

Agricultural Operation Practices Act Policy Advisory Group (PAG)

TERMS OF REFERENCE AND MANDATE

Terms of Reference

The Policy Advisory Group (PAG) was established under a 2006 Memorandum of Understanding (MOU) among the Natural Resources Conservation Board (represented by the Chair and chief executive officer), and the ministers of Sustainable Resource Development (now Environment and Protected Areas) and Agriculture and Rural Development (now Agriculture and Irrigation).

Mandate and Accountability

Mandate

The 2006 MOU establishes the purpose of *Agricultural Operation Practices Act* (AOPA): *“To ensure that the province’s livestock industry can grow to meet the opportunities presented by local and world markets in an environmentally sustainable manner.”*

PAG is referenced in the 2006 MOU referred to above as one of the mechanisms instituted by the MOU to promote and ensure:

- clarity and consistency of policy
- clear regulations
- standards based on science, level of environmental risk and cost effectiveness
- an open, integrated and transparent system
- building of trust and confidence
- timely decisions
- fair and impartial processes and decisions
- efficient and effective issue resolution, including increased mediation
- independence of Board review (appeals) processes
- communication and stakeholder participation

PAG brings together the expertise and experience of its members to provide advice regarding the effective delivery of AOPA and amendments to the act and regulations.

Duties and Responsibilities

To meet the mandate as set out in the 2006 MOU, PAG members provide advice on:

1. the existing or proposed regulatory philosophy of the NRCB for the administration of AOPA
2. potential improvements to processes and procedures used by the NRCB in the administration of AOPA, including policies and guidelines
3. current issues of a general nature affecting the effective delivery of AOPA
4. legislative and regulatory changes
5. other matters identified by the co-chairs and the PAG members

PAG will not author policies and guidelines, or amendments to the legislation and regulations.

Where the co-chairs consider it appropriate, PAG may be asked to make recommendations on strategic priorities for discussion and to provide advice on policies that support delivery of AOPA before they are released by the NRCB or Agriculture and Irrigation.

The Ministers

The Minister of Environment and Protected Areas (EPA) is accountable for the NRCB and the delivery of AOPA through the NRCB.

The Minister of Agriculture and Irrigation (AGI) is responsible for broad AOPA policy, legislation and regulations.

The Deputy Ministers

The deputy ministers monitor the operations and performance of PAG through its co-chairs, to ensure that it is fulfilling its mandate in compliance with government policies.

The NRCB

The NRCB (an agency of EPA) is responsible for secretariat duties for PAG, remuneration of members, and public reporting on PAG's achievements.

The Co-Chairs

As established by the 2006 MOU and Ministerial Order 25/06, PAG co-chairs are the Chief Executive Officer, NRCB and the Assistant Deputy Minister, Primary Agriculture, AGI.

The co-chairs are accountable to the deputy ministers of AGI and EPA for the operation and effectiveness of PAG, and provide updates on PAG accomplishments at regular accountability sessions and through ongoing briefings.

The Members

Members are expected to agree with and sign or endorse the terms of reference document, which includes a mandatory code of conduct. It is expected that PAG members represent the views of their associations.

Members interact with the ministries of AGI and EPA through the co-chairs or their designate.

Members are expected to:

- support the purpose statement of AOPA as established by the 2006 MOU: *"To ensure that the province's livestock industry can grow to meet the opportunities presented by local and world markets in an environmentally sustainable manner"*
- keep their stakeholder group informed, and share the perspective of their group at PAG meetings
- respect the opinions and experience of other PAG members
- attend meetings, come prepared, and participate fully in the discussions and the formulation of advice

In instances where members are unable to fulfill their duties, the co-chairs will request a replacement from the association they represent.

Alternates are welcome to participate at PAG meetings alongside their association's designated member. A wide variety of topics are discussed at PAG, and it is useful to allow either the full member or alternate to address issues based on their knowledge and experience.

Other attendees and observers may include representatives of industry, municipalities, non-government organizations and other government departments, as invited by the co-chairs.

Appointment of PAG Members

Ministerial Order 25/06, signed by the Honourable Doug Horner, Minister of Agriculture and Rural Development (now AGI) and the Honourable Dave Coumts, Minister of Sustainable Resource Development (now EPA), established the following stakeholder representation for PAG:

- Agriculture and Irrigation – one member
- Rural Municipalities of Alberta – two members
- Alberta environmental non-government organizations – two members
- Environment and Protected Areas – one member
- Alberta Municipalities Association – one member
- Confined feeding industry – eight members as follows:
 - Beef industry – 2 members
 - Poultry industry – 2 members
 - Intensive Livestock Working Group – 1 member
 - Pork industry – 2 members
 - Dairy industry – 1 member
- NRCB (Board) – one member

Organizations are responsible for nominating appointees that have the appropriate knowledge, skills, experience and values to assist PAG in achieving its mandate. Appointments by stakeholder associations are forwarded to the co-chairs for consideration.

An individual's appointment is limited to a maximum of ten years of continuous service. Co-chairs may allow for exceptions in situations where an individual has unique skills that are beneficial to PAG.

Associations are responsible for ensuring that appropriate replacements for members, as a result of internal elections of other organizational changes, are identified and communicated to the co-chairs in a timely manner.

Operation of PAG

PAG meetings are generally held twice a year with the frequency adjusted at the call of the co-chairs with input from members.

Co-chair responsibilities:

- co-chair PAG meetings
- identify and prioritize issues for discussion at PAG
- prepare agenda for meetings

The NRCB co-chair is responsible for:

- scheduling and introducing policy for discussion at PAG
- summarizing the advice from the membership
- updating PAG on progress related to implementing policy and delivery of AOPA

The AGI co-chair is responsible for:

- the amendment process for AOPA
- bringing broad policy issues related to AOPA amendments to PAG for discussion
- scheduling discussions with respect to amendments to the act and its regulations

Technical Advisory Group (TAG)

- PAG is complemented by the Technical Advisory Group (TAG), which addresses the technical means of achieving the objectives of AOPA and the outcomes described in policy documents.

TAG is established under a separate terms of reference. It is not accountable to PAG but is responsible for ensuring that PAG is briefed.

Code of Conduct

Policy Advisory Group (PAG) members are expected to conduct their duties in all regards with impartiality, and to act in the best interests of the industry or stakeholder group they represent, PAG and its mandate.

Members are required to disclose to the co-chairs any situation involving them which is a conflict of interest or an apparent conflict of interest.

Members are in conflict of interest and in violation of the code of conduct if they:

1. take part in a decision in the course of carrying out their duties as a PAG member, knowing that the decision might further a private interest of themselves, their spouse, their adult interdependent partner or minor child,
2. use their public role to influence or seek to influence a government decision which could further a private interest of themselves, their spouse, their adult interdependent partner or minor child, or
3. use or communicate information not available to the general public that was gained in the course of carrying out their duties, to further or seek to further a private interest of themselves, their spouse, their adult interdependent partner or minor child.

It is recognized that, in some cases, PAG members may, in the spirit of representing the interests of their stakeholder association, also be indirectly furthering their private interests. This is not to be seen as a conflict but rather an unavoidable consequence of association delegates representing their organization.

Accountability

PAG is accountable through its co-chairs to the deputy ministers of EPA and AGI.

Accountability Sessions on Effective Delivery of AOPA

Accountability Sessions on the effective delivery of AOPA will be held periodically with a minister of either AGI or EPA (or both), along with their respective deputies and PAG members.

PAG Effectiveness

PAG will periodically evaluate its effectiveness with members and discuss potential ways to improve. The co-chairs will provide a report on the effectiveness of PAG and submit a summary report to the deputy ministers of AGI and EPA. Most often this would be completed in conjunction with the report from the accountability session.

Members

PAG members are responsible for bringing forward to the co-chairs issues they feel need to be reviewed by PAG.

Decisions

PAG is advisory. Final decisions on NRCB policy issues will rest most often with the Chief Executive Officer, NRCB. For amendments to AOPA (legislative and/or regulations) the final decisions rest with the Minister of AGI.

Communication

The objective of PAG is to provide transparent advice that leads to timely decisions. This requires that:

- all communication is open, transparent, and shared among all PAG members,
- decision timeframes are identified and adhered to, and that PAG members have information before meetings, and
- decision outcomes are communicated and explained.

Administration

Financial costs

The NRCB will be responsible for the cost of hosting PAG meetings and all administrative expenses related to the meetings.

The NRCB is also responsible for remuneration of PAG members' honoraria and travel expenses in accordance with the *NRCB Guidelines for Policy Advisory Group Participants*. No further remuneration will be paid to PAG members.

Review of the PAG Terms of Reference and Mandate

AGI and the NRCB are responsible for overseeing the review of PAG every seven years or as required.

Transparency

Copies of the PAG Terms of Reference and Mandate document will be filed with AGI. In support of the principle of transparency, this document will also be easily available to the public on the NRCB website.