



Office of the Conflict
of Interest and Ethics
Commissioner

Commissariat aux
conflits d'intérêts et à
l'éthique

The 2011-2012 ANNUAL REPORT

in respect of the
CONFLICT OF INTEREST ACT



June 21, 2012

Mary Dawson
Conflict of Interest and
Ethics Commissioner

The 2011-2012 Annual Report

in respect of the
CONFLICT OF INTEREST ACT

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June 20, 2012

The Honourable Andrew Scheer, M.P.
Speaker of the House of Commons
Room 224-N, Centre Block
Parliament of Canada
Ottawa, Ontario K1A 0A6

Dear Mr. Speaker:

I am pleased to submit to you my report on the performance of my duties and functions under the *Conflict of Interest Act* in relation to public office holders for the fiscal year ending March 31, 2012.

This fulfills my obligations under paragraph 90(1)(b) of the *Parliament of Canada Act*.

Sincerely,

Mary Dawson
Conflict of Interest and Ethics Commissioner



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June 20, 2012

The Honourable Noël A. Kinsella
Speaker of the Senate
Room 280-F, Centre Block
Parliament of Canada
Ottawa, Ontario K1A 0A4

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Mary Dawson
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I. INTRODUCTION

The Conflict of Interest and Ethics Commissioner administers the *Conflict of Interest Act* (Act) and the *Conflict of Interest Code for Members of the House of Commons* (Code). These two regimes seek to ensure that public officials, whether appointed or elected, are not in a conflict of interest.

The mission statement of my Office is: *To administer the conflict of interest rules for Members of the House of Commons and public office holders in order to maintain and enhance the trust and confidence of the Canadian public in the conduct of these elected and appointed officials.* In line with this mission, my Office's main responsibilities are to:

- advise public office holders and Members on their obligations under the Act and the Code;
- receive and review confidential reports of assets, liabilities, income and activities of reporting public office holders and Members in order to advise on and establish appropriate compliance measures;
- maintain confidential files of required disclosures;
- maintain public registries of publicly declarable information;
- administer an administrative monetary penalty regime for failures to comply with certain reporting requirements; and
- conduct examinations and inquiries into alleged contraventions of the Act and the Code.

The Commissioner is also mandated to provide confidential advice to the Prime Minister about conflict of interest and ethics issues.

The Act applies to public office holders, including ministers, parliamentary secretaries, ministerial staff, ministerial advisers, deputy ministers and most full- and part-time Governor in Council appointees. There are approximately 3,000 public office holders subject to the Act, more than half of whom are part-time. The Act came into force in July 2007 and was amended in December 2011.

The Code is appended to the *Standing Orders of the House of Commons*. It applies to all 308 Members of the House of Commons. The Code was adopted by the House of Commons in 2004 and was amended in 2007, 2008 and 2009.

The Act and the Code hold public office holders and Members to standards that place the public interest above private interests when the two come into conflict. Rules and procedures set out in each aim to minimize the possibility of conflicts arising between public and private interests. The Act also contains a number of post-employment rules, while the Code does not. The focus of both the Act and the Code is on prevention.



This is one of two annual reports issued by my Office. This report is made for the Act and the other report is made for the Code. This report is virtually identical to the other except for the Applying the Act and Investigations sections. In the Annual Report for the Code, there is an additional section under the heading Five-Year Review of the Code.



II. OVERVIEW – Assessing Five Years of Experience

I have now served as Conflict of Interest and Ethics Commissioner for almost five years. My appointment in July 2007 coincided with the coming into force of the *Conflict of Interest Act* (Act) and followed soon after a comprehensive review of the *Conflict of Interest Code for Members of the House of Commons* (Code). Both the Act and the Code are scheduled to undergo five-year reviews in 2012.

My experience in administering the two regimes has given me insight into where the strengths of each lie, where they could be enhanced, and where there are gaps. In each of my previous annual reports, I have made some observations in this regard. Over the past year I have been taking stock of how all aspects of the Act and the Code are working, with a view to providing input into how they could be improved during the five-year reviews. I have already provided input into the Code review process and will do the same for the Act. I see these review processes as important opportunities to work towards improving Canada's conflict of interest regimes.

I have also taken the opportunity in the past year to review and assess some of the processes, procedures and systems used by my Office in administering the Act and the Code, improving them where appropriate. Among other initiatives, my Office launched a new secure case management system on April 1, 2012, providing my staff with a more streamlined process for managing documents and files.

As in previous years, I have focused on ensuring that Members and public office holders understand their obligations so they can avoid conflict of interest situations before they arise. This was especially important in the months following the May 2011 election, when there were many new Members of the House of Commons and also a number of new ministers and parliamentary secretaries.

My Office provides information, advice and guidance to Members and public office holders on the application of the Code and the Act to their individual situations. In the past fiscal year, my Office assisted 112 new Members of the House of Commons and nearly 300 new reporting public office holders in meeting their initial compliance obligations under the Code and the Act. We also undertook a number of broader communications initiatives that included making presentations and publishing information notices and backgrounders.

My Office opened a total of 30 investigation files as a result of information from various sources relating to alleged or possible contraventions of the Act or the Code. Seven of those files resulted in my initiating an examination under the Act, a significant increase over previous years. This resulted in a marked increase in our investigations workload in this reporting period.

This past year I released one inquiry report under the Code, the *Guergis Report*, and one examination report under the Act, the *Paradis Report*. In both reports, I found that rules had been breached. Shortly after the end of the fiscal year, I released two other reports under the Act. In the *Raitt Report*, I concluded that no contravention of the Act had occurred. In my report,



Referrals from the Public Sector Integrity Commissioner: the Heinke and Charbonneau Report, I found that there were no grounds on which to pursue the matter referred to me by the Public Sector Integrity Commissioner.

My Office has continued to build its capacity with respect to policy and research, and has shared its experience about conflict of interest regulation with offices in a number of other jurisdictions.

Finally, I am pleased that staffing within my Office has remained stable. My staff, as always, is professional and devoted to fulfilling the mandate of the Office. I thank them for their continued efforts over the past year.

III. APPLYING THE ACT

The *Conflict of Interest Act* (Act) applies to more than 3,000 government officials, defined in the Act as public office holders. These include ministers, parliamentary secretaries and ministerial staff, as well as Governor in Council appointees such as deputy ministers, heads of Crown corporations and members of federal boards, commissions and tribunals. My Office assists these individuals to achieve and maintain compliance with the Act.

As of March 31, 2012, there were 3,059 public office holders, 1,115 of whom were reporting public office holders. These included 39 ministers, 28 parliamentary secretaries, 534 ministerial staff and 514 full-time Governor in Council appointees.

Reporting public office holders are subject to all the rules of conduct set out in the Act and must disclose to my Office detailed information about their assets, liabilities, activities and other interests. Most of the remaining 1,944 public office holders work on a part-time basis as members of federal boards, tribunals and commissions. These public office holders must comply with most of the rules of conduct, but are not subject to the Act's disclosure provisions.

During the past fiscal year, 630 individuals became public office holders, including 299 reporting public office holders. Over the same time period, 360 public office holders left their posts, 292 of whom were reporting public office holders, including eight ministers.

The total number of non-reporting public office holders has increased by almost 300, largely due to the inclusion this year of official receivers and honorary consuls. They were not included in previous annual statistics due to some question as to their status under the Act.

Non-Reporting Public Office Holders

I send a letter to non-reporting public office holders as soon as my Office becomes aware of their appointments informing them of their obligations under the Act.

In November, for a second year, I sent a letter to all non-reporting public office holders to remind them of their obligations. It was accompanied by a summary of the provisions that apply to them and an information sheet on the relevant gift provisions. We chose to highlight the gifts rules this year because we had received questions from several public office holders on this topic in the previous year and felt it would be useful to provide further guidance. I will continue to send out these letters annually in the future, highlighting particular issues that may be of interest.

Official Receivers and Honorary Consuls

Official receivers are public servants who work for the Superintendent of Bankruptcy. Although they are hired through the public service, they require a Governor in Council appointment in order to be able to carry out some of their duties. I have determined accordingly that they meet the definition of public office holder under the Act.



Honorary consuls are individuals residing overseas who provide consular services on behalf of the Canadian government on a part-time basis. These individuals need not necessarily be Canadian citizens. This raises some potential questions about the Act's application outside of Canada and, in some cases, to non-Canadians. Nonetheless, honorary consuls are representing Canada. They are appointed by the Governor in Council and therefore fall within the definition of public office holder.

My Office wrote to all official receivers and honorary consuls this past year to inform them that they are subject to the Act.

Reporting Public Office Holders

As noted above, reporting public office holders are subject to the rules of conduct set out in the Act and must also disclose to my Office detailed information about their assets, liabilities, activities and other interests. As soon as my Office learns of their appointments, I send letters informing them of their obligations under the Act along with related documents that guide them through the initial disclosure process.

Initial Compliance

Reporting public office holders must, within 60 days after their date of appointment, complete and submit to my Office a confidential report providing the required personal information.

My Office conducts a review of each confidential report and advises the reporting public office holder of any measures required to meet his or her initial compliance obligations under the Act. These measures may include selling controlled assets, establishing a blind trust, resigning from a position of office and making any public declarations required by the Act. Reporting public office holders have 120 days to complete all measures to meet their initial compliance obligations under the Act, including signing a statement summarizing their disclosures.

My Office has endeavoured to assist individuals in meeting these deadlines by issuing a series of reminders as their deadlines approach. Nevertheless, during the past fiscal year, 53 of the 299 new reporting public office holders did not complete their confidential reports within 60 days. This is slightly higher than in the previous year when 45 individuals missed the 60-day deadline. The number of individuals who miss the 60-day deadline tends to fluctuate from year to year.

The number who missed the 120-day deadline has been much lower in the past two years than it was the year before that. Two years ago it was 45, last year it was nine, and this year 16 reporting public office holders missed the 120-day deadline. I believe that the lower number of missed deadlines in the past two years compared to the year before is attributable in large part to a more rigorous and consistent approach taken by my Office in recent years to follow up regularly with reporting public office holders to emphasize the deadline and to work with them to achieve compliance. In addition, monetary penalties may be levied for a failure to meet the deadline.

Although I can issue administrative monetary penalties for failures to meet these deadlines, I only do so where I determine that the individual is not employing his or her best efforts to meet the deadline.

While I normally receive notification shortly after a public office holder is appointed, this is not always the case, particularly for new ministerial staff. Except in the case of highly publicized appointments, such as ministers, parliamentary secretaries, ambassadors and deputy ministers, my Office relies on either the Privy Council Office or, in the case of ministerial staff, ministers' offices to notify us when a new public office holder is appointed or changes position.

When I am not made aware of a new appointment, the standard letter reminding a reporting public office holder of the Act's requirements and of the steps necessary to comply with them is delayed. This in turn delays the submission of a confidential report to my Office and, in some cases, the completion of the initial compliance process.

In 41 of the 53 cases where reporting public office holders missed the 60-day deadline this past year, my Office was informed of their appointment more than 20 days after they had commenced their employment. In three of those cases I was notified after the 60-day deadline had passed. For the remaining 12, all but one missed the deadline by less than seven days. In the one case where the delay was longer and not justified, I issued an administrative monetary penalty.

Of the 16 individuals who missed the 120-day deadline to meet their initial compliance requirements, eight completed the process within one week of that deadline. Of the remaining eight, four did not meet the deadline due to the delays in my Office being informed of their appointments and three provided an acceptable explanation as to why they could not finalize the required measures within the deadline. In the remaining case the delay was due to an administrative error within my Office. I determined that no penalties were warranted in these cases.

Prothonotaries

A group of six prothonotaries have not been included in the statistics above. Their particular case is related to a long-standing issue that was finally resolved this past year.

Following the coming into force of the Act, the prothonotaries of the Federal Court were informed that, as Governor in Council appointees who exercise their official duties and functions on a full-time basis, they are considered reporting public office holders and are therefore subject to the Act.

I subsequently suspended the application of the Act pending the release of Special Advisor George W. Adams' *Report on the Compensation of Federal Court Prothonotaries* and the results of the subsequent judicial proceedings reviewing the governmental response to Mr. Adams' recommendations. The decision to suspend was made because those proceedings could have a bearing on the status of the prothonotaries and, consequently, whether they would continue to be subject to the Act.



On March 17, 2011, the Supreme Court of Canada denied the prothonotaries leave to appeal the decision of the Federal Court of Appeal. I then advised the prothonotaries that they would now be expected to proceed with the initial compliance process, including the requirement to complete a confidential report as required by section 22 of the Act.

In completing and submitting their confidential reports, the prothonotaries collectively expressed their belief that subjecting them to the application of the Act would infringe their judicial independence and would, therefore, be unconstitutional. In support of this view, they pointed out that they are judicial officers appointed under the *Federal Courts Act* and exercise many of the powers and functions of Federal Court judges. They also pointed out that, in *Aalto et al. v. Canada (Attorney General)*, 2010 FCA 195, the Federal Court of Appeal affirmed that prothonotaries enjoy the same constitutional guarantee of judicial independence as other judicial officers, including judges of the Federal Court, who are expressly excluded from the application of the Act. The prothonotaries argued that they, too, ought to be excluded.

Taking these considerations into account, and believing that there are legitimate concerns about the constitutionality of subjecting the prothonotaries to the application of the Act, I used my discretion under section 29 to determine an appropriate compliance measure, to which the prothonotaries have agreed. They have submitted a confidential report under section 22 of the Act and they have undertaken to continue to abide by the *Ethical Principles for Judges* issued by the Canadian Judicial Council, as they have done in the past. I have determined that no additional measures are required of them.

Maintaining Compliance

Annual Review

All reporting public office holders must on an annual basis review their compliance arrangements and update the information previously disclosed to my Office. Advisors assess the revised information to determine if new compliance measures are required. During the latest annual review cycle, I requested for the first time the most recent financial statements from reporting public office holders whose financial statements were outdated by four years or more. The request for statements was accompanied by a reminder about the Act's provisions relating to financial investments.

These statements assisted my Office in ensuring that the information in our files relating to investments for those reporting public office holders was up to date. My Office also learned through this process that some of them had invested in controlled assets in contravention of the Act. There are no penalties for acquiring controlled assets. However, these individuals were required to sell the assets through arm's length transactions and were not reimbursed for any associated costs. Some were also subject to penalties for failing to report this investment as a material change within 30 days.

In light of the above, I have decided that, in the future, financial statements will be requested from reporting public office holders every year at the time of the annual review.

Ongoing Communications

My Office is always available to discuss the application and obligations of the Act with individuals or organizations. Aside from communications arising from the initial compliance and annual review processes previously discussed, and aside from communications initiated by our Office, there were approximately 1,550 communications during the last fiscal year from reporting public office holders. This number is similar to that for the past two years.

The largest number of these communications, almost 700, related to changes in information previously disclosed to my Office. We also received some 200 general enquiries about the application of the Act, 180 communications relating to blind trusts and some 160 communications about gifts or other advantages. The rest of the communications related to a wide variety of topics.

Fifty-five disclosures of gifts or other advantages led to public declarations. As well, there were 46 disclosures of material changes that led to new public declarations of assets and 39 that led to new public declarations of outside activities.

Reporting Material Changes

Notwithstanding the formal annual review process, reporting public office holders must inform my Office of any material change in their circumstances, within 30 days of that change. Material change means any change to the information that reporting public office holders are required to disclose to my Office during the initial compliance process. For example, it would include the acquisition of new assets and new involvement in outside activities. An information notice providing guidance on material changes under the Act is available on the Office website.

It is especially important that my Office be informed of material changes so that we can determine whether measures need to be put in place to ensure that reporting public office holders continue to meet their obligations under the Act.

I have the discretion to impose an administrative monetary penalty whenever a reporting public office holder fails to inform my Office of a material change within the 30-day deadline. I usually consider imposing a penalty only when the failure to report the change also relates to a contravention of a substantive rule in the Act, such as holding a controlled asset. Any material changes should, however, always be reported to ensure that there is no contravention of the Act and to enable advisors in my Office to better advise reporting public office holders about their obligations under the Act that result from, or are related to, the change.

Gifts or Other Advantages

My Office continues to receive some calls about the acceptability of gifts or other advantages. There is sometimes a significant level of analysis required to determine whether a gift or other advantage is acceptable.



All gifts or other advantages received by a public office holder or a member of his or her family are subject to an acceptability test. The test applies to all public office holders, not only reporting public office holders. Where a gift or other advantage could reasonably be seen to have been given to influence the public office holder in the exercise of an official power, duty or function it may not be accepted, regardless of its value. There are limited exceptions to this rule, including gifts or other advantages received from relatives or friends, those permitted under the *Canada Elections Act* and those received as a normal expression of courtesy or protocol.

Gifts or other advantages that pass the acceptability test must be disclosed by reporting public office holders to my Office and publicly declared when they are valued at \$200 or more. Multiple gifts from a single source whose total value exceeds \$200 within a 12-month period must be disclosed to my Office and must also be publicly declared.

Based on discussions with reporting public office holders, it would appear that many are under the impression that the \$200 threshold for disclosure and public declaration is a threshold for acceptability. This is not the case. All gifts or other advantages, regardless of value, are prohibited if they do not pass the acceptability test outlined above.

I have noted a similar misinterpretation by Members of the House of Commons with respect to the \$500 threshold for disclosure and public declaration under the *Conflict of Interest Code for Members of the House of Commons* (Code). I have come to the conclusion that, in the case of the Code, the best way to deal with gifts and other benefits would be to significantly lower the threshold for public declaration. All acceptable gifts above this threshold would be publicly declared. I believe that by doing so, Members would pay more attention to the question of whether or not gifts that they receive are acceptable. I have included this recommendation in my submission to the Standing Committee on Procedure and House Affairs in the context of the five-year review of the Code. I will be watching with interest the outcome of the Committee's deliberations and will, over the coming months, be considering what recommendations to make in relation to the Act.

During the annual review process, I am now expressly asking reporting public office holders whether they received gifts or other advantages that required a declaration during the previous year. By raising this issue within the framework of the annual review, I am reminding reporting public office holders of their obligations and the importance of contacting my Office with any questions on this matter.

In the past fiscal year, 55 gifts or other advantages were publicly declared by 30 reporting public office holders. An additional eight were disclosed to my Office but were forfeited to the Crown, because they had a value of \$1,000 or more. The number of gifts reported to my Office in the past year is similar to that in the previous year.

A very limited number of gifts or other advantages were returned or paid for after my Office determined that they did not meet the acceptability test. When something that has been offered as a gift has been paid for, it is no longer considered to be a gift. When a gift has been returned, it is considered not to have been accepted. In these situations, therefore, no public declaration is required.

I have some additional comments about gifts or other advantages under the heading Administrative Monetary Penalties in this section.

Outside Activities

Section 15 of the Act prohibits reporting public office holders from engaging in certain outside activities such as outside employment or practising a profession, managing a business or acting as a director or officer in an organization. There are two exceptions to the last mentioned activity, one directed towards reporting public office holders who are directors or officers in a Crown corporation, and the other directed towards all reporting public office holders in relation to philanthropic, charitable or non-commercial organizations. These exceptions can only be granted if the Commissioner is of the opinion that the activity is not incompatible with the public duties of the reporting public office holder. These activities must be publicly declared.

In December 2011, section 15 of the Act was amended to add another exception to allow reporting public office holders to engage in employment or the practice of a profession in order to retain any licensing or professional qualifications, or standards of technical proficiency, that are necessary to maintain their ability to practise their profession or maintain their employment opportunities on leaving public office.

In order for an activity to qualify for that exception, the reporting public office holder may not receive any remuneration for the activity and, again, I must be of the opinion that the activity is not incompatible with the public duties of the reporting public office holder. I will require as well in these cases that the reporting public office holder provide supporting evidence so that I can ascertain that the outside activity is indeed necessary in order to retain his or her licence or professional qualifications or standards of technical proficiency.

The Act does not require a public declaration for this exception, unlike the other two exceptions. I suspect this may have been an oversight. In any event, I intend to use my discretion under paragraph 51(1)(e) of the Act to make public cases in which this new exception applies.

Administrative Monetary Penalties

In the past year, I have imposed seven administrative monetary penalties. Five of these resulted from a failure to report a material change related to the acquisition of controlled assets within the required 30-day period; one, referred to earlier, resulted from a failure to submit a complete confidential report within 60 days and the other was for a failure to include a description of all assets and an estimate of their value in the confidential report. In each of the two previous fiscal years, I imposed five administrative monetary penalties.

There have been a number of occasions where reporting public office holders have failed to make a public declaration within the required 30-day deadline of an acceptable gift or other advantage valued at \$200 or more. As required by the Act, once I am informed of these gifts or advantages, they are publicly declared. To date I have exercised my discretion not to impose penalties for such failures to report within the required deadline because I do not want to create a disincentive for individuals to report these gifts or advantages. I will do so, however, in cases where there are repeated failures to report gifts or other advantages within the deadline.



I note that the Act does not allow me to apply penalties for having accepted a gift or advantage that is deemed unacceptable under the Act. I may only apply penalties in relation to those that are not publicly declared within 30 days. In cases where a prohibited gift or advantage has been accepted, I require that the reporting public office holder either return it or pay for it. Once this has been done, they are no longer considered to be gifts or advantages and are not subject to public declaration under the Act.

Other Administrative Measures to Ensure Compliance with the Act

Aside from administrative monetary penalties, the Act provides two other ways to ensure that public office holders achieve compliance with the Act and remain in compliance.

Discretionary Compliance Measures

Section 29 of the Act provides the Commissioner with the discretion to determine, in consultation with the public office holder concerned, appropriate compliance measures beyond the specific provisions of the Act. This section is particularly helpful in situations where the specific rules and compliance measures provided for in the Act are impractical or inappropriate in the circumstances.

In the past fiscal year, 13 compliance measures under section 29 were made public. Six of these were arrangements made for the prothonotaries, discussed earlier in this section. Six conflict of interest screens were arranged for reporting public office holders and one arrangement was made with a reporting public office holder relating to controlled assets held by the public office holder's company.

Compliance Orders

The Commissioner may, under section 30 of the Act, order a public office holder to take any compliance measure that the Commissioner considers necessary to comply with the Act.

During the past fiscal year, I have not issued any compliance orders, but in the previous year I issued three. Orders issued under section 30 are made public and can be found on my website.

Post-Employment Obligations

Public office holders continue to have obligations under the Act once they have left office. Some of these obligations are ongoing. They include a general prohibition against taking improper advantage of one's previous public office and other prohibitions relating to insider information and to switching sides in relation to a specific ongoing matter.

All public office holders are advised of their post-employment obligations in a letter when they first take office. As soon as I become aware that a public office holder is planning to leave or has left his or her position, I send another letter reminding him or her of the Act's post-employment obligations.

Some post-employment obligations apply only during a “cooling-off” period: one year for most reporting public office holders and two years in the case of ministers. These include prohibitions against working for an organization with which the former reporting public office holder had direct and significant official dealings in the year before leaving office and making representations to a government organization with which he or she had direct and significant official dealings in the year before leaving office. There is also a requirement to report certain interactions with the government during this cooling-off period.

In the past fiscal year, 292 reporting public office holders left their positions and became subject to the post-employment restrictions. This number includes eight ministers, eight parliamentary secretaries, 67 Governor in Council appointees and 209 ministerial staff members.

I received 66 requests for advice in the past year relating to post-employment obligations, either before or after the individual left office. In 27 of the cases general information was sought prior to leaving office that did not relate to a job offer. The remaining 39 requests were made during the cooling-off period after the reporting public office holder had left office.

While in office, reporting public office holders have an obligation to disclose both firm offers and acceptances of new employment. However, I received only 15 disclosures of firm offers or acceptances in the past year. Although some reporting public office holders may retire, return to school or take time off after they leave public office, I wonder whether more than 15 may have had an offer of employment in hand at the time they left office.

There is only one reporting requirement that applies after a reporting public office holder has left office. Under section 37 of the Act, certain activities referred to in the *Lobbying Act* must be reported. Although I have issued an information notice and developed a form in relation to section 37, I have never received a report under that section.

The Act sets out no other post-employment reporting requirements or any associated monetary penalties. Former reporting public office holders are not required to seek my advice before taking contracts or other employment during their cooling-off period. I believe that the Act should include additional reporting requirements applicable during that period. This would give me an opportunity to advise the individuals of their obligations and to assist them to avoid contravening the post-employment rules.



IV. INVESTIGATIONS

My Office administers two investigative regimes, one under the *Conflict of Interest Act* (Act) and the other under the *Conflict of Interest Code for Members of the House of Commons* (Code). An examination under the Act can be initiated after receiving a request, either from a Senator or a Member of the House of Commons, or on my own initiative. An inquiry under the Code can be initiated after receiving a request from a Member, upon resolution of the House of Commons or on my own initiative.

During the past fiscal year, my Office opened a total of 30 investigation files as a result of information from various sources relating to an alleged or possible contravention of the Act or the Code. There was a significant increase in the number of investigations launched this past year. This resulted in a marked increase in the workload relating to investigations in this reporting period.

Examinations Commenced this Reporting Period

I commenced eight examinations under the Act in the past fiscal year but no inquiries under the Code.

Six of those examinations were launched based on information received this past fiscal year and two were launched as the result of information received in the previous fiscal year. A ninth examination was commenced shortly after the end of the fiscal year following a request received from a Member of the House of Commons in March 2012.

During my time as Commissioner, I have conducted significantly more examinations under the Act than inquiries under the Code. This reflects the fact that I receive more information on alleged or possible contraventions by current and former public office holders under the Act than I do about Members under the Code.

Two of the eight examinations started in the past fiscal year were commenced following requests from Members of the House of Commons. One of these was completed shortly after the end of the fiscal year and was released as the *Raitt Report*, which I discuss later in this section.

Six of the eight examinations were commenced on my own initiative. Four of these examinations were commenced after the assessment of information sent to my Office by members of the public. One was commenced following the assessment of information reported in the media and one was commenced following a referral from the Office of the Public Sector Integrity Commissioner.

Two of the six examinations commenced on my own initiative this past fiscal year were subsequently discontinued after I had gathered evidence that satisfied me that, having regard to all the circumstances, I no longer had sufficient grounds to continue.

When I decide to discontinue a self-initiated investigation under the Act, I do not normally issue a report. In cases where concerns raised have not been made public and I find them to be unsubstantiated, raising them publicly could unnecessarily damage the reputation of the individual concerned.



I do not have this discretion in relation to examinations undertaken on my own initiative following the receipt of information from the Public Sector Integrity Commissioner. In those cases a report must be issued under section 68 of the Act. I will have more to say about referrals received from the Public Sector Integrity Commissioner later in this section.

Completed Investigations

This past fiscal year my Office completed and issued reports on one inquiry under the Code and one examination under the Act. An additional examination report was released shortly after the end of the fiscal year.

Guergis Report

Early in this fiscal year, my Office released a report under the Code on the conduct of the Honourable Helena Guergis when she was the Member of Parliament for Simcoe–Grey. The inquiry, commenced in April 2010, was in response to a request received from a Member of the House of Commons alleging that Ms. Guergis promoted a constituent’s firm that was linked to her husband, Mr. Rahim Jaffer, in contravention of sections 8 and 9 of the Code.

Ms. Guergis had sent a letter to municipal officials encouraging them to consider a request by the constituent’s firm to make a public presentation on his company’s green waste management technology. Section 8 prohibits Members from acting in any way to further their private interests or those of a member of their family, when acting in an official capacity. Section 9 prohibits Members from using their position to influence the decision of another person so as to further their private interests or those of a member of their family.

My investigation found that Ms. Guergis’ husband had been engaged in ongoing business discussions with the firm at that time. I concluded that Ms. Guergis had acted to further the private interests of a member of her family and had thereby contravened sections 8 and 9 of the Code.

This report was made public on July 14, 2011.

Paradis Report

My Office also reported on the findings of my examination under the Act into the conduct of the Honourable Christian Paradis. The examination, commenced in May 2010, was in response to a request received from a Member of the House of Commons alleging that Mr. Paradis breached subsection 6(1) and sections 7 and 9 of the Act. The request alleged that Mr. Paradis, then Minister of Public Works and Government Services Canada, had assisted Mr. Rahim Jaffer and his company, Green Power Generation Corporation, to advance a business proposal.

Mr. Jaffer, a co-director of Green Power Generation at the time, and a former Member of Parliament and caucus colleague of Mr. Paradis, had approached Mr. Paradis with a proposal to lease the rooftops of federal buildings, install solar panels on them and sell the energy they produced to the Government of Ontario.



Subsection 6(1) prohibits public office holders from making decisions that they know or reasonably should know would place them in a conflict of interest. Section 7 prohibits public office holders, in exercising an official power, duty or function, from giving preferential treatment to a person or organization based on the identity of someone representing that person or organization. Section 9 prohibits public office holders from using their position to influence a decision so as to further their own private interests or those of relatives or friends, or to improperly further the private interests of another person.

I concluded that Mr. Paradis had contravened subsection 6(1) and section 7 of the Act by providing special treatment to Mr. Rahim Jaffer, a former caucus colleague, and his company, Green Power Generation, when he directed his staff to arrange a meeting between that company and departmental officials. I also concluded that Mr. Paradis had not contravened section 9.

This report was made public on March 22, 2012.

Raitt Report

Shortly after the end of this reporting period, my Office released a report under the Act in relation to an examination commenced in response to a request received by a Member of the House of Commons. The investigation related to allegations that the Honourable Lisa Raitt accepted a complimentary upgrade to business class, authorized by a senior executive of Air Canada, on an Air Canada flight from Toronto to Ottawa on September 25, 2011. Air Canada was involved in a labour dispute at the time and Ms. Raitt, in her capacity as Minister of Labour, had publicly raised the possibility that the government might introduce back-to-work legislation.

It was alleged that Ms. Raitt had contravened section 11 of the Act. Section 11 prohibits public office holders from accepting any gift or other advantage that might reasonably be seen to have been given to influence them in the exercise of an official power, duty or function.

I found that Ms. Raitt had used a frequent flyer credit to obtain the upgrade to executive class. She was entitled to the upgrade as a member of Air Canada's frequent flyer program. There was some delay on the part of Air Canada in transferring the credit from an earlier cancelled booking, but it was eventually assigned to the new flight. I concluded that Ms. Raitt did not contravene section 11 of the Act, since the upgrade was obtained using Ms. Raitt's frequent flyer credits and did not constitute a gift or other advantage.

This report was made public on April 26, 2012.

Suspended Examination

Carson Examination

In April 2011, I commenced an examination under the Act regarding the post-employment obligations of Mr. Bruce Carson, a former reporting public office holder. On November 14, 2011, I had to suspend this examination, as required by paragraph 49(1)(b) of the Act, when it was confirmed to me that the subject matter of the examination was also the subject matter of an investigation to determine whether an offence had been committed under an Act of Parliament. My examination was nearly completed at the time of the suspension.

Section 49 requires the Conflict of Interest and Ethics Commissioner to suspend an examination in two circumstances: where the Commissioner believes on reasonable grounds that the public office holder who is the subject of the examination has committed an offence under an Act of Parliament in respect of the same subject matter (paragraph 49(1)(a)); and where it is discovered that the subject matter of the examination is also the subject matter of an investigation to determine whether an offence has been committed under an Act of Parliament or that a charge has been laid in respect of that subject matter (paragraph 49(1)(b)). In the first circumstance, the Commissioner is required to notify the relevant authorities.

Subsection 49(2) provides that the Commissioner may not continue an examination in such circumstances until any investigation or charge in respect of the same subject matter has been finally disposed of.

Other Investigative Files

Of the 30 investigation files opened this past fiscal year, seven resulted in an examination (one of which was initiated after the end of the fiscal year), 19 were closed and four remain open.

My Office conducts a thorough case assessment of any information that is brought to my attention to establish whether the complaint falls within the mandate of this Office, whether the information provides the necessary grounds to believe that a contravention may have occurred and whether an examination or inquiry is warranted. In some situations the case assessment will be relatively straightforward. In other circumstances, it may involve more detailed analysis and some initial fact-finding including, for example, preliminary discussions with the public office holder or Member in question, the individual who provided the information or a third party who may have knowledge of the events in question.

Three of the 19 cases that I did not proceed with were brought to my attention by Members of the House of Commons. Two of them related to other Members subject to the Code while the other related to a reporting public office holder subject to the Act. I did not proceed with these cases because, after assessing the information and conducting preliminary fact-finding, I concluded that the Members did not provide reasonable grounds and that no further action was warranted.

The remaining 16 cases were brought to my attention by members of the public or came to my attention as a result of media reports. Where appropriate, individuals who brought these matters to my attention were given an opportunity to provide more information. These cases were closed after I concluded that there were no reasonable grounds to proceed to an examination or inquiry.

The 30 files opened this past year included four referrals received from the Public Sector Integrity Commissioner. I commenced an examination based on one of these referrals as noted above. I reported on two of them in a joint report but did not proceed to an examination. These are described in more detail below. The fourth referral has been reviewed and a report will be issued shortly.



Referrals from the Office of the Public Sector Integrity Commissioner

Subsection 24(2.1) of the *Public Servants Disclosure Protection Act* requires the Public Sector Integrity Commissioner to refer to my Office any disclosures received, the subject matters of which, in his or her opinion, fall within my mandate. When I receive such a referral, section 68 of the *Conflict of Interest Act* (Act) requires that I issue a report setting out the facts in question as well as my analysis and conclusions. This past fiscal year marks the first time that I have received such a referral.

Although section 68 of the Act requires a report, I do not interpret section 68 to require a complete examination in respect of every referral. In my view, I must deal with information I receive from the Public Sector Integrity Commissioner in the same way as I would treat any information received from another agent of Parliament or from the public about a possible contravention of the Act.

Where information provided to my Office from the public or in a referral under the *Public Servants Disclosure Protection Act* provides me with reason to believe that a contravention has occurred, I may self-initiate an examination under section 45 of the Act.

If I do not have reason to believe that a contravention has occurred, I may, where appropriate, seek further information, including from the individual who made the disclosure, the individual who is the subject of the disclosure or anyone else who may have relevant information. On the basis of any information received, I then reassess whether I have reason to believe that a contravention of the Act has occurred and, if so, whether an examination is warranted.

Even if I ultimately decide not to proceed to an examination, I must nonetheless write a report, setting out my reasons for not pursuing the matter further. I believe this requirement should be reconsidered.

The Heinke and Charbonneau Report

I issued my first report that resulted from referrals from the Public Sector Integrity Commissioner on May 18, 2012. These referrals consisted of 167 disclosures related to decisions issued by the Canada Industrial Relations Board (Board) in 2010 and 2011 affecting Air Canada and one of its unions, the International Association of Machinists and Aerospace Workers.

It was alleged that two Board members who participated in those decisions – Mr. Patrick Heinke, an employer-representative member, and Mr. Daniel Charbonneau, an employee-representative member – were in a conflict of interest because of their past associations with the parties affected by the decisions.

I sought clarification from individuals who had made the disclosures to the Public Sector Integrity Commissioner and obtained additional information from Mr. Heinke and

Mr. Charbonneau. I found no evidence that either Mr. Heinke or Mr. Charbonneau had any private interests that could have been furthered by their participation in the decisions in question.

I therefore did not have reason to believe that either Mr. Heinke or Mr. Charbonneau had contravened the Act and did not pursue the matter further beyond issuing my report.



V. OUTREACH AND COMMUNICATIONS

Outreach and communications activities continue to be an important aspect of my Office's work in helping public office holders and Members of Parliament understand and fulfill their obligations under the *Conflict of Interest Act* (Act) and the *Conflict of Interest Code for Members of the House of Commons* (Code). During the past year, my Office has continued to reach out to stakeholders in a number of ways.

My Office has expanded its activities aimed at informing and educating those subject to the Act and the Code. We have further strengthened our communications with the media and the general public in order to broaden Canadians' understanding of Canada's federal conflict of interest regimes and the role of the Conflict of Interest and Ethics Commissioner in administering them. We have also continued to share information with ethics bodies in Canada and around the world.

Reaching out to Public Office Holders and Members of the House of Commons

Outreach and communications activities were especially important in the months following the May 2011 federal general election, which resulted in high turnover among Members of Parliament and the appointment of eight new Cabinet ministers. All of the documents referred to below can be found on the Office website.

Public Office Holders

During the past year, my staff and I have given presentations to a number of organizations whose members have obligations under the Act, including the National Seniors Council and the Immigration and Refugee Board of Canada, as well as citizenship judges and the staff in several ministers' offices, to ensure they are aware of their obligations under the Act and to address specific questions about the application of the Act. In June 2011, I gave a presentation to ministers' chiefs of staff about the obligations of ministerial staff as reporting public office holders under the Act.

My Office issues information notices and backgrounders in order to help public office holders understand their obligations under the Act.

In the past year, my Office issued or updated four information notices in relation to the Act. The subjects were material change, post-employment obligations, the recusal obligations of members of administrative tribunals, and the reporting of certain lobbying-type activities under section 37 of the Act. We also developed a form to help public office holders report section 37 activities.

My Office issued three new backgrounders relevant to public office holders. Two explain the initial compliance process for reporting public office holders and the specific rules for ministers and parliamentary secretaries, and one describes conflict of interest screens and other compliance measures. We also updated the summaries of the rules for non-reporting public office holders, for reporting public office holders, for members of ministerial staff, and for ministers and parliamentary secretaries.

Members of the House of Commons

In June 2011, I participated in a Library of Parliament orientation session for new Members of the House of Commons, outlining their obligations under the Code.

In the fall, I made presentations to the caucuses of the three recognized parties in the House of Commons. My presentations to the caucuses of the New Democratic Party and the Liberal Party in October 2011 focussed on the requirements of the Code, while my presentation to the Conservative Party caucus in November covered the Act as well. The sessions provide an opportunity to remind Members of their obligations under the Code and, in the case of ministers and parliamentary secretaries, their obligations under the Act. They generate interesting discussions and often prompt caucus members to contact advisors in my Office with follow-up questions.

Under the authority provided in subsection 26(4) of the Code to publish opinions for the guidance of Members, I issued advisory opinions about their participation in debates and votes related to Bill C-18 (reorganization of the Canadian Wheat Board) and about the acceptability of free tickets to a cultural performance being staged at commercial venues. I also updated an existing advisory opinion regarding the general acceptability of event tickets and invitations.

My Office also issued a backgrounder on the initial compliance process for Members.

Parliamentary Activities

Committee Appearances

I appear from time to time before two parliamentary committees in respect of my Office and its work. The House of Commons Standing Committee on Access to Information, Privacy and Ethics has oversight responsibility for the Act and reviews my Office's annual budgetary estimates. The Standing Committee on Procedure and House Affairs has responsibility for the Code.

In the past year, I appeared before the Standing Committee on Access to Information, Privacy and Ethics on two occasions.

In September 2011, that Committee invited me to provide a briefing about my Office, which I did, and I was also asked questions about the issue of sponsorship at a political party's annual convention, which was the subject of a motion before the Committee. At the Committee, I confirmed that I had received a letter requesting that I investigate the issue. I also indicated that, after I had looked into the matter, I determined there were no reasonable grounds for an inquiry under the Code. I informed the Committee that I could not comment further as such matters are dealt with in confidence.

In March 2012, I appeared before that Committee to discuss my Office's budgetary submission for the 2012-13 Main Estimates.

I am usually invited each year to appear before the Standing Committee on Access to Information, Privacy and Ethics to discuss my Annual Report for the Act and before the Standing



Committee on Procedure and House Affairs to discuss my Annual Report for the Code. I did not have the opportunity to do so for my 2010-11 annual reports.

I mentioned in last year's annual report that I hoped to meet with the Liaison Committee, composed of the chairs of all the House of Commons standing committees and the House chairs of standing joint committees, to get a better understanding of the range of gifts and benefits offered to members of committees. I had an opportunity to meet with that Committee in March 2012.

Shortly after the end of the fiscal year, the Standing Committee on Procedure and House Affairs began its five-year review of the Code. In support of this review I was asked by the Committee to make any recommendations for amendments to the Code based on my experience. I presented a list of 19 recommendations, some of them minor or technical in nature and others more substantive. The full text of my submission to the Standing Committee is available on my Office website. A list of the recommendations is included in the Appendix.

Other Parliamentary Activities

In September 2011, I met with the Honourable Andrew Scheer. I report to the House through the Speaker on the administration of the Act and the Code.

Also that month, I was invited to participate in an orientation session for Senators at which I provided an overview of my role and mandate.

I met with the procedural clerks of the House of Commons in September as well, including the clerks of standing committees and parliamentary associations, to present information about my Office and discuss Members' obligations under the Code in the context of committee work.

Inquiries from the Media and Members of the Public

In the last fiscal year, my Office received and responded to over 100 inquiries from journalists on a range of issues, more than double the number for the previous year, and participated in a number of media interviews.

As in previous years, many members of the general public communicated with my Office. In the past fiscal year, we received some 600 telephone, e-mail, fax and letter mail inquiries concerning a range of issues.

About two-thirds of these communications covered a wide variety of topics that were related to my mandate, including requests for information on policies, requests for documents issued by my Office and requests for information about ongoing investigations or compliance issues.

The other requests involved various matters that were not related to my mandate. Where possible, my Office referred the correspondents to other bodies that could better address their questions. In keeping with my objective of increasing public awareness about the administration of the Act and the Code, whenever we receive requests about matters that fall outside my mandate, my staff provides information clarifying my mandate.

VI. ADMINISTRATION

Accountability

As an entity of Parliament, my Office operates under the *Parliament of Canada Act*. It is not subject to most Treasury Board policies and guidelines. In addition, most legislation governing the administration of the public service, such as the *Public Service Employment Act*, the *Access to Information Act* and the *Privacy Act*, do not apply to my Office.

As part of its commitment to good stewardship, my Office has invested considerable efforts towards establishing an internal management framework that is based on the principles of sound resource management followed in the public service. In addition, I have voluntarily adopted a number of practices used in the public service to publicly disclose accountability information. Annual financial statements, quarterly financial reports and status reports on travel, conference and hospitality expenses are easily accessible through our website. Internal controls are being documented and annual financial statements are audited.

My Office has negotiated a number of shared services arrangements with the House of Commons (information technology and security), the Library of Parliament (accounts payable and reporting) and Public Works and Government Services Canada (compensation). These arrangements provide greater efficiency and one more level of scrutiny in the management of resources.

I am pleased to report on achievements of the last year in the area of resource management in my Office.

Human Resources Management

At this point, I believe that the current structure and total staff complement of 50 employees are adequate to fulfill the mandate of my Office.

I reported last year that the Office had reached a level of stability in the area of staffing. I am pleased to report that this stability has been maintained over the last year. Only one employee left the office in 2011-12, aside from three retirements and two term appointments that ended during the year. This amounts to a turnover rate of 2 per cent compared to 13 per cent in the previous fiscal year.

Following some restructuring last fiscal year, a new Policy, Research and Communications Division was created. Two new positions have been staffed in this division to conduct policy and research activities that will support all activities of the Office including, in particular, parliamentary and external relations activities.

A new policy on learning, training and development became effective on January 12, 2012. It is aimed at enabling employees at all levels to acquire and maintain the knowledge, skills and competencies required for their functions and at encouraging innovation and continuous improvements in performance. More specifically, this policy and supporting guidelines provide all employees with a shared understanding of their role as it pertains to learning, ensure that managers and supervisors at all levels have the necessary knowledge to exercise effectively their



delegated authorities, and present employees at all levels with an opportunity to further their professional development. My Office continues to invest in the development of employees and seeks to provide a work environment that is conducive to their well-being.

A three-day course on investments and securities was also offered in-house to employees who advise reporting public office holders on their obligations as they relate to assets and divestments. Office-wide learning activities were organized and held over the last year to foster continued employee development. For example, a full-day information session with all employees was held, with half of the day spent to enhance communication skills and the other half dedicated to developing a values and ethics code.

The *Code of Values and Standards of Conduct* for my Office came into effect on April 1, 2012. This Code is intended to outline the professional and ethical behaviour expected of employees, and to reinforce the responsibility of employees to follow certain rules of conduct. As mentioned in my previous annual report, this Code is being implemented to set out standard expectations related to our unique mandate and work environment.

Sound human resources management remains a priority and my management team will continue to review status reports on staffing actions, leave and development activities to identify areas that require attention or further investment.

Financial Management

I have maintained the same operating budget of \$7.1 million for the last four years and the same amount has been requested for the current fiscal year. However, an internal review of my Office's spending has been launched to identify opportunities for efficiencies. Results of this review will be communicated in next year's annual report.

I continue to rely on the House of Commons and the Library of Parliament to provide shared administrative services in the area of information technology and financial services. These arrangements have proven to be quite positive and we now also have an arrangement with the House of Commons for security services. My Office also has a shared services agreement with Public Works and Government Services Canada for compensation services.

Over the past fiscal year, my Office made some necessary, yet costly, investments in its information technology infrastructure. Encryption boxes were purchased to ensure continued protection of information collected and maintained by the Office. Moreover, the infrastructure behind the physical security system needed to be upgraded to meet the standards of the House of Commons, which has agreed to take on the responsibility for the security system. With the technical support of the House of Commons, my Office invested considerable efforts over the last 12 months in the development of a new integrated case management system. This new system, launched on April 1, 2012, streamlines our current approach to file management by eliminating duplication, as it replaces various stand-alone systems.

I mentioned last year that the financial statements for my Office would be audited by an independent auditor effective in 2010-11. I am pleased to report that the audited financial statements for that year, which are available on our website, received a very positive opinion

from the auditing firm KPMG. No concerns were raised with respect to established procedures and information.

A table broadly outlining the financial information for the Office for the 2011-12 fiscal year is provided in the Appendix under the heading Financial Resources Summary. Detailed financial information can be found on our website.



VII. LOOKING AHEAD

Both the *Conflict of Interest Act* (Act) and the *Conflict of Interest Code for Members of the House of Commons* (Code) are scheduled to undergo five-year reviews in 2012. My Office has already submitted recommendations for the five-year review of the Code. I will continue to seek ways in which we may contribute to both of these important exercises by sharing the experience and knowledge we have gained over the past five years in administering the two regimes.

I hope that these reviews will provide opportunities to address the challenges that I have identified and thereby enhance my ability to administer the Act and the Code in a practical and effective way.

As I complete this report, the Standing Committee on Procedure and House Affairs continues its study of the Code. I appeared before that Committee in May 2012 to discuss the recommendations I had submitted to it and I subsequently released a copy of that submission. I look forward to the outcome of the Committee's deliberations.

I expect to release a similar document in relation to the Act later this year and look forward to working with parliamentarians to clarify the provisions of both the Act and the Code.

One of the biggest challenges that I have faced in the administration of the Act and of the Code relates to the gift provisions. I have already made suggestions in this regard for the Code and will do the same for the Act. I note that the issue of gifts has also been raised in the context of the five-year review of the *Lobbying Act* and that the Standing Committee on Access to Information, Privacy and Ethics has proposed a ban on the receipt by public office holders, as defined in the *Lobbying Act*, of gifts from lobbyists.

In addition to working with Members on these five-year reviews, I will continue to work with the committees on other matters related to my administration of the two regimes. The Standing Committee on Access to Information, Privacy and Ethics has oversight responsibility for the Act and my Office's budgetary estimates, and the Standing Committee on Procedure and House Affairs has responsibility for the Code.

My Office will continue to focus on the provision of timely and thorough advice to public office holders and Members of the House of Commons to help them comply with their obligations under the Act and Code.

We have several investigations underway and will issue reports over the course of the current fiscal year.

We will continue to strengthen our corporate governance structure and our internal processes and controls. Recognizing the fiscal realities facing all federal organizations, we will also conduct a detailed spending review in the coming year in order to identify and implement efficiencies.

My Office will seek new opportunities for communications with individuals subject to the Act or Code, and will ensure that these efforts are supported by useful tools to provide

information about our mandate and activities. We will also continue our outreach efforts with the public, the media and other stakeholders.

Through these and other actions, my staff and I look forward to continuing our efforts to uphold and enhance the trust that Canadians have in Parliament and its institutions by administering Canada's conflict of interest and ethics regimes.



APPENDIX – FINANCIAL RESOURCES SUMMARY (from page 25)

	(thousands of dollars)				
Program Activity	2010-11 Actual Spending (46 employees)	2011-12		Actual Spending (49 employees)	Alignment to Government of Canada Outcomes
		Main Estimates	Total Authorities		
Administration of the <i>Conflict of Interest Act</i> and the <i>Conflict of Interest Code for Members of the House of Commons</i>	5,312	6,338	6,338	5,894	Government Affairs
Contributions to Employee Benefit Plans	704	812	812	744	
Total Spending	6,016	7,150	7,150	6,638	
Plus: Cost of services received without charge	1,021	n/a	n/a	1,016	
Net Cost	7,037	7,150	7,150	7,654	

The budget process for the Office of the Conflict of Interest and Ethics Commissioner is established in the *Parliament of Canada Act*. The Speaker of the House considers the estimates for the Office and transmits them to the President of the Treasury Board for inclusion in the estimates of the Government of Canada. The Standing Committee on Access to Information, Privacy and Ethics has within its mandate the role to review and report on the effectiveness, management and operations together with the operational and expenditure plans relating to the Office.

Since 2008-09, the budget for the Office has remained at \$7.1 million, 74 per cent (or \$5.3 million) of which is dedicated to salaries and employee benefits. Of the remaining \$1.8 million, approximately \$700,000 is used to cover the cost of shared services provided by the House of Commons, the Library of Parliament and Public Works and Government Services Canada in the area of information technology, finance and compensation, respectively.

Complete financial statements can be found on our website at www.ciec-ccie.gc.ca.