



Office of the Ethics Commissioner
Bureau du commissaire à l'éthique

REPORT TO THE HOUSE OF COMMONS ON SPONSORED TRAVEL

pursuant to the
CONFLICT OF INTEREST CODE FOR
MEMBERS OF THE HOUSE OF COMMONS



January 31, 2005

Bernard J. Shapiro

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Office of the Ethics Commissioner
Bureau du commissaire à l'éthique

January 31, 2005



Honourable Peter Milliken, M.P.
Speaker of the House of Commons
House of Commons
Ottawa, Ontario

Dear Mr. Speaker:

I am very pleased to present the report on Sponsored travel by Members of the House of Commons, pursuant to section 15(3) of the Conflict of Interest Code for Members of the House of Commons.

As this is my first report, I have, for the information of Members, included some background information on sponsored travel as well as some comments on interpretation issues that have arisen.

The registry of Members' statements on sponsored travel, since the beginning of the 38th Parliament is attached as Appendix 1 of the Report.

Yours sincerely,

Bernard J. Shapiro
Ethics Commissioner



Office of the Ethics Commissioner
Bureau du commissaire à l'éthique

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BACKGROUND

A public registry for sponsored foreign travel by members of the House has been in place since a change in the Standing Orders of the House was adopted in February of 1986. Standing Order 22 provided that:

“The Clerk of the House shall maintain a public registry of foreign travel by Members of Parliament in which Members shall register all visits they make outside Canada, arising from or relating to their membership in the House of Commons where the cost of any such travel is not wholly borne by the Consolidated Revenue Fund, the Member personally, any interparliamentary association or friendship group recognized by the House of Commons and any recognized party, together with the name of the sponsoring person or organization which paid for travel to and/or from Canada.”

Since that time, there have been numerous discussions about possible changes to the public registry/sponsored foreign travel program – including the 1997 report of the Special Joint Committee on a Code of Conduct (commonly referred to as the Milliken-Oliver Committee) – but no changes were made until 2004.

In 2004, during the 37th Parliament, while Members of the House of Commons were considering a “Conflict of Interest Code for Members of the House of Commons”, the Standing Committee on Procedure and House Affairs proposed to delete Standing Order 22, replacing it with a particular section dealing with sponsored travel, within the Code itself. The Code was, in fact, adopted on April 29, 2004, and came into effect on October 4, 2004 with the first sitting of the 38th Parliament.

Section 15 of the code which regulates the disclosure of Members’ sponsored travel reads as follows:

15(1) If travel costs of a Member for a trip that arises from or relates to his or her position exceed \$500 and those costs are not wholly paid from the Consolidated Revenue Fund or by the Member personally, his or her political party or any inter-parliamentary association or friendship group recognized by the House, the Member shall, within 30 days after the end of the trip, file a statement with the Ethics Commissioner disclosing the trip.

Content of statement

15(2) The statement shall disclose the name of the person or organization paying for the trip, the name of any person accompanying the Member, the destination or destinations, the purpose and length of the trip, the nature of the benefits received and the value, including supporting documents for transportation and accommodation.

Publication

15(3) By January 31 of each year, the Ethics Commissioner shall prepare a list of all sponsored travel, including the details set out in subsection (2), and the Speaker shall lay the list upon the Table when the House next sits.

Thus, the major changes under the new arrangements are (a) sponsored travel includes both foreign and Canadian travel worth more than \$500; (b) the identification of any accompanying persons; (c) sponsored travel reports are submitted to the Ethics Commissioner rather than the Clerk of the House; (d) sponsored travel needs to be reported within 30 days after return of any trip; (e) the requirement for supporting documents, and (f) a provision that by January 31 of each year, the Ethics Commissioner shall prepare and submit a list of sponsored travel to the Speaker who will lay the list upon the Table when the House next sits.

This Report is the first to be tabled pursuant to Section 15(3) of the Conflict of Interest Code for Members of the House of Commons.



TRAVEL REPORTS

For the period covered by this Report, i.e., October 4, 2004 – December 31, 2004, the Office of the Ethics Commissioner received ten statements of sponsored travel of Members of the House of Commons. The listing of these statements is attached as Appendix 1 to this Report.

In general, these statements indicate that:

- Sponsored travel during this period was for a relatively short time (a week or less).
- Seven of the ten sponsored travels relate to the participation as observers in the November 2004 election in Ukraine.
- The other travel relates to the participation in international seminars or conferences.

These summary observations reflect a very short period of time, and a full twelve-month report might well provide other indicators. A comparison with the information available for the same three-month period of 2003 (there were thirteen reports for that period) indicates a slight reduction in the current year. There can, of course, be several reasons for the difference, and no particular conclusion should therefore be drawn at this time.



INTERPRETATION ISSUES

In interpreting Sections 15(1) through 15(3) of the Code, five issues have emerged in terms of the meaning of the words used in the Code. What follows below describes how the Office of the Ethics Commissioner has dealt with these matters.

1) Interpretation of “supporting documents” - Section 15 (2)

With respect to the interpretation of “supporting documents for transportation and accommodation”, as members are not responsible for these costs, such documents might not be easy to obtain. However, for transportation we have accepted as supporting documents, airline tickets stubs or flight itineraries with costs attached, and hotel confirmations with rates included, for accommodation. As well, in most cases, the specific invitations by the sponsoring party, with details of the program, can also be accepted as appropriate supporting documentation.

However, in rare cases when these are not available, it is the Member's responsibility to seek these out in compliance with the Code's requirements.

2) Interpretation of "value" - Section 15 (2)

With respect to the evaluation of "the value of the benefits received", it is recognized that in some cases supporting documents for transportation and accommodation are not readily available to Members as they were not responsible for these costs. In such cases, a Member's estimation of such benefits, based on the available supporting documentation, is acceptable. As the main benefits associated with sponsored travels usually relate to travel and accommodation costs, the approximate costs are rather easy to evaluate, based on real expenditures by the sponsoring party or the equivalent commercial value of the applicable travel and accommodation arrangements.

3) Requirement of the Member's signature - Section 15 (2)

Although the Code is silent on the requirement of a member's signature with respect to the statement to be filed with the Office, I have so far and will continue to insist on a personally signed form from the Member. This requirement is in line with the past requirement by the House with respect to former Public Registry in the Clerk's Office (see note to that effect, in the *House of Commons Procedure and Practice*, p.195). Furthermore, as the appropriate registration form is filed in the Ethics Commissioner's Public Registry, the Member's signature also attests to the accuracy of the information.

4) Timing of filing of the statement into the Member's Public Registry file
Section 15 (1) and 24 (1)

The Code specifies that a Member must submit a statement as to sponsored travel within 30 days of the return of the trip while subsection 24(1) of the Code provides that a Member's Disclosure Summary is to include a copy of any sponsored travel statements filed by a Member. Although it does not specify the timing of such inclusion, in order to ensure transparency, the Office adds the Sponsored travel statement to the Member's Disclosure Summary file, as soon as the Member has signed it and certified the accuracy of the information and that the Office has been satisfied that all the required information has been provided, in compliance with the Code.

5) Inclusion of supporting documents with the Member's Disclosure Statement
Section 24 (1)

The requirement specified in section 24(1) of the Code is silent with respect to the need for providing supporting documents on transportation and accommodation in the Member's Public Registry file. I would propose that such supporting documents not be included in the Public Registry, along with the Member's Disclosure Summary but rather, be described and referred to in the Member's statement of sponsored travel.

This procedure would satisfy the transparency requirement of the Code with respect to disclosure and still respects the privacy of some of the information provided.

Finally, in order to facilitate Members' disclosure requirements, a standard form was developed to expedite the process and facilitate compliance with the Code. However, after some feedback and based on our own experience, a new form is being proposed. It is appended to the current report and is also available on our Website at <<http://www.parl.gc.ca/oec-bce>>.

CONCLUDING COMMENT

Given the short period of time since the new sponsored travel requirements have been implemented and the very limited experience of these new arrangements by both the Office of the Ethics Commissioner and the Members of the House of Commons, no recommendations for any changes in policy are being submitted.

However, in future reports, the intention is to review the ongoing experience with respect to sponsored travel and to bring forward to the attention of the Standing Committee on Procedure and House Affairs, any recommendations for change that might seem appropriate.



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PUBLIC REGISTRY OF SPONSORED TRAVEL FOR MEMBERS --- REGISTRE PUBLIC DES VOYAGES DES DÉPUTÉS PARRAINÉS

(Made under the authority of the *Conflict of Interest Code for Members of the House of Commons* --- Émis en vertu du *Code régissant les conflits d'intérêts des députés*)

(Starting on October 4th, 2004 -- Débutant le 4 octobre 2004) 38.1 -- 2004

Name of Member	Name of person accompanying the Member of Parliament	Destination(s)	Purpose of the trip	Sponsor of trip	Date(s)	Benefits -- Nature + Value*
Nom du député	Nom de(s) personne(s) accompagnant le député	Destination(s)	But du déplacement	Parrain du déplacement	Date(s)	Avantages -- Type et valeur*
David Kilgour	Senator David Smith; Borys Wrzesnewskyj, M.P.	Ukraine	Election observer	Canadian Institute of Ukrainian studies	November 7th to 14th, 2004	Airfare (\$2675.98)
John G. Williams	Martin Ulrich	Lebanon	Start a Middle East chapter of GOPAC	GOPAC	November 15th to 20th, 2004	Transport (\$174.35), Hotel (\$622.83)
Carolyn Parrish		Netherlands	International Conference on Middle East Policies	International Forum for Justice and Peace, The Netherlands	November 5th and 6th, 2004	Return airfare (\$1138.31), transport (\$106.95), two nights accomodation (\$432.45)
Borys Wrzesnewskyj	Senator David Smith; David Kilgour, M.P.	Ukraine	Parliamentary Delegation to Ukraine for Election Monitoring Project	Ukraine Transparency & Election Monitoring Project (UTEMP), Canadian Institute of Ukrainian Studies, University of Alberta	November 7th to 14th, 2004	Airfare Toronto - Kyiv (\$2130.44), Kyiv - Luhansk (\$107.60), Odessa - Kyiv (\$66.76), Apartment rent (\$45.90)
Borys Wrzesnewskyj		Ukraine	Parliamentary Delegation to Ukraine for Election Monitoring Project	Ukraine Transparency & Election Monitoring Project (UTEMP), Canadian Institute of Ukrainian Studies, University of Alberta	November 18th to 23rd, 2004	Transportation Airfare & Insurance (\$1072.22)
Borys Wrzesnewskyj		Ukraine	Parliamentary Delegation to Ukraine for Election Monitoring Project	Ukraine Transparency & Election Monitoring Project (UTEMP), Canadian Institute of Ukrainian Studies, University of Alberta	November 27th to December 2nd, 2004	Transportation Airfare & Insurance (\$1032.65); Apartment rent from Nov.29 to Dec.2 (\$142.20)
Peter Goldring		Ukraine	Election monitoring	Canadian Institute of Ukrainian studies, University of Alberta	November 18th to December 2nd, 2004	Airfare Toronto - Ukraine, Hotel accomodation (4 days)
Peter Goldring		Ukraine	Election monitoring	CANADEM	December 19th to 27th, 2004	Airfare Toronto - Ukraine, Hotel accomodation, Transportation and Food
Sarmite Bulte	Steven Treiber	England	Prowess conference	PROWESS	November 9th to 13th, 2004	Travel (\$900), Accomodations, Conference fees, Some meals
Joy Smith		Ukraine	Election monitoring	CANADEM	December 21st to 29th, 2004	Airfare, Hotel



Appendix 2

Office of the Ethics Commissioner
Bureau du commissaire à l'éthique

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22^e Étage / 22nd Floor
OTTAWA, ONTARIO
C A N A D A
K1P 5H1

PUBLIC STATEMENT OF SPONSORED TRAVEL BY MEMBERS DÉCLARATION PUBLIQUE DE DÉPLACEMENTS PARRAINÉS

15. (1) If travel costs of a Member for a trip that arises from relates to his or her position exceed \$500 and those costs are not wholly paid from the Consolidated Revenue Fund or by the Member personally, his or her political party or any inter-parliamentary association or friendship group recognized by the House, the Member shall, **within 30 days after the end of the trip**, file a statement with the Ethics Commissioner disclosing the trip.
- (2) The statement shall disclose the name of the person or organization paying for the trip, the name of any person accompanying the Member, the destination or destinations, the purpose and length of the trip, the nature of the benefits received and the value, including supporting documents for transportation and accommodation.
15. (1) Si les frais payables pour tout déplacement qu'il effectue dans le cadre de sa charge dépassent 500 \$ et ne sont pas entièrement pris en charge par le Trésor, par lui-même ou son parti, ou par un groupe d'amitié ou une association interparlementaire reconnu par la Chambre, le député dépose auprès du commissaire à l'éthique une déclaration faisant état du déplacement, **dans les trente jours qui en suivent la fin**.
- (2) La déclaration comporte le nom de la personne ou de l'organisation qui prend en charge les frais de déplacement, le nom de toute personne accompagnant le député, la ou les destinations, le but et la durée du déplacement, la nature des avantages reçus et leur valeur, ainsi que des documents justificatifs pour les frais de transport et de logement.

Source: *Conflict of Interest Code for Members* adopted by the House of Commons on April 29, 2004 / *Code régissant les conflits d'intérêts des députés* adopté par la Chambre des communes le 29 avril 2004.

Name of Member / Nom du député : _____

Name of any person accompanying the Member (if any) / Nom de toute personne accompagnant le député (s'il y a lieu) : _____

Destination(s) : _____

Purpose of the trip / But du déplacement : _____

Sponsor of trip / Parrain du déplacement : _____

Dates (Number of days / Nombre de jours) : _____

Nature of benefits received -- Gifts, hospitality, others / Nature des avantages reçus -- Cadeaux, accueil et autres : _____

Value of benefits received / Valeur des avantages reçus : _____

SUPPORTING DOCUMENTS (please specify) - DOCUMENTS JUSTIFICATIFS (SVP spécifier)

• Transportation / Transport : _____

• Accommodation / Logement : _____

Comments- Any additional material or pages may be provided as required /

Commentaires -- Toute documentation ou pages supplémentaires peuvent être ajoutées au besoin

Signature _____ Date _____

Please print your name / Nom en lettres moulées _____

Form / Formulaire EC-02

Please forward to the above address by mail or by fax at : (613) 995-7308
S'il-vous-plaît nous faire parvenir à l'adresse ci-haut mentionnée par courrier ou par télécopieur au : (613) 995-7308