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# Values and Ethics Code for the Law Commission of Canada



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## Preamble

*The Law Commission of Canada (henceforth the "Commission") is an independent agency committed to engaging the people of Canada in the ongoing and dynamic evolution of law. Pursuant to its enabling legislation, it considers the changing needs of Canadian society through the study, review, and innovative development of Canada's law and legal systems.*

*In accordance with this mission, the conduct of all persons employed by the Commission must be consistent with the ethical requirements established by the Government of Canada.*

*In particular, all persons employed by the Commission shall place special importance on the values contained within this Code to effectively serve the Parliament of Canada and all Canadians.*

*Guided by its three-part raison d'être, "Living Law, Pursuing Justice, Renewing Hope", the Commission will champion inclusivity, innovation, efficiency, creativity, public engagement, and accessibility in all aspects of its work.*

## CHAPTER 1: Values and Expected Behaviors

### Respect for Democracy

Canada's parliamentary democracy and its institutions are essential to serving the public interest. Public servants understand that elected officials are accountable to Parliament and, ultimately, to Canadians, and that a non-partisan public service is vital to upholding our democratic system. These democratic values anchor the public interest at the core of government actions. At the Commission, all employees recognize that respect for and promotion of these values are integral to fulfilling their role in serving both Parliament and Canadians.

#### **Reflecting democratic values in the Commission's work involves:**

- Studying and reviewing Canadian law and its impact on members of Canadian society, with the aim of supporting and guiding meaningful evolution in Canadian law and justice.
- Providing Canadians with independent leadership on current and future legal issues, through significant projects of law reform.
- Engaging with Canadians and conducting research to propose recommendations that improve Canada's laws and legal systems.

### Respect for Human Dignity

Respecting each person's dignity and value is central to the Commission's engagement with and relationship to the Canadian public. Respect for individuals fosters a safe, healthy work environment that values engagement, openness, and transparency. Integral to the Call to Action

on Anti-Racism, Equity, and Inclusion in the Federal Public Service, respect and partnership are equally crucial to the advancement of reconciliation and a renewed relationship with Indigenous Peoples. The value of respect is fundamental to sustaining a diverse, equitable, and inclusive workplace that supports people with disabilities, members of the 2SLGBTQIA+ community, and the right of each person to work in the official language of their choice.

**Public servants demonstrate respect for human dignity by:**

- Treating everyone with fairness and respect.
- Valuing diversity and the benefits of unique strengths within a diverse workforce.
- Contributing to safe, healthy, harassment-free workplaces.
- Working openly, honestly, and transparently to foster engagement, collaboration, and effective communication.

**At the Commission, this also includes:**

- Showing respect and openness toward collaborators, public consultation participants, and all others involved in our work.
- Promoting an equitable, accessible work environment aligned with our 2023–2027 Accessibility Plan.
- Engaging Canadians in public forums in a fair, attentive, and respectful manner.

## Integrity

Integrity is fundamental to sound governance and democracy. By upholding high ethical standards, public servants strengthen public confidence in the honesty, fairness, and impartiality of the federal public sector.

**Employees of the Commission uphold the public interest by:**

- Acting with integrity and conducting themselves in a manner that withstands public scrutiny, an obligation that goes beyond merely adhering to the law.
- Avoiding the misuse of their roles for personal gain or to unfairly advantage or disadvantage others.
- Proactively addressing any actual, apparent, or potential conflicts of interest between their official duties and personal interests, prioritizing the public interest.

## Stewardship

Federal public servants are entrusted with the responsible management and preservation of public resources, both for immediate needs and future generations. **Employees of the Commission practice responsible stewardship by:**

- Utilizing public funds, property, and resources efficiently and effectively.
- Considering the short- and long-term impacts of their actions on people and the environment.
- Actively acquiring, preserving, and appropriately sharing knowledge and information.

## Excellence

Excellence in public sector policy, program design, and service delivery enhances every facet of Canadian public life. Engagement, collaboration, teamwork, and continuous professional development are the cornerstones of a high-performing organization.

### **At the Commission, excellence means:**

- Creating a work environment that supports teamwork, learning, and innovation.
- Conducting research, publishing reports, providing recommendations, and executing Commission initiatives diligently and thoroughly.
- Ensuring that all Commission outputs reflect the highest standards of quality.
- Committing to ongoing improvement of the Commission's work and processes.

## Non-Partisanship

As an independent agent of Parliament, the Commission reports directly to Parliament. This independence and our ability to publicly report before Parliamentary committees are essential to fulfilling our role. Our impartial and objective conclusions, reports, and recommendations are founded on non-partisan, independent research and are free from political influence.

### **For employees of the Commission, non-partisanship involves:**

- Conducting roundtables, multilateral discussions, and "Listen and Learn" project activities that engage a broad spectrum of communities and stakeholders.
- Serving the public interest through impartial and innovative research on Canada's legal systems.
- Being responsive and accountable to all Canadians by facilitating and prioritizing public engagement in law reform.
- Approaching all law reform inquiries from a neutral standpoint, ensuring responsiveness to Canadians' needs and openness to diverse legal issues.

## Application of the Values and Ethics Code for the Public Sector

Acceptance of the Values and Ethics Code for the Public Sector and adherence to the expected behaviors are conditions of employment for every public servant in the federal public sector, regardless of their level or position. Any breach of these values or behaviors may result in disciplinary action, up to and including termination of employment.

Under the [\*Public Servants Disclosure Protection Act\*](#) (PSDPA), the "public sector" includes:

- **Departments** listed in Schedule I of the [\*Financial Administration Act\*](#), as well as other federal administration sectors outlined in Schedules I.1 to V of that Act.
- **Crown corporations and other public bodies** listed in Schedule I of the PSDPA.

However, the PSDPA excludes the Canadian Forces, the Canadian Security Intelligence Service (CSIS), and the Communications Security Establishment (CSE), each of which is subject to separate requirements under the Act.

The [\*Values and Ethics Code for the Public Sector\*](#) came into effect on April 2, 2012.

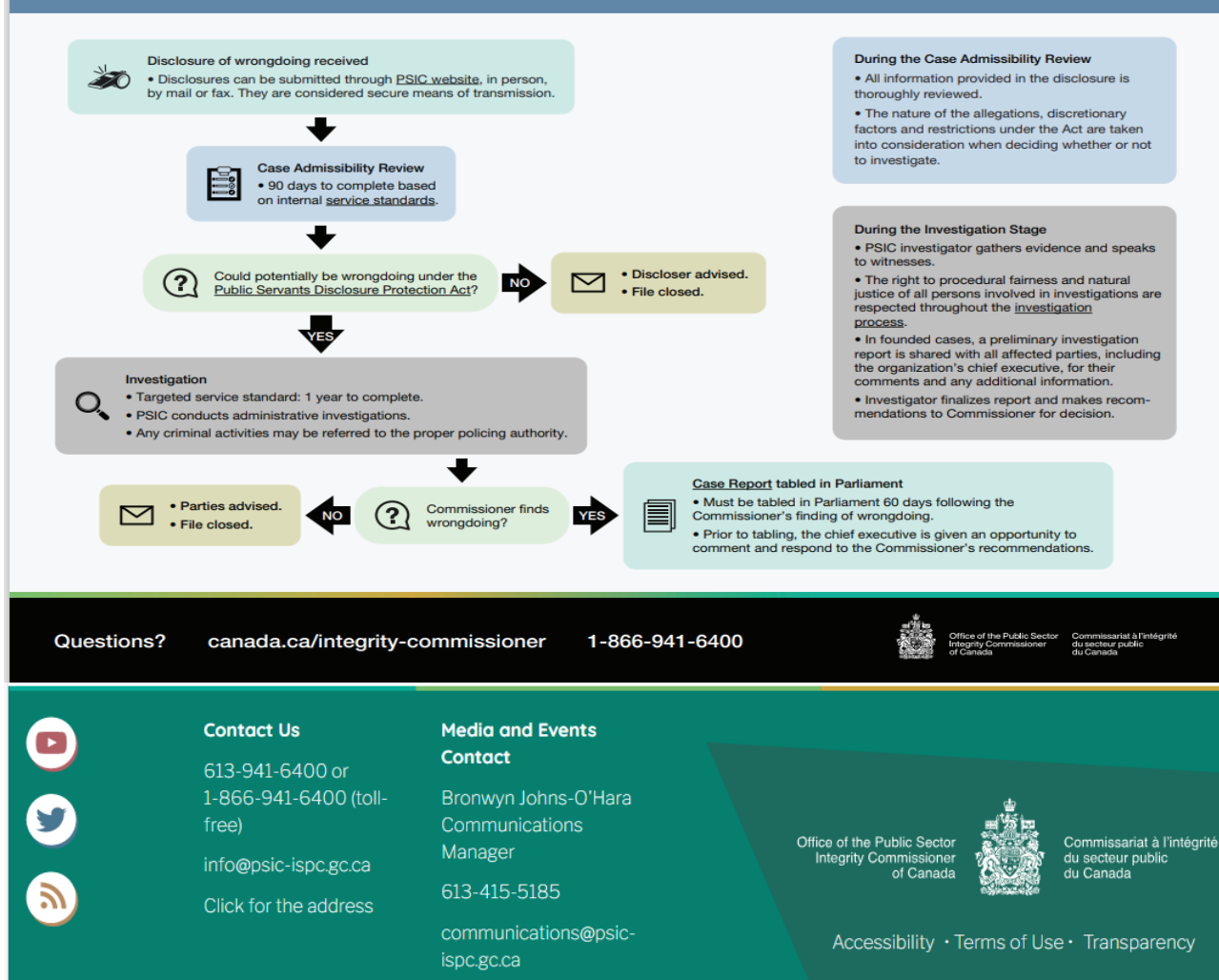
## Avenues for Resolution

The expected behaviors outlined here are not exhaustive, as they may not address every ethical issue that could arise in a public servant's work. When ethical questions arise, public servants are encouraged to discuss and resolve these matters with their immediate supervisor or seek guidance from other appropriate resources within their organization.

Public servants at all levels are expected to address issues fairly and respectfully, considering informal approaches such as open dialogue or mediation whenever possible.

Under sections 12 and 13 of the [\*Public Servants Disclosure Protection Act\*](#) (PSDPA), if a public servant has information suggesting a serious breach of this Code, they can confidentially report it, without fear of reprisal, to their immediate supervisor, or directly to the Public Sector Integrity Commissioner.

## How a disclosure of wrongdoing is processed at the Office of the Public Sector Integrity Commissioner of Canada (PSIC)



## CHAPTER 2: Conflict of Interest and Post Employment

### Purpose

This chapter of the Code is based on the [Policy on People Management](#) and the [Directive on Conflict of Interest](#) of the Treasury Board, the objectives of which are to:

- Ensure that, in situations of real, apparent or potential conflict of interest and situations where there is a conflict of duties, decisions are made in a manner which upholds the public interest.
- Facilitate ethical decision-making within organizations and by public servants to resolve conflicts between private and public interests; and

- Establish measures to help public servants prevent, manage and resolve conflict of interest and post-employment situations that could impair either the integrity of the public service or the public's perception of its integrity.

This chapter must be read in tandem with Chapter I of the Code.

## Definitions

*Public servant:* a person employed in the core public administration and to the organizations that make up the core public administration as defined in section 11 of the *Financial Administration Act*. This includes indeterminate and term employees, employees on leave without pay, students participating in Student Employment Programs, casual, seasonal and part-time workers.

Although they are not public servants, individuals on incoming Interchange Canada assignments are expected to comply with, and volunteers are expected to respect, the requirements of the [\*Directive on Conflict of Interest\*](#). Order-in-Council appointees, such as Deputy Ministers, are subject to the [\*Conflict-of-Interest Act\*](#), and are not subject to the [\*Directive on Conflict of Interest\*](#).

*Conflict of interest:* a situation in which the public servant has private interests that could improperly influence the performance of his or her official duties and responsibilities or in which the public servant uses his or her office for personal gain. A real conflict of interest exists at the present time, an apparent conflict of interest could be perceived by a reasonable observer to exist, whether it is, and a potential conflict of interest could reasonably be foreseen to exist in the future.

*Conflict of duties:* a conflict that arises, not because of a public servant's private interests, but as a result of one or more concurrent or competing official responsibilities. For example, these roles could include his or her primary public service employment and his or her responsibilities in an outside role that forms part of his or her official duties, such as an appointment to a board of directors, or other outside function.

## Requirements for Preventing and Dealing with Conflict of Interest and Post Employment Situations

The following are the conflict of interest and post-employment requirements that are a condition of employment for public servants at the Commission. These requirements are grounded in and serve to uphold the values contained in the [\*Values and Ethics Code for the Public Sector\*](#) and repeated in this Code. By upholding these ethical standards, public servants conserve and enhance public confidence in the honesty, fairness and integrity of the public service. These requirements also form part of Canada's commitments as a signatory to international agreements on values and ethics.

## Prevention of Conflict of Interest

A public servant maintains public confidence in the objectivity of the public service by preventing and avoiding situations that could give the appearance of a conflict of interest, result in a potential for a conflict of interest or result in an actual conflict of interest. Conflict of interest does not relate

exclusively to matters concerning financial transactions and the transfer of economic benefit. While financial activity is important, conflicts of interest in any area of activity can have a negative impact on the perceived objectivity of the public service. With the permanent and pervasive nature of information technology, public servants should be particularly sensitive to real, apparent or potential conflicts of interest that may arise from messages and information transmitted via the Internet and other media.

It is impossible to foresee every situation that could give rise to a real, apparent or potential conflict of interest. When in doubt, public servants should refer to the requirements found in this Code to guide appropriate action. Public servants can also seek guidance from their manager and, if necessary, from another senior manager in their reporting structure. If after this step there is still doubt as to whether the activity or situation raises a conflict of interest, the public servant must consult the office responsible for values and ethics.

In addition to the requirements outlined in this chapter, public servants are also required to observe any specific conduct requirements contained in the statutes governing the Commission and their profession, where applicable.

## General Responsibilities and Duties of a Public Servant

Public servants have general responsibilities and duties, which include the following:

- a. Taking all possible steps to recognize, prevent, report, and resolve any real, apparent or potential conflicts of interest between their official responsibilities and any of their private affairs;
- b. Unless otherwise permitted in this chapter, refraining from having private interests, which would be unduly affected by government actions in which they participate, or of which they have knowledge or information;
- c. Not knowingly taking advantage of, or benefiting from, information that is obtained in the course of their duties that is not available to the public;
- d. Refraining from the direct or indirect use of, or allowing the direct or indirect use of government property of any kind, including property leased to the government, for anything other than officially approved activities;
- e. Not assisting private entities or persons in their dealings with the government where this would result in preferential treatment of the entities or persons;
- f. Not interfering in the dealings of private entities or persons with the government in order to inappropriately influence the outcome;
- g. Maintaining the impartiality of the public service and not engaging in any outside or political activities that impair or could be seen to impair their ability to perform their duties in an objective or impartial manner; and
- h. Ensuring that any real, apparent or potential conflict that arises between their private activities and their official responsibilities as a public servant is resolved in the public interest.

## Requirements for Preventing and Dealing with Situations of Conflict of Interest **During** Employment

Public servants are required to report in writing to the President, via the office responsible for values and ethics, all outside activities, assets and interests that might give rise to a real, apparent or potential conflict of interest in relation to their official duties. Such a report is to be made within 60 days of their initial appointment or any subsequent appointment, transfer or deployment.

On a regular basis thereafter, and every time a change occurs in their personal affairs or official duties, every public servant is required to review his or her obligations under the Code. If a real, apparent or potential conflict of interest exists, he or she is to file a report in a timely manner. When negotiating financial arrangements with outside parties, public servants are to comply with the requirements listed in this chapter as well as other related directives or policies issued by the Treasury Board. When in doubt, public servants are to immediately report the situation to their manager in order to seek advice or direction on how to proceed.

The Commission encourages employees to participate in outreach activities and personal and professional development promoted by their respective professional associations or relevant to their areas of private interest. No matter what form these outside activities might take, however, the public servant must ensure beforehand that they are not likely to result in a real, apparent or potential conflict of interest.

In general, conflicts of interest may arise in relation to the following:

- owning assets
- receiving gifts, hospitality and other benefits
- participating in outside activities, such as:
  - speaking at a conference;
  - offering legal services outside the federal public service;
  - volunteer work;
  - other paid employment;
  - participation on a board;
  - political activities;
  - teaching;
  - publishing documents; and,
  - other educational activities;
- organizing fundraising activities or solicitation
- owning or operating a business

The above list is not exhaustive, but these are some of the more common examples of situations that could give rise to a real, apparent or potential conflict of interest. In such situations, if there is any doubt, it is recommended that the public servant discuss the matter with their manager and, if necessary, with another senior manager in their reporting structure. If doubt persists as to whether the activity or situation raises a conflict of interest, the public servant must consult the office responsible for values and ethics to obtain advice or a formal decision.

Furthermore, if an outside individual or entity with whom the Commission has past, present or potential official dealings offers a commission, reward, advantage or benefit of any kind to an employee or the Commission, public servants are to consider whether any real, apparent or potential conflict of interest exists, and obtain the consent in writing of the President or his or her delegate prior to accepting any such offers. This provision is designed to ensure that this chapter, which is based on the Policy on Conflict of Interest and Post-Employment, is consistent with paragraph 121(1) (c) of the [\*Criminal Code\*](#).

### *Assets*

Public servants are required to evaluate their assets, taking into consideration the nature of their official duties and the characteristics of their assets. If there is any real, apparent or potential conflict of interest between the carrying out of their official duties and their assets, they are to report this matter to the President, via the office responsible for values and ethics, in a timely manner.

Where the President or his or her delegate determines that any of these assets result in a real, apparent or potential conflict of interest in relation to their official duties, public servants may be required to divest those assets, or to take other measures to resolve the conflict. Public servants may not sell or transfer assets to family members or anyone else for the purpose of circumventing the compliance requirements.

The types of assets that should be reported and the procedures for reporting and managing such assets are set out in Annex B, Assets, Liabilities and Trusts.

### *Outside employment or activities*

Public servants may engage in employment outside the public service and take part in outside activities unless the employment or activities are likely to give rise to a real, apparent or potential conflict of interest or would undermine the impartiality of the public service or the objectivity of the public servant. Public servants are required to provide a report to the President, via the office responsible for values and ethics, when their outside employment or activities might subject them to demands incompatible with their official duties, or cast doubt on their ability to perform their duties or responsibilities in a completely objective manner. The President or his or her delegate may require that the outside activities be modified or terminated if it is determined that a real, apparent or potential conflict of interest exists. Public servants who receive a benefit or income either directly or indirectly from a contract with the Government of Canada are required to report to the President, via the office responsible for values and ethics, on such contractual or other arrangements. The President or his or her delegate will determine whether the arrangement presents a real, apparent or potential conflict of interest, and may require that the contract be modified or terminated.

### *Political Activities*

Any public servant considering involvement in a political activity should seek the advice of their manager, the designated departmental official within the Commission, the [Public Service Commission](#) (PSC) or a human resources advisor before acting.

Public servants are required to seek and obtain permission from the PSC to seek nomination for or be a candidate in a federal, provincial, territorial, or municipal election, in accordance with Part 7 of the [Public Service Employment Act](#) (PSEA). The public servant must contact the designated official in the Commission, who will seek the input of the President and work closely with the person making the request and the PSC to process the request.

“Political activities” are defined in Part 7 of the PSEA as “any activity in support of, within or in opposition to a political party; carrying on any activity in support of or in opposition to a candidate before or during an election period; or, seeking nomination as or being a candidate in an election before or during the election period.”

Any public servant who wishes to engage in a political activity not covered by Part 7 of the PSEA that could constitute a conflict of interest is required to report the proposed activity to the President via the office responsible for values and ethics.

Similarly, any public servant who is subject to the Treasury Board’s Policy on Conflict of Interest and post-employment but who is not subject to Part 7 of the PSEA, including casual and part-time workers, who wishes to engage in any political activity that could constitute a conflict of interest, is to report the proposed activity to the President via the office responsible for values and ethics.

Please see Annex A for an overview of political activity guidelines for Commission employees and GIC appointees.

### *Gifts, hospitality and other benefits*

Public servants are expected to use their best judgment to avoid situations of real, apparent or potential conflict of interest by considering the following criteria on gifts, hospitality and other benefits and in keeping with the *Values and Ethics Code for the Public Sector* and the Policy on Conflict of Interest and Post-Employment, which are reflected in this Code. Public servants are not to accept any gifts, hospitality or other benefits that may have a real, apparent or potential influence on their objectivity in carrying out their official duties and responsibilities or that may place them under obligation to the donor. This includes activities such as free or discounted admission to sporting and cultural events, travel or conferences. The acceptance of gifts, hospitality and other benefits is permissible if they are infrequent and of minimal value, within the normal standards of courtesy or protocol, arise out of activities or events related to the official duties of the public servant concerned, and do not compromise or appear to compromise the integrity of the public servant concerned or that of the Commission.

Public servants are to seek written direction from the President, via the office responsible for values and ethics, where it is impossible to decline gifts, hospitality or other benefits that do not meet the principles set out above, or where it is believed that there is sufficient benefit to the Commission to warrant acceptance of certain types of hospitality.

### *Solicitation*

Apart from fundraising for such officially supported activities as the Government of Canada Workplace Charitable Campaign (GCWCC), public servants may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or organization in the private sector who has dealings with the government. When fundraising for such official activities, public servants should ensure that they have prior written authorization from the President to solicit donations, prizes or contributions in kind from external organizations or individuals. The President or his or her delegate may require that the activities be modified or terminated where it is determined that there is a real, potential or apparent conflict of interest or an obligation to the donor.

### *Avoidance of preferential treatment*

Public servants are responsible for demonstrating objectivity and impartiality in the exercise of their duties and in their decision-making, whether related to staffing, financial awards or penalties to external parties, transfer payments, program operations or any other exercise of responsibility.

This means that they are prohibited from granting preferential treatment or advantages to family, friends or any other person or entity. They are not to offer extraordinary assistance to any entity or person already dealing with the government without the knowledge and support of their supervisor. They also are not to disadvantage any entity or person dealing with the government because of personal antagonism or bias. Providing information that is publicly accessible is not considered preferential treatment.

## **Requirements for Preventing Post-Employment Conflict of Interest Situations Before and After Leaving Office**

All public servants have a responsibility to minimize the possibility of a real, apparent or potential conflict of interest between their most recent responsibilities within the federal public service and their subsequent employment outside the public service.

### *Before leaving employment*

Before leaving their employment with the public service, all public servants are to disclose their intentions regarding any future outside employment or activities that may pose a risk of a real, apparent or potential conflict of interest with their current responsibilities and discuss potential conflicts with their manager, or the President or his or her delegate.

### *Post-employment limitation period for public servants in designated positions*

The President is responsible for designating positions of risk for post-employment conflict of interest situations in accordance with the Policy on Conflict of Interest and Post Employment. The positions that have been designated as positions of risk at the Commission are EX and LC positions.

Public servants in these designated positions are subject to a one-year limitation period after leaving office. Before leaving office and during this one-year limitation period, these public servants are to report to the President in writing, via the office responsible for values and ethics, all firm offers of employment or proposed activity outside the public service that could place them in a real, apparent or potential conflict of interest with their public service employment. They are also to disclose immediately the acceptance of any such offer. In addition, these public servants may not, during this one-year period, without the authorization of the President:

- a. Accept appointment to a board of directors of, or employment with, private entities with which they had significant official dealings during the period of one year immediately prior to the termination of their service. The official dealings in question may either be directly on the part of the public servant or through their subordinates;
- b. Make representations to any government organization on behalf of persons or entities outside of the public service with which they had significant official dealings, during the period of one year immediately prior to the termination of their service the official dealings in question may either be directly on the part of the public servant or through their subordinates;
- c. Give advice to their clients or employer using information that is not publicly available concerning the programs or policies of the Commission or organizations with which they had a direct and substantial relationship.

### *Waiver or reduction of limitation period*

A public servant or former public servant may apply to the President, via the office responsible for values and ethics, for a written waiver or reduction of the limitation period. The public servant is to provide sufficient information to assist the President or his or her delegate in making a determination as to whether to grant the waiver taking into consideration the following criteria:

- a. the circumstances under which the termination of their service occurred;
- b. the general employment prospects of the public servant or former public servant;
- c. the significance to the government of information possessed by the public servant or former public servant by virtue of that individual's position in the public service;
- d. the desirability of a rapid transfer of the public servant's or former public servant's knowledge and skills from the government to private, other governmental or nongovernmental sectors;
- e. the degree to which the new employer might gain unfair commercial or private advantage by hiring the public servant or former public servant;
- f. the authority and influence possessed by that individual while in the public service; and/or
- g. any other consideration at the discretion of the President.

## Resolution

With respect to the arrangements necessary to prevent a real, apparent or potential conflict of interest, or to comply with the requirements set out above, it is expected that situations will be resolved through discussion and agreement between the public servant and the President or his or her delegate. When a public servant and the President or delegate, disagree on the appropriate arrangements to resolve a real, apparent or potential conflict of interest, the disagreement will be resolved through the grievance procedures established by the Commission.

## Consequences

The Commission fully trusts public servants in the exercise of their professional duties and expects that each public servant will comply with this Code and the related policies and guidelines.

A public servant who does not comply with the requirements set out in this Code may be subject to disciplinary measures, up to and including termination of employment. Any disciplinary measures will be based on the seriousness of the breach.

# ANNEX A: Political Activity Guidelines for Commission Employees and GIC Appointees

	Part Time GIC Appointees	Public Servants
<b>Legislation / Guidelines</b>	<a href="#">Open Government</a> – Annex A Part II: Guidelines for the Political Activities of Public Office Holders	<i>Public Service Employment Act</i> – <a href="#">Political Activities Provision (PART 7)</a>
<b>Organizations Subject to Political Activities Provision</b>	<a href="#">Departments and agencies subject to the political activities provisions of the Public Service Employment Act</a>	
<b>Context</b>	Public office holders discharge important public duties and accordingly are expected to comport themselves in a manner befitting the trust and confidence reposed in them. The essence of this obligation is set out in Part I of this Annex. In addition, public office holders are governed by the applicable provisions of the <a href="#">Conflict of Interest Act</a> and the <a href="#">Lobbying Act</a> . Public office holders must also ensure that their political activities are consistent with the obligation to discharge their public duties in a non-partisan manner, so as to ensure that public confidence and trust in the integrity and impartiality of government are conserved and enhanced. Any measures necessary to maintain the public's confidence that public office holders will discharge their function with integrity and in a non-partisan manner must be informed by the democratic rights protected under the Canadian Charter of Rights and Freedoms.	<p>The Canadian Charter of Rights and Freedoms provides all Canadians with "freedom of thought, belief, opinion and expression" and "freedom of association" and states that any restriction should be "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."</p> <p>Employees' right to engage in political activities at the federal, provincial, territorial or municipal level is recognized in the <a href="#">Public Service Employment Act</a>. The Act states "An employee may engage in any political activity so long as it does not impair, or is not perceived as impairing, the employee's ability to perform his or her duties in a politically impartial manner." Therefore, engaging in a political activity must be examined on a case-by-case basis and must be balanced with maintaining the principal of a politically impartial federal public service.</p>

<p><b>What is a Political Activity?</b></p>	<p>For the purpose of these Guidelines, political activities include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• contributing money, within the law, to political parties, candidates or leadership campaigns at any level of government;</li> <li>• being a member of a political party at any level of government in Canada;</li> <li>• seeking nomination to run as a candidate or being a candidate in an election of any level of government in Canada;</li> <li>• fundraising for political purposes;</li> <li>• managing a political campaign or campaigning personally on behalf of a candidate in an election;</li> <li>• personally displaying campaign material;</li> <li>• attending partisan or social events sponsored by one particular political party, a Minister, a Member of Parliament or a Senator where such events are exclusively or primarily of a political or partisan character; and</li> <li>• expressing partisan views in a public setting where this may reasonably be seen to be incompatible with, or impair the ability to discharge, the office holder's public duties.</li> </ul>	<p>There is an important distinction between Candidacy and Non-Candidacy Political Activities.</p> <p><b><u>Non-Candidacy Political Activities</u></b></p> <p>The PSEA defines a non-candidacy "political activity" as "Any activity in support of, within or in opposition to, a political party" or "Any activity in support of, or in opposition to, a candidate before or during an election period". Activities that do not fall under the definition of a political activity in the PSEA, such as speaking out in the media supporting an advocacy group, should be considered in light of the Values and Ethics Code for the Public Sector and the code of conduct of employees' organizations.</p> <p>In addition to voting in a federal, provincial, territorial or municipal election, the following are other examples of non-candidacy political activities:</p> <ul style="list-style-type: none"> <li>• Volunteering or fundraising for a candidate or a political party</li> <li>• Supporting or opposing a candidate or a political party by displaying political material such as a picture, sticker, badge or button, or placing a sign on the lawn</li> <li>• Attending events, meetings, conventions, rallies, or other political gatherings in support of, or in opposition to, a candidate or a political party</li> <li>• Developing promotional material such as writing campaign speeches, slogans and pamphlets for a candidate or a political party</li> <li>• Using blogs, social networking sites, a personal Web site or video sharing to express personal views</li> </ul>
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		<p>in support of, or in opposition to, a candidate or a political party</p> <p><b>Social media and online activities</b> Social media and online activities provide new challenges for employees in ensuring that their ability to perform their duties in a politically impartial manner is not impaired or perceived to be impaired. Social media has expanded the methods available for employees to exercise their right to engage in political activities. Employees should consider that social media with its broad reach, immediacy and permanence, can blur the distinction between their professional and private lives. When engaging in such political activities, employees may wish to consult the <i>Treasury Board of Canada Secretariat's Guideline on Acceptable Network and Device Use</i>.</p> <p>Employees do not need permission from the PSC to engage in <b>non-candidacy</b> political activities. However, they are responsible for ensuring that engaging in such activities does not impair, or is not perceived as impairing, their ability to perform their duties in a politically impartial manner. Upholding the non-partisan nature of the public service is the responsibility of all employees, whatever their level and whatever the nature of their duties.</p> <p>Employees are subject to the <a href="#">political activities provisions of the Public Service Employment Act</a> at all times, including outside their regular working hours and while on approved leave. They may engage in political activities as long as the political impartiality of the public service is maintained and is perceived as such.</p>
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		<p>Political activities must not be conducted during working hours.</p> <p>Employees should also remember to make an informed decision about engaging in political activities, as defined in the PSEA, when such activities are outside of their scheduled working hours or while they are on approved leave, including a leave of absence without pay for other reasons than for candidacy. This will help ensure that the non-partisan nature of the public service is upheld.</p> <p><b><u>Candidacy Political Activities</u></b></p> <p>Employees must request and obtain permission from the PSC each time they wish to seek nomination as, or to be, a candidate in a <b>municipal, provincial, territorial or federal</b> election.</p> <p>Employees must request and obtain permission from the PSC <b>before</b> they make public their intention to seek elected office or undertake activities related to seeking nomination as, or being, a candidate in a <b>municipal, provincial, territorial or federal</b> election.</p> <p>The <u>Political Activities Regulations</u> stipulate that the PSC must render its decision within 30 days of receipt of the requested information. Employees should plan accordingly.</p>
<b>Administration and Interpretation</b>	<p>Compliance with these Guidelines is a term and condition of appointment. Before appointment, a public office holder shall certify that he or she will comply with these Guidelines. It is recognized that there will be circumstances in which either the participation of public office holders in political activities has not been</p>	<p>According to sections <a href="#">118</a> and <a href="#">119</a> of the <a href="#">Public Service Employment Act</a>, only the PSC can investigate allegations of improper political activities by federal public service employees.</p> <p>If the investigation establishes that there was an improper political activity, the PSC</p>

	<p>covered under these Guidelines, or the application of these Guidelines is unduly restrictive. The general principle and guiding factors are controlling, and resort should be had to these in all cases.</p> <p>Inquiries about these Guidelines and their interpretation should be addressed to the Privy Council Office before a public office holder commences the proposed activity.</p> <p>Where there is any doubt, public office holders are expected to refrain from the contemplated activity or to resign from office in order to undertake it.</p>	<p>can order any corrective action that it considers appropriate.</p> <p>The PSC can conduct investigations related to:</p> <ul style="list-style-type: none"> <li>• candidacy in a federal, provincial, territorial, or municipal election</li> <li>• political activities in support of, within or in opposition to a political party</li> <li>• political activities in support of or in opposition to a candidate before or during an election period</li> <li>• a deputy head who engaged in any political activity other than voting in an election</li> </ul> <p>Anyone can make an allegation of improper political activity against an employee; however, only a person who is or has been a candidate in an election can submit an allegation regarding improper political activity of a deputy head.</p> <p>In order to determine if a political activity impairs or is perceived as impairing an employee's ability to perform their duties in a politically impartial manner, the PSC will look at several factors, namely:</p> <ul style="list-style-type: none"> <li>• the nature of the person's duties</li> <li>• the level and visibility of their position and duties</li> <li>• the nature of the political activity</li> </ul> <p>For examples of improper political activities investigated by the PSC, please visit our <a href="#">investigation summaries</a> web page.</p> <p>The PSC recognizes that being involved in an investigation can impact one's personal and professional life. Accordingly, the PSC adheres to <a href="#">procedural fairness</a> and</p>
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		endeavors to respect the <a href="#">privacy</a> of individuals in an investigation.
<b>Resources</b>	<a href="#">Open and Accountable Government   Prime Minister of Canada (pm.gc.ca)</a>	<a href="#">Political Activities - Canada.ca</a>

# ANNEX B: Assets, Liabilities and Trusts

## Reportable Assets and Liabilities

Public servants must carefully evaluate on a regular basis whether their assets and liabilities need to be reported. In doing so, they must take into consideration the nature of their official duties and the characteristics of their assets and liabilities. If there is any real, apparent or potential conflict between the carrying out of their official duties and their assets and liabilities, a disclosure to the office responsible for values and ethics must be made. If there is no relationship, no report is required.

Any assets and or direct and contingent liabilities that might give rise to a conflict of interest must be reported within 60 days of the public servants first appointment or any subsequent appointment, transfer or deployment. Any measures required to manage or resolve a conflict of interest will normally be completed or in place within 120 calendar days, or such other appropriate time period as determined by the Department after a determination that a real, apparent or potential conflict of interest exists. More information can be found in Annex B of the [Directive on Conflict of Interest](#).

The following is a list of examples of assets and liabilities that must be reported if they do, or could, constitute a conflict of interest. This list is not exhaustive.

- publicly traded securities of corporations and foreign governments, and self-administered Registered Retirement Savings Plans (RRSPs), self-administered Registered Education Savings Plans (RESPs), tax free savings accounts, and Registered Disability Savings Plans (RDSPs), or similar tax-related saving vehicles, that are composed of these securities, where these securities are held directly and not through units in mutual funds;
- interests in partnerships, proprietorships, joint ventures, private companies and family businesses, in particular those that own or control shares of public companies or that do business with the government;
- interests in labour-sponsored venture capital corporations or similar entities;
- commercially operated farm businesses;
- real property that is not for the private use of public servants or their family members;
- commodities, futures and foreign currencies held or traded for speculative purposes;
- assets placed in trust or resulting from an estate of which the public servant is a beneficiary;
- secured or unsecured loans granted to persons other than to members of the public servant's immediate family;
- any other assets or liabilities that could give rise to a real, apparent or potential conflict of interest due to the particular nature of the public servant's official duties or the non-public information to which he or she has access; and
- direct and contingent liabilities in respect of any of the assets described in this section.

## Non-reportable Assets

Assets and interests for the private use of public servants and of their family members, as well as non-commercial assets, are not subject to the compliance measures.

For example, such assets include the following:

- residences, recreational properties and farms used or intended for use by public servants or their families;
- household goods and personal effects;
- works of art, antiques and collectibles;
- automobiles and other personal means of transportation;
- cash and deposits;
- Canada Saving 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;
- Registered Retirement Savings Plans and Registered Education Saving Plans that are not self-administered;
- investments in open-ended mutual funds;
- guaranteed investment certificates and similar financial instruments;
- annuities and life insurance policies;
- pension rights;
- money owed by a previous employer, client or partnership;
- personal loans receivable from members of public servants' immediate families and small personal loans receivable from other persons where public servants have loaned the moneys receivable; and
- any liability, such as a car loan, home renovation loan or credit card account, from a financial institution or business entity granted on terms available to the general public.