



Information Notice for public office holders

Administrative Monetary Penalties Regime

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 us](#).

Source: [Sections 52 to 62](#) of the [Conflict of Interest Act](#)

1. What penalties may be imposed under the Act?

The Act sets out a process for imposing administrative monetary penalties not exceeding \$500 for public office holders who fail to meet reporting deadlines or to provide accurate and complete reports. The penalty regime does not apply to a contravention of the conflict of interest rules under the Act.

Once a penalty is imposed, the nature of the violation, the name of the public office holder and the amount of the penalty are made public.

The proceeding in respect of a penalty can be initiated [up to five years](#) after the Commissioner becomes aware of the alleged violation.

2. Which provisions are subject to the administrative monetary penalties regime?

Provision	Initial Compliance with Act on Appointment	Deadline
<u>Confidential Disclosures to Commissioner</u>		
22(1)	Filing of Confidential Report	60 days after appointment
22(2)	Content of Confidential Report (complete and accurate)	60 days after appointment
27(7)	Confirmation of divestment	120 days after appointment
<u>Public Declarations</u>		
25(2)	Assets that are neither controlled nor exempt	120 days after appointment
25(3)	Liabilities of \$10,000 or more (ministers and parliamentary secretaries)	120 days after appointment
25(4)	Outside activities as an officer or director	120 days after appointment
26(1)	Signing of Summary Statement	120 days after appointment
26(2)	Content of Summary Statement (complete and accurate)	120 days after appointment
Provision	Ongoing Compliance with Act	Deadline
<u>Confidential Disclosures to Commissioner</u>		
22(5)	Material change to Confidential Report	30 days after change
23	Multiple gifts from one source with cumulative value of over \$200 in 12-month period	30 days after total cumulative value reached
24(1)	Firm offer of outside employment	7 days after offer
24(2)	Acceptance of offer of outside employment	7 days after acceptance
<u>Public Declarations</u>		
25(5)	Gifts with value of \$200 or more	30 days after acceptance
25(1)	Recusals	60 days from recusal
25(6)	Travel on non-commercial chartered or private aircraft (accepted by ministers, parliamentary secretaries and ministerial staff only)	30 days after acceptance

3. How are administrative monetary penalties issued?

If the Commissioner believes on reasonable grounds that a public office holder has committed a violation of one of the provisions listed above, the Commissioner [may issue a Notice of Violation](#) in which a proposed penalty is set out. When determining the amount of the proposed penalty, the Commissioner takes into account:

- the fact that penalties have as their purpose to encourage compliance with the Act rather than to punish;
- the public office holder's history of prior violations under the Act during the five-year period immediately before the violation; and
- any other relevant matter.

If you are served with a Notice of Violation, you have [30 days](#) to pay the penalty or submit written representations to the Commissioner. By paying the penalty, you acknowledge having committed the violation and proceedings are ended.

If you submit written representations, the Commissioner will decide, on a balance of probabilities, whether a violation was committed and whether there were mitigating circumstances. The Commissioner will inform you in a Notice of Decision whether the [proposed penalty or a lesser penalty is imposed or not](#).

If you do not pay the penalty or submit written representations within 30 days of having been served with a Notice of Violation, you will be deemed to have committed the violation and will be required to pay the penalty. Unpaid penalties may be [recovered as a debt to His Majesty](#) in the Federal Court or any other court of competent jurisdiction.

If an administrative monetary penalty is imposed, the name of the reporting public office holder, the nature of the violation and the amount imposed are made public through the Office's Twitter account and public registry.

You may be interested in reading our information notice on [complying with the Act](#).