



Information Notice for Public Office Holders

Offers of Outside Employment

This document is intended to provide general information about your obligations under the [#1-877-968-7243](#). 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: [Section 10](#) and [section 24](#) of the [Conflict of Interest Act](#)

1. What is required by the *Conflict of Interest Act*?

The Act prohibits [public office holders](#) from being influenced in the exercise of an official power, duty or function by plans for, or offers of, outside employment.

When [reporting public office holders](#) receive firm offers of outside employment (that is to say, employment not subject to the Act) or accept such offers, they are required to [disclose](#) this information to the Office of the Conflict of Interest and Ethics Commissioner.

2. Firm offers of outside employment while you are a reporting public office holder

You must [disclose](#) all firm offers of outside employment to the Office **within seven calendar days** after receiving them.

The term “outside employment” refers to employment that falls outside the scope of the Act’s substantive conflict of interest rules and only includes a position that creates an employer/employee relationship. It encompasses employment with the private sector, the House of Commons, the Senate, or a political party. It does not include employment as a public office holder or as a public servant with a public sector entity.ⁱ

A “firm offer of employment” includes any serious offer, whether written or verbal, even if you do not consider it further. A legally binding agreement does not need to be in place for an offer to be firm. The conditions for a firm offer would, for example, be met once discussions are initiated regarding key elements such as salary level, vacation and benefits.

If you are considering accepting an offer, your advisor will review your disclosure and provide advice on the permissibility of accepting it in light of your current or post-employment obligations.

3. Accepting an offer of outside employment while you are a reporting public office holder

If you subsequently accept an offer of outside employment, you must also [disclose](#) this acceptance in writing to the Office **within seven calendar days**. You should not wait until a letter of offer or agreement is formally signed and executed. You should advise the Office when you have accepted the offer even if there are still some matters open to negotiation between you and your future employer, such as a starting date, salary and benefits.

When the Office receives your disclosure, your advisor will provide you with additional guidance with respect to your current and post-employment obligations.

4. How the Commissioner calculates the deadline to disclose the receipt and acceptance of a firm offer of outside employment

To calculate the seven calendar day deadline to disclose the receipt of all firm offers of outside employment and their acceptance, the Commissioner does not count the day on which the offer was received or accepted, but rather the seven days after the day on which the offer was received or accepted.

5. Offers of employment once you have left office

While it is not mandatory to disclose an offer of employment that you receive after your departure from public office, we recommend that you contact the Office during your cooling-off period or when in doubt, so that we can provide guidance on complying with your post-employment obligations.

6. Failure to comply with the disclosure requirements

When the Commissioner has reason to believe that a public office holder was influenced in the exercise of an official power, duty or function by [plans for, or offers of, outside employment](#), he may commence an examination.

If the Commissioner finds that a reporting public office holder has not complied with the disclosure requirements, he may impose an administrative monetary penalty of up to \$500. Such penalties are made public in the [public registry](#).

You may be interested in reading our information notices on [post-employment obligations](#) and [outside activities](#).

ⁱ Public sector entity, as defined in the *Conflict of Interest Act*, means a department or agency of the Government of Canada, a Crown corporation established by or under an Act of Parliament or any other entity to which the Governor in Council may appoint a person but does not include the Senate and House of Commons