



Information Notice

Compliance with the Code – Summary of Your Obligations as a Member of the House of Commons

This document is intended to provide a summary of your obligations under the [Conflict of Interest Code for Members of the House of Commons](#). Members are encouraged to contact the Office for confidential advice about their individual situation. Please call 613-995-0721 or [send us an email](#).

The primary purpose of the Code is to 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. As a Member of the House of Commons, you are required to comply with the Code.

Members who are ministers or parliamentary secretaries must also comply with the rules and measures of the [Conflict of Interest Act](#).

1. What are the general rules of conduct in the Code?

When performing parliamentary duties or functions, you are prohibited from acting in any way that would further your private interests or those of a member of your family,¹ or that would improperly further another person or entity's private interests.²

You are also prohibited from using your public office to influence a decision,³ and from using or communicating insider information⁴ to further your private interests or those of a family member or to improperly further another person or entity's private interests.

You are also prohibited from attempting to engage in any of these activities.⁵

¹ Subsection 3(4) of the Code defines family members as:

- (a) the Member's spouse or common-law partner; and
- (b) a son or daughter of the Member, or a son or daughter of the Member's spouse or common-law partner, who has not reached the age of 18 years or who has reached that age but is primarily dependent on the Member or the Member's spouse or common-law partner for financial support.

² See section 8 of the Code.

³ See section 9 of the Code.

⁴ See section 10 of the Code.

⁵ See section 11 of the Code.

2. How is a private interest defined in the Code?

While there is no definition of private interest, the Code identifies certain circumstances where you may be considered to further a person's private interests, including your own. You are considered to further a private interest if your actions result, directly or indirectly, in any of the following:

- an increase in, or the preservation of, the value of the person's assets;
- the extinguishment, or reduction in the amount, of the person's liabilities;
- the acquisition of a financial interest by the person;
- an increase in the person's income from employment, a contract, a business or a profession;
- the person becoming a director or officer in a corporation, association or trade union; or
- the person becoming a partner in a partnership.

A private interest would not be considered to be furthered when the matter in question is of general application, affects the person as one of a broad class of the public, consists of being a party to a legal action relating to your actions as a Member, or concerns your remuneration or benefits as provided under an Act of Parliament.

3. What information am I required to disclose?

Your initial compliance process begins when your name is published in the [Canada Gazette](#) after your election to the House of Commons.

You have 60 days from that day to provide the Commissioner with a full confidential statement of your assets, liabilities, activities and other private interests, as well as those of the members of your family.⁶ The [Disclosure Statement for Members and Their Family Members](#) (Disclosure Statement) form is available on the Office's website.

The Code specifies that your Disclosure Statement must:

- identify and state the value of each of your assets or liabilities and those of your family that exceed \$10,000;
- state the amount and source of any income greater than \$1,000 that you and your family received during the previous 12 months or that you will receive during the next 12 months;
- disclose any trust known to you from which you could directly or indirectly derive a benefit or income;

⁶ The Commissioner may extend this period upon receipt of a reasonable request to do so. See section 20 of the Code.

- state all benefits that you and the members of your family, and any private corporation in which you or a member of your family have an interest, have received in the preceding 12 months or are entitled to receive in the next 12 months as a result of being party, directly or through a subcontract, to a contract with the Government of Canada;
- include additional information about any private corporations mentioned;
- list the directorships or offices in corporations, trade or professional associations, or trade unions held by you or a member of your family; and
- include any other information that the Commissioner may require.⁷

It is possible that the Commissioner may require a meeting with you and your family members to ensure that adequate disclosure has been made and to discuss your obligations under the Code.⁸

4. What information is made public?

You are required to publicly disclose certain information. Our Office will prepare a Disclosure Summary based on the information contained in your Disclosure Statement and provide it to you. You will then have 60 days to review and approve the Disclosure Summary⁹ after which, it will be made public.

The Disclosure Summary contains details of the following:

- the source and nature, but not the value, of the income, assets and liabilities listed in your Disclosure Statement that are valued at \$10,000 or more and that are not excluded¹⁰ by another provision of the Code;
- the subject matter and nature of any Government of Canada contract or subcontract from which you or a member of your family derives a benefit;
- the list of names of any affiliated corporations;
- all directorships or offices in a corporation, trade or professional association or trade union held by you or a member of your family and all partnerships in which you or a member of your family are a partner; and
- any trusts from which you may, currently or in the future, either directly or indirectly, derive a benefit or income.¹¹

⁷ See section 21 of the Code.

⁸ See section 22 of the Code.

⁹ The Commissioner may extend this period upon receipt of a reasonable request to do so. See section 23 of the Code.

¹⁰ See subsection 24(3) of the Code.

¹¹ See section 24 of the Code.

Once you have approved the Disclosure Summary, it is placed in the public registry, which is accessible through the Office's website.¹²

5. What is a material change to my information?

A change is material when it leads to a change in your Disclosure Statement. For instance, a change in marital status, a new income greater than \$1,000, or the acquisition or extinguishment of an asset or a liability that exceeds \$10,000 will result in a material change to your Disclosure Statement. A change in the value of an asset or a liability above or below the \$10,000 threshold also constitutes a material change. Whenever there is a material change to the information in your Disclosure Statement, you are required to disclose it to the Commissioner within 60 days after the change.¹³

A material change generally includes any change that requires the preparation of a new Disclosure Summary that is publicly declared.

Please contact your advisor to file your Notice of Material Change. They will advise you whether the change requires a public declaration.

6. When is the information reviewed?

You are required to provide a full Disclosure Statement annually.¹⁴ The Office will contact you to launch the process. The Code provides that you have 60 days to complete the review.

7. What other rules must I follow?

To remain in compliance with the Code, you must also observe the following rules throughout your mandate:

a) Private interest:

You are prohibited from participating in debate and from voting on a question in which you have a private interest.¹⁵

If you are present during a discussion in the House or in committee of a matter that might affect your private interests, you are required to disclose, orally or in writing, the general nature of the interest.¹⁶ In addition, you must also disclose the general nature in writing as soon as possible to the Clerk of the House. The Clerk will include the disclosure in the [Journals](#) and send it to the Commissioner who will include it in the [public registry](#).

¹² See subsection 23(2) of the Code.

¹³ See subsection 21(3) of the Code.

¹⁴ See section 20 of the Code

¹⁵ See section 13 of the Code.

¹⁶ See section 12 of the Code.

In any other circumstance that involves your parliamentary duties and functions, when a discussion may affect your private interests you must recuse yourself, disclose your private interest as soon as possible to the party concerned and file a notice in writing with the Commissioner.¹⁷

b) Gifts or other benefits:

You and members of your family are prohibited from accepting gifts or other benefits¹⁸ that might reasonably be seen to have been given to influence you in the exercise of your duties and functions of your office. There is an exception for gifts or other benefits received as a normal expression of courtesy or protocol or that are within the customary standards of hospitality that normally accompany a Member's position.¹⁹

When you accept a gift or other benefit, or a series of gifts from one source in a 12-month period, with a value of \$200 or more, you must publicly disclose your acceptance within 60 days. Such declarations can be done via the Portal, by filling out a [Public Statement of Gifts or Other Benefits](#) form, or by contacting your advisor.

You may also wish to read [advisory opinions](#) on the subject of gifts or other benefits published by the Commissioner.²⁰

c) Sponsored travel:

You may accept sponsored travel that arises from or is related to your position.

When the travel costs exceed \$200 and are not wholly paid from the Consolidated Revenue Fund or by you, your political party or any parliamentary association recognized by the House, you must file a statement with the Office disclosing the trip within 60 days of your return. A [Public Statement of Sponsored Travel by Members](#) form is available on our website. The information will be added to the public registry and included in the list of sponsored travel that the Commissioner is required to table in the House each fiscal year.²¹

¹⁷ See subsection 12(4) of the Code.

¹⁸ Subsection 3(1) of the Code defines a benefit as:

- (a) an amount of money if there is no obligation to repay it; and
- (b) a service or property, or the use of property or money that is provided without charge or at less than its commercial value, other than a service provided by a volunteer working on behalf of a Member.

¹⁹ See section 14 of the Code.

²⁰ See subsection 26(4) of the Code.

²¹ See section 15 of the Code

d) Government contracts:

You are prohibited from being a party to a contract with the Government of Canada, or any federal agency or body under which you receive a benefit. You are also prohibited from having an interest in a partnership or in a private corporation that holds such a contract. An exception may be made if the Commissioner believes that the contract or interest is unlikely to affect your obligations under the Code.²²

You can hold securities in a public corporation that contracts with the government unless the Commissioner believes that the size of the holdings is so significant that it is likely to affect your obligations under the Code. In such cases, you would be required to sell the securities or place them in a trust.²³

8. How are these rules enforced?

The Commissioner may investigate possible contraventions of the Code in the following cases:

- on [request](#) of a Member of the House of Commons who sets out reasonable ground to believe that another Member has contravened the Code;
- at the direction of the House of Commons; or
- on the Commissioner's own initiative if the Commissioner has reasonable grounds to believe that a Member has contravened the Code.

If the Commissioner finds in an inquiry that the Code has been contravened, the Commissioner may recommend appropriate sanctions in the inquiry report.

All [inquiry reports](#) are made public and posted on our website.

²² See section 16 of the Code.

²³ See section 17 of the Code.