



Summary of Rules for Reporting Public Office Holders

Public office holders are in a **conflict of interest** when they exercise an official power, duty or function that provides an opportunity to further their private interests or those of their relatives or friends, or to improperly further another person's private interests. (section 4)

General Duties (Part 1)

- Arrange your private affairs to prevent conflicts of interest. (section 5)
- Abstain from participating in decisions that would involve a conflict of interest. (subsection 6(1))
- Do not take any action aimed at circumventing the [Conflict of Interest Act](#). (s. 18)
- Compliance with the Act is a condition of your appointment or employment as a public office holder. (s. 19)

Conflict of Interest Rules (Part 1)

You are prohibited from:

- Providing preferential treatment to any person or organization based on the identity of the person or organization representing them. (s. 7)
- Using information that is not available to the public to further private interests. (s. 8)
- Using your position to influence a decision in order to further private interests. (s. 9)
- Being influenced in exercising your duties by offers of outside employment. (s. 10)
- Accepting any gift or other advantage that might reasonably be seen to have been given to influence you in the exercise of your official duties. (s. 11) Certain exceptions to this rule are outlined in ss. 11(2). If you or a member of your family accepts a courtesy or protocol gift that has a value of \$1,000 or more, you must forfeit it to the Crown, unless the Conflict of Interest and Ethics Commissioner determines otherwise. (ss. 11(3))
- Entering into a contract or employment relationship, in the exercise of your official duties, with a spouse, common-law partner, child, sibling or parent, or permitting the entity for which you work to do so. (s. 14)
- Participating in outside employment. This includes:

- Engaging in employment or the practice of a profession. Exception: If the Commissioner is of the opinion that it is not incompatible with your duties as a public office holder, you may, for the purpose of maintaining your employment opportunities or ability to practise your profession on leaving public office, engage in employment or the practice of a profession in order to retain any licensing or professional qualifications or standards of technical proficiency necessary for that purpose, provided you do not receive any remuneration;
- Managing or operating a business or commercial activity;
- Continuing as or becoming a director or officer in a corporation or organization. Exception: The Commissioner may allow you to continue as a director or officer of an organization of a philanthropic, charitable or non-commercial nature if the Commissioner is of the opinion that it is not incompatible with your public duties;
- Holding office in a union or professional association;
- Serving as a paid consultant; and
- Being an active partner in a partnership. (ss. 15(1))

NOTE: Political activities are expressly excluded from the prohibition against outside activities. (ss. 15(4))

- Personally soliciting funds if it places you in a conflict of interest. (s. 16)

Recusal (Part 2)

- You must recuse yourself from any discussion, decision, debate or vote if you would be in a conflict of interest. (s. 21)

Confidential Disclosure (Part 2)

- Within 60 days after your appointment, you must submit to the Commissioner a Confidential Report describing your assets, liabilities, income and certain activities. (s. 22)
- Throughout your term of office, you must disclose to the Commissioner:
 - Gifts and other advantages from any one source, other than relatives and friends, that exceed \$200 in value in a 12-month period, within 30 days after acceptance or after the day on which their value exceeds \$200. (s. 23)
 - Firm offers of outside employment, within seven days of receiving them. You must disclose them in writing. (s. 24)
 - The acceptance of an offer of outside employment, within seven days. (s. 24)

Public Declaration (Part 2)

You must publicly declare:

- Any recusals made pursuant to section 21, within 60 days after the recusal. (ss. 25(1))
- All assets that are neither controlled nor exempt, within 120 days after your appointment. (ss. 25(2))
- Outside activities approved by the Commissioner, referred to in ss. 15(2) or 15(3), within 120 days after your appointment. (ss. 25(4))

- Any single gift or other advantage, other than from a relative or friend, whose value is \$200 or more, within 30 days after acceptance. (ss. 25(5)) NOTE: The \$200 value is not the determining factor for acceptability, but the threshold for public disclosure. If in doubt about a gift's acceptability, please contact the Office.

Post-Employment (Part 3)

You are prohibited, indefinitely, from:

- Acting in a manner that takes improper advantage of your previous office. (s. 33)
- Acting for or on behalf of any person or organization in connection with any specific proceeding, transaction, negotiation or case where the Crown is a party and where you had acted for, or provided advice to, the Crown while in public office. (ss. 34(1))
- Providing advice to clients, business associates or employers using information that was acquired in the course of your official duties and that is not available to the public. (ss. 34(2))

During a “cooling-off” period of one year following your last day in office, you are prohibited from:

- Entering into a contract of service with, accepting an appointment to the board of directors of, or accepting an offer of employment with an entity with which you had direct and significant official dealings during your last year in office. (ss. 35(1))
- Making representations to a department, organization, board, commission or tribunal with which you had direct and significant official dealings during your last year in office. (ss. 35(2))

Reporting on lobbying activities:

- For one year after leaving office, you must report to the Commissioner any communication or meeting as defined in paragraphs 5(1)(a) and (b) of the Lobbying Act. (s. 37)

Administration and Enforcement (Part 4)

- The Commissioner may conduct an examination:
 - On the written request of a Senator or Member of the House of Commons who has reasonable grounds to believe that a public office holder or former public office holder has contravened the Act. (s. 44); or
 - On the Commissioner's own initiative if the Commissioner has reason to believe that a public office holder or former public office holder has contravened the Act. (s. 45)
- The Commissioner may impose administrative monetary penalties for failure to comply with certain reporting requirements. (s. 52)

This summary is intended as a quick reference. The Conflict of Interest Act itself is the final authority. You are encouraged to seek advice from the Office of the Conflict of Interest and Ethics Commissioner. You can reach an advisor by telephone at 613-995-0721 or by email at ciec-ccie@parl.gc.ca. Additional rules apply to reporting public office holders who are members of ministerial staff, ministers or parliamentary secretaries. If you are a member of ministerial staff, please refer to the [Summary of Rules for Ministerial Staff](#), or if you are a minister or parliamentary secretary, please consult the [Summary of Rules for Ministers and Parliamentary Secretaries](#).

Ce document est également disponible en français.

<http://ciec-ccie.parl.gc.ca/>