



Office of the  
Conflict of Interest and  
Ethics Commissioner

Commissariat aux  
conflits d'intérêts et  
à l'éthique

# ANNUAL REPORT

*Conflict of Interest Code  
for Members of the  
House of Commons*

2020  
21

Mario Dion  
Conflict of Interest and  
Ethics Commissioner

**Conflict of Interest and Ethics Commissioner – Annual Report 2020-2021**, in respect of the  
*CONFLICT OF INTEREST CODE FOR MEMBERS OF THE HOUSE OF COMMONS*

For additional copies of this document, please contact:

Office of the Conflict of Interest and Ethics Commissioner  
Parliament of Canada  
66 Slater Street, 22nd Floor  
Ottawa, Ontario K1A 0A6

Telephone: 613-995-0721

Fax: 613-995-7308

Email: [info@cie.parl.gc.ca](mailto:info@cie.parl.gc.ca)

*Ce document est également publié en français.*

This document is available online at the following address: <http://ciec-ccie.parl.gc.ca>

© Office of the Conflict of Interest and Ethics Commissioner, Parliament of Canada, 2021  
062021-101E



Office of the  
Conflict of Interest and  
Ethics Commissioner

Commissariat aux  
conflits d'intérêts et  
à l'éthique

June 2021

The Honourable Anthony Rota, P.C., M.P.  
Speaker of the House of Commons  
House of Commons  
West Block, Room 233-C  
Ottawa, Ontario K1A 0A6

Dear Mr. Speaker:

I am pleased to submit to you my report on the performance of my duties and functions under the *Conflict of Interest Code for Members of the House of Commons* for the fiscal year ending March 31, 2021, for tabling in the House of Commons. The report is deemed permanently referred to the House of Commons Standing Committee on Procedure and House Affairs, under Standing Order 108(3)(a)(vii).

This fulfills my obligations under paragraph 90(1)(a) of the *Parliament of Canada Act*.

Sincerely,

Mario Dion  
Conflict of Interest and Ethics Commissioner

**PARLIAMENT OF CANADA**  
66 Slater Street, 22<sup>nd</sup> floor  
Ottawa, Ontario, K1A 0A6

**PARLEMENT DU CANADA**  
66, rue Slater, 22<sup>e</sup> étage  
Ottawa (Ontario) K1A 0A6

 [ciec-ccie.parl.gc.ca](http://ciec-ccie.parl.gc.ca)  
 @EthicsCanada | @EthiqueCanada

TEL/TÉL 613.995.0721  
FAX/TÉLÉC 613-995.7308



# TABLE OF CONTENTS

---

01 COMMISSIONER'S MESSAGE

02 OUR VISION AND MISSION

03 OUR STAKEHOLDERS

04 OUR ACHIEVEMENTS

Key Activities

Compliance

Initial Compliance Process

Ongoing Reporting Requirements

Public Registry

Direction and Advice

Education and Outreach

Enforcement

Public Communications

Collaboration and Best Practices

Contacts with Parliament

14 OUR TOOLS

Our People

Our Infrastructure

Our Plan

16 OUR CHALLENGES

Adapting to Pandemic Imperatives

Court Matters

18 APPENDIX

Financial Resources Summary

# COMMISSIONER'S MESSAGE

---



I am pleased to report on the administration of the *Conflict of Interest Code for Members of the House of Commons* in 2020-2021.

In response to the changes brought by the COVID-19 pandemic, we fully adapted our processes to telework and moved to electronic paperless communications with regulatees. Modifications to our processes and technology, coupled with the diligence and hard work of employees, enabled the Office to successfully manage a high volume of work across all activity areas in support of its vision and mission. We ended the fiscal year with no significant backlogs of work anywhere in the organization.

We worked with Members to finalize their initial compliance process under the Code following the October 2019 election. All Members elected or re-elected at that time completed the process by October 2020. We also provided direction and advice in almost 500 instances to help them meet their obligations.

After receiving several requests for advice from Members about federal COVID-19 emergency relief programs, in April 2020 I published an advisory opinion so that all Members could benefit from clear and consistent direction in support of the purposes and principles of the Code. The advisory opinion clarified that Members may benefit from such programs for which they are eligible and support constituents seeking assistance from those programs.

We supported transparency by maintaining the public registry, publishing quarterly statistical reports on our activities and issuing a monthly *Members' Compliance Status Report* and the *2020 List of Sponsored Travel*.

We released one inquiry report, in which I found that a Member failed to meet his initial compliance obligations under the Code. The report marked the first time that a federal Conflict of Interest and Ethics Commissioner has recommended a sanction in an inquiry report.

We were active in the area of education and public communications. We expanded our social media presence and changed our Twitter handle to [@EthicsCanada](https://twitter.com/EthicsCanada). We also engaged with our counterparts in Canada and around the world on various initiatives.

We began preparations for the House of Commons Standing Committee on Procedure and House Affairs' five-year review of the Code that was anticipated in 2020.

Building on the work accomplished by the Office in the past three years, we developed a new three-year strategic plan to help guide our activities going forward.

I remain honoured to serve Parliament and Canadians and am grateful to the employees of the Office for helping me fulfill my mandate.

A handwritten signature in blue ink that reads "Mario Dion". The signature is cursive and fluid.

Mario Dion  
Conflict of Interest and Ethics Commissioner

## OUR VISION

---

Offer exemplary services in support of a culture of integrity in order to achieve a high degree of public confidence in the integrity of federal institutions and Parliament.

## OUR MISSION

---

Our Office provides independent, rigorous and consistent direction and advice to Members of Parliament and federal public office holders, conducts investigations and, where necessary, makes use of appropriate sanctions in order to ensure full compliance with the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*.

# OUR STAKEHOLDERS

---

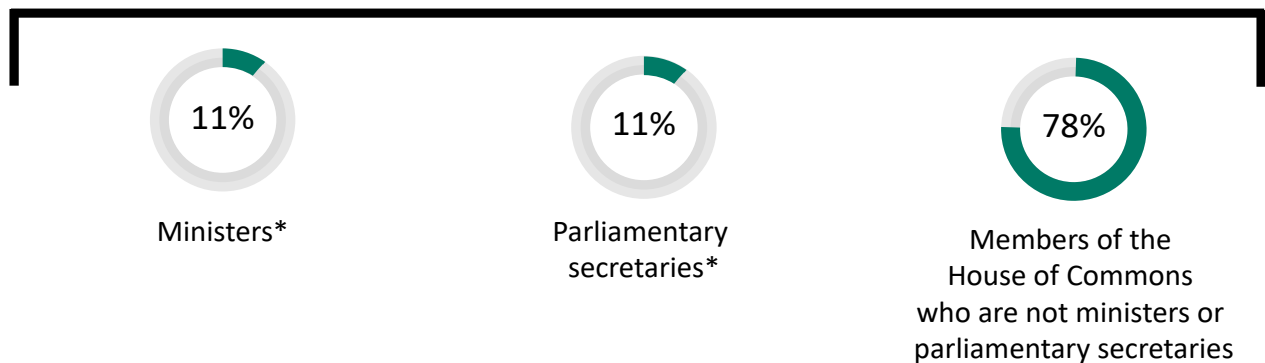
The Office’s stakeholders include regulatees—the individuals subject to the conflict of interest regimes it administers—as well as Parliament, academics, ethics practitioners and others with an interest in the field, the media and the general public.

This report touches on all stakeholder groups, but its focus is the Members of the House of Commons who are subject to the [Conflict of Interest Code for Members of the House of Commons](#).

Members are key stakeholders of the Office. One of its strategic objectives is to increase trust in and credibility of the Office with key stakeholders so that they become stronger allies in the delivery of its mandate and can effectively manage conflict of interest issues. The Commissioner is also mandated under section 32 of the Code to undertake educational activities for Members regarding the Code and the role of the Commissioner.

The Office’s [quarterly statistical reports](#) provide an accurate reflection of the fluctuations that occur throughout the year. The following graph provides a snapshot of Members on March 31, 2021.

## ***Members of the House of Commons (338)***



\*also subject to *Conflict of Interest Act*



# OUR ACHIEVEMENTS

## KEY ACTIVITIES

Compliance	Helping regulatees achieve and maintain compliance with the conflict of interest regimes
Direction and advice	Giving regulatees confidential guidance tailored to their individual situations
Education and outreach	Helping regulatees understand their obligations under the regimes
Enforcement	Applying investigation and other enforcement provisions of the regimes as appropriate
Public communications	Educating and informing regulatees, the media and the general public
Collaboration and best practices	Exchanging information with domestic and international counterparts
Contacts with Parliament	Reporting to Parliament and testifying before its committees

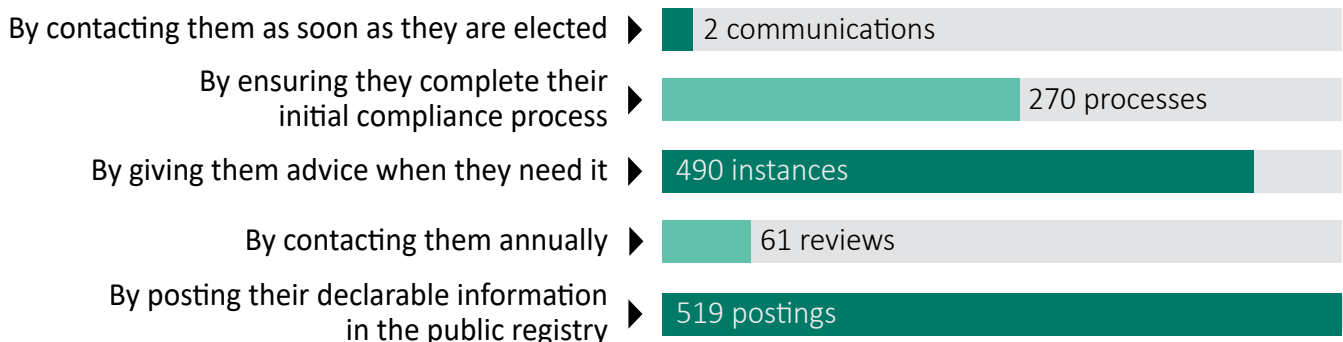
## COMPLIANCE

In support of its mission to ensure full compliance with the conflict of interest regimes that it administers, the Office devotes most of its resources to helping regulatees achieve and maintain compliance with those regimes. Reflecting one of its strategic objectives, the Office is developing a more preventive approach to compliance assurance that provides proactive guidance to regulatees, including direction on ethical issues.

Employees in the Advisory and Compliance division guide Members through the compliance processes under the *Conflict of Interest Code for Members of the House of Commons*, give them confidential advice supported by legal opinions on individual files as necessary, post their publicly declarable information in the [public registry](#) and ensure they have the information they need to understand their obligations.

The Office's contact with Members starts shortly after their election or re-election and continues throughout their time in office.

### ***How does the Office help Members comply with the Code?***



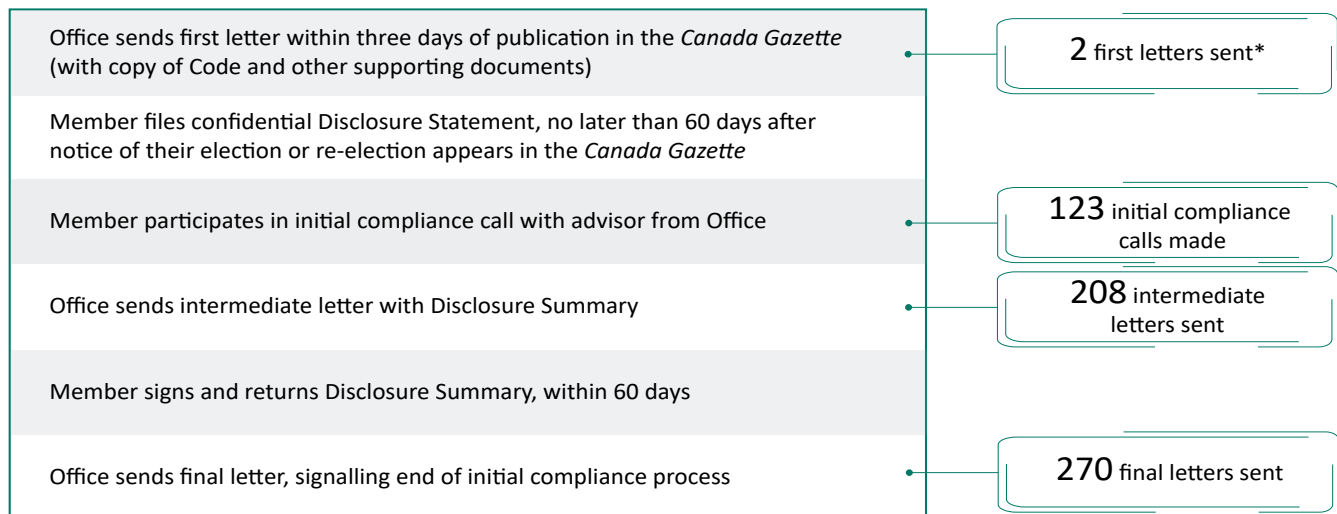
## INITIAL COMPLIANCE PROCESS

All Members must complete an initial compliance process under the Code. Indeed, helping Members complete this important process was a main focus for the Office in the past year.

The initial compliance process begins soon after Members are elected or re-elected in a general election or by-election, when their name is published in the *Canada Gazette*. Employees in the Advisory and Compliance division guide them through it every step of the way. The Commissioner is kept abreast of all Members' files throughout. The Office communicates with Members in their preferred official language, as indicated by Elections Canada. Members may also inform the Office whether they wish to communicate in English or French.

All Members elected or re-elected in October 2019 completed the initial compliance process under the Code by October 2020. The two Members elected in the October 2020 by-elections completed it before the end of March 2021.

### *Initial compliance process for Members of the House of Commons*



\*to new Members elected in October 2020 by-elections

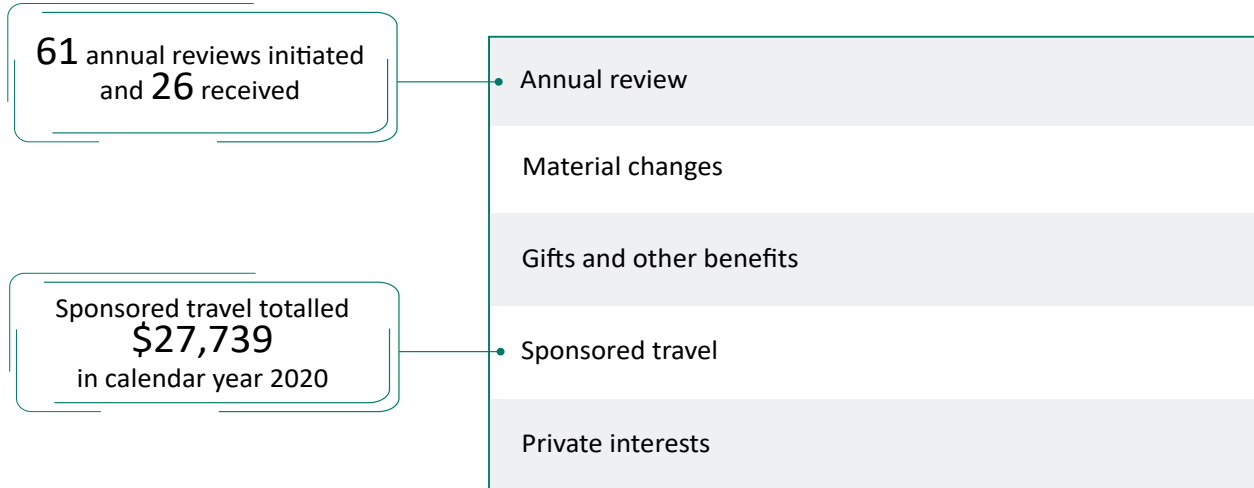
The Office maintains a [Members' Compliance Status Report](#) that identifies where each Member is in the initial compliance process. It was previously produced on an as-needed basis and more frequently after general elections. Starting in January 2020, and with a hiatus at the start of the COVID-19 pandemic, an updated status report was published monthly until all Members had completed the initial compliance process. The report will remain static until the next election or by-election.

As of March 31, 2021, all Members had completed the initial compliance process.

# ONGOING REPORTING REQUIREMENTS

After completing the initial compliance process, Members must meet various reporting requirements throughout their time in office.

## Ongoing reporting requirements



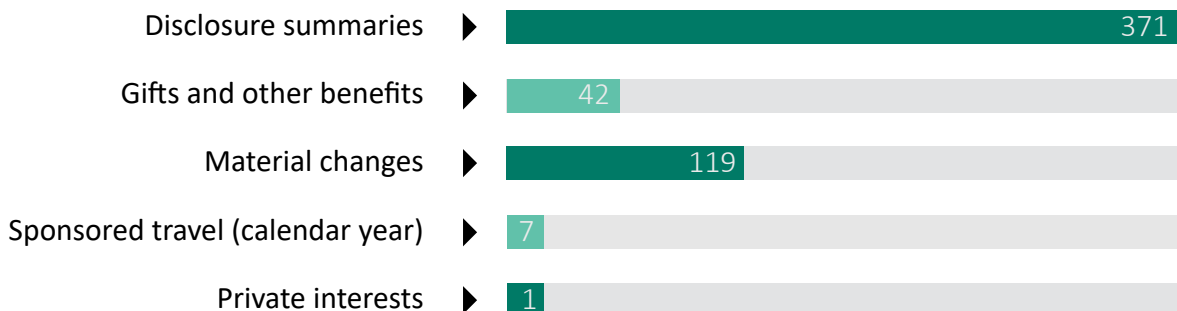
# PUBLIC REGISTRY

The [public registry](#) supports transparency, a pillar of effective conflict of interest regimes. It is a searchable database of compliance documents required under the *Conflict of Interest Code for Members of the House of Commons* and the *Conflict of Interest Act*. The registry contains all the information about individual regulatees that the Commissioner is authorized to make public.

The total number of public registry postings increased by more than 200%. Factors included the completion of the initial compliance process by Members and changes to some internal processes that resulted in additional postings.

There were 39,296 public registry visits in 2020-2021, up 59% from the previous fiscal year. The Office actively sought to draw attention to the registry in the interests of transparency and public education. For example, it tweeted about compliance matters, such as a monthly compliance status report under the Code and compliance orders and administrative monetary penalties under the *Conflict of Interest Act*.

## What did Members of the House of Commons declare in 2020-2021?



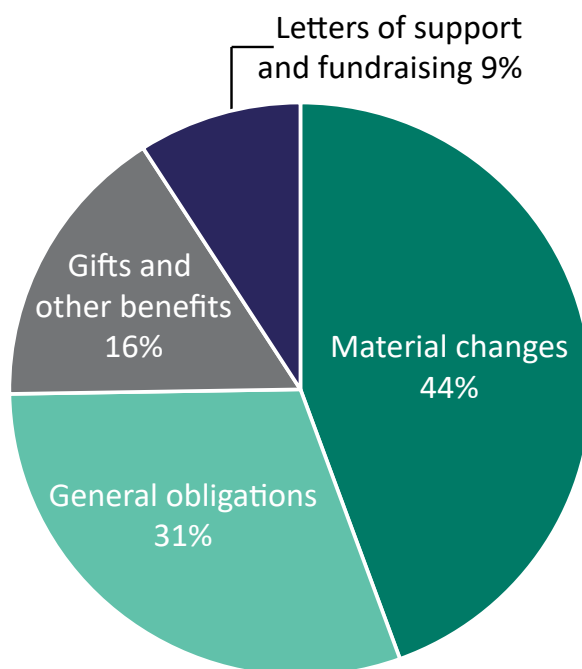
## DIRECTION AND ADVICE

Members frequently consult the Office for consistent, impartial, fair and appropriate advice.

While advisors in the Office are the usual point of contact for these consultations, the Commissioner is actively engaged in compliance files and pays special attention to those that may be particularly complex or sensitive. He is always available to speak personally with Members about their individual situations.

The Office responded to 490 requests for advice from Members within three business days in 90% of cases in 2020-2021, surpassing the targeted 80% mark for this service standard.

### ***What did Members of the House of Commons ask about?***



Following the announcement of federal programs to support Canadians and businesses facing financial hardship because of the COVID-19 pandemic, the Office received several requests for advice from Members about whether they could benefit from those programs or help their constituents do so. In April 2020, the Commissioner published an [advisory opinion](#) under subsection 26(4) of the Code so that all Members could benefit from clear and consistent direction in support of the purposes and principles of the Code.

The advisory opinion clarified that Members may benefit from COVID-19 emergency relief programs for which they are eligible. For example, Members involved in outside activities such as carrying on a business, being a partner in a partnership, or engaging in employment or in the practice of a profession may be affected by economic repercussions relating to COVID-19. It also clarified that Members may support constituents seeking assistance from those programs.

Because the matter in question may directly or indirectly affect the interests of Members or those of the members of their families, as well as those of their constituents as members of a broad class of the public, Members would not be prohibited under the Code from using their parliamentary duties and functions to further these interests.

## EDUCATION AND OUTREACH

The Commissioner has a specific mandate under section 32 of the *Conflict of Interest Code for Members of the House of Commons* to undertake educational activities for Members and the general public regarding the Code and the role of the Commissioner.

In December 2020, the Commissioner participated in two presentations, one in each official language, organized by the Library of Parliament for Members of the House of Commons and their staff, reaching a total of 54 participants.

The Office has used Twitter ([@EthicsCanada](#)) to let Members know about new information that can help them understand and comply with the Code. It sent 260 tweets about its activities, role and mandate in 2020-2021, an increase of 52% from the previous year. It also responded to 2,043 requests from members of the public for information about its work.

The Office makes information about the Code's requirements available on its website.

## ENFORCEMENT

The Commissioner can conduct inquiries of possible contraventions of the *Conflict of Interest Code for Members of the House of Commons* and the [inquiry reports](#) are made public.

Any Member who has reasonable grounds to believe that another Member has contravened the Code may ask the Commissioner to investigate by submitting a signed, [written request](#) that identifies the alleged non-compliance and sets out reasonable grounds for the belief that the Code has been contravened.

When the Office receives a valid request for an inquiry, it must forward it without delay to the Member named in the request and give them 30 days to respond. After receiving their response, the Commissioner conducts a preliminary review to determine if an inquiry is warranted. Within 15 working days of receiving the response, the originator of the request and the Member named in it are notified of the Commissioner's decision as to whether or not an inquiry will be conducted. Under paragraph 27(5.1)(iii) of the Code, the reasons for not proceeding with an inquiry may be described if the matter to which the inquiry relates has already been made public.

---

Average time to complete an inquiry is just over

**5 months**

---

The House of Commons may also direct the Commissioner, by way of resolution, to conduct an inquiry, although this has not yet occurred since the Code was adopted in 2004.

The Commissioner also has the discretion to conduct an inquiry on his own initiative.

Barring exceptional circumstances, the Office's target is to conduct inquiries within a 12-month timeframe.

## Sanctions

The Commissioner is not empowered to impose sanctions under the Code but may recommend sanctions in inquiry reports. Section 28 of the Code provides that, following an inquiry in which the Commissioner concludes, for example, that a Member has not complied with an obligation under the Code and did not take all reasonable measures to prevent the non-compliance, or where a request for an inquiry was frivolous, vexatious or was not made in good faith, the Commissioner may recommend that the House of Commons impose appropriate sanctions. Only the House of Commons has the right to discipline its own Members and is responsible for imposing and administering sanctions, including any that may be recommended by the Commissioner.

The Commissioner recommended a sanction in the [Maloney Report](#) (see Inquiries section below), the first time a Federal Conflict of Interest and Ethics Commissioner recommended a sanction in an inquiry report. In the [Peschisolido Report](#), the Commissioner had declined to recommend a sanction even though he found that Mr. Joe Peschisolido had contravened the Code's disclosure obligations. The Commissioner stated that, as Mr. Peschisolido was no longer a Member and therefore no longer subject to the Code, recommending a sanction would serve no purpose. However, Mr. Peschisolido sent a communication to the House of Commons, which the Speaker tabled in the House in October 2020. In it, he [apologized](#) to the House for his late reporting under the Code.

## Inquiry Case Files

When the Office receives information about a possible contravention of the Code, including through media reports or complaints from members of the public, a case file is opened. The information is reviewed to determine whether the concern raised falls within its mandate and, if it does, whether there is reason to believe that a contravention of the Code has occurred. Some of these initial reviews lead to inquiries. In other cases, an inquiry is not found to be warranted and the files are closed.

## ***Inquiry case files in 2020-2021***

<b>How many case files were opened and closed?</b>	
<b>Total case files (a case file is a concern that is reviewed by the Office)</b>	<b>21</b>
Ongoing	5
Closed without an inquiry	15
Closed with publication of report	1
<b>Who was the subject of each case file?</b>	
Current or former Member of the House of Commons	20
Person not subject to the Code	1
<b>What was the source of these case files?</b>	
Member of the House of Commons	8
Within the Office	7
Member of the general public	6
<b>What was the nature of the concern?*</b>	
Preferential treatment	9
Making decisions, or seeking to influence decisions, that would further a private interest	6
Disclosure of information	5
Attempt to engage in prohibited activities	2

\*some case files have more than one concern

## **Inquiries**

In 2020-2021, the Office issued one inquiry report under the *Conflict of Interest Code for Members of the House of Commons*:

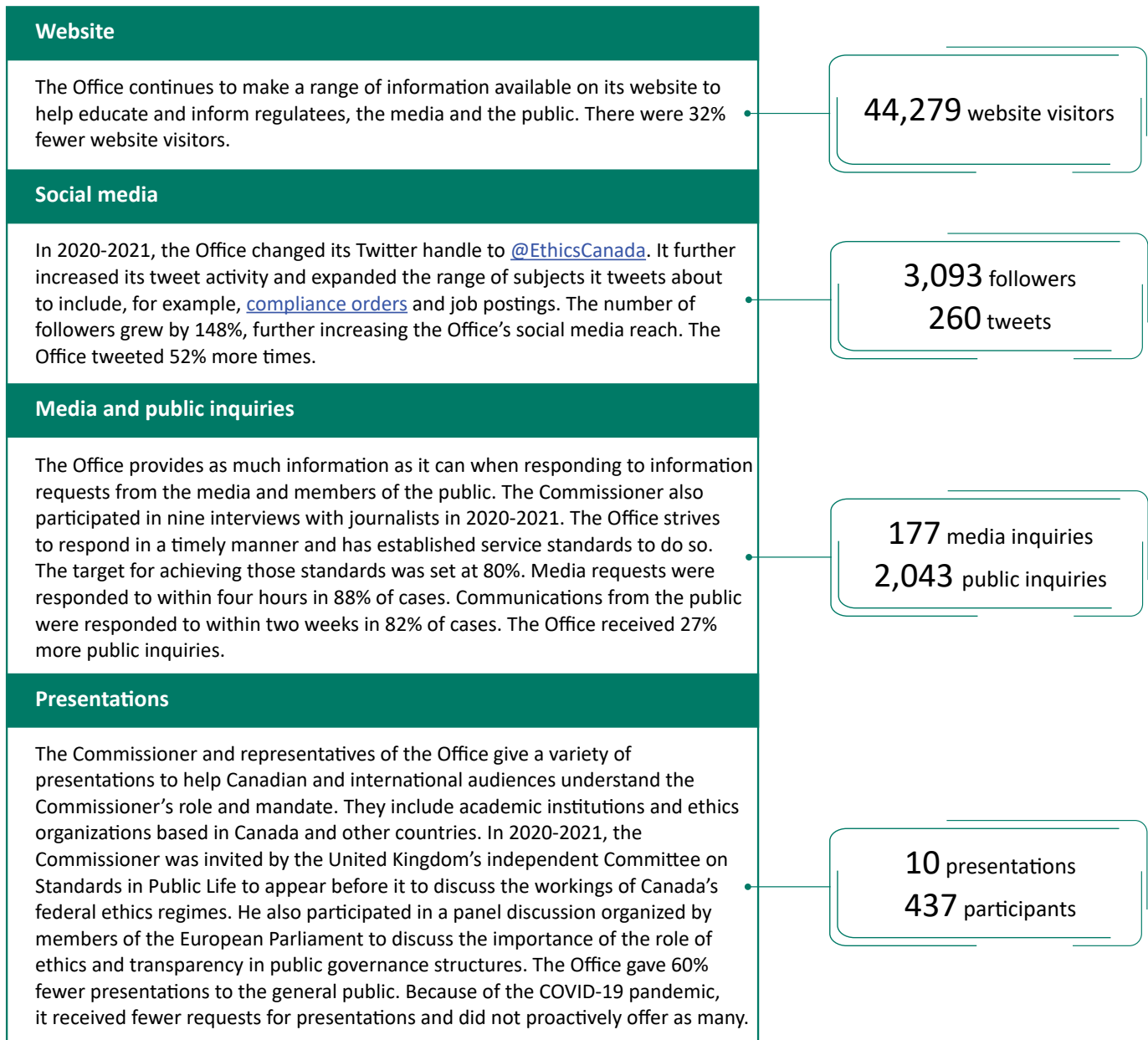
In the [Maloney Report](#), issued on November 19, 2020, the Commissioner found that Mr. James Maloney, Member of Parliament for Etobicoke–Lakeshore, contravened paragraph 20(1)(i) of the Code by failing to file a complete Disclosure Statement within a reasonable time after his extended deadline for doing so had passed. He further found that no mitigating circumstances applied given the length of the delay.

Having considered Mr. Maloney’s disregard for his post-election obligations under the Code, the Commissioner recommended that the House of Commons require Mr. Maloney to apologize to it for having failed to fulfill his obligations as a Member in the context of his initial compliance process under the Code. Mr. Maloney apologized to the House on November 19, 2020, the same day the report was tabled.

As of March 31, 2021, one inquiry, into the conduct of Ms. Yasmin Ratansi, Member of Parliament for Don Valley East, was ongoing. The Office confirmed in March 2021 that the Commissioner had commenced an inquiry, but is prevented by subsection 27(5.1), which limits public comments on inquiries, from providing any details.

# PUBLIC COMMUNICATIONS

The volume of communications from the media and members of the public was slightly lower in the spring of 2020. It rose significantly in mid-summer when Parliament began studying the administration of the Canada Student Service Grant by the WE organization and the Commissioner launched two related examinations under the *Conflict of Interest Act*. The following chart tracks how some of the Office’s key public communications in 2020-2021 compared to the previous year.





## COLLABORATION AND BEST PRACTICES

Public health restrictions imposed by the COVID-19 pandemic prompted a shift from in-person to online interactions throughout the year. Thanks to the technology that makes it possible to have productive and effective meetings virtually, the Office continued to maintain and strengthen connections with officials and organizations in Canada and other countries.



Mario Dion, *Conflict of Interest and Ethics Commissioner*

### Domestic Outreach

The Commissioner participated in the annual meeting of the Canadian Conflict of Interest Network ([CCOIN](#)) in September 2020 and in its semi-annual meeting in March 2021.

The Commissioner continued to liaise occasionally with other agents of Parliament and Office employees did the same with their counterparts in those agents' offices.

In 2020-2021, the Commissioner spoke about his role and mandate with classes at several Canadian universities: Carleton, Dalhousie, Ottawa, Queen's, Thompson Rivers and York.

### International Outreach

In 2020-2021, the Office remained active in the Réseau francophone d'éthique et de déontologie parlementaires ([RFEDP](#)) [link in French only] within the Organisation internationale de la Francophonie. In November 2020, the Commissioner and several members of the Office participated in the RFEDP's first annual general meeting. The Office is now involved in two RFEDP working groups, one focussed on training and the other on best practices.

In November 2020, a senior Office representative participated in a meeting of the Organisation for Economic Co-operation and Development (OECD)'s Working Party of Senior Public Integrity Officials ([SPIO](#)).

In December 2020, a senior Office representative attended the annual conference of the Council on Governmental Ethics Laws ([COGEL](#)), a U.S.-based international not-for-profit organization of government ethics practitioners. The Office is a member and other Canadian conflict of interest and integrity offices are also active in it.

In March 2021, Office representatives attended the OECD's [Global Anti-Corruption and Integrity Forum](#).

At the invitation of the Committee, the Commissioner appeared before the United Kingdom's independent Committee on Standards in Public Life ([CSPL](#)) in March 2021 to [discuss](#) how Canada's federal ethics regimes work and to note the similarities and differences between Canada's regime and the Seven Principles of Public Life (also known as the [Nolan Principles](#)) that underpin the U.K. rules. The Commissioner was asked about his role in building public trust and informing public debate on ethical standards.

The Commissioner, together with the Office's Director of Communications, Outreach and Planning, participated in a March 2021 [panel discussion](#) organized by members of the European Parliament. Canada's Lobbying Commissioner and the Secretary General for the French High Authority for Transparency in Public Life also participated in this open conversation about democratic systems that support transparency and the integrity of public officials in their respective countries.

The Office provided input for international surveys and peer reviews about the United Nations Convention against Corruption ([UNCAC](#)), the Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption ([MESICIC](#)) of the Organization of American States ([OAS](#)), and a G-20 questionnaire on corruption measurement. It also reviewed a document for the OECD's Working Party of Senior Public Integrity Officials: a draft report on progress made by the OECD and selected countries in implementing the OECD's 2010 recommendation on [Principles for Transparency and Integrity in Lobbying](#).

## CONTACTS WITH PARLIAMENT

The Conflict of Interest and Ethics Commissioner is an independent officer of the House of Commons who reports directly to Parliament, through the Speaker of the House of Commons, on behalf of Canadians.

The Commissioner is required to submit an annual report on the administration of the *Conflict of Interest Code for Members of the House of Commons* to Parliament by June 30 for tabling by the Speaker of the House of Commons. The Commissioner reports on inquiries under the Code to the Speaker of the House of Commons.

The Commissioner must submit a [list of sponsored travel](#) under the Code to the Speaker by March 31 each year. Under subsection 15(1) of the Code, sponsored travel is any travel worth more than \$200 that is not fully paid by the government, a political party, a recognized parliamentary association or by Members themselves. The [2020 List of Sponsored Travel](#) was tabled in the House of Commons on March 11, 2021. It shows a steep drop in the number of sponsored trips taken by Members compared to previous years, likely because of the impact of the COVID-19 pandemic on travel. In 2020, they accepted just seven sponsored trips for themselves and their guests.

The Commissioner also testifies before parliamentary committees about the Office and its work. He did so virtually this year because of the COVID-19 public health restrictions.

On November 24, 2020, the Commissioner [appeared](#) before the House of Commons Standing Committee on Finance, in the context of its study on government spending, the WE organization and the Canada Student Service Grant.

On November 27, 2020, the Commissioner [appeared](#) before the House of Commons Standing Committee on Access to Information, Privacy and Ethics on questions of conflict of interest and lobbying in relation to pandemic spending.

# OUR TOOLS

---

The Office’s accomplishments result from the hard work, dedication and resilience of its employees in implementing the Commissioner’s vision, with the support of a sound internal management framework.

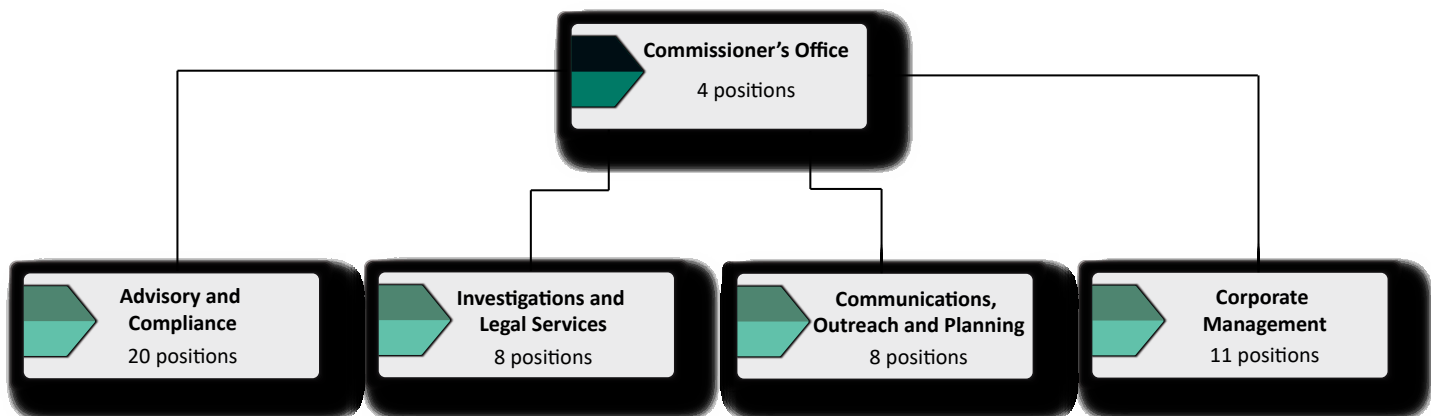
## OUR PEOPLE

To ensure the Office has the human resources it needs to fulfill its vision and achieve its mission, 13 staffing processes were completed or initiated in 2020-2021. To increase the reach of its job postings, in November 2020 it started announcing [employment opportunities](#) on [Twitter](#).

The Office expanded purchasing to provide all employees with equipment at home to support their physical work requirements in the telework environment. It spent \$28,000, an average of \$560 per employee, on equipment such as desks, chairs and computer monitors, to support telework. Those costs were more than offset by pandemic-related savings totalling \$45,000 on travel, printing and postage, for net savings of \$17,000.

It also made resources available to help them deal with any possible negative effects on their mental health of the COVID-19 pandemic and the transition to telework. This and other initiatives were supported by the Office’s Quality Workplace Promotion Committee.

A comprehensive plan was developed to strengthen and expand internal communications, whose importance has only grown in the telework environment.



## OUR INFRASTRUCTURE

The Office continued to update its suite of policies and guidelines in line with those of other parliamentary entities and the wider public service.

To make internal operations more efficient, the Office implemented a new document management system and a new human resources management system.

The Office's financial statements are audited each year by an independent external auditor. The Financial Resources Summary appended to this report outlines its financial information for the 2020-2021 fiscal year.

## OUR PLAN

Upholding a strong culture of integrity in government decision making is essential to safeguard the public interest and strengthen public trust and confidence in democracy. A culture of integrity aims to foster an environment in which everyone is encouraged to actively identify and avoid conflicts of interest by taking the appropriate mechanisms to address them and to solve ethical dilemmas. The Office contributes to the achievement of this goal by administering key components of Canada's federal conflict of interest prevention and management system.

In 2020-2021, the Office developed a new three-year strategic plan with a view to reinforcing and expanding the culture of integrity that it seeks to foster while continuing to move forward with core projects.

The plan identifies specific outcomes and priorities that will help guide projects and activities in support of the Office's mission.

The following key focus areas were established for 2021-2024, to be supported by identified projects, activities and performance indicators.

- Stakeholder communications and engagement
- People and culture
- Information management
- Information technology
- Approach to compliance assurance

The strategic plan is an evergreen tool that is meant to capture the Commissioner's vision.

# OUR CHALLENGES

---

External developments can impact the way the Office implements its mandate. The Commissioner believes challenges are opportunities that carry the potential for positive change.

## ADAPTING TO PANDEMIC IMPERATIVES

As a result of public health restrictions introduced in response to the COVID-19 pandemic in spring 2020, the Commissioner suspended in-office operations and directed employees to telework. While some employees worked on-site from time to time as necessary, the work-from-home model remained in effect for the Office as a whole throughout the 2020-2021 fiscal year.

At the same time, the House of Commons and its committees adopted a hybrid remote/in-person approach to meeting and conducting parliamentary business.

No major issues were encountered, and the Office was able to successfully meet its mandate, while maintaining confidentiality at all times. While the Office dealt with its workload, it continued to meet its established service standards.

The Office adopted new tools to support employees and the needs of regulatees, reordered some priorities to meet evolving circumstances and, in the early days of the pandemic, allowed regulatees some flexibility in meeting compliance deadlines.

It also adapted the investigations process. It was important to ensure the Office could continue to conduct investigations with due dispatch while still executing them thoroughly, with proper diligence and respect for procedural fairness. This meant, for example, being able to conduct interviews remotely and securely, receive and review documentary evidence and maintain the confidentiality of the investigative process.

The Office's investigation adaptations were put to the test with the launch of two high-profile, resource-intensive examinations under the *Conflict of Interest Act*. In July 2020, in response to examination requests submitted by parliamentarians, the Commissioner started investigating the conduct of Prime Minister Justin Trudeau and that of former Finance Minister Bill Morneau in relation to the administration of the Canada Student Service Grant by the WE organization. Adding to the challenge was the exceptionally large scope of work that these examinations entailed. As the Commissioner noted during his [appearance](#) before the Standing Committee on Finance on November 24, 2020, the Office had received tens of thousands of pages of documentary evidence. When [testifying](#) before the Standing Committee on Access to Information, Privacy and Ethics on November 27, 2020, he discussed the approach to reviewing documents and witness testimony.

The modified working conditions under which the Office and others were operating also had other positive results for the Office that had not been anticipated.

Office representatives were able to participate remotely in events and presentations in Canada and around the world, conveniently and at low cost, which they might otherwise not have attended in person. For example, in March 2021, the Commissioner participated in a discussion with members of the European Parliament and testified before the United Kingdom’s independent Committee on Standards in Public Life. Participating in both events, which took place on the same day, would have been logistically impossible had they been held in-person. Videoconferencing technology also enabled the Commissioner to meet with university classes in several Canadian provinces.

The Office also went fully paperless in its communications with regulatees, building on earlier moves to expand its use of electronic communications.

## COURT MATTERS

Matters involving the Office have been the object of several applications for judicial review. While dealing with them can consume a significant amount of resources, they can also be opportunities to clarify the Commissioner’s mandate and powers.

Only one court matter is outstanding as of March 31, 2021:

***Democracy Watch v. Canada (Attorney General) (A-331-19)***: Democracy Watch filed an application for judicial review challenging the Commissioner’s findings in the [Trudeau II Report](#). The applicant seeks to quash the findings of the report on the basis that the Commissioner erred in law, failed to exercise his jurisdiction and failed to observe a principle of natural justice by not acknowledging a request for examination received by Ms. Elizabeth May, Member of Parliament for Saanich–Gulf Islands. The applicant further argues that the Commissioner, who was appointed by the Governor in Council, failed to exercise his jurisdiction and exhibited a reasonable apprehension of bias in his decision not to examine the conduct of other public office holders involved in the matter. A hearing date has not been set.

# APPENDIX

## FINANCIAL RESOURCES SUMMARY

(thousands of dollars)					
Program Activities	2019-2020 Actual Spending	Main Estimates	2020-2021 Total Authorities	Actual Spending	Alignment to Government of Canada Outcomes
Administration of the <i>Conflict of Interest Code for Members of the House of Commons</i> and the <i>Conflict of Interest Act</i>	6,199	6,715	6,715	6,305	Government Affairs
Contributions to employee benefit plans	687	800	800	756	
<b>Total spending</b>	<b>6,886</b>	<b>7,515</b>	<b>7,515</b>	<b>7,061</b>	
Plus: cost of services received without charge	1,134	n/a	n/a	1,127	
<b>Net cost of department</b>	<b>8,020</b>	<b>7,515</b>	<b>7,515</b>	<b>8,188</b>	

The budget process for the Office of the Conflict of Interest and Ethics Commissioner is established in the *Parliament of Canada Act*. Before each fiscal year, the Commissioner has the Office prepare an estimate of its budgetary requirements. The estimate is considered by the Speaker of the House of Commons and then transmitted to the President of the Treasury Board, who lays it before the House with the estimates of the Government of Canada for the fiscal year. The mandate of the Standing Committee on Access to Information, Privacy and Ethics includes reviewing and reporting on our Office's effectiveness, management and operations, together with its operational and expenditure plans.

**The figures in this summary have not been audited.** Complete audited financial statements will be available on our website at [ciec-ccie.parl.gc.ca](http://ciec-ccie.parl.gc.ca).