



PRESENTATIONS & SPEECHES

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Opening remarks before the House of Commons Standing Committee on Access to Information, Privacy and Ethics

Honourable Konrad von Finckenstein, C.M., K.C. –

Conflict of Interest and Ethics Commissioner

Ottawa, Ontario, December 8, 2025

Good morning. I'm pleased to appear before the Committee during its review of the *Conflict of Interest Act* for appointed federal officials.

Joining me are Lyne Robinson-Dalpé, Director of Advisory and Compliance, and Michael Aquilino, Legal Counsel.

I commend the Committee for conducting this review. In the past 18 years, there have been just a few minor amendments to address specific matters.

The Act has been working quite well since it took effect in 2007, and met the purpose set out in section 3. There is, however, room for improvement.

We have identified six legislative changes that could make the Act's administration more efficient.

They are based not just on my own experience as Commissioner over the past two years. They reflect the experience of the Commissioner's Office in administering the Act for almost two decades.

The first is a proposed amendment to the *Parliament of Canada Act*, under which the Commissioner is appointed. It would let the Lobbying Commissioner step in temporarily if there is no Conflict of Interest and Ethics Commissioner. While the Commissioner's Office can manage the day-to-day administration of the *Conflict of Interest Act*, only the Commissioner can exercise the discretion given in various provisions.

The other five proposed amendments concern the *Conflict of Interest Act*.

One, add “apparent” conflicts to public office holders’ general duty to arrange their private affairs in a way that prevents conflicts of interest. This would make the Act more consistent with the *Conflict of Interest Code for Members of the House of Commons* and the ethics rules for federal public servants.

Two, allow some assets to be designated as “exempt assets” if they pose no risk of conflict of interest. The Commissioner has no discretion to exempt any assets from the Act’s blanket prohibition on reporting public office holders owning controlled assets.

Three, allow public office holders to participate in matters affecting the private interests of their friends or relatives if those interests are the same as those of other members of the broad class they are part of. This would make the Act more consistent with the Code.

Four, let the Commissioner approve outside activities that don’t conflict with a reporting public office holder’s official duties. The Act restricts their activities that are not part of their official duties. There are some limited exceptions, but they don’t cover many activities that would not cause a conflict.

And **five**, raise the maximum administrative monetary penalties. This is not to make them punitive, but to stress the importance of meeting the Act’s reporting requirements on time.

These recommendations are discussed in our latest annual report under the Act. As the Committee will recall, I also mentioned them during my last appearance.

We have been following the Committee’s review of the Act, and the testimony of other witnesses. Some interesting points have been raised about enhanced education, increased transparency, and greater accountability, among other topics.

I am pleased to answer any questions the Committee may have about my recommendations or other topics.