

Directive on Conflict of Interest

Version: 5.0

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Upon request, this corporate policy instrument (CPI) is available in multiple formats for individuals with a visual impairment (email MULMEDFORMG@cra-arc.gc.ca).

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1. Effective date

The Directive on Conflict of Interest came into effect on April 1, 2021 following approval by the Board of Management (Resolution # 2020-2021-23).

This directive replaces the April 5, 2018 version of the Directive on Conflict of Interest, Gifts and Hospitality, and Post-employment.

For the version history of this document, see [section 11](#).

2. Application

This directive applies to employees of the Canada Revenue Agency (CRA) and to any other individuals required to follow CRA policy, and is mandatory to follow.

The [Code of Integrity and Professional Conduct](#) highlights the rules, and describes the values, that guide CRA employees in their work. The Code, along with the CRA Foundation Framework for Corporate Policy, sets out the requirement to follow CPIs.

Consequences of non-compliance: failure to comply with CPIs may result in corrective measures, including administrative and disciplinary actions.

To help interpret and implement this directive, key terms are defined in the [Definitions](#) appendix.

3. Related corporate policy instruments

This directive flows from the Policy on Workplace Management.

For any other related CPIs, see [References](#).

4. Overview

CRA employees play a key role in maintaining public confidence. The expectations in this directive, related instruments, and supplementary tools, are not meant to question the honesty and good faith of employees. Maintaining the CRA's strong reputation for integrity requires that employees look beyond the scope of their intentions and motives, and consider how the public may perceive their actions.

As public servants, CRA employees are held to a high standard of conduct because their official duties have an impact on the interests of all Canadians. They are expected to perform their work in an objective, loyal, and impartial way.

In complying with this directive, employees will not allow their private interests, outside activities, the offer, or receipt of a gift, or prospects for future employment, to influence them in the performance of their duties.

5. Objective and outcomes

5.1 Objective

- 5.1.1** Establish clear direction to prevent a real, apparent, or potential conflict of interest.
- 5.1.2** Identify, disclose, and manage any conflict of interest that exists or arises between the duties of a CRA employee and their private interests and/or outside activities.
- 5.1.3** Establish clear direction about gifts, hospitality, or other benefits.
- 5.1.4** Establish clear direction about post-employment obligations for current and former employees, including those in the Executive (EX) group.

5.2 Outcomes

- 5.2.1** Public trust in the integrity of the CRA is maintained.
- 5.2.2** Any real, apparent, or potential conflict of interest is resolved in favour of the public interest.
- 5.2.3** Gifts, hospitality, and other benefits are identified, disclosed, and managed.
- 5.2.4** CRA employees will not allow a prospect for future employment to give rise to a conflict of interest.

6. Requirements

6.1 Obligations

The requirements in this directive, and all related tools and instruments, are conditions of employment that support and uphold the CRA's [values](#). This directive must be applied in conjunction with the legislation, CPIs, and tools listed in the [References](#) section.

Each year, employees are expected to review their ongoing obligations under this directive, the [Code of Integrity and Professional Conduct](#), and the [Values and Ethics Code for the Public Sector](#), to ensure that they continue to adhere to the conditions outlined therein.

6.2 Commitment

Employees are required to disclose particular private interests and outside activities, gifts, hospitality, and other benefits, and plans for post-employment, in the appropriate confidential disclosure form. Delegated managers are required to assess, and manage real, apparent, or potential conflicts of interest.

6.3 Confidential disclosure forms

6.3.1 Disclosing private interests and outside activities:

Employees are required to disclose their [private interests and/or outside activities](#), as outlined in [Appendix B - What to include in a confidential disclosure form](#).

6.3.2 Disclosing gifts, hospitality, and other benefits:

Employees are required to disclose the offer or receipt of a gift, hospitality, or other benefit as outlined in [Appendix C - What you need to know about gifts, hospitality, and other benefits](#).

6.3.3 Disclosing post-employment:

Before leaving the CRA, employees are required to disclose plans for post-employment as outlined in [Appendix D – What you need to know about post-employment](#).

7. Roles and responsibilities

7.1 Employees: All employees have an obligation to prevent, identify, disclose, and manage conflicts of interest, and must:

- a. Perform their duties in a manner that upholds the public trust, and avoid situations that could or will place them in a [real, apparent, or potential](#) conflict of interest.
- b. Arrange their private interests and/or outside activities, and deal with the offer or receipt of a gift, hospitality, other benefit, or plans for post-employment, in a way that will bear the closest public scrutiny. It is not enough to simply act within the law.
- c. Never disclose, take advantage of, or benefit from information obtained in the course of their duties and that is not publicly available, for personal gain, or the gain of any other person or entity, including friends or family members. This obligation continues during periods of leave with or without pay, and continues after leaving the CRA or the public service of Canada.

- d. Not advertise or make it known that they work for the CRA in order to generate or enhance their private interests and/or outside activities, for personal gain, or for the gain of any other person or entity, including friends or family members, or use their position at the CRA in a way that is dishonest, biased, or breaches the public trust.
- e. Not allow their private interests and/or outside activities to impair their availability, capacity, or ability to perform their CRA duties.
- f. Not perform work related to their private interests and/or outside activities during CRA work time, or through the use of the CRA network, systems, or assets. For more information, see the Computer Systems and Electronic Networks Usage Directive.
- g. Not have private interests or participate in outside activities that relate directly to any Act(s) administered in their role at the CRA, unless prior approval from the delegated manager has been obtained. For more information, see [Appendix B - What to include in a confidential disclosure form](#).
- h. Not solicit or accept any gift, hospitality, or other benefit that will, could, or could be perceived to influence their judgement, or call into question the integrity of the CRA. For more information, see [Appendix C - What you need to know about gifts, hospitality, and other benefits](#).
- i. Not allow themselves to be influenced by plans for, or offers of, employment after leaving the CRA, including self-employment. For more information, see [Appendix D – What you need to know about post-employment](#).
- j. Not provide service to, or deal with the file(s) of friends, family members, acquaintances, business associates, current/former colleagues, or current/former superiors unless prior approval from their immediate supervisor has been obtained. The immediate supervisor **must** advise the [delegated manager](#) of such situations.
- k. Not assist friends, family members, acquaintances, business associates, current/former colleagues, or current/former superiors in their dealings with the CRA, as a tax administration or as an employer. For more information, see definitions for [preferential treatment and privileged access](#).
- l. Immediately report any requests for preferential treatment or privileged access to the immediate supervisor. The immediate supervisor **must** advise the delegated manager of such situations.
- m. Not represent people or entities in actions against the CRA unless prior approval has been obtained from their delegated manager through a confidential disclosure form.
- n. Not interfere with friends, family members, acquaintances, business associates, current/former colleagues, or current/former superiors who are dealing with the CRA, as a tax administration or as an employer, in order to influence the outcome.
- o. Not engage in any political activities that will impair, or could be seen to impair, their ability to perform their duties in an objective and impartial way. For more information, see Participating in political activities or go to the [Public Service Commission's site](#).
- p. Take the prescribed steps to cease, withdraw, divest, or undertake any other action deemed necessary by the delegated manager to address, mitigate, or resolve a conflict of interest. Where the employee and the delegated manager disagree on

the action necessary to manage a conflict of interest, the employee must comply with the direction given. Employees can grieve the direction in accordance with their terms and conditions of employment, or collective agreement. For more information, see the Procedures for handling grievances – Labour Relations.

7.2 Delegated managers

- a. Administer the disclosure process by receiving, reviewing, and managing confidential disclosure forms in accordance with the [Privacy Act](#) and related CPIs.
- b. Secure and maintain all confidential disclosure documentation in the CAS-Commitment application.
- c. Evaluate each confidential disclosure, render a decision within 25 business days, and record it in the CAS-Commitment application, as prescribed in the Confidential Disclosure Form Assessment Tool.
- d. Take the appropriate measures necessary to manage and monitor a conflict of interest.
- e. Ensure that when an employee is required to divest, withdraw from, or cease a private interest or outside activity, that the action is completed within 120 working days of the date that the decision was communicated to the employee. If more time is required, the delegated manager may extend the 120-day period and advise the employee accordingly.

7.3 All executives, managers, supervisors, and team leaders

- a. Direct an employee to submit a confidential disclosure form to the delegated manager if they observe, suspect, or are informed that the employee is, or may be, in a [real, apparent, or potential](#) conflict of interest situation, or if the employee has received a gift, hospitality, or other benefit.
- b. Advise the delegated manager of any cases of, or requests for, preferential treatment or privileged access to the CRA.
- c. Ensure that employees who are leaving the CRA are aware of their ongoing post-employment obligations in accordance with the established process (please refer to Post-employment for specific instructions).
- d. Actively support compliance with this directive and related CPIs.

7.4 Assistant Commissioners or branch heads

- a. Foster a branch or regional culture that supports compliance with this directive.
- b. Take appropriate actions in partnership with the Assistant Commissioner of the Human Resources Branch to address instances of non-compliance of this directive.

7.5 Director General of Workplace Relations and Compensation Directorate (WRCD)

- a. Oversee the development and administration of this directive and related CPIs.
- b. Oversee the assessment and review activities related to this directive.
- c. Oversee the functional direction and guidance on matters related to this directive.
- d. Oversee the development of communication and learning products related to this directive and its related CPIs.

7.6 Director of Integrity and Well-being Division (IWD)

- a. Report to the Commissioner, annually, on all disclosed gifts, hospitality, and other benefits.
- b. Provide strategic advice and guidance on how this directive and related CPIs are applied.
- c. Coordinate, direct, and administer the development of this directive and related CPIs.
- d. Assess, monitor, and implement activities related to this directive and related CPIs.

7.7 Labour Relations Advisors

- a. Provide direction, advice, and guidance to managers on how to apply this directive and related CPIs.
- b. Actively support compliance with this directive and related CPIs.

7.8 Executive Staffing and Workplace Relations Division

- a. Provide advice to the Commissioner and Assistant Commissioners regarding confidential disclosure forms submitted by executives.
- b. Actively support compliance with this directive and CPIs.

7.9 Senior Officer for Post-employment (SOPE)

- a. Provide direction, advice, and guidance on issues related to post-employment.
- b. Assess and monitor activities related to post-employment.

8. Review and assessment

The Human Resources Branch is responsible for the scheduled review of this directive every five years, as well as any unscheduled reviews when necessary.

To support the review process, the Human Resources Branch will identify and undertake any monitoring and assessment activities to help it determine if the directive is effective and is being followed.

9. References

The Directive on Conflict of Interest is based on the authorities set out in the legislation listed below.

Legislation

- [Access to Information Act](#)
- [Canada Revenue Agency Act](#)
- [Criminal Code](#)
- [Excise Act, 2001](#)
- [Excise Tax Act](#)
- [Federal Accountability Act](#)
- [Federal Public Sector Labour Relations Act](#)
- [Financial Administration Act](#)
- [Income Tax Act](#)
- [Lobbying Act](#)

- [Privacy Act](#)
- [Public Service Employment Act](#)

Related instruments and information:

- [Code of Integrity and Professional Conduct](#) and [Values and Ethics Code for the Public Sector \(VECPS\)](#)
- Computer Systems and Electronic Networks Usage Directive
- Confidential disclosure form (for use when there is no access to ESS/MSS)
- Confidential Disclosure Form Assessment Tool
- Conflict of Interest on KnowHow
- Contracting with Former Public Servants Directive
- CRA Foundation Framework for Corporate Policy
- CRA Integrity Framework
- Delegation of Human Resources (HR) Authorities
- Directive on discipline and Procedures for addressing employee misconduct
- Directive on Terms and Conditions of Employment
- Directive on Terms and Conditions of Employment for the Human Resources Group
- Employee fundraising information tool
- Human Resources Management Function - Disposition Authority No. 98/005
- Internal Investigations into Alleged or Suspected Employee Misconduct Directive
- Leaving the Canada Revenue Agency
- [Oath and Affirmation](#)
- Participating in political activities
- Policy on Workplace Management
- Post-employment
- Procedures for handling grievances – Labour Relations
- Procurement Planning and Administration Procedures
- [Public Service Commission](#)
- Travel Directive

10. Enquiries

Direct questions about this directive to the [Values and Ethics Office](#), Human Resources Branch. Questions about the application of this directive or about specific conflict of interest situations should be sent through the HR Service Centre.

11. Version history

Version #	Change(s)	Reason for change(s)	Area responsible	Major change - Approved by:	Approval date	Effective date
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				Minor change - Sign-off by: (name and title)		
1.0	New CPI	Complete replacement of previous Conflict of Interest Policy, and Conflict of Interest Code and Guidelines	HRB	AC, HRB	06/02/2014	01/03/2014
2.0	Revision	Human Resources Branch policy simplification: Updated 2014 Directive on Conflict of Interest and Post-employment, incorporating content from the 2001 Gifts, Hospitality and Other Benefits Policy and Guidelines, and converting the 2014 Procedures for assessing and managing confidential disclosures to a Tool for delegated managers.	HRB	AC, HRB	17/12/2015	17/12//2015
2.1	Revision	Addition of Lobbying Act to References section, and lobbying restrictions in post-employment. Amended references to executive/cadre from EC to EX. Former Tools1-4 changed to Appendices A-D (no change in language). Addition of the Senior Officer for Post-employment Changes to gifts threshold	HRB	AC, HRB	19/04/2016	02/05/2016
3.0	Revision	Change of approval authority in Section 1.0 Use of standard wording in Section 2.0 Addition of link to Leaving the CRA in 7.3.(c), and References	HRB	Board of Management (2016-2017-18)	16/12/2016	16/12/2016
4.0 (a)	Revision	Revisions to reflect separation of confidential disclosure form into three: 1. Private interest and outside activities disclosure 2. Gifts and hospitality disclosure 3. Post-employment disclosure. Addition of scenarios to Appendix A to increase awareness.	HRB	Board of Management (2017-2018-31) Note: Version 4.0 (a) was approved but never published until Version 4.0 (b) in April 2018	15/12/2017	15/12/2017
4.0 (b)	Revision	Minor wording changes throughout Includes changes made to Version 4.0 (a)	HRB	Board of Management (2018-2019-02)	05/04/2018	05/04/2018
4.1	Revision	Addition of "Commitment" title in section 6.1 Addition of the word cannabis to Appendix C, 1(a)(iv)	HRB	AC, HRB	18/09/2018	17/10/2018
4.2	Revision	Broken links repaired and instrument titles updated as needed	HRB	AC, HRB	10/04/2019	29/04/2019
5.0	Revision	Full revision	HRB	Board of Management (2020-2021-23)	13/01/2021	01/04/2021

Conflict of Interest: A conflict of interest arises whenever an employee's private interests, outside activities, receipt of a gift, hospitality, or other benefit, or plans for post-employment, will impair, or could be perceived to impair, their ability to make decisions with integrity, impartiality, honesty, and in the best interests of the CRA and the Government of Canada.

- i. **Real conflict of interest:** A conflict exists between an employee's CRA duties and their private interests, outside activities, receipt of a gift, hospitality or other benefit, or plans for post-employment.
- ii. **Apparent conflict of interest:** A conflict between an employee's CRA duties and their private interests, outside activities, receipt of a gift, hospitality or other benefit, or plans for post-employment that could be perceived to exist by a reasonable observer, whether or not this is the case.
- iii. **Potential conflict of interest:** A conflict between an employee's CRA duties and their private interests, outside activities, receipt of a gift, hospitality or other benefit, or plans for post-employment that could reasonably be foreseen to exist.

Conflict of Duties: A conflict that arises, not because of the employee's private interests and/or outside activities, but as a result of concurrent and competing responsibilities related to their role at the CRA. For example, the employee's official duties could include responsibilities in an outside role, such as an appointment to a board of directors, or other outside function.

Delegated manager: The person who has the authority to assess and manage confidential disclosures as outlined in the Delegation of Human Resources (HR) Authorities.

i. **The Commissioner:**

- Retains the authority to review and make decisions on confidential disclosure forms submitted by their direct reports, including staff in the Commissioner's Office.

ii. **ML1 Manager:**

- Acts as the delegated manager for their direct reports and those employees who report directly to ML2 managers in their organization.

iii. **ML2 Manager :**

- Acts as the delegated manager for all employees in their organization **except** for their direct reports.

Employee: Means a person employed by the CRA, whether they are on leave with or without pay. This includes executives, managers, team leaders, temporary and permanent employees, and students.

Preferential Treatment: Providing service or information to an individual or organization that you have a relationship with, where that service or information is not available to the public.

Privileged Access: Providing access to service or information to an individual or organization that you have a relationship with, where that service or information is not available to the public.

You likely have a wide range of interests and participate in many activities outside of the CRA. It is essential that these activities not affect, or be perceived to affect, your ability to perform your CRA duties in an objective and impartial way. Maintaining the CRA's strong reputation for integrity requires each of us to look beyond our own intentions and motives, and consider how the public may perceive our actions.

The CRA's conflict of interest requirements apply to every employee at every level of the organization.

There are three types of confidential disclosures:

- i. **Private interests and outside activities/employment disclosure** – This appendix outlines [what you must disclose](#), and [what you do not have to disclose](#), to your [delegated manager](#).
- ii. **Gifts, hospitality, and other benefits disclosure** – For information on what must be disclosed, see [Appendix C – What you need to know about gifts, hospitality, and other benefits](#).
- iii. **Post-employment disclosure** – For more information, see [Appendix D – What you need to know about post-employment](#).

To submit your information, complete the appropriate confidential disclosure form in the CAS-Commitment application, which is found in the Employee Self-Service (ESS) portal. Once you submit your information, it will automatically be sent to your delegated manager. If you do not have access to ESS, you may fill out a hard copy of the disclosure form and give it to your delegated manager. Please see [Confidential disclosure form \(for use when there is no access to ESS/MSS\)](#).

You are expected to provide sufficient detail in your confidential disclosure to allow your delegated manager to make an informed decision. The information you provide is maintained in strict confidence, and in accordance with the [Privacy Act](#).

The onus is on you to avoid, prevent, and take action to remove, a real, apparent, or potential conflict of interest. If you are not sure whether your private interests and/or outside activities, the offer or receipt of a gift, or a post-employment opportunity, will place you in a conflict of interest situation, it is in your best interest to discuss it with your delegated manager, or file a confidential disclosure form.

Part 1: Private interests and outside activities to be disclosed

You are required to submit a confidential disclosure concerning your private interests, and/or outside activities, within 60 working days of your initial appointment. This includes permanent and temporary appointments, student employment, and persons who entered the CRA on an

interchange assignment. You are also expected to update, or submit a new disclosure, any time there is a change in your private interests and/or outside activities.

a. Private interests, assets, liabilities, and relationships to be included in a confidential disclosure form:

- i. Publicly traded securities of corporations and foreign governments, and self-administered or self-directed Registered Retirement Savings Plans (RRSP), Registered Education Savings Plans (RESP), Tax-Free Savings Accounts (TFSA), or other similar investment instruments that are composed of these securities, where you are making investment decisions on individual and personal investments;
- ii. Interests in partnerships, proprietorships, joint ventures, private companies, or personal/family businesses (including those that own or control shares of public companies or that do business with the CRA or the Government of Canada);
- iii. Commercially operated farm businesses;
- iv. Real property that is not for your private use (for example: investment property, rental property, including a property rented to a friend or family member);
- v. Commodities, futures, foreign currencies, and cryptocurrencies held or traded for speculative purposes;
- vi. Secured or unsecured loans granted to persons other than members of your immediate family;
- vii. Assets placed in trust or resulting from an estate of which you are a beneficiary;
- viii. Direct and contingent liabilities in respect of any of the private interests described in this section; and
- ix. Any other assets, liabilities, or relationships that could give rise to a real, apparent, or potential conflict of interest due to the particular nature of your duties or the non-public information to which you have access, including assets, liabilities, or relationships that would otherwise not have to be disclosed.

Question – Sonia is a Manager in Human Resources. She began a relationship with John, one of her direct reports. Does she need to disclose this relationship?

Answer – Yes, she does. An employee's relationship status is usually a private matter. However, if a manager engages in a relationship with one of their employees, this could place them in a real, apparent, or potential conflict of interest. Even if Sonia is certain that she will manage her team fairly, the perception and impact of this relationship within the team needs to be considered and managed. As a public servant and CRA employee, Sonia is held to a high standard when it comes to conflict of interest and must disclose this relationship in a confidential disclosure form. The delegated manager will take a number of factors into consideration and make a determination on the matter. Since she is in a position of influence, it is likely that a real, apparent, or potential conflict of interest exists.

- b. **Paid and unpaid outside activities and employment (including self-employment) to be included in a confidential disclosure form:**
- i. Accounting, bookkeeping, procurement, finance, or tax-related activities including financial planning, real estate sales or appraisals;
 - ii. International assignments or opportunities;
 - iii. Any ongoing or regular volunteer position, in particular those that include any accounting, bookkeeping, procurement, finance, or tax-related responsibilities, **or any activities related to your CRA duties;**
 - iv. Teaching, publishing (including academic reports), public speaking (including attending conferences/seminars as a panelist, speaker, or moderator);
 - v. Membership on a board of directors;
 - vi. Active legal representative (such as executor, administrator, power of attorney, trustee, guardian, etc.) of a third party's property or financial matters;
 - vii. Non-candidacy political activities as defined by the Public Service Employment Act (See Participating in political activities); and
 - viii. Any other outside activities or employment that could give rise to a real, apparent, or potential conflict of interest due to the particular nature of your duties or the non-public information to which you have access, including outside activities or employment that would otherwise not have to be disclosed.

The **obligation to disclose** any of the private interests and/or outside activities noted above **continues during periods of leave with or without pay** from the CRA.

Question - Marc is taking leave with income averaging from the CRA for three months. During his absence, he is offered a short contract at a company based in San Antonio, Texas that does business in Canada. He could use the money and would enjoy a couple of months in San Antonio. What should he do next?

Answer - He must disclose this offer to his delegated manager in a confidential disclosure form. Even though Marc is on leave, he is still a CRA employee. The delegated manager will determine whether the contract will place Marc in a real, apparent, or potential conflict of interest situation, and if necessary, will determine whether any measures are required to manage a conflict of interest.

Question – Suzanna volunteers as the league coordinator for her daughter's junior hockey league. This is a seasonal commitment that involves administration, outreach with families and coaches, the provincial hockey league association, and the municipal government where she lives. Does Suzanna need to disclose this volunteer activity?

Answer – Yes, she must disclose this volunteer activity to her delegated manager in a confidential disclosure form as she is in a position of influence. The delegated manager will then determine whether, based on her CRA duties, this outside activity will place Suzanna in a real, apparent, or potential conflict of interest situation and determine what, if any, measures are required.

Part 2: Other information to disclose (as applicable):

a. Gifts, hospitality, and other benefits:

You are expected to provide service on behalf of the CRA without any expectation of personal payment, gift, or other benefit from the public, and must not accept gifts, hospitality, or other benefits that will, or could, have a real, apparent, or potential influence on your objectivity and neutrality in performing your duties.

If you are offered or receive any gift, hospitality, or other benefit, as outlined in [Appendix C - What you need to know about gifts, hospitality, and other benefits](#), you must submit the information to your delegated manager in a confidential disclosure form.

b. Post-employment:

Employees who retire, or leave for employment (including self-employment) outside of the CRA or the public service of Canada, remain bound by the obligation to never disclose, take advantage of, or benefit from any confidential, proprietary, or taxpayer information that they obtained or became aware of in the course of their employment with the CRA. They may also be required to submit a post-employment disclosure form. For more information, see [Appendix D - What you need to know about post-employment](#).

Part 3: What does not have to be disclosed?

a. Private interests that **do not** have to be disclosed to your delegated manager include:

- i. Residences, recreational properties, and farms used by you or your family (and mortgages on same);
- ii. Household goods and personal effects;
- iii. Works of art, antiques, and collectibles;
- iv. Automobiles and other means of transportation for personal use;
- v. Cash and deposits other than foreign currencies or cryptocurrencies held for speculative purposes;
- vi. Canada Savings Bonds and other similar investments in securities of fixed value issued or guaranteed by any level of government in Canada or agencies of those governments;
- vii. Registered retirement savings plans (RRSPs), Registered Education Savings Plans (RESPs), and Tax-Free Savings Accounts (TFSA), that are **not** self-administered or self-directed where you are **not** making investment decisions on individual or personal investments;
- viii. Investments in open-ended mutual funds;
- ix. Guaranteed investment certificates (GICs) and similar financial instruments;
- x. Annuities and life insurance policies;
- xi. Pension rights;
- xii. Money owed by a previous employer, client, or partnership; and
- xiii. Personal loans receivable from members of your immediate family, and small personal loans receivable from other persons.

- b. **Unpaid activities** that **do not** have to be disclosed to your delegated manager include:
- i. Preparation and filing of CRA documents on behalf of others where you neither seek or receive any compensation, gift or favour, you do not provide any information or service that a person would not normally receive from the CRA, and the document(s) to be prepared are not related to a business;
 - ii. Regular or ongoing volunteer or unpaid activity where you do not hold a position of influence; and
 - iii. Ad-hoc or one time volunteer or unpaid activity where you are not involved in any accounting, bookkeeping, or financial matters.

Question – Hugo volunteers as a dog walker for the Society for the Prevention of Cruelty to Animals (SPCA). He volunteers every Saturday and does not have any additional responsibilities with the SPCA. Does Hugo have to disclose this volunteer activity?

Answer – No, Hugo is not required to disclose this activity. As a dog walker, he does not have a position of influence within the SPCA. However, should Hugo gain further responsibility with the SPCA, such as becoming the volunteer coordinator, a member of the Board of Directors, or conducting any accounting or bookkeeping activities for the SPCA; Hugo would be required to disclose his volunteer role in a confidential disclosure form.

As a CRA employee, you must not accept gifts, hospitality, or other benefits that will, or could, have a real, apparent, or potential influence on your objectivity and impartiality in performing your CRA duties or that may place you under obligation to the donor. You are expected to provide the same impartial service to all taxpayers and benefit recipients.

Any gift, hospitality, or other benefit, from a person or entity where you, based on your CRA duties, are in a position to offer a benefit, privileged access, preferential treatment, or any other favour (or be perceived to be doing so) **must never be accepted**. It is expected that any gift, hospitality, or benefit that has been offered or received in the course of your CRA duties will be politely declined and returned, and that you will disclose this to your delegated manager.

You may, however, face situations where refusing the offer of a gift or hospitality may cause offence to the person or entity, or may be a breach of business protocol. In these instances, the acceptance of the gift, hospitality, or other benefit must be disclosed in a confidential disclosure form. Only your delegated manager has the authority to determine how to manage the receipt of a gift, hospitality, or benefit.

Accepting certain low value gifts, hospitality, and other benefits may be permissible and may not require a confidential disclosure form **as long as all of the following criteria are met**:

- a. it does not, or does not appear to, compromise your integrity or that of the CRA;
- b. it is infrequent and of minimal value such as incidental gifts: mugs, pens, calendars, promotional materials, and perishable items like flowers or chocolates with a commercial **value of less than \$25.00**;
- c. it is within the normal standards of courtesy, hospitality, or business protocol such as a leather portfolio given to a presenter/speaker/panelist, or a commemorative stamp from a foreign delegation visiting the CRA with a commercial **value of less than \$25.00**; and
- d. the gift, hospitality or benefit is **not**:
 - i. cash, cash equivalents (such as gift cards, monetary honorariums), or gratuities (tips), in any amount;
 - ii. goods or services (or reduced prices for them) in exchange for preferred access to, or preferential treatment from, the CRA;
 - iii. free or discounted tickets to entertainment or sporting events (e.g. Royal Winnipeg Ballet, National Arts Centre, NHL, CFL, NBA, and MLB);
 - iv. alcohol, cannabis, cigarettes, or related goods; or
 - v. anything prohibited by Canadian law.

Think about this...

If a gift, hospitality, or other benefit is offered with the expectation of influencing you in the duties you perform or the decisions you make, then it is considered a bribe, not a gift.

Other gifts, hospitality, and benefits:

Honoraria

Subject to **prior** approval from your delegated manager, you may be permitted to represent the CRA at an award ceremony or other business event. During such an event, you may be offered or presented with a gift or honorarium for your participation. This must be disclosed to your delegated manager for their review and decision.

Door Prizes

If you are attending a conference, trade show, or similar event as part of your CRA duties, you must not enter any draws for prizes or gifts. Should your name be drawn from a participant list for a door prize, you must disclose this prize/gift in a confidential disclosure form.

Note: Any prize, gift, or honoraria received through a door prize or event participation cannot be kept for personal use. Your delegated manager will decide if the item will be donated to the Government of Canada Workplace Charitable Campaign (GCWCC), returned, or displayed in the workplace. Employees must not accept tax receipts when they transfer their prize to charities.

Fundraising

You are prohibited from soliciting gifts, hospitality, benefits, or transfers of economic value (including donations, prizes, or other contributions) from external organizations or individuals. This is specifically outlined in [paragraph 121\(1\)\(c\)](#) of the Criminal Code. You are permitted to personally donate items (including goods, merchandise, or non-work-related services) for work-related fundraising activities. For more information, see the Employee fundraising information tool.

Travel-related

Reimbursement of travel costs by a third party (non-federal government entity such as a private sector organization, non-government organization, provincial, municipal, or territorial government) may give rise to a conflict of interest and could call into question the CRA's objectivity and impartiality. As such, no reimbursement from a third-party organization should be considered. Sponsored travel from any other organization or private entity must be declined.

Some other possible benefits, such as AIR MILES and compensatory payments received for being bumped from a flight are covered under the Travel Directive. If you receive such a benefit, you are advised to discuss the situation with your manager.

You may use your CRA identification to get a standard corporate discount offered to government employees when there is no expectation of a direct return on the part of the business (for example, at a fitness centre, hotel chains, or car rental services). **You must never represent yourself as being on official government business when on personal business.**

Scenario 1

Alice is representing the CRA as a guest speaker on a panel at a conference. Following her presentation, she receives an honoraria of two free tickets, valued at \$1,500.00, to attend the next conference.

Alice is appreciative, but she knows that CRA employees must not accept gifts so she discloses the honoraria in a confidential disclosure form.

In determining what to do with this gift, the delegated manager will consider the value of the gift, how Alice came to receive this gift, the perception from the public and the providing organization of accepting this gift, and any consequences that may arise from accepting a gift of a value of \$1,500.00. In this case, the delegated manager would generally determine that there would be a potential conflict of interest with accepting this type of gift and would direct Alice to return the gift.

Scenario 2

Ben has been working closely with a visiting delegation from Sweden. The meetings have gone well and he is satisfied that he has taken good care of the CRA's guests. As a token of their appreciation, Ben is presented with a boxed commemorative coin.

Ben is honoured, but concerned. He knows that CRA employees are prohibited from accepting cash, or cash equivalents. This coin has an estimated commercial value of \$20.

What should Ben do?

Ben should let his immediate supervisor know as soon as possible. Although cash gifts are prohibited, refusing the gift would certainly be awkward, and might even offend the Swedish delegation. Ben should accept the gift and disclose the details to his delegated manager in a confidential disclosure form. The delegated manager has the authority to consider the situation on its own merits, and make a determination on how to proceed.

As a CRA employee, you have a responsibility to avoid the possibility of a real, apparent, or potential conflict of interest between your current duties and any subsequent employment outside of the CRA or the public service of Canada.

When you resign, or retire from the CRA, you will be prompted to submit a confidential disclosure form advising your delegated manager of your post-CRA employment or activities, including self-employment. EX employees have the added obligation to disclose any firm offer of employment, even if it is declined.

Upon hire, and as a condition of employment, you signed an [Oath or Affirmation](#) declaring that you would perform your duties as assigned, and that you would not disclose or make known to outside sources any information that you acquired through your employment, that is not publicly available. The disclosure of taxpayer information by an employee **or former employee** may constitute a breach of [Section 241](#) of the Income Tax Act, [Section 295](#) of the Excise Tax Act and [Section 211](#) of the Excise Act, 2001 for which severe penalties apply. **This prohibition has no time limit.**

All departing CRA employees are subject to a one (1) year limitation period. If you are retiring, and are considering or have been offered a post-employment opportunity outside of the CRA and the public service of Canada, including self-employment, you must be aware of the information below. Note that all subsequent references to post-employment opportunities in the remainder of this appendix are deemed to include self-employment.

Part 1 - Before leaving the CRA

a. **Employees in the Executive (EX) group:**

If you are an employee in the EX group (this includes a temporary assignment at the EX level), you must immediately disclose any firm offer or acceptance of outside employment to your delegated manager in a confidential disclosure form. The onus is on you to provide clear information about the outside employment. This includes any firm offers received during the one-year limitation period.

Where your delegated manager determines that you are, or may be, engaged in significant official dealings with your future employer, you may be assigned to other duties and responsibilities.

b. **All other employees (non-EX employees):**

You are required to advise your delegated manager of any acceptance of outside employment in a confidential disclosure form. The onus is on you to provide clear information about the outside employment.

Where the delegated manager determines that you are, or may be, engaged in official dealings with your future employer, you may be reassigned to other duties for the duration of your employment at the CRA.

Part 2 - After Leaving the CRA

a. **Prohibited activities for all former CRA employees:**

Former CRA employees are not permitted to act for, or on behalf of, any person, commercial entity, association, or union in connection with any specific **ongoing** proceeding, transaction, negotiation, or case to which the CRA is a party:

- i. where the former employee acted for or advised the CRA on such case;
- ii. where the former employee held a supervisory position over CRA employees who acted for or advised the CRA on such case; or
- iii. which would, or could, result in the conferring of a benefit not for general application, or of a commercial or private nature.

Persons who entered the CRA on an Interchange assignment shall not act, after leaving the CRA, in such a manner as to take advantage of information they became aware of during that assignment.

After leaving the CRA, a former employee must not contact current CRA employees (including colleagues or managers they worked with while employed at the CRA) on any business related to the CRA, in any manner that could be perceived as seeking preferential treatment or privileged access. The former employee must use normal channels and service points available to the public, (for example: My Account, My Business Account, etc.) for any business-related contact with the CRA.

Please note that the above-mentioned prohibitions have no time limit.

- b. Former CRA employees may be subject to conditions when entering into contracts with the Government of Canada or the CRA. For more information, see the Contracting with Former Public Servants Directive, and the Procurement Planning and Administration Procedures.
- c. Former EX-04 and EX-05 employees may be subject to a five (5) year restriction on lobbying the Government of Canada. For more information, see the [Lobbying Act](#).

Scenario: During his employment at the CRA, Jeff was a manager in the ABCD Branch. In a particular file, Jeff gave an unfavourable ruling concerning a business tax return.

Jeff leaves the CRA and assumes a new role with a private accounting firm. In his new role, Jeff is given the same file of that business for which he had given an unfavourable ruling. He has been asked to help this business secure a more favourable ruling from the CRA in the appeal process. Since it has been two years since he has left the CRA, is Jeff permitted to be involved in the ongoing file of this business?

Answer: No. Since Jeff acted for or advised the CRA on this file while he was employed by the CRA, he must not act for, or on behalf of, the business in his new role with the private accounting firm. This prohibition is not subject to any time limits. Jeff must not work on this file.

Part 3 - Limitation periods

All employees are subject to a one (1) year limitation period after leaving the CRA. During the limitation period, any offer or acceptance of employment that will or could give rise to a real, apparent, or potential conflict of interest must be disclosed in writing to the Senior Officer for Post-employment.

a. **One (1) year limitation period for all former employees:**

Unless written authorization has been received from the Senior Officer for Post-employment (SOPE) to reduce or waive the limitation period, former CRA employees **must not**:

- i. accept employment with an entity outside of the public service of Canada with which they had official dealings during the one (1) year immediately prior to leaving the CRA, whether the official dealings were direct, or through their subordinates;
- ii. accept appointment to a board of directors of a private entity with which they had official dealings during the one (1) year immediately prior to leaving the CRA, whether the official dealings were direct or through their subordinates; or
- iii. make representations to the CRA on behalf of persons or entities with which they had official dealings during the one (1) year immediately prior to leaving the CRA, whether the official dealings were direct, or through their subordinates.

b. **Requesting a reduction or waiver of limitation period:**

i. **Employees within the Executive (EX) group**

An executive or former executive must submit a written request to the SOPE. The SOPE will coordinate a response with the delegated manager.

The Commissioner has the authority to reduce or waive the limitation period on outside employment.

ii. **All other employees (non-EX employees)**

An employee or former employee must submit a written request to the SOPE. The SOPE will coordinate a response with the delegated manager.

The delegated manager has the authority to reduce or waive the one (1) year limitation period.

iii. **The decision to reduce or waive the limitation period will consider:**

- the circumstances under which the termination of their service occurred;
- the general employment prospects of the employee or former employee;
- the significance to the CRA of information acquired by the employee or former employee by virtue of their role at the CRA;
- the desirability of a rapid transfer of the employee's or former employee's knowledge and skill from the CRA to private or other governmental sectors;
- the degree to which the new employer might gain unfair commercial or private advantage by hiring the employee or former employee;
- the authority and influence the employee had in their position at the CRA; and
- any other consideration at the discretion of the Agency.

Part 4 – Failure to comply

Failure to comply with the post-employment provisions of this directive could result in measures such as the CRA submitting a complaint to the employee's current employer or professional association, possible referral to a law enforcement agency, or, where applicable, legal action by the CRA.

Part 5 – Contact information for the Senior Officer for Post-Employment

Requests to reduce or waive the one (1) year limitation period may be sent via email to: [Senior Officer for Post-employment / Agent principal de l'après mandat \(CRA/ARC\) \(NATSOPEG@cra-arc.gc.ca\)](mailto:SeniorOfficerforPost-employment/Agentprincipalde lapresmandat(CRA/ARC)(NATSOPEG@cra-arc.gc.ca))

Alternatively, a written request may be sent to:

Senior Officer for Post-employment
Canada Revenue Agency
Human Resources Branch
7th Floor, 395 Terminal Avenue
Ottawa ON K1A 0L5

In determining the appropriate measure, or combination of measures, to manage a particular conflict of interest, your [delegated manager](#) will take the following into consideration (this list is not exhaustive):

- ✓ the nature and scope of your specific duties;
- ✓ the CRA's institutional risks related to the specific conflict of interest;
- ✓ the types of assets and liabilities disclosed;
- ✓ the nature of the private interests and/or outside activities/employment;
- ✓ the nature of a gift, hospitality, or other benefit that was offered or received;
- ✓ how the situation would appear to a reasonable member of the public;
- ✓ the possibility that you will be placed in a situation where you will have to choose between your loyalty to the CRA and your loyalty to your private interests and/or outside activities;
- ✓ the possibility that a gift, hospitality, or other benefit could compromise your neutrality, or place you under an obligation to the giver;
- ✓ how similar situations have been managed in the past and what compliance measures have been imposed; and
- ✓ the actual costs that may be incurred to implement the measure(s), as opposed to the potential that the private interests and/or outside activities represent for a conflict of interest.

Any conflict between your CRA duties and your private interests and/or outside activities, the receipt of a gift, or plans for post-employment, will be resolved in favour of the public interest.

Think about this...

In swearing or affirming the [Oath or Affirmation](#) upon initial hire, employees agree that they will not disclose any information they become aware of while working for the CRA that is not in the public domain.

Also, the legislation administered by the CRA sets out strict rules governing the use, access to, or communication of taxpayer, protected, and classified information. The main provisions that safeguard the confidentiality of taxpayer information are [Section 241](#) of the Income Tax Act, [Section 295](#) of the Excise Tax Act, and [Section 211](#) of the Excise Act, 2001. The expectation to maintain this confidentiality remains during periods of leave with or without pay from the CRA and continues even after an employee leaves the CRA.

[Section 121](#) of the Criminal Code makes it an offence for public service employees to receive a benefit of any kind for cooperation, assistance, exercise of influence, or an act of omission in connection with any matter of business relating to the government.

In addition, [Section 80](#) of the Financial Administration Act specifically requires CRA employees who act in any office or job connected with collecting, managing, or disbursing money to report **any** violation of revenue laws.

If a real, apparent or potential conflict of interest is found to exist, your delegated manager may consider the following measures to manage and resolve it (this list is not exhaustive):

- Restrictions / Removal / Reassignment of specific tasks that form part of your regular duties to sufficiently manage the conflict of interest.
- Direction to cease, curtail or modify an outside activity or private interest.
- Direction to decline, or return a gift, hospitality, or other benefit.
- Direction to avoid a conflict of interest in post-employment.
- Relinquishment, divestment of assets, or other arrangements to manage a financial conflict of interest.

1. Requirements for appropriate measures

The measures required to manage and resolve a real, apparent, or potential conflict of interest, as determined by a delegated manager, should be **completed within 120 working days** of:

- a. an employee's initial appointment, or any subsequent re-appointment (including, but not limited to, permanent or temporary promotions, or other change in duties).
- b. a determination that a real, apparent, or potential conflict of interest exists after a change in, or upon any review of, the employee's private interests and/or outside activities, and their official duties.

The delegated manager may set a shorter or longer timeline for the carrying out of the required measures, and will advise the employee of the amended timeline.

Until the implementation of the required measure is complete, you and your delegated manager are expected to take the appropriate interim measures to avoid or prevent the conflict from arising during that time.

2. Recourse

Even if you do not agree with your delegated manager's decision with respect to the appropriate arrangements necessary to manage a conflict of interest, you must comply with the direction. You have the right to file a grievance on the matter.

3. Confidentiality

The information provided to your delegated manager is treated with complete confidence. Confidential disclosure forms are maintained in strict accordance with the [Access to Information Act](#), and the [Privacy Act](#). For more information, see the Human Resources Management Function – Disposition Authority No. 98 / 005.

4. Considerations for managing a financial conflict of interest

a. Reimbursement of costs:

At the discretion of your delegated manager, the CRA may reimburse reasonable administrative costs that you may incur as a result of arrangements made to manage a conflict of interest arising from the disclosed private interests. You are responsible for

any income tax adjustment that may result from the reimbursement of the administrative costs.

b. The CRA will not reimburse any costs for:

- i. charges for the day-to-day operations of a business or commercial entity;
- ii. charges associated with winding down a business;
- iii. costs for acquiring assets using proceeds from the required sale of other assets;
- iv. costs related to arrangements not directed or approved by the CRA;
- v. costs related to conflicts of interest arising from assets or liabilities acquired after your appointment if:
 - you knew or should have reasonably known, at the time of the acquisition that the asset or liability did, or could, place you in a conflict of interest; and,
 - the acquisition was not by devise or legacy, or by receipt of an unsolicited gift.
- vi. costs incurred prior to the reporting of the asset or liability; and
- vii. costs incurred by you for completing a report of assets and liabilities to the CRA as required under this Directive.

Think before you print: the most current version is online.

If printed, check the address below to verify that this is the current version

<<https://www.canada.ca/en/revenue-agency/corporate/careers-cra/information-moved/directive-on-conflict-interest-gifts-hospitality-post-employment.html>>
