



Conflict of Interest and Ethics Commissioner  
Commissaire aux conflits d'intérêts et à l'éthique

# What Is a Conflict of Interest?

Your obligations under the  
*Conflict of Interest Act*

# OVERVIEW

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- The *Conflict of Interest Act*
- What is a conflict of interest?
- Recusals
- Divestment
- Ongoing reporting obligations
- Prohibited activities
- Gifts
- Post-employment
- Applying the Act
- Helpful links

# THE CONFLICT OF INTEREST ACT

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Breakdown of public office holders (as of March 31, 2024)

Reporting public office holders –  
**1,467**

- **39** ministers
- **39** parliamentary secretaries
- **829** ministerial staff
- **560** Governor-in-Council appointees

Public office holders without  
reporting obligations – **1,506**

- **1,501** part-time members of federal boards, commissions and tribunals
- **5** ministerial staff who work on average less than 15 hours a week

# WHAT IS A CONFLICT OF INTEREST?

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“[...] a public office holder is in a **conflict of interest** when he or she exercises an official power, duty or function that provides an opportunity to further his or her private interests or those of his or her relatives or friends or to improperly further another person’s private interests.”

# RECUSALS

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- Recuse yourself from certain situations. This means **physically removing yourself** from a situation or location.
- A conflict of interest screen can be set up.

# DIVESTMENT

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You are not allowed to hold controlled assets.

They must be divested by:

- selling them in arm's-length transaction
- placing them in blind trust
- minimal value exception

There is **no conflict of interest test** for controlled asset.

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# ONGOING REPORTING OBLIGATIONS

- Annual review
- Material changes
- Gifts or other advantages
- Firm offers of outside employment and their acceptance
- Recusals

**A failure to meet certain reporting requirements can result in an administrative monetary penalty.**

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# PROHIBITED ACTIVITIES

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- Engage in employment or the practice of a profession.
- Manage or operate a business or commercial activity.
- Continue as, or become, a director or officer in a corporation or organization.
- Hold office in a union or professional association.
- Serve as a paid consultant.
- Be an active partner in a partnership.





# PROHIBITIONS

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- Decisions that place you in conflict of interest
- Giving preferential treatment
- Using insider information
- Using your position to influence a decision to further private interests
- Employing or contracting with family members
- Trying to circumvent the rules



# GIFTS

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“No public office holder or member of his or her family shall accept any gift or other advantage, including from a trust, that might **reasonably be seen** to have been given to influence the public office holder in the exercise of an official power, duty or function.”



# POST-EMPLOYMENT

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Some prohibitions apply for life:

- Taking improper advantage of your previous office
- Switching sides
- Improperly using information obtained from your previous office

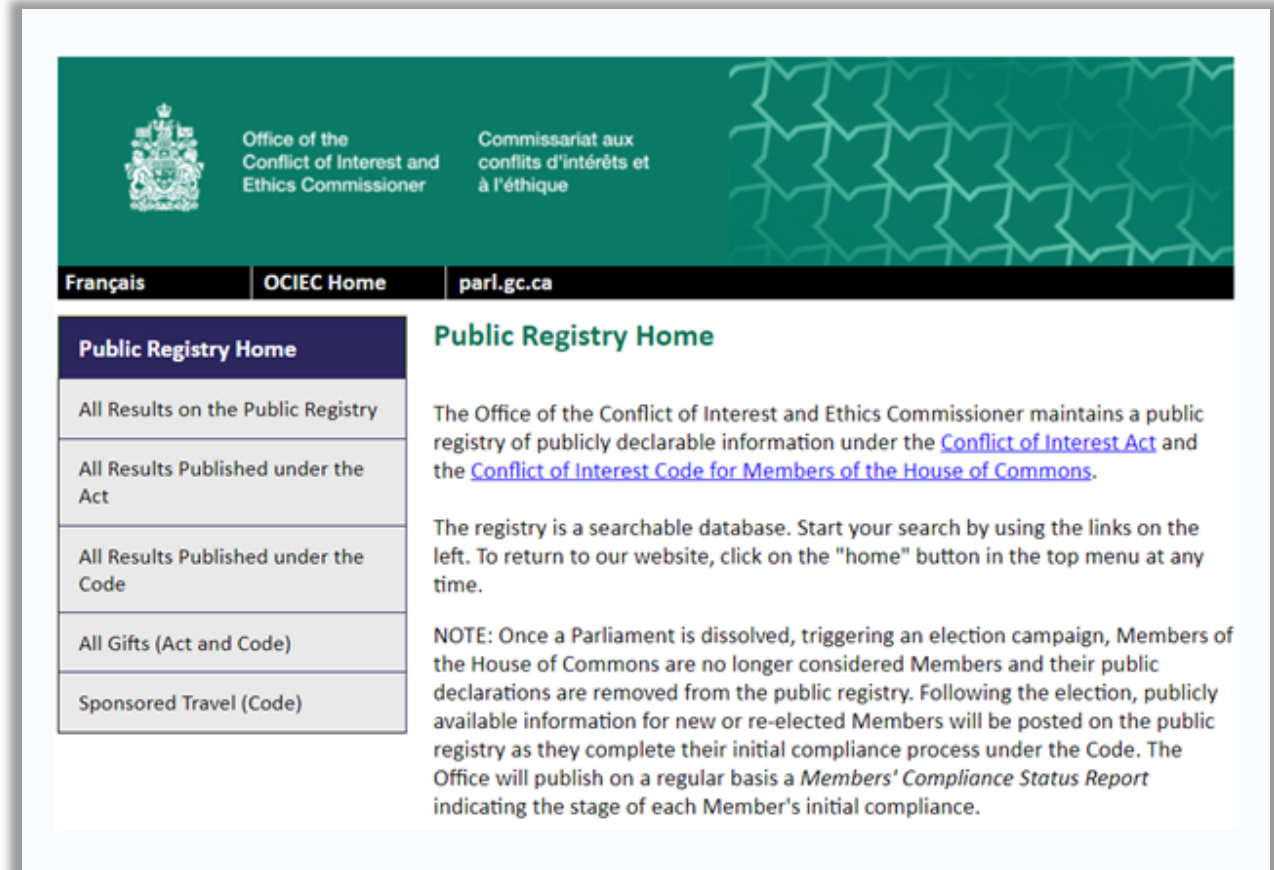
Others end after a cooling-off period:

- working for or contracting with an entity with which you had official dealings during your last year in office
- making representations to your former organization

**Most former reporting public office holders have a one-year cooling-off period.**

# APPLYING THE ACT

- Public Registry
- Compliance orders
- Administrative monetary penalties
- Investigations



The screenshot shows the website for the Office of the Conflict of Interest and Ethics Commissioner (OCIEC). The header features the OCIEC logo and name in both English and French. Below the header is a navigation bar with links for 'Français', 'OCIEC Home', and 'parl.gc.ca'. The main content area is titled 'Public Registry Home' and includes a sidebar with links to various registry sections: 'All Results on the Public Registry', 'All Results Published under the Act', 'All Results Published under the Code', 'All Gifts (Act and Code)', and 'Sponsored Travel (Code)'. The main text explains that the OCIEC maintains a public registry of publicly declarable information under the [Conflict of Interest Act](#) and the [Conflict of Interest Code for Members of the House of Commons](#). It also provides instructions on how to search the registry and a note regarding the removal of information for Members of the House of Commons during election campaigns.

# HELPFUL LINKS

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- [Recusal and conflict of interest screens: Rules for public office holders](#)
- [Gift rules for public office holders](#)
- [Post-employment: Rules for public office holders](#)
- [Investigations under the Act](#)
- [What is a conflict of interest?](#)
- [Reporting public office holders and compliance with the \*Conflict of Interest Act\*](#)
- [Summary of rules for public office holders](#)
- [Summary of rules for reporting public office holders](#)

# TO REACH US

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## CONTACT THE OFFICE



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