



Summary of Rules for 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)
- 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)

Post-Employment (Part 3)

You are prohibited 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))

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)

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.

Ce document est également disponible en français.

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