

## **Emergence of a Distinctive Canadian Model of Parliamentary Ethics**

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The Office of the Senate Ethics Officer has adopted the following working principle: public trust and ethics in government is non-negotiable, it is a pre-requisite of decent democratic government. The meaning of this basic principle is that elected members should serve the public, not private, interest when they take office. Specifically, they are not to use their public office for private gain. When they have outside activities or interests, as most legislators do, they are expected to arrange their private affairs in a manner that ensures that, in the event a conflict of interest arises, the conflict is resolved in a way that protects the public interest.

The Canadian federal political arena has lagged behind other countries as well as provincial and territorial governments in establishing parliamentary rules of conduct for parliamentarians. This is largely attributable to not only a lack of political will and consensus, but also the absence of ethics scandals matching what some might call the high drama of those in the United States, the United Kingdom or France from the 1960s to the 1990s.

The U.S. Congress adopted ethics rules in the 1960s. The U.S. Senate established its own Select Committee on Standards and Conduct in 1964 and the House of Representatives followed in 1967 with the creation of the Committee on Standards of Official Conduct. In 1988, the French government established under legislation an independent “Commission pour la Transparence financière de la vie publique” and its responsibilities were expanded in 1995 to include the declarations of personal assets by members of both Houses. In the United Kingdom, the House of Commons adopted a code of conduct for Members of Parliament in 1995 and appointed that year an independent Parliamentary Commissioner for Standards of the House of Commons. The House of Lords followed in 2001 with the introduction of a code of conduct for the Lords. While there are no formal codes of conduct or commissioners in the Australian federal parliament, registers of interests were established by resolution of the House of Representatives and the Senate in 1984 and 1994 respectively.

The year 2008 marked the twentieth anniversary of the emergence of the Canadian parliamentary ethics model, which originated in Ontario. Over the intervening two decades, every province and territory as well as both Houses of Parliament adopted conflict of interest or ethics legislation. These fifteen jurisdictions have established independent officers of Parliament or the Legislature to administer interpret or apply rules regarding the proper behaviour of parliamentarians. While there are some differences in terms of the

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relationships of independent commissioners with legislatures and individual legislators, and variations on the rules of conduct, the objective is the same: to promote greater public confidence and trust in the integrity of parliamentarians. Many citizens are only vaguely aware of the parliamentary ethics regimes that have been established in their country. It is therefore vital to set out the historical context and to highlight, from a practitioner's perspective, some of the distinguishing features of the Canadian model.

Attempts to introduce rules of conduct for parliamentarians at the federal level go back to 1973 — the time of the Watergate scandal in the United States — with the publication of a “Green Paper” or discussion paper entitled “Members of Parliament and Conflict of Interest”. This was followed by numerous studies, reports, conferences and parliamentary hearings. Legislation was introduced in 1978, 1988, 1989, 1991, 1993 and 2003, but all died on the Order Paper. Nothing concrete came of any of these initiatives as regards to individual parliamentarians, even though *Conflict of Interest Guidelines for Cabinet Ministers and Parliamentary Secretaries* had been in place since 1964. In the October 2000 Report on Values and Ethics in the Public Sector, the Auditor General of Canada was sharply critical of the federal government's failure to address ethics and accountability in government. She took the unusual step of calling upon federal parliamentarians to show “ethical leadership” and set an example as to the norms of acceptable behaviour.

It was finally in 2002 that issues of parliamentary ethics and integrity received sustained attention at the federal level. In that year, reacting to a series of events faced by the government of Prime Minister Jean Chrétien during the last years of his ten years in office — including the so-called sponsorship scandal — the government released an “Eight-Point Plan for Ethics in Government” which included a code of conduct for senators and members of Parliament. The draft proposal would have created a single commissioner with responsibility for both the Senate and the House of Commons, along with a code of conduct covering both Houses. Defending their independence, senators opposed the proposal, arguing that the Senate was a constitutionally separate House of Parliament and therefore should have its own ethics commissioner and rules of conduct as is the case in all Westminster parliaments with two chambers, as well as the U.S. Congress.

In 2003, Prime Minister Chrétien introduced Bill C-34, *An Act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other Acts in consequence*, allowing the Senate to choose its own commissioner and to develop its own code. However, Bill C-34 died on the Order Paper when Parliament was prorogued, and Prime Minister Chrétien resigned shortly thereafter. On December 12, 2003, his first day in office, Prime Minister Paul Martin declared that he would “change how things work in Ottawa” and announced a comprehensive package of ethics reforms which included a commitment to reintroduce Bill C-34. The new Bill C-4 passed quickly. The House of Commons and the Senate appointed their own commissioner and adopted a conflict of interest code in 2004 and 2005 respectively. It had taken some thirty years from the publication of the original “Green Paper” on conflict of interests for members of Parliament for a codification of ethical standards to be confirmed. It had not been an easy journey, and there would still be some potholes on the road ahead, at least in the House.

The first Ethics Commissioner for the House of Commons, Bernard Shapiro, who also had responsibility for public office holders, including ministers, became embroiled in political controversy. He conducted several complex and high profile inquiries and resigned after only three years in office, following personal criticism by the recently elected Conservative Prime Minister, Stephen Harper, and after being found in contempt of the House of Commons. His successor, Mary Dawson, was appointed in July 2007. I was appointed first Senate Ethics Officer in April 2005.

The ethics regimes of the Senate and House of Commons are largely modelled after those put in place in the provinces and territories. They share most of the distinctive characteristics of the Canadian parliamentary ethics model which is based on four important cornerstones:

- 1) independence of the commissioner,
- 2) specific rules of conduct,
- 3) accountability of the legislature, and
- 4) emphasis on advice and prevention.

Each of these is dealt with below.

## **1. INDEPENDENCE OF ETHICS COMMISSIONERS**

Canada's first independent ethics commissioner was appointed in Ontario twenty years ago. Following a series of political scandals in 1988, the government of the day asked the Honourable John Black Aird, a former Lieutenant Governor, to recommend new rules of conduct for members of the Legislature and new mechanisms for implementing and enforcing these rules. His report led to the establishment under statute of an independent commissioner with responsibility for both ministers and members of the Ontario legislature, and to the adoption of rules of conduct. The most important element of the new system was the independence of the commissioner. As the report made clear, "...the keystone to a new system is the appointment of one person as a Commissioner of Compliance to perform these and other functions... Obviously, the individual filling the role must be seen by the public as independent and authoritative. I therefore believe that he or she should be chosen by the Legislature...." The Aird recommendations may be rightly described as the source of the Canadian parliamentary ethics model and the independence of ethics commissioner. Other provinces followed Ontario's lead: British Columbia in 1990, Nova Scotia in 1991 and Alberta in 1992.

While the title of the position varies in the different jurisdictions, an integrity commissioner, a conflict of interest commissioner, an ethics officer, or a jurisconsult is to be found today in every province and territory, as well as federally in both Houses of Parliament. Their status, duties and powers are broadly similar. They all share a crucial common characteristic: independence. This, possibly the most distinguishing feature of the Canadian parliamentary ethics model, is considered essential to ensure freedom to form opinions and provide considered advice in a fully impartial and transparent manner,

without outside influence or coercion, or perhaps more importantly, without the appearance of outside influence or coercion. The independence of commissioners derives from such fundamentals as the legislation creating the office, the appointment process, the security of tenure, financial autonomy and reporting relationships. This independence is vital if the commissioner is to have credibility and to retain the confidence of both the public and parliamentarians in the way he discharges his role.

The position of Senate Ethics Officer (SEO) was established under the *Parliament of Canada Act*, as an independent Officer of the Senate. The Officer's primary responsibility is to administer, interpret and apply the *Conflict of Interest Code for Senators* (the Code). The method of appointment ensures that the incumbent has the broadest support of the Senate, irrespective of party affiliation. The Officer has a renewable seven-year term. Removal from office is for cause, by the Governor-in-Council on address of the Senate.

The SEO has the rank of a deputy head of the Government of Canada and has the control and management of his office. He has the responsibility for preparing the estimate of the budget required to pay the charges and expenses of the office. This estimate is separate from the estimate of the Senate. The Speaker of the Senate, after considering the estimate, transmits it to the President of the Treasury Board who lays it before the House of Commons with the estimates of the government for the fiscal year. The Senate may review the Officer's proposed budget as a part of the annual review of the Main Estimates. These and other aspects of the *Parliament of Canada Act* confer on the Officer a status of independence and autonomy, and provide an effective shield against improper or inappropriate influence.

The *Act* provides that the SEO and the new Conflict of Interest and Ethics Commissioner, whose responsibility concerns members of the House of Commons and public office holders, each carry out his duties and responsibilities under the general direction of a committee of each House of Parliament designated for that purpose. However, the application and interpretation of the Code as it relates to individual senators is the sole responsibility of the SEO.

The SEO is expected to act independently in the discharge of his responsibilities, including advising individual senators on their obligations under the Code, considering and investigating complaints, and submitting inquiry reports to the Standing Committee on Conflict of Interest for Senators (the Committee) for the Senate's final determination. He reviews the operations of the Code and makes recommendations to the Committee for changes. While broadly accountable to the Committee, the SEO is responsible to the Senate as a whole.

The duties and functions of the Senate Ethics Officer are set out in the Code. First, he provides confidential advice and opinions to individual senators on an ongoing basis, in order to assist them in remaining in compliance with the requirements of the Code. This advisory function is the most important aspect of his mandate and senators are encouraged

to seek the SEO's advice as often as possible prior to acting, especially in cases of doubt or confusion.

The Office of the Senate Ethics Officer is also responsible for the annual disclosure process under the Code, including the maintenance of the Public Registry. Senators are required to disclose, annually, their sources of income, assets, liabilities, outside activities and federal government contracts. The Code requires that senators report ongoing changes to their circumstances in order to ensure that their confidential and public files are updated and contain accurate information. This information is reviewed by the office with respect to foreseeable conflicts, both real and perceived. If necessary, measures are recommended to ensure that senators comply with the Code. On the basis of the information provided, a public disclosure summary is prepared for each senator. The summaries are placed in the Public Registry along with any statements of gifts and other benefits, sponsored travel or declarations of a private interest that senators may have filed with the office throughout the year.

An inquiry may also be conducted to determine if a senator has complied with his or her obligations pursuant to the Code. In this process, the Senate Ethics Officer may send for persons, papers and records, and Senators are expected to cooperate with the Senate Ethics Officer. Within three months after the end of each fiscal year, the SEO submits a report of activities to the Speaker of the Senate, who must table this report in the Senate. The report is an important opportunity to provide the public with information about how the system works, including the role of the office.

## **2. SPECIFIC RULES OF CONDUCT**

In Canada, all jurisdictions have rules of conduct (sometimes referred to as codes) which typically set out standards of behaviour for members of Parliament and the legislatures. Although there are differences among jurisdictions, such codes establish rules governing a broad range of issues such as the furthering of private interests, the use of influence, insider information, the receipt of gifts and other benefits, sponsored travel, government contracts, the declaration of a private interest and the requirements of the annual disclosure process, including the placing of information on file for public inspection. Significantly, all provinces and territories have enshrined these rules in legislation. At the federal level, the Senate and House of Commons Codes are part of the Standing Orders of each body. Codes in Ontario and Alberta and at the federal level include both a set of broad principles and a list of specific rules of conduct. The principles can be applied generally and are often helpful in providing guidance in the day-to-day interpretation of the rules of conduct.

In the United States, there is neither brevity nor simplicity. Congressional codes are based on vast and complex compilations that cover all possible outcomes. They focus on compliance and enforcement. The inherent difficulty with this approach is that the rules rarely address all possible situations that may arise, and can create the impression that public officials are either dishonest or too simple to know what is proper. By way of

comparison, the Senate Code in Canada is based on three broad principles and nine specific rules of conduct:

- The first principle states that senators are expected to continue to be active in their communities and regions, while at the same time serving the public interest.
- The second principle states that senators are expected to fulfil their public duties while upholding the highest standards in order to avoid conflicts of interest.
- The third principle makes reference to apparent conflicts. Senators are expected to arrange their private affairs so that not only real, but also apparent conflicts may be prevented from arising.

The Code then builds from these overarching principles and establishes a succinct set of rules with respect to such matters as previously mentioned: gifts and other benefits, sponsored travel, contracts with the federal government, outside activities, use of influence, insider information, furthering private interests, declarations of a private interest, and annual and ongoing disclosure requirements.

By comparison, the Canadian Senate Code is relatively straightforward, as are the rules of conduct found in other Canadian jurisdictions. It is the application of the Code to individual cases and in particular circumstances, that is not always easy. The Senate's rules regarding gifts are a good example of how succinct its rules of conduct are. The Code states that senators may not accept any gift or other benefit that could reasonably be considered to relate to their positions, except when received as a "normal expression of courtesy or protocol, or within the customary standards of hospitality that normally accompany that senator's position". Gifts or benefits that are acceptable under the Code must be declared to the Senate Ethics Officer if they exceed five hundred dollars in value and these must be publicly declared.

The Code does not try to foresee every possible problem regarding gifts, but when a question arises, the Senate Ethics Officer has a firm basis for giving advice through the principles, as well as careful analysis of the Code and of each Senator's circumstances. This approach avoids the danger which arises when countless detailed rules are laid down and accumulate layers of complexity and interpretation as individual cases are considered over time. If principles and rules are not kept as simple as possible, how can we expect parliamentarians, in the middle of their busy lives, to ensure compliance?

The Senate and House of Commons Codes are some twenty pages respectively, in French and English. In the United Kingdom, the Code of Conduct and Guide of the House of Commons cover some forty pages. By comparison, the Codes of Conduct and Rules of the U.S. Senate and House of Representatives are over five hundred pages long!

### **3. ACCOUNTABILITY OF THE LEGISLATURE**

In every province and territory, as well as in both Houses of Parliament, either the legislature itself or a committee of the legislature is an important element in the regulation of the standards of conduct of parliamentarians. With respect to inquiries to determine

whether a member has violated his or her obligations under the Code, the legislature receives and considers reports prepared by the commissioner and determines any appropriate action or sanction. This reflects the fact that in Canada, as in other democratic countries, legislatures are responsible for the disciplining of their members, this authority being derived from long-standing parliamentary tradition and law. In the United States, for example, the authority of each chamber to determine its rules and punish its members is explicitly referred to in Article 1 of the United States Constitution. When inquiries are carried out by an independent commissioner, as is the case in Canada, this ensures that discipline is no longer a matter for parliamentarians looking after their own. This engenders greater trust in the system by both the public and parliamentarians.

Some legislatures play an important role in the selection of new commissioners. In all cases, commissioners are appointed by resolution of the legislatures and can only be removed by a vote of that body. Taking the Senate as an example, it has a Committee of five senators of senior standing. Selection to this Committee is by secret ballot which gives individual senators a greater say in choosing its members, and ensures that those members have significant authority in carrying out their important task. The Committee is responsible to the Senate for the overall effectiveness of the system. It has an important role to play with respect to any inquiries and investigations that may be undertaken under the Code, although such inquiries are a rare occurrence. Through the Committee, the Senate retains its right to discipline its own Members by making final determination regarding sanctions or penalties when Senators have violated the provisions of the Code. The Committee is also responsible for undertaking periodic comprehensive reviews of, and recommending changes to, the Code. Another function of the Committee is to provide “general direction” to the Senate Ethics Officer who is broadly accountable to the Committee. In practice, the interpretation and application of the Code as it relates to individual senators is the sole responsibility of the SEO.

#### **4. EMPHASIS ON ADVICE AND PREVENTION**

The final key distinguishing characteristic of the Canadian parliamentary model is the advisory aspect of the Commissioner’s role. All commissioners attach great importance to encouraging members to seek their advice as often as possible, especially in cases of doubt, prior to taking action. The Honourable Bert Oliver of British Columbia explained his role this way: “By far the greatest portion of the Commissioner’s time is taken up by informal, confidential meetings with Members... to discuss Members’ problems or potential problems... or to provide assistance to Members in identifying potential future problems not readily observable at first glance with a view to their avoidance.” In Canada, over the last twenty years, this approach has been found to be an effective means of preventing conflicts from arising. Moreover, there have only been 11 investigations in the provinces and territories, in the last three years. To quote Robert Clark, a former commissioner from Alberta, the role of a commissioner is “90% priest and 10% policeman”.

This is the approach followed at the Senate. The best way of dealing with issues is preventative, not punitive. The advice provided may be of a formal nature, or in response

to requests for advice of a more informal nature through telephone conversations and e-mail exchanges. These informal discussions provide senators with an initial sense of the issues and concerns that may arise if a particular course of action is taken. The SEO also provides advice to senators through the annual disclosure process which provides the opportunity of meeting individual senators face-to-face at least once a year. Experience shows that such meetings are very helpful in the context of the disclosure process and provide the opportunity to discuss questions and concerns regarding senators' obligations under the Code. Prevention, here as elsewhere, is preferable to cure. Prevention is not only in the interest of senators, but it is also in the public interest. There is a trust relationship between the SEO and senators, who are comfortable disclosing information, both personal and financial, and seeking advice. Opinions and advice are confidential, although the option is there for them to be made public by the senator in question, or by the Senate Ethics Officer at the request of the senator.

## 5. CONCLUSION

The four building blocks of Canada's parliamentary ethics regime discussed here have been validated by two decades of experience as effective measures to raise the level of ethical behaviour of parliamentarians. Even though Canada lagged well behind other countries in introducing legislative ethics rules, the countrywide efforts over the past twenty years have, for the most part, been remarkably successful in preventing serious conflict of interest scandals. This is especially true in those jurisdictions which pioneered the introduction of the Canadian parliamentary ethics model in the early 1990s and have the longest experience with independent ethics commissioners, namely Ontario, British Columbia and Alberta. Parliamentarians in these provinces have been largely free of the discredit brought on by major conflict of interest revelations.

In 2005, York University Professor Ian Greene released the results of a comparative study, undertaken by the Centre for Practical Ethics, of the number of reported conflicts of interest in provincial and territorial jurisdictions, before and after the introduction of independent ethics commissioners. His findings are of interest and I have chosen to repeat them here using his own words: First, "there has been a dramatic drop in the number of reported conflict of interest media stories since the introduction of ethics commissioners". Second, "there has been an even more dramatic drop in the number of substantiated 'events' in most jurisdictions".

Professor Greene's findings are all the more significant since "unlike in the pre-commissioner days, there is a quick and credible way of resolving conflict of interest allegations" and therefore more incentive to make a complaint. Yet, "the amount of time taken up by conflict of interest stories on radio/television, and the number of columns in the print media has been substantially reduced..." These findings reflect well on the achievements of the Canadian parliamentary ethics regime over the last twenty years and suggest that the existing mechanisms and rules of conduct provide a solid foundation on which to build. Over time, this should result in greater public confidence in the political system and in government generally.



While the Canadian parliamentary ethics model is young and should be considered a “work in progress”, it is noteworthy that countries with which Canada often compares itself on parliamentary matters have taken an interest in the Canadian experience, and in some cases, have drawn inspiration from it. As ethics reforms for parliamentarians have been enacted in many countries in the course of the last decade, we are witnessing a growing trend towards the introduction of systems which combine one or more of the four elements of the Canadian approach.

Even our friends in the United States are adopting some elements of the Canadian parliamentary ethics model. In March 2008, the U.S. House of Representatives passed legislation (H. Res. 895) to strengthen congressional ethics enforcement with the establishment of a new Office of Congressional Ethics, consisting of an outside panel of six members. House Speaker Nancy Pelosi stated: “This will bring greater accountability and transparency to the ethics enforcement process by requiring, for the first time in history, an independent review of alleged ethics violations by individuals who are not Members of Congress”. Until then, the House system had been entirely peer-driven and committee-based, and the House had tenaciously and consistently resisted calls for an independent and depoliticized form of ethics regulation of the kind that has emerged in Canada over the last twenty years.

Canada is now considered a world leader in the field of parliamentary ethics, but we must be careful not to become complacent. Ethics codes and institutional models are not static and must, over time, adjust as public expectations of the behaviour of parliamentarians change and as we learn from the experience of others involved in conflict of interest, both domestically and in other jurisdictions. Moreover, Canadians expect a rising standard of ethical conduct from their parliamentarians and public office holders.

## APPENDIX A

## Offices of Independent Ethics Commissioners in Canada\*

	Date of Establishment	Annual Disclosure	Annual Meeting	Public Registry	Principles included in Code**
<b>Ontario</b>	<b>1988</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>Yes</b>
<b>British Columbia</b>	<b>1990</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>No</b>
<b>Nova Scotia</b>	<b>1991</b>	<b>Yes</b>	<b>Not required</b>	<b>Yes</b>	<b>Yes</b>
<b>Alberta</b>	<b>1992</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>Yes</b>
<b>Newfoundland and Labrador</b>	<b>1993</b>	<b>Yes</b>	<b>At the discretion of the Commissioner</b>	<b>Yes</b>	<b>No</b>
<b>Saskatchewan</b>	<b>1994</b>	<b>Yes</b>	<b>Consultation required</b>	<b>Yes</b>	<b>No</b>
<b>Québec</b>	<b>1996</b>	<b>No</b>	<b>Not required</b>	<b>No</b>	<b>No</b>
<b>NWT</b>	<b>1998</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>Yes</b>
<b>P.E.I.</b>	<b>1999</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>No</b>
<b>New Brunswick</b>	<b>2000</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>No</b>
<b>Nunavut</b>	<b>2000</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>Yes</b>
<b>Manitoba</b>	<b>2002</b>	<b>Yes</b>	<b>Statutorily required</b>	<b>Yes</b>	<b>No</b>
<b>Yukon</b>	<b>2002</b>	<b>Yes</b>	<b>Not required</b>	<b>Yes</b>	<b>No</b>
<b>House of Commons</b>	<b>2004</b>	<b>Yes</b>	<b>At the discretion of the Commissioner</b>	<b>Yes</b>	<b>Yes</b>
<b>Senate</b>	<b>2005</b>	<b>Yes</b>	<b>At the request of the Senate Ethics Officer</b>	<b>Yes</b>	<b>Yes</b>

\* All jurisdictions have independent commissioners and rules or codes of conduct

\*\*Also referred to as preamble or purposes

## APPENDIX B

## Parliamentary Ethics Regimes in Like-Minded Democracies

	<b>Independent Commissioners</b>	<b>Date of Establishment</b>	<b>Rules of Conduct</b>	<b>Annual Meeting</b>	<b>Public Disclosure</b>
<b>Australia:</b> <ul style="list-style-type: none"> <li>• Senate</li> <li>• House of Representatives</li> </ul>	No No	N/A N/A	No No	No No	Yes Yes
<b>Canada:</b> <ul style="list-style-type: none"> <li>• Senate</li> <li>• House of Commons</li> </ul>	Yes Yes	2005 2004	Yes Yes	Yes Yes	Yes Yes
<b>France:</b> <ul style="list-style-type: none"> <li>• Senate</li> <li>• National Assembly</li> </ul>	Single Commissioner	1995	No	No	No
<b>United Kingdom:</b> <ul style="list-style-type: none"> <li>• House of Lords</li> <li>• House of Commons</li> </ul>	No Yes	N/A 1995	Yes Yes	No No	Yes Yes
<b>United States:</b> <ul style="list-style-type: none"> <li>• Senate</li> <li>• House of Representatives</li> </ul>	No No	N/A N/A	Yes Yes	No No	No No

## APPENDIX C

### Key Rules of Conduct of Senators under the Conflict of Interest Code

- Senators may not act in any way to further their **private interests**, or those of their family members, or to improperly further another person's or entity's private interests when performing parliamentary duties and functions (section 8).
- Senators may not use their position to **influence** a decision of another person in order to further their own private interests, or those of their family members, or to improperly further another person's or entity's private interests (section 9).
- Senators may not use **information** that is generally not available to the public to further their own private interests, or those of their family members, or to improperly further another person's or entity's private interests (section 10).
- Senators are expected to make a **declaration**, orally or in writing, when they, or their family members, have a private interest that might be affected by a matter that is before the **Senate** or a **committee** of the Senate in which they are members (section 13). Senators may **not participate** in debate; they may **not vote**, but may abstain (sections 13 and 14).
- Senators may not accept, nor may a family member accept, any **gift** or other **benefit** that could reasonably be considered to relate to their position, except as permitted under the Code. Gifts, benefits and sponsored travel that are acceptable under the Code must be declared to the Senate Ethics Officer if they exceed \$500 in value (sections 17 and 18) and these must be publicly declared pursuant to paragraph 31(1)(i).
- Senators may not be parties to, or have interests in corporations or partnerships that are parties to, **contracts with the Government of Canada** under which they receive a benefit, unless specifically authorized by the Senate Ethics Officer (sections 20-26).
- Senators are expected to **disclose** their private interests to the Senate Ethics Officer on an annual basis and those interests required to be publicly disclosed under the Code are then placed on the public record (sections 27-34).
- Senators must report to the Senate Ethics Officer any **material change** to the information in their confidential disclosure statements, within the prescribed time (subsection 28(4)).
- Senators must cooperate with the Senate Ethics Officer with respect to any **inquiry** (subsection 44(12)).