



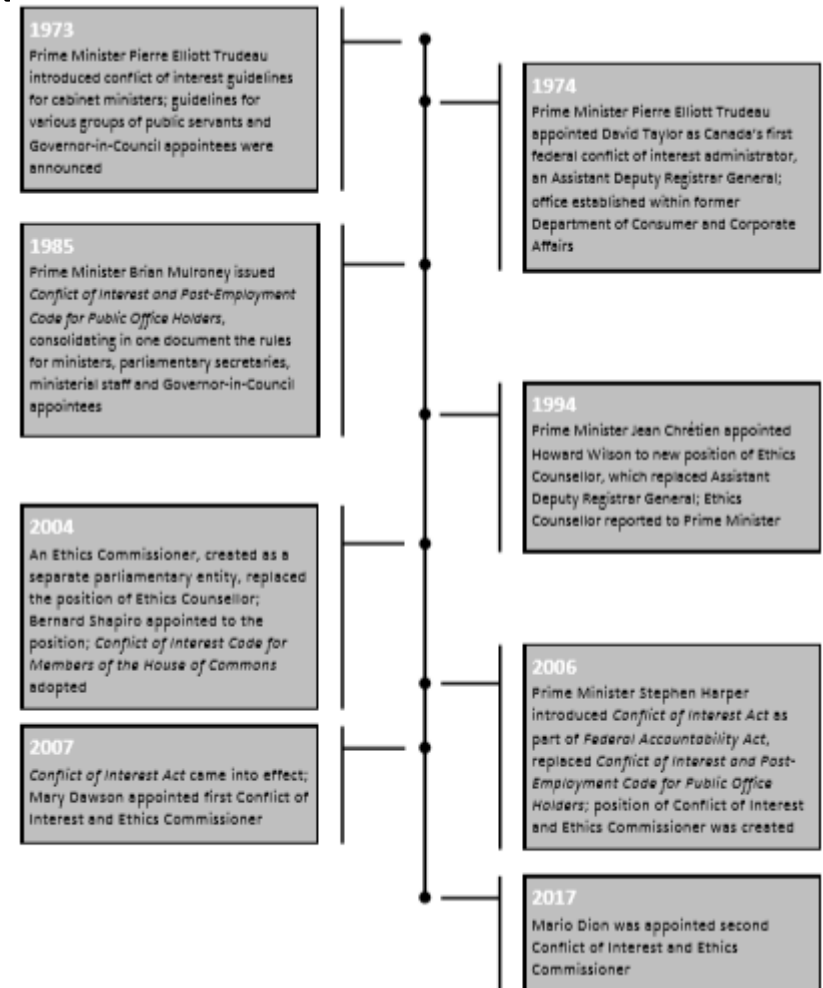
Conflict of Interest and Ethics Commissioner

Commissaire aux conflits d'intérêts et à l'éthique

# The role and mandate of the Conflict of Interest and Ethics Commissioner

# HISTORY – OFFICE OF THE CONFLICT OF INTEREST AND ETHICS COMMISSIONER

- 1973 – Conflict of interest guidelines for ministers
- 1974 – First federal conflict of interest administrator
- 1985 – *Conflict of Interest and Post-Employment Code for Public Office Holders*
- 1994 – First Ethics Counsellor
- 2004 – First Ethics Commissioner
- 2007 – First Conflict of Interest and Ethics Commissioner

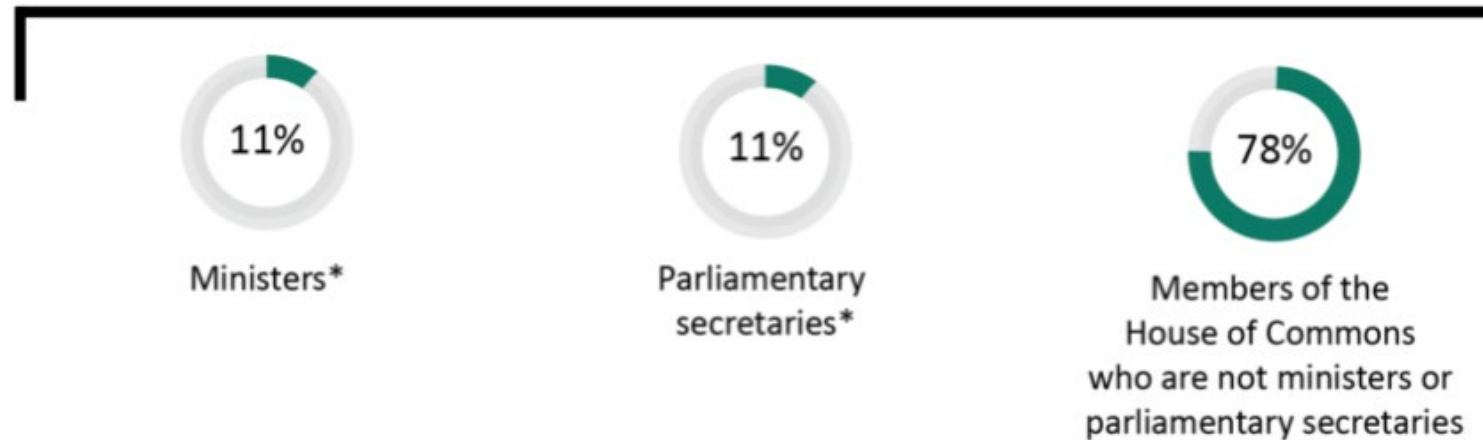


# REGIMES ADMINISTERED BY THE OFFICE

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

*Members of the House of Commons (343)*

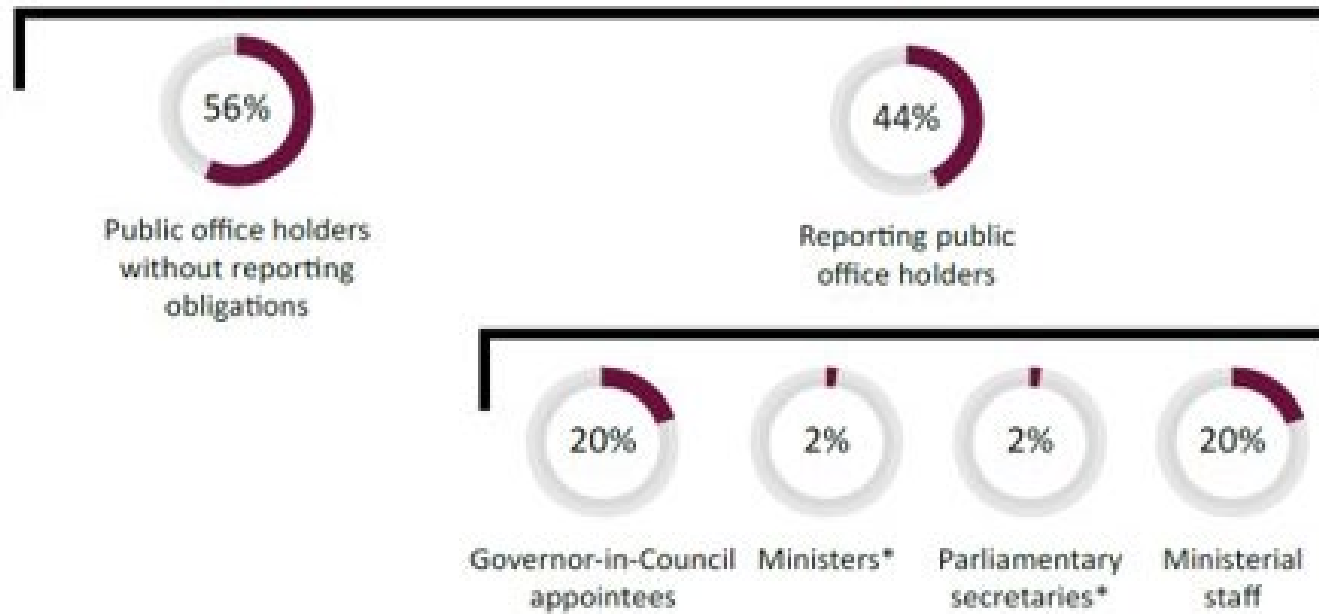


\*also subject to the *Conflict of Interest Act*

# REGIMES ADMINISTERED BY THE OFFICE (CONT'D)

## *Conflict of Interest Act*

*Snapshot of public office holders on March 31, 2022*



*\*also subject to the Conflict of Interest Code for Members of the House of Commons*

# FEDERAL CONFLICT OF INTEREST CODES AND ACTS

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- *Conflict of Interest Act* (2007)
- *Conflict of Interest Code for Members of the House of Commons* (2004)
- *Ethics and Conflict of Interest Code for Senators* (2005)
- *Values and Ethics Code for the Public Sector* (2012)

# HISTORY – CONFLICT OF INTEREST RULES IN CANADA

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## **Provinces and territories**

Each province and territory has its own Conflict of Interest and Ethics Commissioner.

## **Networks**

- Canadian Conflict of Interest Network (CCOIN)
- Council on Governmental Ethics Laws (COGEL)
- Network of conflict of interest and parliamentary ethics organizations within the Francophonie (RFEDP)

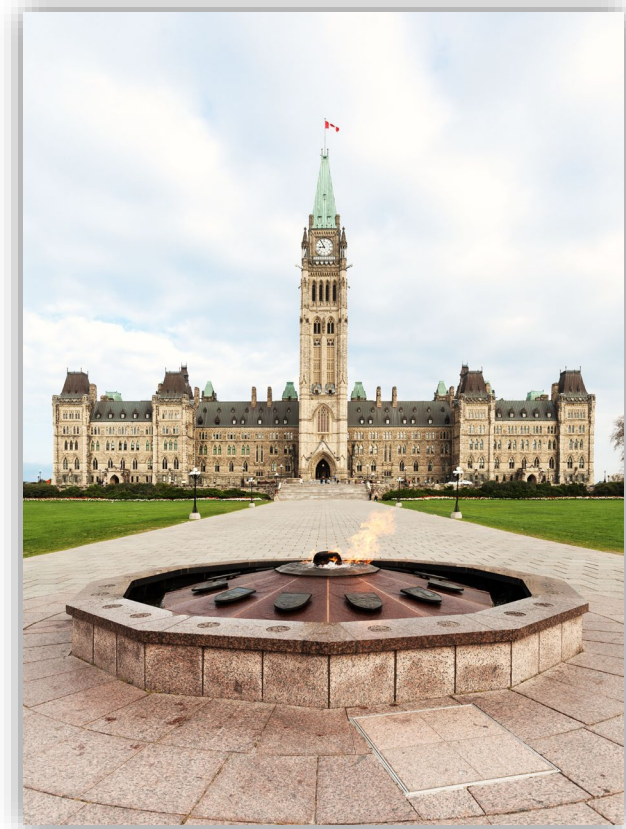


**CANADA**

# CONFLICT OF INTEREST AND ETHICS COMMISSIONER

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- Officer of the House of Commons
- Independent
- Non-partisan
- Seven-year term
- Reports directly to Parliament
- Separate employer



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# OUR MISSION

The Office of the Conflict of Interest and Ethics Commissioner provides, 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*.

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# CONFLICT OF INTEREST CODE FOR MEMBERS OF THE HOUSE OF COMMONS

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- Code is an annex to the Standing Orders of the House of Commons.
- Adopted by the House in 2004.
- Applies to all 343 Members of the House of Commons.
- Members subject to Code rules from notice of their election in *Canada Gazette* until they cease to be Members.

## APPENDIX I

### CONFLICT OF INTEREST CODE FOR MEMBERS OF THE HOUSE OF COMMONS

#### PURPOSES

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1.

The purposes of this code are to

(a) maintain and enhance public confidence and trust in the integrity of members as well as the respect and confidence that society places in the House of Commons as an institution;

(b) demonstrate to the public that members are held to standards that place the public interest ahead of their private interests and to provide a transparent system by which the public may judge this to be the case;

(c) provide for greater certainty and guidance for members in how to reconcile their private interests with their public duties and functions; and

(d) foster consensus among members by establishing common standards and by providing the means by which questions relating to proper conduct may be answered by an independent, non-partisan adviser.

# CODE – DISCLOSURE STATEMENT

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Members to file Disclosure Statement within 60 days.

Disclose private interests of Member and family members (subs. 20(2)).

Family members include:

- spouse or common-law partner;
- children less than 18 years of age;
- children primarily dependent on Member, Member's spouse or common-law partner.

Ongoing obligation to report:

- material changes (subs. 21(3));
- sponsored travel (s. 15).



# CODE – ENCOURAGING COMPLIANCE

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- The *Members' Compliance Status Report* provides information about the various stages of the initial compliance process for each Member's file and can be found on the public registry.
- Updated regularly following an election or by-election.

# CODE – GIFTS

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There is an acceptability test for gifts.

Members and family members,

- **cannot accept a gift** if it “might reasonably be seen to have been given to influence the Member” in their duty (s. 14);
- **can accept a gift** if it is a normal expression of courtesy or protocol, or within the customary standards of hospitality (subs. 14(2)).

Members shall declare, within 60 days, gifts they accept valued at \$200 or more, or all gifts accepted from one source in a 12-month period valued at \$200 or more (subs. 14(3)).

# CONFLICT OF INTEREST ACT

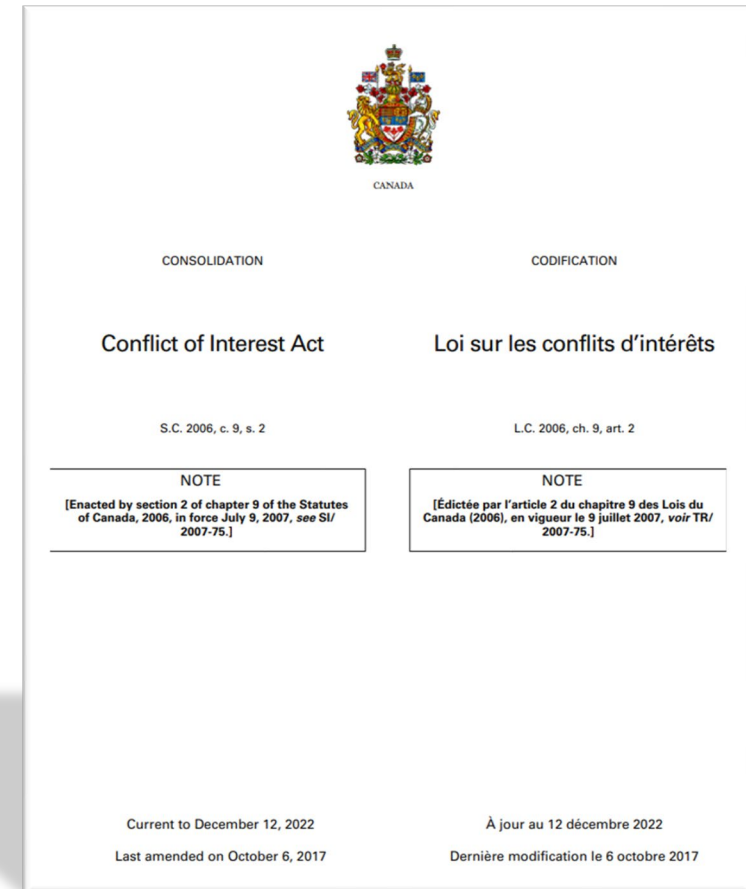
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Enacted in 2007.

Public office holders must arrange their private affairs to prevent being in a conflict of interest (s. 5).

Reporting public office holders are prohibited from:

- holding controlled assets (s. 17);
- taking part in outside activities, with exceptions (s. 15).



# ACT – CONFIDENTIAL REPORT

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Reporting public office holders must:

- submit a Confidential Report to the Commissioner within 60 days of appointment (subs. 22(1)), which includes information about assets, liabilities, income, activities (subs. 22(2));
- participate in an annual review of their Confidential Report and compliance arrangements (s. 28).

# ACT – ONGOING REPORTING

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Reporting public office holders must:

- submit reports within 30 days of
  - material changes (subs. 22(5));
  - acceptable gifts and other advantages with an individual or cumulative value of \$200 or more (s. 23 and subs. 25(5));
  - permitted travel on non-commercial aircraft (subs. 25(6));
- submit report within 60 days of any recusal (subs. 25(1));
- advise in writing within 7 days of
  - offers of outside employment (subs. 24(1));
  - accepted offers of outside employment (subs. 24(2)).

# ACT – GIFTS

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## Prohibited:

- Accepting any gift or other advantage that might reasonably be seen to have been given to influence the public office holder (s. 11).

## Exceptions:

- Gifts permitted under *Canada Elections Act*.
- Personal gifts from family members or friends are normally acceptable and do not need to be publicly disclosed.
- Gifts that are a normal expression of courtesy or protocol. If this gift is worth \$1000 or more, it must be forfeited to the Crown.



# POST-EMPLOYMENT – PUBLIC OFFICE HOLDERS

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Former public office holders are prohibited for life from:

- taking improper advantage of their previous office;
- switching sides;
- improperly using information obtained from their previous office.

Cooling-off period of one year for most reporting public office holders and of two years for ministers and parliamentary secretaries, during which they cannot:

- work for or contract with an entity with which they had official dealings during their last year in office;
- make representations to their former organization.

# ACT – ENCOURAGING COMPLIANCE

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## Administrative monetary penalties

The Commissioner may impose penalties of up to \$500 for failure to meet certain reporting deadlines. These must be made public.

## Compliance orders

The Commissioner may order any public office holder, in respect of any matter, to take any compliance measure necessary to comply with Act.

# CODE AND ACT – PUBLIC REGISTRY

- Available on our website
- Searchable
- Updated daily

Public Registry Home
▶ All Results on the Public Registry
All Results Published under the Act
All Results Published under the Code
All Gifts (Act and Code)
Sponsored Travel (Code)


**All Results on the Public Registry**

The Office of the Conflict of Interest Commissioner 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](#).

The registry is a searchable database. Public declarations made under the Code are also available for public consultation in printed form and may be viewed during normal business hours at 66 Slater Street, 22nd Floor, in Ottawa. To return to the Office's website, you may use the Home button in the menu above at all times.

NOTE: The declarations submitted prior to June 2015 are in the preferred language of the reporting public office holder or Member of the House of Commons. Declarations made before 2007 under the previous conflict of interest regime are no longer available online.

**Results related to**  
Governor in Council Appointees (2,112)  
Ministerial Staff (1,947)

Search... 

[Clear results](#)

# CODE AND ACT – INVESTIGATIONS

- 25 investigation reports since January 2018.
- Subjects include initial compliance process, divesting controlled assets, decision-making, hiring, post-employment, gifts, influence, recusals.
- All investigations confidential.
- Members or House may request an inquiry under the Code; Members and Senators may request an examination under the Act. Members of the public can request an investigation using a form.
- Commissioner may self-initiate.
- Code: Inquiry reports forwarded to Speaker, who presents them to House, and made public.
- Act: Examination reports forwarded to Prime Minister and made public.

Office of the Conflict of Interest and Ethics Commissioner / Commissariat aux conflits d'intérêts et à l'éthique

**CONFIDENTIAL**

**REQUEST FOR AN INQUIRY UNDER SUBSECTION 27(1) OF THE CONFLICT OF INTEREST CODE FOR MEMBERS OF THE HOUSE OF COMMONS**

Submit the signed and completed form to:

Office of the Conflict of Interest and Ethics Commissioner  
66 Slater Street, 22<sup>nd</sup> Floor  
Ottawa, Ontario K1A 0A6  
Tel: 613-995-0721  
Fax: 613-995-7308

Office of the Conflict of Interest and Ethics Commissioner / Commissariat aux conflits d'intérêts et à l'éthique

**CONFIDENTIAL when completed**

**REQUEST FOR AN EXAMINATION UNDER SECTION 44 OF THE CONFLICT OF INTEREST ACT**

Submit signed and completed forms to:

The Office of the Conflict of Interest and Ethics Commissioner  
66 Slater Street, 22<sup>nd</sup> Floor  
Ottawa, Ontario K1A 0A6  
Telephone: 613-995-0721  
Email: [ciac-cce@parl.gc.ca](mailto:ciac-cce@parl.gc.ca)  
Fax: 613-995-7308

**1. General Contact Information**

Under section 44 of the Conflict of Interest Act (the Act), Members of Parliament (MPs) and Senators may request that the Conflict of Interest and Ethics Commissioner initiate an examination when they have reasonable grounds to believe that a public office holder has contravened the Act.

Please provide your contact information as a Member of Parliament or Senator.

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_  
Fax \_\_\_\_\_

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# TO REACH US

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## Contact the Office



613.995.0721



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

## Follow us...



[@EthicsCanada](https://twitter.com/EthicsCanada)



[@ethics-ethique-canada](https://www.linkedin.com/company/ethics-ethique-canada)

## Find more information



[ciec-ccie.parl.gc.ca](http://ciec-ccie.parl.gc.ca)



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THANK YOU!