



Information Notice for public office holders

Fundraising and the *Conflict of Interest Act*

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](#).

This document provides general advice for public office holders on how to comply with the Conflict of Interest Act while participating in fundraising activities.

Source: [Section 16](#) of the [Conflict of Interest Act](#)

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

You are prohibited from personally soliciting funds from any person or organization if doing so would place you in a [conflict of interest](#).

You are in a conflict of interest when you exercise an official power, duty or function that provides an opportunity to further your private interests or those of your relatives¹ or friends² or to improperly further another person's [private interests](#)³.

¹ Subsection 2(3) of the *Conflict of Interest Act* defines [relatives](#) as:

Persons who are related to a public office holder by birth, marriage, common-law partnership, adoption or affinity are the public office holder's relatives for the purposes of this Act unless the Commissioner determines, either generally or in relation to a particular public office holder, that it is not necessary for the purposes of this Act that a person or a class of persons be considered a relative of a public office holder.

² The Commissioner has interpreted "friend" to mean individuals who have a close bond of friendship, a feeling of affection or a special kinship with the public office holder. It does not include members of a broad social circle of business associates or colleagues unless such a relationship has developed.

³ See, for example, [The Raitt Report](#); [The Dykstra Report](#); and [The Glover Report](#).

2. What fundraising activities are permitted?

As long as these activities do not place you in a conflict of interest, the Act does not prevent you from engaging in fundraising for charitable or political purposes.

For example, you may:

- directly solicit monetary donations on behalf of a charitable foundation or an electoral district association;
- sell tickets or issue invitations to fundraising events organized by a charitable organization or an electoral district association;
- be an honorary patron;
- lend your name to a trust fund; and
- participate in sponsored events such as sports tournaments, races or other events.

3. What activities are prohibited?

To avoid placing yourself in a conflict of interest when engaging in fundraising for charitable or political purposes, you must not:

- Use departmental resources for fundraising, for example, sending out funding requests from your organization's email address or using its letterhead.
- Solicit funds from a person or organization with which you, your office or your public sector entity have had official dealings or with which there is a reasonable likelihood that you may have official dealings.
- Solicit funds from a person or organization that has lobbied or is likely to lobby you, your office or your public sector entity.
- Establish a charitable foundation for the purpose of raising money to specifically benefit your private interests or those of a relative or friend.
- Identify yourself as a public office holder when soliciting funds on behalf of a charitable foundation.

4. Compliance measures for future dealings

If you have previously solicited donations from a person or organization that subsequently has official dealings with you, your office or your public sector entity, to avoid placing yourself in a conflict of interest, you must [recuse](#) yourself from any discussion, decision, debate or vote concerning that person or organization.

If it is likely that a person or organization from which you have previously solicited donations will have regular official dealings with your office or your public sector entity in the future, our Office can help you put in place an appropriate compliance measure, such as a [conflict of interest screen](#). Once a screen is in place, matters involving that individual, company or organization will not be brought to your attention.

5. Other guidelines and rules

The Prime Minister's *Open and Accountable Government* (2015) includes ethical and political activity guidelines for certain reporting public office holders. Our Office does not administer *Open and Accountable Government* and cannot provide advice on how to comply with it.

Ministers, ministers of state and parliamentary secretaries are also subject to the *Conflict of Interest Code for Members of the House of Commons* and may wish to consult the Advisory Opinion on Fundraising and the Members' Code.

Other Acts of Parliament, your organization's code of values and ethics or your terms and conditions of employment may prohibit you from engaging in certain fundraising activities.

You are encouraged to consult the documents identified above to determine whether you may participate in these or other activities.