



Information Notice

Reporting Public Office Holders and Compliance with the *Conflict of Interest Act*

This document is intended to provide general information about your obligations under the [Conflict of Interest Act](#). It must be read in conjunction with other relevant information notices. Public office holders are encouraged to contact the Office for confidential advice about their individual situation. Please call 613-995-0721 or [send us an email](#).

Source: [Part 2](#) (sections 20-31) of the [Conflict of Interest Act](#)

1. What is required by the Act?

Pursuant to section 19 of the Act, compliance with the Act is a [condition of your employment](#) as a reporting public office holder. You are responsible for ensuring that you are in compliance with the Act.

Following your appointment, you are encouraged to communicate with the Office of the Conflict of Interest and Ethics Commissioner to start the initial compliance process.

2. What is required during my initial compliance period?

(a) Confidential Report

The initial compliance process begins as soon as you are appointed to office. Within **60 days** after your appointment, you must [submit a Confidential Report](#) describing your assets, liabilities, income and activities.

A [Confidential Report Form](#) is available on our website.

If you are a minister, minister of state or parliamentary secretary, you must also [make reasonable efforts to include a similar description](#) for your spouse or common-law partner and dependent children.

Because you are a Member of the House of Commons, you must also comply with similar reporting obligations under the [Conflict of Interest Code for Members of the House of Commons](#).

(b) Compliance measures

Advisors in the Office will review your Confidential Report. As a reporting public office holder, you are prohibited from holding controlled assets and must divest such assets either by selling them in an arm's-length transaction or by placing them in a blind trust. Your advisor will provide guidance on which assets must be divested.

The Act also prohibits you from engaging in [certain outside activities](#). There are limited exceptions for which the Commissioner's approval must be sought.

Your advisor will discuss with you any [appropriate measures](#) that may be needed to achieve full compliance with the Act and, in doing so, will try to achieve agreement with you.

The Commissioner may also [order](#) you to take any measures deemed to be necessary to comply with the Act.

(c) Summary Statement, public declarations and other compliance measures

After reviewing your Confidential Report, your advisor will prepare and send you any required [public declarations](#) and a [Summary Statement](#). You must review the Summary Statement and public declarations, sign them and provide them to the Commissioner within 120 days after your appointment. Once signed, the documents are placed in the Office's [public registry](#).

You may be interested in reading our information notices on [categories of assets](#), [conflict of interest screens](#), [divestment and blind trusts](#), and [outside activities](#).

3. What information is disclosed in the Summary Statement?

The Summary Statement contains a description of:

- each of your controlled assets and each of your assets that the Commissioner has ordered divested. The description will include information about the nature and source of the asset as well as the method of divestment but not its value or the number of units held. The disclosure will be made, for example, as follows:
 - shares of company ABC divested by way of sale at arm's length;
 - debentures of company XYZ divested through the establishment of a blind trust agreement;
- each matter from which the Commissioner has ordered you to recuse yourself, as well as information regarding the process you or others have put in place to effect the recusal;
- any other matter in respect of which the Commissioner has issued an order, as well as the steps you have taken to comply with the order.

4. What other information disclosed to the Commissioner requires a public declaration?

As a reporting public office holder, you are required to publicly declare:

- any recusal that took place after the signature of the Summary Statement;
- all of your [assets that are neither controlled, nor exempt](#);
- any [outside activities](#) that the Commissioner has approved;
- any single gift or other advantage valued at \$200 or more, other than one from a relative or friend;
- agreed compliance measures such as conflict of interest screens.

If you are a minister, minister of state, or parliamentary secretary, you are also required to publicly declare:

- the source and nature (but not the amount) of all your liabilities of \$10,000 or more; and
- the source and circumstances of any travel by way of non-commercial chartered or private aircraft that has been accepted by you, a member of your family, a ministerial adviser or ministerial staff.

The Commissioner can also decide to publicly disclose any other document considered appropriate for the purpose of complying with the Act.

5. What are my ongoing compliance requirements?

(a) Recusal

Within 60 days after a recusal, you must make a public declaration providing sufficient detail to identify the conflict of interest that was avoided.

(b) Gifts

If you or a member of your family accepts a gift valued at \$200 or more, you must make a public declaration **within 30 days** after accepting the gift, unless the gift is offered by a relative or a friend.

(c) Travel

If you are a minister, minister of state or parliamentary secretary, you must publicly declare all travel aboard non-commercial chartered or private aircraft, including those offered by other levels of government, that you, a member of your family, a ministerial adviser or ministerial staff have accepted **within 30 days** after the acceptance and provide sufficient detail to identify the source and circumstances.

(d) Material change

You must [report any material change](#) **within 30 days** after the change. You can report a material change by filling a [Material Change Report](#) available on our website or by contacting your advisor via telephone or email. A change is material when it leads to a change in your Confidential Report. For instance, a change in marital status or the acquisition or extinguishment of an asset or a liability valued at \$10,000 or more will result in a material change to your Confidential Report.

(e) Offers or acceptance of outside employment

You [must disclose](#) any firm offers and your acceptance of outside employment **within 7 days**.

You may be interested in reading our information notices on [recusal obligations](#), [gifts or other advantages](#), [material change](#), and [offers of outside employment](#).

6. What are the annual review requirements?

The Office will contact you each year to review the information contained in your Confidential Report, Summary Statement and relevant public declarations. You will be advised of any new compliance measures required.

7. What happens if I do not comply with the compliance measures?

The Act sets out a process for the application of administrative monetary penalties not exceeding \$500 for reporting public office holders who fail to meet reporting deadlines or fail to provide accurate and complete reports. Such penalties are made public. Changes that have not been reported are usually discovered during the mandatory annual review process.

If the Commissioner has reason to believe that a reporting public office holder has contravened the Act, the matter may be examined on the Commissioner's own initiative. A report setting out the facts in question as well as the Commissioner's analysis and conclusions is provided to the Prime Minister and made public.

You may be interested in reading our information notice on [administrative monetary penalties](#) and [investigations](#).