Health Promotion Levy (HPL) passed in 2018. The case study examines the process around the adoption of the HPL from the perspective of procedural fairness with the view of identifying gaps and lessons transferable to other local decision-making processes and other jurisdictions.

Methods
We conducted a desk review of publicly available data relating to the passage and implementation of the HPL, including a review of the policy documents, public submissions during the public participation process, response documents from policy makers, review of national legislative committee minutes, legal instruments and academic literature capturing public awareness, stakeholder views and media content. Data was then collated and analyzed using a set of principles developed by the NIPH and BCEPS.

Results
The use of a legislative decision-making process meant the review of procedural fairness in the context of the HPL often highlighted the need for clear and inclusive legal principles relating to fair procedure. The process of the adoption and passage of the HPL met the majority of the procedural fairness criteria, however, a short-coming, which impacted on several criteria, was the failure to actively source the participation of community representatives and the larger public.

Conclusion
The case study highlighted the overall importance of viewing general members of the public as interested parties in health policies and the dangers of over-involving policy opponents under a mistaken understanding of meaningful public engagement in decision-making procedures.