



ALBERTA
PROSPERITY
PROJECT

THE FOUNDATION OF FREEDOM

A CONSTITUTIONAL DISCUSSION DOCUMENT

To the readers of this document. This is a discussion document, meant for you to review some ideas that could be put into a Constitution for an Independent Alberta.

Your feedback is important. We request that you provide your feedback at the link at the bottom of this page.

This document is written to look like a constitution instead of a list of items to put into a constitution, but it remains a document to be discussed among Albertans and at some point it may be used in a Constitutional Conference as one of many sources of ideas.

Alberta Prosperity Project believes that a Constitutional Conference led by Albertans to produce a Constitution to be ratified by Albertans must be conducted upon Independence.

There are many issues that are not covered or not fully covered in this document as many discussions must be held in order to achieve generally acceptable ideas for a Constitution.

Those more complex issues are better discussed at a Constitutional Conference.

Upon independence, we believe that all Canadians who normally reside in Alberta, should be Alberta Citizens. This would include Indigenous peoples normally residing in Alberta.

Reservations and their nations will be invited to join an independent Alberta in nation to nation negotiations. Not knowing where those negotiations will lead, the answers to those issues should not be assumed or be seen to be imposed. Those issues need to be represented by the people that will be directly affected.

Thank you for your review of this document and for your feedback.

ALBERTA PROSPERITY PROJECT

Please click this link to provide your feedback

<https://forms.gle/dgpXQiZiwYzp3Si67>

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PREAMBLE

WHEREAS the free and democratic NATION of Alberta is founded on principles that acknowledge the supremacy of God, on the rule of law, and values, fostered by tradition that honour and respect individual human rights, fundamental freedoms and the dignity and worth of every Citizen;

THEREFORE, by and with the advice and consent of the Citizens of Alberta, this Alberta Constitution is enacted and shall remain in full force and effect unless amended or replaced in accordance with its own provisions.

RIGHTS AND FREEDOMS

The following twelve inalienable Rights and Freedoms flow from the Liberty granted to all Citizens of Alberta by God, our Creator.

These twelve Rights and Freedoms form an incomplete list of the Rights and Freedoms inherent to all Citizens of Alberta, and are set forth only to clarify some of the more commonly exercised Rights and Freedoms.

The enumeration of Rights and Freedoms in this Part is not exhaustive. The absence of any Right or Freedom from this Part shall not be construed to deny, disparage, or diminish any other Right or Freedom possessed by Citizens.

No branch or officer of Government shall deny, disparage, abridge, limit, or burden any Right or Freedom, except as expressly and narrowly permitted by this Constitution.

The existence of an emergency, crisis, or extraordinary circumstance shall not constitute lawful grounds to suspend, limit, or override any Right or Freedom except where this Constitution expressly provides.

ARTICLE I **Fundamental Freedoms**

- 1.1 Every Citizen has the right to liberty and to be free from arbitrary, unlawful, or extra-constitutional force, coercion, or threats by the State.
- 1.2 Every Citizen and the press have the right to freedom of conscience, religion, thought, belief, opinion, speech, and expression.
- 1.3 Every Citizen has the right to peaceful assembly, association, collective action, and to be free from compelled speech or compelled expression.

ARTICLE II **Equality of Rights**

- 2.1** Every Citizen is equal before and under the Constitution and entitled to the equal protection and equal benefit of the Constitution.

ARTICLE III **Democratic Rights**

- 3.1** Every Citizen, not currently serving a sentence for a criminal conviction, who has attained the Age of Majority, 18 years of age, has the right to vote in free and fair elections and referenda.
- 3.2** Every Citizen has the right to form political parties, seek and hold public office, and to participate in public affairs without interference.
- 3.3** Every Citizen has the right to petition the Government, engage in civic debate, and to participate directly in the democratic processes established by this Constitution.

ARTICLE IV **Legal Rights**

- 4.1** Every Citizen has the right to life, liberty, and security of the person.
- 4.2** Every Citizen has the right to due process of law and to timely access to justice.
- 4.3** Every Citizen has the right not to be subject to unreasonable and warrantless search, seizure, or surveillance and arbitrary arrest or detention.
- 4.4** Every Citizen has the right to a fair, impartial, and public hearing before the Judiciary.

4.5 Every Citizen has the right upon arrest or detention to be informed of their rights to:

- a)** Retain and instruct legal counsel and for legal counsel to be present during questioning;
- b)** Remain silent;
- c)** Be protected against self-incrimination;
- d)** Be free from cruel, inhuman, or degrading treatment or punishment; and
- e)** Face their accuser(s) in court.

ARTICLE V **Property Rights**

5.1 Every Citizen has the right to acquire, own, use, repair, improve and dispose of property of any kind.

5.2 The State shall not tax, devalue, take, restrict, or deny the use of property, except as this Constitution expressly provides.

5.3 Expropriation of real property is permitted only for a legitimate public purpose, and only through due process of law.

- a)** In all expropriation proceedings, the State shall pay the property owner's reasonable legal fees to challenge the expropriation and all expropriation-related expenses; and
- b)** In the event of a court approved expropriation, the State shall provide full and fair market compensation for all real property taken, including compensation for impairment, loss of value, and any remediation costs affecting associated real property, chattels, or equipment.

5.4 The State shall not expropriate property indirectly through legislation, regulation or through any measure that has the effect of confiscation.

- 5.5** The State may record a non-possessory lien against real property for unpaid civil lawful taxes and fines, provided that:
- a)** The lien shall not restrict the owner’s possession, use, enjoyment, transfer, disposal or improvement of the property;
 - b)** The lien shall not authorize the State to seize, sell, foreclose upon, or otherwise take the property; and
 - c)** The lien shall be extinguished upon full payment of the tax owed.
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ARTICLE VI Right to Arms and Self-Defence

- 6.1** Every Citizen has the right to defend their life, family, and property, based upon a subjective belief, reasonably held, in the immediacy of the circumstances.
- 6.2** Every law-abiding Citizen has the right to possess and carry firearms or other arms, openly or concealed, for self-defence and lawful purposes.
- 6.3** This right may be restricted only in respect of Citizens who have been convicted of a violent indictable offense or who are lawfully determined by a court to lack mental competence in accordance with due process of law.
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ARTICLE VII Privacy and Digital Rights

- 7.1** Every person has the right to privacy in their person, home, communications, personal data, and digital activities.
- 7.2** Every person has the right to access, correct, and delete any kind of personal data held by the State.
- 7.3** Every person has the freedom to use physical forms of identification for all activities that require identification. No person shall be assigned a digital identification through coercion or without their consent.

ARTICLE VIII **Parental Rights**

- 8.1** Parents are the authority over the upbringing, education and healthcare of their children until they reach the age of majority, which is 18 years of age.

ARTICLE IX **Healthcare Freedom and Personal Autonomy**

- 9.1** Every Citizen has bodily autonomy and the right to informed consent.
- 9.2** Every Citizen has the right to choose healthcare providers, medicines, remedies, treatments and alternative treatments; and to refuse any health service, medical procedure or intervention.
- 9.3** No Citizen shall be discriminated against on the basis of medical choice.

ARTICLE X **Economic Liberty**

- 10.1** Every Citizen has the right to use cash or other forms of Sound Money as legal tender without restriction, penalty, or discrimination.
- 10.2** Every Citizen has the right to engage freely in business, trade, and enterprise subject only to laws enacted in accordance with this constitution.

ARTICLE XI **Mobility Rights**

- 11.1** Every Citizen has the right to enter, remain in, and leave Alberta.
- 11.2** Every Citizen has the right to choose their residence and to move freely within the Nation.

ARTICLE XII **Remedies and Damages**

- 12.1** Any person whose Rights and Freedoms under this Constitution are violated has the right to seek full legal remedies, litigation expenses and just compensation from the State.

FOUNDATIONAL PRINCIPLES

ARTICLE I **Sovereignty of Alberta**

- 1.1 Alberta is a free, sovereign, and independent Nation.
- 1.2 All political authority originates with the Citizens of Alberta and exists only by their consent and participation in the democratic processes established by this Constitution.

ARTICLE II **Supremacy of the Constitution**

- 2.1 This Constitution is the supreme law of Alberta.
- 2.2 All legislation, regulation, executive action, and judicial decisions shall conform to the provisions of the Constitution and any law or act inconsistent with it shall be of no force or effect.

ARTICLE III **The Rule of Law**

- 3.1 Government shall conduct itself in accordance with this Constitution.
- 3.2 This Constitution binds all branches of Government, all courts, all public officers and all Citizens alike.

ARTICLE IV **Separation of Powers**

- 4.1 The Legislative, Executive, Oversight and Judicial branches of Government shall be distinct.
- 4.2 Each branch shall exercise only the powers expressly allocated to it by this Constitution.

ARTICLE V **Consent of the Governed**

- 5.1** No person shall exercise public authority without lawful election or appointment in accordance with this Constitution, with the exception of upholding the law.
- 5.2** No law shall bind the Citizens except through their elected representatives or through direct democratic processes expressly provided by law.
-

ARTICLE VI **Natural Rights and Human Dignity**

- 6.1** Every Citizen possesses inherent dignity and rights which Government shall recognize and protect, including the right to be free from discrimination on the basis of race, ethnicity, gender, Lawful Sexual Orientation or religious belief.
- 6.2** The State shall recognize and protect these rights, which are affirmed and enforced through the Rights and Freedoms set out in Part 1 of this Constitution.
-

ARTICLE VII **Amendment**

- 7.1** Only Parts IV, V, VI and XIII of this Constitution may be amended. These parts may only be amended when ratified by not less than 50% plus one vote of votes cast in a binding referendum of eligible electors.
- 7.2** No judicial interpretations of this Constitution shall be permitted, which are not approved by the methodology outlined in Section 7.1 of this Article.
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ARTICLE VIII **Official Language**

- 8.1** English shall be the only official language of Alberta.
- 8.2** Only English will be used for the enactment and recording of all legislation, regulation and policies for all Government business and for all Court proceedings.
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ARTICLE IX **Citation, Structure, and Interpretation**

9.1 Formal Citation

- a) This Constitution shall be cited by Part, Article, Section, and Clause, in that order; and
- b) No provision shall be referenced, amended, interpreted, or enforced except by such citation.

9.2 Structural Integrity

- a) The division of this Constitution into Parts, Articles, Sections, and Clauses is intentional and binding; and
- b) No court, officer, or branch of Government shall disregard, collapse, reorder, or re-characterize this structure for purposes of interpretation.

9.3 Textual Primacy

- a) The meaning of any provision of this Constitution shall be determined solely by its text, read in its immediate structural context; and
- b) Headings, and titles, may be used only to resolve ambiguity within the text and shall not be used to expand, limit, or imply powers, rights, or obligations not expressly stated.

9.4 Prohibition on Implied Authority

- a) Where authority is not expressly granted by the Citizens within this Constitution, it is withheld.

9.5 Consistency with Rights

- a) In the event of conflict between any provision of this Constitution and the Rights and Freedoms set out in Part I, the Rights and Freedoms shall prevail; and
- b) No interpretive doctrine shall be used to dilute, balance away, suspend, or condition an enumerated Right or Freedom except where this Constitution expressly provides.

9.6 Binding Effect

- a) The Articles of Part II - Foundational Principles are binding upon all branches of Government, all courts, all public officers and all persons and institutions in Alberta.
- b) Any act, decision, or judgment rendered in violation of Part II shall be of no force or effect.

RESTRAINTS ON GOVERNMENT

ARTICLE I **State Powers Limited**

- 1.1** The State, including the Legislative Branch, the Executive Branch, Oversight Branch and the Judiciary, whether acting separately or in combination, possesses no power or jurisdiction except as expressly set out in this Constitution.
- 1.2** The powers enumerated in this Part are exhaustive; where a matter is not expressly listed as within legislative authority, it is withheld, and the prohibitions set out herein are declaratory and limiting, not grants of authority.
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ARTICLE II **Defending the Nation**

- 2.1** Government may legislate only for the following purposes relating to national defence and security:
- a)** National defence and military organization;
 - b)** Raising forces, maintaining bases, intelligence, cybersecurity, counter-espionage;
 - c)** Protection of national borders and infrastructure including border control necessary for national security and economic integrity;
 - d)** Passports and international travel documents, visas, Citizenship, deportation, entry, residence, and expulsion of non-citizens;
 - e)** Limitation of Property Ownership by non-citizens;
 - f)** Response to external threats, including wars, sanctions, foreign interference, and hostile economic activity; and
 - g)** Emergency powers for national survival, strictly limited to matters necessary for the survival and defence of the Nation.

ARTICLE III **Regulating Trade and Services**

3.1 Government may legislate only for the following purposes relating to trade, commerce, and essential services:

- a)** Creation, Standards and Maintenance of the Nation's medium of exchange (currency);
- b)** Regulation of intra-Alberta trade to ensure a unified economic space;
- c)** Establishment of essential national standards including weights, measures, product safety, and transportation;
- d)** Regulation of professions and trades essential to the functioning of the economy and for public safety including medicine, legal, engineering, education and other comparable professions;
- e)** Negotiating, concluding and regulating treaties and international trade agreements;
- f)** Customs, tariffs, and the import and export of goods;
- g)** Regulation of strategic national infrastructure and resources essential to commerce, including airspace, international airports, ports, highways, major waterways, railways, environment and communications; and
- h)** Managing the exportation of all products of Alberta to foreign states and markets.

ARTICLE IV **Upholding Internal Order & Justice**

- 4.1** Government may legislate only for the following purposes relating to public order and justice:
- a)** Administration of law enforcement and justice ensuring that such protection does not impair the rights of Citizens except as expressly permitted by this Constitution;
 - b)** Defining of serious criminal offenses including violence, murder, rape and sexual offenses, assault, fraud, corruption, human trafficking to be adjudicated by the Judicial System;
 - c)** National policing standards, licensing and cross-regional cooperation; and
 - d)** Public safety and security standards which by their nature require national uniformity including: aviation, communication systems, hazardous materials, recycling, waste disposal and nuclear safety.

ARTICLE V **Absolute Prohibitions**

- 5.1** Government shall not, except as this Constitution allows, legislate or act in respect of:
- a)** Any matter that impairs the personal Freedoms or Rights enumerated in Articles 1 – 12 in Part 1 of this Constitution, except as this Constitution expressly permits;
 - b)** Allowing, without consent of the person, that the State or other parties to release, share, sell or otherwise distribute private information, including digital information and private transactions;
 - c)** Regulation or funding of the media;
 - d)** Creation of monopolies such as boards, cartels or other organizations that limit choice in the participation in trade or the economy;
 - e)** Any area not clearly tied to defence, trade, or peace and order; or
 - f)** Creation of new rights, obligations, or social programs outside the categories expressly enumerated in this Part.

ARTICLE VI **Validity and Interpretation of Laws**

- 6.1** Presumptive Validity -An Alberta law shall be presumptively valid if it:
- a)** Does not impair, limit or abrogate the Rights and Freedoms enumerated in this Constitution;
 - b)** Addresses a matter affecting the Nation; and
 - c)** Is regulatory in nature and not redistributive.

6.2 Oversight Review

- a) The Oversight Branch shall review all proposed legislation to determine its constitutionality prior to being put on the order paper of the Legislative Branch houses; and
- b) The Oversight Branch shall issue its review to the Attorney General, Speaker of the Senate and the Speaker of the Legislative Assembly before any vote on enactment.

6.3 Judicial Review

- a) Courts may invalidate any law that exceeds the authorities enumerated in this Constitution, is disproportionate, redistributive, or intrusive beyond necessity;
- b) The Courts shall interpret laws and the Constitution according to their original meaning and text, without implying un-enumerated powers or diluting rights; and
- c) No deference shall be given to Legislative intent if it conflicts with constitutional limits.

6.4 Emergency Legislation

- a) Any declared Emergency shall be defined by: what the Emergency is; and what conditions constitute the end of the Emergency;
- b) No emergency Law shall abrogate any Right or Freedom set out in this Constitution or the Bill of Rights; and
- c) Emergency legislation shall be restricted only to increased spending authority in accordance with Part XI, Article VI.

STRUCTURE OF GOVERNMENT

ARTICLE I **Four Branches of Government**

- 1.1** The powers of the Government of Alberta are separated into four branches, which are each supreme within their jurisdiction under the Constitution:
- a)** The Legislative Branch, comprised of: the Legislative Assembly and the Senate are responsible for the enactment of laws;
 - b)** The Oversight Branch audits, inspects, investigates, lays charges, where appropriate with respect to all elements of the Government of Alberta, its agents and all other lower Governments in Alberta. The Oversight Branch reports its findings to and shall provide testimony to the Senate, in accordance with this Constitution;
 - c)** The Executive Branch executes and enforces Alberta Law; and
 - d)** The Judicial Branch is responsible for the interpretation and application of the Law, in accordance with the Constitution.

ARTICLE II **Checks and Balances**

- 2.1** The Branches shall not exercise or usurp the functions assigned to the other Branches.
- 2.2** Each Branch shall act as a check to prevent the concentration or abuse of power.

ARTICLE III **Seats of Government**

- 3.1** The Seats of Government shall be distributed across the Nation.
- 3.2** The Legislative Assembly shall be seated in Edmonton.
- 3.3** The Executive shall be seated in Calgary.

- 3.4 The Supreme Court shall be seated in Grand Prairie.
 - 3.5 The Senate shall be seated in Red Deer.
 - 3.6 The Oversight Branch shall be seated in Medicine Hat and Lloydminster.
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ARTICLE IV **Public Access and Transparency**

- 4.1 The proceedings and records of all branches of all Governments shall be open and accessible to the public, less counter-espionage and military strength and movements.
- 4.2 All financial transactions shall be publicly disclosed not less than four times per year.
- 4.3 Such disclosures shall use the same: transaction identifiers; coding systems; and data that are used in each level of Government's internal accounting systems.

TERRITORY AND BOUNDARIES

ARTICLE I **Sovereign Territory**

- 1.1 Alberta comprises all lands, waters, airspace, and natural resources within the boundaries formerly recognized as the Province of Alberta under the Constitution of Canada, subject only to lawful modifications made in accordance with this Constitution.
- 1.2 Any additional Territory lawfully acquired or ceded to Alberta for embassies or other sovereign purposes shall form part of the sovereign Territory of Alberta Sovereign.

ARTICLE II **Jurisdiction**

- 2.1 The legislative, executive, oversight and judicial powers established under this Constitution shall extend to the full extent of Alberta's Territory.
- 2.2 Such jurisdiction includes public lands, natural resource holdings, internal waters and any Territory lawfully designated for Alberta embassies or sovereign purposes.

ARTICLE III **Natural Resources**

- 3.1 Alberta possesses full exclusive jurisdiction, and control over all lands, forests, water bodies, minerals, subsurface resources, animals, and airspace within its Territory. Albertans who own land and any of the rights described above prior to Independence shall retain ownership of said land and rights upon Independence.

ARTICLE IV **Treaties with Aboriginal Peoples of Canada within Alberta**

- 4.1** The existing Treaties No. 6, No. 7 and No. 8 between Aboriginal Peoples of Canada within Alberta and Her Most Gracious Majesty the Queen of Great Britain and Ireland are hereby recognized and affirmed as they were written and entered into. The rights and responsibilities in these treaties shall not extend beyond what is written in the treaties. For aboriginal nations that choose to remain in Canadian Confederation, the responsibilities in the treaties shall remain with the Canadian Crown.
- 4.2** Aboriginal peoples of Canada in Alberta includes the Indian, Inuit and Métis who have recognized limited rights enumerated by the treaties, as follows:
- a)** Treaty No. 6 - to pursue their avocations of hunting and fishing throughout the tract surrendered.
 - b)** Treaty No. 7 - to pursue their vocations of hunting throughout the tract surrendered.
 - c)** Treaty No. 8 - to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered.
- 4.3** For greater certainty, treaty rights in section 4.1 of this Article includes rights and responsibilities that now exist by way of land claims agreements.

- 4.4 Aboriginal treaty rights and responsibilities are guaranteed equally to male and female persons.

ARTICLE V **International Borders and Agreements**

- 5.1 The boundaries of Alberta shall be altered only by constitutional amendment.
- 5.2 No part of its Territory shall be ceded, transferred, or alienated except in accordance with this Constitution and with the consent of the Citizens.
- 5.3 Territory designated for Alberta embassies may be added to the Sovereign Territory of Alberta by approval of a simple majority of the Senate and the Legislative Assembly.
- 5.4 No Territory of Alberta shall be ceded to a foreign nation except by constitutional amendment, excepting only Territory designated for foreign embassies approved by a simple majority of the Senate and Legislative Assembly.

CITIZENSHIP AND ELECTIONS

ARTICLE I **Citizenship and Residency**

- 1.1 Citizenship in Alberta shall be defined by Alberta Citizens in this Constitution.
- 1.2 Residency in Alberta shall be defined by Alberta Citizens in this Constitution.
- 1.3 Citizenship confers full civil and political rights, including the right to vote, hold public office, and petition the Government.

ARTICLE II **Citizenship**

- 2.1 A Canadian citizen, normally a resident of Alberta upon Independence is a Citizen.
- 2.2 A child born within Alberta to at least one parent who is a Citizen at the time of the child's birth is a Citizen.
- 2.3 A child born outside Alberta to at least one parent who is a Citizen at the time of the child's birth may be granted Citizenship upon application in accordance with law.
- 2.4 Further definitions of Citizenship shall be defined by Alberta Citizens through Constitutional Conferences.

ARTICLE III **Passport**

- 3.1 Alberta shall provide every Citizen, on demand and at no charge, photographic identification and a passport sufficient to meet the legal requirements to provide their identification for voting or international travel.

ARTICLE IV **Work and Temporary Residency Visas**

- 4.1 Work Visas may be issued only where demonstrated needs for skilled workers cannot be met by Citizens and only for durations and quantities prescribed by law.

4.2 All Work Visas require a clean background check and shall only be awarded on a verified point's basis as prescribed by law.

4.3 Temporary Residency Visas shall only be issued to persons who:

- a)** Demonstrate the financial capacity to meet all reasonable personal expenses and emergencies;
- b)** Will contribute to the Alberta economy during their stay; and
- c)** Provide, where required by law, a surety bond sufficient to cover emergencies including repatriation.

ARTICLE V **Franchise**

5.1 Every Citizen of Alberta who has attained the age of majority, who is not currently serving a sentence for a criminal conviction; shall have the right to vote in all public elections and referenda.

ARTICLE VI **Equal Vote**

6.1 Each Citizen, who has reached the Age of Majority, shall have one vote.

ARTICLE VII **Electoral Integrity**

7.1 Elections shall be free, fair, and conducted by secret physical ballot.

7.2 Ballots shall be physical in nature, securely stored with an unbroken chain of custody and shall remain accessible for five years.

7.3 Laws governing elections shall ensure transparency, accuracy, and public confidence in electoral outcomes.

7.4 All eligible electors shall be provided, at no charge, Government issued photo identification that shall be produced by the elector in order to vote.

ARTICLE VIII **Oath of Office**

- 8.1** Members of the: Legislative Assembly, Senate, and Oversight Branch; the President, the Vice-President; ministers, justices, judges, lawyers and magistrates; and members of the military, public servants, police and peace officers shall, before they enter upon the duties of their offices, take the following oath:
- a)** "I do swear (or solemnly affirm, as the case may be) that I will be faithful and bear true allegiance to the Citizens of Alberta;
 - b)** I will uphold and defend the Constitution and the Rights and Freedoms of Citizens above all other laws; and
 - c)** I will faithfully discharge the duties of my office as (state the office) according to the Law.
- 8.2** An office holder may, at their option, conclude the oath with the words:
- a)** "So help me God."

ACCOUNTABILITY, TERM LIMITS, AND DIRECT DEMOCRACY

ARTICLE I **Term Limits**

- 1.1 No person shall hold elected office in the Executive Branch for more than two terms, each of a maximum of four years in length.
- 1.2 No person shall hold elected Office in the Legislative Assembly for more than two terms each of a maximum of four years in length.
- 1.3 No person shall hold elected office in the Senate more than one term of a maximum of eight years in length.
- 1.4 No person shall hold elected office in the Oversight Branch for more than two terms each a maximum of four years in length.
- 1.5 No person shall be elected to the office of Judge for any level of court for more than one term of a maximum of eight years in length.
- 1.6 The combined service of any person in any elected or appointed to public offices shall not exceed a total of 16 years in length.

ARTICLE II **Recall of Officials**

- 2.1 Any elected official may be subject to recall upon submission of a petition signed by not less than three percent of registered voters in the relevant constituency.
- 2.2 Upon validation of a valid petition, a public recall vote shall be held within 90 days. The recalled official may run in such recall elections.

ARTICLE III **Referenda by Citizens**

- 3.1 Citizens may initiate binding referenda on any matter within the legislative authority of the Legislative Branch by submitting a petition signed by at least three percent of registered Alberta voters.
- 3.2 Upon certification of petitions for referenda, the proposed question shall be voted on by the Citizens within 180 days and shall be enacted within 90 days of the majority approval of the question.

ARTICLE IV **Transparency of Officeholders**

- 4.1 All elected and appointed officials shall publicly disclose financial interests, affiliations, and outside income and be subject to auditing by the Oversight Branch.
- 4.2 Any material breach of disclosure obligations shall result in removal from office.

THE PRESIDENCY AND EXECUTIVE POWERS

ARTICLE I **Head of State and Government**

- 1.1 The President of Alberta shall serve as both Head of State and Head of Government.
- 1.2 The President shall be elected directly, at large, by the Citizens of Alberta in accordance with this Constitution.
-

ARTICLE II **Executive Powers**

- 2.1 The President shall:
- a) Defend the Rights and Freedoms of Albertans including those within and outside of this Constitution and Bill of Rights;
 - b) Faithfully uphold the Constitution and execute and enforce the laws of Alberta;
 - c) Direct and oversee the administration of Government;
 - d) Serve as Commander-in-Chief of the Armed Forces of Alberta, and
 - e) Represent Alberta in all foreign and inter-Governmental affairs.
-

ARTICLE III **Appointments and Removals**

- 3.1 The President shall appoint ministers, ambassadors, officers, and other officials as provided by law, subject to confirmation by a bare majority of the Senate.
- 3.2 Except where otherwise provided by this Constitution, the President is authorized to remove appointed officials.
-

- 3.3 The President may make acting appointments for a period not exceeding 180 days to ensure continued operation of Government during confirmation proceedings.
- 3.4 Where the Senate fails to conduct a confirmation vote within 30 days of an acting appointment, the appointee shall be deemed confirmed.

ARTICLE IV **Veto Power**

- 4.1 The President may veto any bill passed by the Legislative Branch with line-item vetoes or may veto the bill as a whole.
- 4.2 Any veto, including a line-item veto, shall be accompanied by a public statement of justification.
- 4.3 The Legislative Branch may then override a veto, including a line-item veto, by vote of not less than two-thirds of the members of each chamber.
- 4.4 A Line-item veto shall not be exercised so as to create additional spending, increase appropriations or confer authority not enacted by the Legislative Branch.

ARTICLE V **Executive Orders**

- 5.1 The President may issue Executive Orders for the faithful execution of law.
- 5.2 An Executive Order shall not:
- a) Create or amend law;
 - b) Appropriate or reallocate funds;
 - c) Exercise any powers assigned to other Branches of the Government; or
 - d) Contravene this Constitution or any act of the Legislative Branch.

THE LEGISLATIVE BRANCH

ARTICLE I **Legislative Power**

- 1.1 All legislative power of Alberta is vested in the Legislative Branch.
 - 1.2 The Legislative Branch consists of two chambers: the Legislative Assembly and the Senate of Alberta.
-

ARTICLE II **Legislative Assembly**

- 2.1 Members of the Assembly shall be elected from electoral districts to be adjusted each ten years to ensure the population of eligible electors for each electoral district is roughly equal to all other districts.
 - 2.2 The Legislative Assembly shall originate all bills relating to powers enumerated in this Constitution, including but not limited to: taxation, public finance and the raising or appropriation of public funds.
 - 2.3 The Legislative Assembly shall consist of not more than ninety elected members, except unless increased by amendment of this Constitution.
-

ARTICLE III **Senate of Alberta**

- 3.1 Senators shall be elected from twenty Senatorial Districts comprised of municipal districts and special areas to represent the regional interests of Albertans.
- 3.2 The Senate shall review, amend, approve, or reject legislation passed by the Legislative Assembly.
- 3.3 The Senate shall consist of forty elected members, with two senators from each senatorial district.

ARTICLE IV **Law-Making Process**

- 4.1** A bill becomes law only upon:
- a)** Passage by both chambers of the Legislative Branch; and
 - b)** Assent by the President, unless vetoed in whole or in part and subsequently overridden in accordance with this Constitution.
-

ARTICLE V **Declaration of Emergency or of War**

- 5.1** An emergency can only be declared by the Legislative Branch.
- 5.2** A declaration of emergency requires approval by a majority of the members of both chambers of the Legislative Branch.
- 5.3** No declared emergency shall authorize any branch of the Government to suspend or abrogate the Rights and Freedoms of Citizens in this Constitution.
- 5.4** No declared emergency shall grant any powers to any Branch or Government agent not expressed in this Constitution.
- 5.5** Declarations of Emergency shall be further defined by Alberta Citizens through Constitutional Conference.
-

ARTICLE VI **Transparency and Procedure**

- 6.1** Sessions of both chambers shall be open to the public except where secrecy is expressly required by law.

- 6.2 Records of legislative proceedings and all voting records shall be published.
- 6.3 Each chamber shall determine its own internal procedures, subject always to this Constitution. All internal procedures shall be confirmed by the Oversight Branch to ensure democratic principles are maintained.

ARTICLE VII **Limits on Legislation**

- 7.1 The Legislative Branch shall enact no law that infringes upon any Right or Freedom guaranteed by this Constitution.
- 7.2 The Legislative Branch shall enact no law that exceeds the powers expressly granted to it by this Constitution.
- 7.3 The Legislative Branch shall be the sole authority for enacting legislation and regulation. These powers shall not be delegated to anyone.

THE OVERSIGHT BRANCH

ARTICLE I **Mandate and Authority**

- 1.1 The Oversight Branch exists to ensure that all public officials, agencies, and institutions comply with this Constitution in word, spirit, intent and deed.
- 1.2 The Oversight Branch is an elected constitutionally independent body.
- 1.3 The Oversight Branch shall issue its reports to a standing committee of the Senate established solely for that purpose.
- 1.4 The Oversight Branch shall solely consist of the following Constitutional offices:
 - a) Elector General;
 - b) Auditor General;
 - c) Inspector General;
 - d) Solicitor General; and
 - e) Attorney General.
- 1.5 No additional offices, authorities, or functions shall be added to the Oversight Branch except by amendment of this Constitution.

ARTICLE II **Core Powers**

2.1 The Oversight Branch shall have the authority to:

- a) Compel the production of government documents without warrant or subpoena;
- b) Compel the production of other documents and testimony related to government business by subpoena;
- c) Audit, inspect and conduct criminal or other investigations of any agent, branch or level of government in Alberta;
- d) Investigate government related violations of the Constitution, law, budgetary constraints, or ethical obligations;
- e) Monitor and enforce compliance with spending caps and term budgeting;
- f) Conduct all elections, plebiscites and referendums in Alberta under the Elector General;
- g) Review referendum petitions and ballot language for legal clarity and constitutional compliance;
- h) Receive and investigate complaints from the public; and
- i) Refer matters for recall proceedings, conduct prosecution, or public hearings.

ARTICLE III **Removal Authority**

3.1 In cases of proven violation of constitutional duties, lawful limits, or ethical obligations, or upon recommendation of a Citizens Grand Jury, the Oversight Branch is empowered to:

- a) Remove the person in question from office;
- b) Bar them from holding office in the future; and
- c) Immediately refer criminal matters to the judicial system for prosecution.

3.2 Upon referral of a criminal matter, the Judicial Branch shall commence prosecution within 90 days.

- 3.3 No removal may occur without:
- a) A formal investigation having been completed;
 - b) Findings have been publicly released; and
 - c) Removal has been authorized by a panel of Oversight Officers or after recommendation by a Citizens' Grand Jury.
-

ARTICLE IV **Citizens' Grand Juries**

- 4.1 The Oversight Branch shall convene Citizens' Grand Juries, composed of randomly selected Citizens of the age of majority, who shall be afforded legal protection, to investigate alleged violations of constitutional duties, lawful limits or ethical obligations by elected officials.
- 4.2 The Oversight Branch may convene Citizens' Grand Juries to investigate alleged violations by any person employed or engaged with the Government of Alberta.
- 4.3 Grand Juries have powers to:
- a) Receive evidence and compel testimony;
 - b) Recommend action including removal from office or indictment;
 - c) Issue binding directions concerning prosecution to the Judicial Branch or disposition of charges to the Oversight Branch; and
 - d) Issue binding direction to the Oversight Branch to be acted upon within 90 days.
-

ARTICLE V **Transparency and Reporting**

- 5.1 All investigations, findings, and actions shall be made public in full.
- 5.2 Publication may be limited only when required by law for the protection of personal privacy or national security.
- 5.3 Reports must be written in plain language and made freely accessible.

FINANCE, TAXATION, AND PUBLIC PROPERTY

ARTICLE I **Financial Limits of the State**

- 1.1** The State shall impose no tax or levies on Citizens of Alberta except as expressly permitted in this Constitution.
- 1.2** The only permissible forms of taxation on Albertans and Alberta businesses are:
- a)** Annual income tax not to exceed 10% of net income. (calculated by gross income less non-taxable expenses);
 - b)** Consumption taxes on purchases not to exceed 10% of the net purchase value of goods or services (calculated by total price less non-taxable parts of the purchase price). Consumption taxes shall not be cumulative and shall be refunded in instances where the tax has been applied on the same good or service throughout its life. The following items shall be exempt from Consumption taxes:
 - (i)** Food;
 - (ii)** Medication and health services;
 - (iii)** Items sold by an Albertan or an Alberta business that do not exceed the value of the annual personal tax exemption; and
 - (iv)** Used items owned by an Albertan.
 - c)** Taxes shall not be increased without the approval of the electorate through a referendum that shall only be held on a fixed election date.

ARTICLE II **Balanced Budget Requirement**

- 2.1** The Government of Alberta shall not incur persistent operating deficits or structural debt.

- 2.2 A deficit may be incurred in a single fiscal year, but no Government shall operate a deficit for more than two consecutive years within a single elected term.
-

ARTICLE III **Term Budget Requirement**

- 3.1 Each incoming Government shall, within its first fiscal year, present a multi-year budget covering its entire term in office.
- 3.2 The budget shall demonstrate balance over the full term.
- 3.3 Any amendment or revision to the budget shall maintain overall balance for the remainder of the term.
-

ARTICLE IV **Public Debt**

- 4.1 The Government shall not incur debt for operational or recurring expenditures.
- 4.2 Debt may be incurred only for capital infrastructure projects and only upon:
- a) Approval by a majority vote of both chambers of the Legislative Branch; and
 - b) Ratification by a majority vote in a public referendum.
-

ARTICLE V **Spending Cap**

- 5.1 The total appropriations and expenditures of the State in any fiscal year shall not exceed 20% of the Gross Domestic Product of Alberta for the preceding fiscal year, reduced by the total State expenditures of that preceding fiscal year.
- 5.2 Gross Domestic Product shall be calculated by an independent statistical authority established by law and insulated from political direction.
-

ARTICLE VI **Emergency Exception**

- 6.1 During a formally declared emergency or armed conflict, the spending cap set out in Article V may be suspended for a period not exceeding 180 days, upon approval by a majority vote of both chambers of the Legislative Branch.
-

- 6.2 Any extension beyond one hundred and eighty days, with the exception of a declared War requires approval by a majority vote in a binding referendum of Citizens.

ARTICLE VII **Audit and Transparency**

- 7.1 All public expenditures, liabilities, and financial obligations shall be posted quarterly.
- 7.2 The finances of the State shall be audited annually by the Auditor General of the Oversight Branch.
- 7.3 Audit reports shall be published without redaction and made publicly available not later than 4 months after the end of each fiscal year.

THE JUDICIAL BRANCH

ARTICLE I **Judicial Power**

- 1.1 The judicial authority of Alberta is vested in an independent Judicial Branch.
- 1.2 The Judicial Branch shall interpret and apply this Constitution and all laws enacted by the Legislative Branch.
- 1.3 The Judiciary shall ensure the fair and impartial administration of justice, protect Rights and Freedoms of all Albertans, and uphold the rule of law.
- 1.4 Judicial Power of Alberta does not include the exercise of any authority assigned by this Constitution to the Legislative Branch, Executive Branch or the Oversight Branch.

ARTICLE II **Structure of the Courts**

- 2.1 The Judicial Branch shall consist of three levels of courts, each with distinct roles and jurisdictions, to ensure accessible, efficient, and fair administration of justice.
- 2.2 Community Courts:
 - a) Community Courts shall have jurisdiction over minor civil, criminal and administrative matters including small claims, traffic offenses, and local disputes. The determination of what are major and minor matters shall be determined by statute; and
 - b) Community Courts shall be established in all major population centres and may operate on extended hours and weekends to provide timely resolution of minor matters.

2.3 Regional Courts:

- a) Regional Courts shall serve as courts of general jurisdiction.
- b) Regional Courts shall hear serious civil and criminal matters, immigration issues and appeals from Community Courts.
- c) Regional Courts shall be geographically distributed to ensure reasonable access to justice.

2.4 Supreme Court:

- a) The Supreme Court is the highest trial court of Alberta.
- b) The Supreme Court has jurisdiction over:
 - (i) Constitutional questions;
 - (ii) Significant civil and criminal matters; and
 - (iii) Cases involving the State of Alberta or its officers.
- c) The Supreme Court shall hear appeals from Regional Courts.

ARTICLE III **Independence of the Judiciary**

- 3.1 Judges at all levels shall be independent from the Legislative and Executive Branches, free from political or external influence.
- 3.2 Judges may be removed from office by the Oversight Branch for proven misconduct, incapacity, or violation of constitutional duties, following a transparent investigation and public hearing in the Senate.
- 3.3 Judges may be removed from office by recall by the Citizens according to statute.
- 3.4 No single judicial decision shall bind future courts as precedent.
- 3.5 Courts shall give respectful consideration to prior decisions, particularly where a consistent line of jurisprudence exists to promote predictability and uniformity.
- 3.6 Courts remain free to depart from prior decisions when they conflict with the text or the original public meaning of this Constitution.

- 3.7 Nothing in this Article limits the authority of courts to enforce this Constitution, protect Rights and Freedoms or adjudicate disputes.
-

ARTICLE IV **Jurisdiction**

- 4.1 Community, Regional, and Supreme Courts shall exercise original jurisdiction over cases as prescribed by law, subject to this Constitution.
- 4.2 The Supreme Court has primary jurisdiction over constitutional matters and cases involving the state of Alberta.
- 4.3 Except in cases involving removal of Judges, the Supreme Court, when determined applicable, may render trial decisions declaring subordinate laws, executive actions, or Oversight Branch decisions unconstitutional and of no force or effect. The Supreme Court has no judicial discretion or authority to overrule, amend or change the Constitution.
-

ARTICLE V **Access to Justice**

- 5.1 All courts shall be open and accessible to the public, except where closure is required by law to protect privacy or public interest.
- 5.2 Court records, decisions, and opinions shall be publicly available, written in plain language as far as reasonably possible.
- 5.3 The Legislative Branch shall provide adequate funding for the operation of the courts, subject to audit by the Oversight Branch.
-

ARTICLE VI **Judicial Review of Oversight Branch**

- 6.1 The Supreme Court may review decisions of the Oversight Branch, other than decisions involving the removal of Judges, for legal error or procedural unfairness.
- 6.2 Such review shall not infringe upon the constitutional mandate of the Oversight Branch and is limited to ensuring compliance with this Constitution.

ARTICLE VII **Appointment**

- 7.1 Judges shall be elected.
-

ARTICLE VIII **Court Procedures**

- 8.1 Each level of court shall establish and standardize its procedural rules.
- 8.2 All procedural rules shall conform to this Constitution and shall ensure due process, fairness, and impartiality.
-

ARTICLE IX **Accountability**

- 9.1 The Oversight Branch shall monitor judicial conduct to ensure compliance with this Constitution and ethical standards.
- 9.2 Allegations of misconduct shall be investigated transparently, and findings shall be published.

MUNICIPAL GOVERNANCE

ARTICLE I Subordination of Municipalities

- 1.1 Municipal Governments and local authorities are established solely under the laws of Alberta and shall exercise only those powers expressly granted to them by the Legislative Branch.
- 1.2 Municipalities possess no independent sovereignty, jurisdiction or constitutional authority.

ARTICLE II Prohibited Municipal Powers

- 2.1 A Municipality shall not levy taxes, fees, or other financial charges except where explicitly authorized by the Legislative Branch and permitted by this Constitution.
- 2.2 A Municipality may not enact bylaws or regulations or directives except where specifically permitted by law and which are consistent with this Constitution.
- 2.3 No Municipality shall be delegated authority to enact bylaws or measures that provide for incarceration or detention of any person.

ARTICLE III Municipal Governance

- 3.1 Municipal Governments shall consist of elected councils.
- 3.2 The structure, authority, powers and operation of municipal governments shall be prescribed by law.
- 3.3 Municipal governments exist to administer Alberta law, implement national policy and manage local affairs as agents of Alberta.

ARTICLE IV **Accountability and Oversight**

- 4.1 Municipal governments are subject to audit, oversight, and dissolution in accordance with law.
- 4.2 The Oversight Branch is responsible to review municipal actions for compliance with this Constitution and applicable law.

ARTICLE V **Consistency with Rights**

- 5.1 No municipality may enact or enforce any measure that infringes upon a Right or Freedom guaranteed in this Constitution.

FOREIGN RELATIONS AND TREATIES

ARTICLE I **Sovereign Authority**

- 1.1 Alberta shall represent itself independently in all external affairs.
- 1.2 Such authority includes the conduct of diplomacy, negotiation of treaties and international agreements, and the regulation of foreign trade and relations.

ARTICLE II **Treaty Approval**

- 2.1 No treaty or international agreement shall have legal force unless ratified by a vote of not less than two-thirds vote of the members of the Legislative Branch.
- 2.2 Any treaty that impacts Constitutional rights, territorial integrity, land, or sovereignty shall also require approval by a majority vote in a public referendum in order to be binding on Alberta and its Citizens.

ARTICLE III **Limitations**

- 3.1 No treaty may override, amend, suspend or derogate from this Constitution.
- 3.2 No foreign state, organization, tribunal, or entity shall exercise authority over the Territory of Alberta, its Citizens, or its institutions except as expressly permitted by this Constitution.

ARTICLE IV **Withdrawal and Review**

- 4.1 Alberta reserves the right to withdraw from any treaty or agreement by legislative act.
- 4.2 Where a treaty or international agreement is alleged to violate this Constitution, the Oversight Branch shall conduct a review and issue findings to the Senate Standing Committee.

MILITARY AND POLICE

ARTICLE I **Civilian Control**

- 1.1 The military and police forces of Alberta are subject to civilian authority.
 - 1.2 Command of the military and police is vested in the President and subject to the lawful oversight of the Legislative Branch.
-

ARTICLE II **Domestic Deployment**

- 2.1 Military forces shall only be deployed as a last resort for:
 - a) disaster response, emergency aid;
 - b) defense of the Citizens of Alberta and its borders;
 - c) Protection of critical infrastructure; and
 - d) Defense of the constitutional institutions of Alberta.
 - 2.2 Military forces shall not be deployed for routine law enforcement except as expressly authorized by law and consistent with this Constitution.
-

ARTICLE III **Police Services**

- 3.1 Police shall be locally accountable, publicly funded and subject to civilian oversight.
- 3.2 Police officers and peace officers are subject to investigation and prosecution by the Oversight Branch, where warranted.
- 3.3 The powers of police shall be defined by law and limited by this Constitution.

ARTICLE IV **DEFENSE OBLIGATIONS**

4.1 Duty of Defense

- a)** In all times, including, but not limited to times of war, declared national emergencies, or international conditions posing a direct threat to the security or sovereignty of Alberta, the Government shall act to defend Alberta Citizens, the Constitution of Alberta and the Nation.
- b)** Elected and appointed officials shall at all times be required to fulfill the Duty of Defense in Part XV, Article IV 4.1a.

4.2 Military Preparedness

- a)** The Government shall maintain a standing capability to defend the Territory, institutions, and people of Alberta; and
- b)** Armed forces, whether professional, voluntary or conscripted, shall be adequately trained, equipped, and supplied for modern defense requirements.

4.3 Equipment Standards and Readiness

- a)** All equipment, weapons, systems, and support assets deployed for defense shall be:
 - (i)** Technically current and fit for their intended purpose;
 - (ii)** Maintained in sufficient quantities to meet anticipated needs; and
 - (iii)** Procured through transparent and economical processes.

4.4 Civil Oversight

- a)** Defense expenditures shall be authorized annually by the Legislative Branch;
- b)** All defense spending and procurement shall be subject to oversight by the Oversight Branch; and

ELECTIONS, POLITICAL SPENDING

ARTICLE I **Constitutional Election Schedule**

- 1.1** General elections shall occur every four years on a fixed date prescribed by law.
-

ARTICLE II **No Public Subsidy**

- 2.1** No public funds shall be used to finance or subsidise any political party, or candidate, campaign or Political Advocacy Organization.
- 2.2** No government resource, facility, or communication channel shall be used to promote or oppose any candidate, party, or political issue.
-

ARTICLE III **Oversight and Penalties**

- 3.1** The Elector General of the Oversight Branch shall monitor all political financing and campaign activity and enforce compliance with this Part.
- 3.2** Penalties for violation may include fines, disqualification from candidacy, forfeiture of office, or referral for prosecution in accordance with law.

APPENDIX I - DEFINITIONS

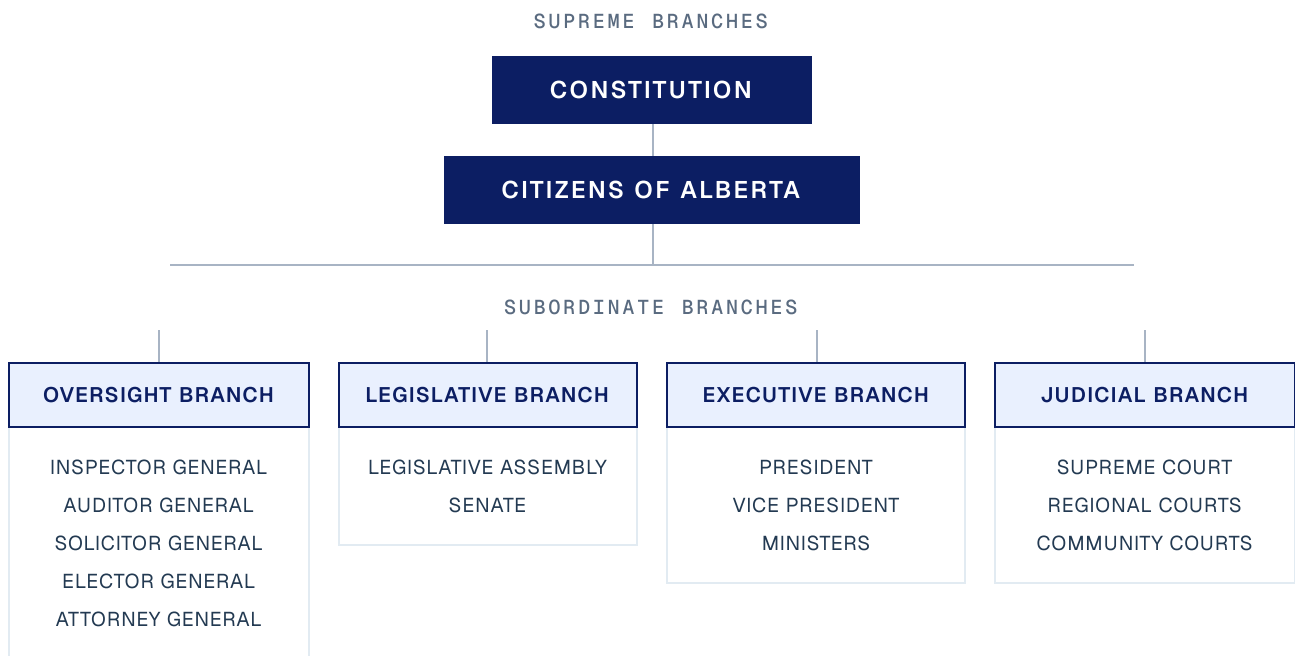
1.1 This Appendix defines key words use in this Constitution to ensure consistency of meaning and intent.

- a) **“Citizen”** - a person holding Citizenship of Alberta under Part VI.
- b) **“Alberta”** - both the Citizens of Alberta and the Government which governs by their election by the Citizens and with their consent.
- c) **“The State”** - the Government of Alberta acting through its constitutional branches.
- d) **“Government”** - the Legislative, Executive, Judicial, and Oversight Branches collectively.
- e) **“Law”** - all enactments of the Legislative Branch in accordance with this Constitution.
- f) **“Emergency”** - an emergency declared under Part IX.
- g) **“Nation”** - Alberta as a sovereign entity, including its Territory, citizens, and institutions as defined in Parts II and V.
- h) **“Oversight Branch”** The independent branch of Government responsible for audits, investigations, and enforcement as detailed in Part X.
- i) **“President** - The elected head of the Executive Branch, with powers and duties as set forth in Part VIII.
- j) **“Legislative Branch”** - The bicameral body consisting of the Assembly and Senate, vested with lawmaking authority under Part IX.
- k) **“Legislative Assembly”** - The lower house of the Legislative Branch, with population-based representation as specified in Part IX.
- l) **“Senate”** - The upper house of the Legislative Branch, with regional representation as specified in Part IX.

- m) **“Judicial Branch”** - The independent courts system, including Community, Regional, and Supreme Courts, as established in Part XII.
- n) **“Referendum”** - A direct vote by eligible Citizens on a specific proposal, requiring a simple majority unless otherwise specified, as provided in Parts II, VII, and others.
- o) **“Emergency Powers”** - Temporary authorities granted during a declared Emergency, limited in scope and duration as per Parts III and IX.
- p) **“Tax”** - Any compulsory financial contribution imposed by the State on Citizens, limited to types and rates specified in Part XI.
- q) **“Property”** - Any tangible or intangible asset owned by a Citizen, protected under Part I, Article V.
- r) **“Sound Money”** - Legal tender including cash, precious metals, or other stable mediums of exchange, as referenced in Part I, Article X.
- s) **“Indictable Offense”** - A serious crime prosecutable by indictment, including those listed in Part III, Article IV.
- t) **“Citizens' Grand Jury”** - A panel of Citizens convened by the Oversight Branch for investigations and removals, as per Part X.
- u) **“Public Office”** - Any elected or appointed position in Government, subject to term limits and accountability under Part VII.
- v) **“Territory”** - The geographic boundaries of Alberta, including resources and acquisitions, as defined in Part V.
- w) **“Age of Majority”** – The Age of Majority is 18 years of age.
- x) **“Lawful Sexual Orientation”** – is only between consenting adults as defined by the Age of Majority.

APPENDIX II - FORM OF GOVERNMENT

Constitutional Republic Form of Government





ALBERTA PROSPERITY PROJECT