating to the administration of justice in Alberta that are within the powers or jurisdiction of the legislature or the government.

Consistent with this role, I directed officials within the Ministry of Justice to develop guidelines for how you, other ministers, and your respective staff, may seek legal advice from the Attorney General, while ensuring that there is no adverse impact on the proper administration of justice, and in particular on the independence of Crown prosecutors.

I have approved these guidelines and I am pleased to share them with you.

Original signed by

Mickey Amery, KC, ECA
Minister of Justice and Attorney General of Alberta

Attachment