



## Information Notice for Reporting Public Office Holders

# Outside Activities

*This document is intended to provide general information about your obligations under the Conflict of Interest Act. 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 email [ciec-ccie@parl.gc.ca](mailto:ciec-ccie@parl.gc.ca).*

*This information notice refers to prohibitions against certain outside activities set out in the Conflict of Interest Act. It is recommended that you consult your internal code of conduct or terms and conditions of employment for further guidance on these and other prohibited activities.*

Source: [Section 15](#) and [subsection 25\(4\)](#) of the [Conflict of Interest Act](#).

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

The [Conflict of Interest Act](#) prohibits reporting public office holders from engaging in outside employment and a number of other activities. These prohibitions apply whether or not a conflict of interest is involved. They do not apply where the activities are part of a public office holder's official powers, duties and functions.

It is important to note that other Acts of Parliament, organizational codes, and your terms and conditions of employment may also prohibit you from engaging in certain activities, including political activities.

### 2. What activities are prohibited?

As a reporting public office holder, you may not:

- engage in employment or the practice of a profession;
- manage or operate a business or commercial activity;
- continue as, or become, a director or officer in a corporation or organization;
- hold office in a union or professional association;
- serve as a paid consultant<sup>i</sup>; or
- be an active partner in a partnership.

These prohibitions extend to activities that would appear to have little or no impact on your public duties. For example, professionals such as doctors, lawyers, engineers and accountants may not hold office in professional associations, and students who work full-time during the summer in a minister's office are prohibited from continuing any part-time employment they held during the school year.

### 3. Are there any exceptions?

There are very limited exceptions to the prohibition against outside activities. The Commissioner must approve each exception. He must be satisfied that the activity for which the exception is being sought is not incompatible with your duties as a public office holder.

- For the purposes of maintaining your employment opportunities or ability to practise your profession on leaving public office, you may 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 that you do not receive any remuneration.
- If you are a director or officer in a Crown corporation as defined in [section 83](#) of the *Financial Administration Act*, you may continue as, or become, a director or officer in a financial or commercial corporation.
- You may continue as, or become, a director or officer in an organization of a philanthropic, charitable or non-commercial character.

### 4. What activities are permitted?

The prohibitions relating to outside activities do not restrict the political activities<sup>ii</sup> of public office holders. For example, the Act does not restrict your ability to sit on the board of directors of a political party or riding association.

Please note that Governor in Council appointees are also subject to restrictions not administered by this Office.

Volunteer activities are generally permitted as long as they do not place you in a conflict of interest.

If you have any doubt about the acceptability of a new activity under the Act, your advisor can help.

### 5. What information on outside activities must I disclose to the Office?

During your initial compliance process, you must include descriptions in your [Confidential Report](#) of:

- all activities listed in [section 15](#) of the Act in which you were engaged in the two-year period before the day of your appointment or which are ongoing;
- your involvement in philanthropic, charitable or non-commercial activities in the two-year period before the day of your appointment or which are ongoing; and
- your involvement as trustee, executor or liquidator of a succession or holder of a power of attorney, in the two-year period before the day of your appointment.

If you are a minister or parliamentary secretary, you must also make reasonable efforts to include this information for each member of your family in your report.

If you begin a new outside activity after your initial compliance process is completed, you must notify the Office of this [material change](#) within 30 days.

If you do not provide this or other information required in your Confidential Report, you could be subject to an administrative monetary penalty of up to \$500.

If you are considering a new outside activity and are not sure whether it is permissible, please contact your advisor for advice.

## **6. What information is publicly declared?**

Exceptions granted by the Commissioner to the prohibition against outside activities are posted in the public registry.

Political directorships are also publicly declared.

## **7. What happens when a reporting public office holder does not comply with section 15 of the Act?**

The Commissioner may, pursuant to [section 30](#) of the Act, issue a compliance order requiring the reporting public office holder to cease the prohibited activity.

When the Commissioner has reason to believe that a reporting public office holder is engaging in prohibited outside activities, he may also commence an examination on his own initiative. At the conclusion of the examination, the Commissioner issues a report that is made public.

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<sup>i</sup> See, for example, [The Lynn Report](#).

<sup>ii</sup> The [Public Service Employment Act](#), Part 7, defines political activity as:

- (a) carrying on any activity in support of, within or in opposition to a political party;
- (b) carrying on any activity in support of or in opposition to a candidate before or during an election period; or
- (c) seeking nomination as or being a candidate in an election before or during the election period.