



Office of the
Senate Ethics Officer
Bureau du
conseiller sénatorial
en éthique

GUIDELINE ON OUTSIDE ACTIVITIES

(Section 5 of the *Ethics and Conflict of Interest Code for Senators*)

(Last revised May 2026)

I. Introduction

Senators come from a wide range of backgrounds, professions, and walks of life. Many come from busy professional lives or active charitable pursuits, or sometimes both. Naturally, they may wish to continue some of those activities after their appointment to the Senate. In fact, they may feel, with some justification, that their past experiences and activities are the very reason they were selected.

The Code makes clear that senators may engage in outside activities, so long as they comply with the principles and other rules contained in the Code.

The purpose of this guideline is to assist senators and others to understand the provisions of the Code that may apply to outside activities.

This Guideline is merely advisory. It presents some common scenarios and provides some preliminary answers to sample questions. But senators sometimes face unique factual circumstances or contexts that require different answers. Accordingly, compliance with this Guideline does not necessarily equate with compliance with the Code, or with other rules or laws that may apply in the circumstances. On the other hand, failure to follow the Guideline does not necessarily amount to a breach

of the Code. In case of any doubt, senators are encouraged to contact the Senate Ethics Officer for an opinion or advice, preferably in advance of engaging in an outside activity.

II. What is the general rule?

The general rule is that senators may participate in any outside activities as long as they comply with the principles of the Code and fulfill their obligations under it (s 5).

III. To whom does the rule apply?

The rule applies to all senators who are not ministers of the Crown (s 5).

IV. What is the purpose of the rule?

The rule reflects the balance achieved by the Code. On the one hand, senators are permitted, indeed encouraged, to engage in activities outside of their parliamentary duties, especially those activities that serve the public interest (ss 2(2), 4). On the other hand, senators must ensure that they always respect the principles and rules of conduct of the Code even when engaged in outside activities.

Senators should be especially mindful of the following general principles and rules when engaged in outside activities.

Senators must always give precedence to their parliamentary functions over any other duty or activity (s 2(1)). They must avoid real or apparent conflicts of interest and, if a conflict arises, they must resolve the conflict in a way that protects the public interest (s 2(2)(c)). They should not use their influence to further their private interests, or those of a family member, or to improperly further another person's or entity's private interests (s 9). At all times, senators must uphold the highest

standards of dignity, and refrain from acting in a way that could reflect adversely on the position of senator or the Senate itself (s 7.1(1),(2)).

When a senator is considering becoming involved in an activity, it is useful to determine first whether the activity is being undertaken in their capacity as a senator or as a private individual. This distinction is important because some rules in the Code apply specifically to senators' conduct in their capacity as a senator. For example, s 8 states that senators must not, when performing parliamentary functions, further their private interests or those of a family member, or improperly further the private interests of another person or entity. Similarly, s 9 provides that a senator must not use or attempt to use their position as a senator to influence another person in a way that would further those same private interests. This means that there may be outside activities that would amount to a breach of the Code if carried out in a senator's official capacity but could be acceptable if conducted in their personal capacity. On the other hand, there are some principles and rules that apply to senators at all times, whether or not they are acting in their capacity as a senator, such as avoiding conflicts of interest and upholding the highest standards of dignity.

V. What are outside activities?

The role of a senator is multifaceted, including parliamentary functions, public and official business, regional representation, and other public interest activities.¹ The term "outside activities" generally refers to pursuits that are outside these duties and functions.

¹ See *Senate Administrative Rules* Chapter 1:02, s 4. "Parliamentary functions" is also defined in the *Senate Administrative Rules* as "duties and activities related to the role of a Senator or the Senate and its proceedings, wherever performed, and may include public and official business — whether or not they are performed in a partisan manner . . ." (Chapter 1:03, s 1). The definition goes on to identify activities that are not parliamentary functions. The definition of "parliamentary functions" in the *Senate Administrative Rules* also applies in the Code (s 3(1)).

The list of permissible outside activities under section 5 is not exhaustive. The Code identifies some permissible activities – it allows senators to be employed, to practice a profession, to carry on a business, to hold a position as a director or officer in an organization, and to be a partner in a partnership. But not all outside activities that are permissible under the Code are explicitly mentioned. For example, some senators are patrons in organizations or chancellors of universities; these activities are permissible, even though they are not mentioned in the Code, so long as the senators comply with the Code when acting in those roles.

Senators who are involved in the following organizations are considered not to be engaged in an outside activity:

- (1) any of the eight multilateral associations² and any of the five bilateral associations³ that are funded by the Joint Interparliamentary Council and so are fully funded by Parliament;
- (2) any of the four interparliamentary groups officially recognized by the Parliament of Canada,⁴ or;
- (3) a friendship group as defined in the Directive issued by the Standing Committee on Ethics and Conflict of Interest for Senators.⁵

² The eight multilateral associations are: Canada-Africa Parliamentary Association, Canada-Europe Parliamentary Association, Canadian NATO Parliamentary Association, Canadian Branch of the Assemblée parlementaire de la Francophonie, Canadian Branch of the Commonwealth Parliamentary Association, Canadian Section of ParlAmericas, Canadian Delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly, and Canadian Group of the Inter-Parliamentary Union.

³ The five bilateral associations are: Canada-China Legislative Association, Canada-France Inter-Parliamentary Association, Canada-Japan Inter-Parliamentary Group, Canada-United States Inter-Parliamentary Group, and Canada-United Kingdom Inter-Parliamentary Association.

⁴ The four interparliamentary groups recognized by Parliament are as: Canada-Germany Interparliamentary Group; Canada-Ireland Interparliamentary Group; Canada-Israel Interparliamentary Group; and Canada-Italy Interparliamentary Group.

⁵ Directive 2024-01, Friendship Groups (section 5 and paragraphs 28(1)(c) and 31(1)(c)), Standing Committee on Ethics and Conflict of Interest for Senators, July 8, 2024.

Senators do not need to disclose their participation in these organizations to the Senate Ethics Officer or in their public disclosure summary. While participation in them does not constitute an outside activity, senators must still comply with the Code when they are involved in these groups.

VI. What does it mean in section 5 to “comply with the principles of the Code”?

Senators must not only comply with the rules of conduct in the Code, but also with the principles of the Code. The principles express general standards of conduct expected of persons appointed to the Senate.

Senators should keep the following principles in mind when involved in outside activities:

- They must give precedence to their parliamentary functions over any other duty or activity (s 2(1));
- Their service in Parliament is a public trust that should be exercised by continuing their activities in their communities to the best of their abilities (s 2(2)(a));
- They must uphold the highest standards to avoid conflicts of interest and to maintain and enhance public confidence in the integrity of each senator and the Senate itself (s 2(2)(b)); and
- They must arrange their private affairs to avoid real or apparent conflicts of interest; if a conflict does arise, it must be resolved in a way that protects the public interest (s 2(2)(c)).

VII. What does it mean in section 5 for senators “to fulfil their obligations under the Code”?

In carrying out any outside activity, senators must comply with all the rules of conduct in the Code. Some of these rules are specific and detailed. Others are expansive, more akin to principles than rules.

The following are some of the main rules to keep in mind when involved in outside activities.

Senators must not use or attempt to use their role or position to influence another person in a way that would further their private interests or improperly further someone’s else’s private interests (ss 8, 9).

In many cases, senators can make clear that their involvement in an outside activity is in their personal capacity, not in their role as a senator. If so, they may avoid any allegation that they have used their position as a senator to advance a person’s or an entity’s private interests. Senators have an ongoing duty to avoid both real and apparent conflicts of interest (s 2(2)(c)).

Senators sometimes become privy to confidential information that could have an impact on their or someone’s else’s private interests because of their work in the Senate. Senators are not permitted to use, or attempt to use, information that is not generally available to the public to further their own or their family members’ private interests, or to improperly further someone else’s private interests (s 10).

To comply with this rule, it would be prudent for senators to avoid discussions in which they may inadvertently use or disclose information that is not publicly available in a way that furthers their or someone else’s private interests.

Senators must also consider the rules relating to declarations of a private interest (ss 12 to 14). Senators must make a declaration of a private interest in the Senate or in a committee of the Senate of which they are a member if they have reasonable grounds to believe that they or one of their family members have a private interest in a matter before the Senate or a committee of the Senate. If so, they must not participate in the proceedings on the measure (s 13(1), (2)). And if the matter is before a committee of the Senate, they must also withdraw altogether from the proceedings, although they would not have to resign from the committee (s 13(2)). Lastly, they would be prohibited from voting on the measure (s 14).

The broader rules of conduct require senators to:

- Uphold the highest standards of dignity inherent in the position of senator (s 7.1(1));
- Refrain from engaging in conduct that reflects adversely on the position of senator, or the Senate (s 7.1(2));
- Perform their parliamentary functions with dignity, honour, and integrity (s 7.2); and
- Refrain from engaging in conduct constituting harassment or violence (s 7.3)).

VIII. What happens if a senator does not comply with the Code?

A senator who fails to comply with the Code's Rules of Conduct may be subject to its enforcement procedures (ss 47-52).

IX. Examples of issues concerning outside activities

- (i) If a senator holds a position within an outside organization, can the senator be identified and featured on materials produced by the organization, including its website?

Yes. Senators who hold a position in an outside organization may be identified and featured on the organization's materials and website. As a general proposition, since the Code explicitly authorizes senators to be involved in outside activities, organizations in which senators play a role may identify those senators.

There may be occasions, however, where it would be wise for senators who are identified as such to make clear that their role in the organization is personal and not related to their senatorial position. For example, if a senator is asked to make a speech at the organization's annual meeting, the senator may wish to make clear that they are speaking in their personal, not their senatorial, capacity.

This approach serves the interest of transparency in that the public will be informed about the senator's outside activities. This information is already contained in senators' public disclosures and senators can make the same information available elsewhere if they wish.

Further, the position of senator carries with it the honorific title of "Senator." Senators may be identified by their title, not just in the course of their parliamentary duties and functions, but also when they are involved in outside activities.

- (ii) A senator has accepted an invitation to be a member of the board of directors of a for-profit corporation. The corporation proudly displays the picture and biography of the senator with an extensive description of the senator's membership on Senate committees and the senator's Senate work on its website. Is this acceptable?

Yes. Senators who hold positions in outside organizations may be featured on the websites of those organizations and identified accordingly. Senators are allowed to engage in these kinds of activities and identifying them when they do so serves the interests of transparency.

- (iii) Can the website of an outside organization with which a senator is associated provide a link to the Senate's website or the senator's Senate social media account?

Yes. The organization can direct its website users to the senator's website or Senate social media account. Again, this serves the interests of transparency.

- (iv) Can the Senate website or a senator's Senate social media account provide links to the senator's outside activities?

Yes. The senator's Senate website and other Senate social media accounts may provide links that will identify or describe the senator's outside activities. Senators may also make a reference to their past and current outside activities in their biographies on their Senate website. Note, however, that senators may use Senate resources only for purposes of their parliamentary functions and in the service of the Senate.⁶

- (v) Can senators use their Senate staff and Senate resources to pursue their role in an outside organization?

No. Senators must not use their Senate staff or resources for their work in an outside organization. Additional restrictions may also be found in other Senate policies and governance instruments outside the ambit of the Code.⁷

⁶ See, eg, *Senate Administrative Rules*, Chapter 3:01, s 1.

⁷ Eg, *Senate Administrative Rules* and the *Senators' Office Management Policy*, which are interpreted and applied by the Standing Committee on Internal Economy, Budgets and Administration (CIBA).

- (vi) Can a senator who holds a position in an outside organization make representations on its behalf for the solicitation of government funding, assistance, or contracts?

No. A senator who holds a position in an outside organization may not make representations on behalf of the organization to governments – whether municipal, provincial, territorial, or federal -- for the solicitation of funds or for government assistance or contracts. This would be an improper use of the senator's position to further the private interests of the organization (contrary to ss 8, 9) because the private interests of an organization should not be unduly enriched due to the senator's involvement.

- (vii) Can a senator who holds a position in a non-profit organization promote the organization (in terms of its work and not in terms of soliciting financial aid) in the Senate or in a Senate committee?

Yes. A senator who holds a position in a non-profit organization may promote the organization in their Senate role, for example, in the Senate Chamber and in Senate committees. They may extol the good work and the public interests that the organization advances and can support its efforts in a general way.

In the same vein, senators can write letters of support on behalf of a non-profit organization if they confine themselves to describing the public benefits that derive from the organization's work. However, they should avoid seeking a particular response from the recipients of the letters – the awarding of a contract or financial assistance – because that would amount to a furthering of the organization's private interests and may create a conflict of interest.

- (viii) What should a senator do if the senator has a private interest in an organization that may be affected by a matter before the Senate or one of its committees?

Senators must do three things in this situation. First, they must make a declaration of a private interest in the Senate or in a Senate committee if their association with the organization may be affected in some way by a matter before the Senate or a committee of the Senate of which they are a member (s 12(1)). Second, they must recuse themselves from any deliberations on the matter both in the Senate and in any committee of the Senate (s 13). Third, they may not vote on the matter (s 14).

- (ix) A senator is invited to participate in a fundraising activity on behalf of a charity. Can the senator accept the invitation?

Yes, and the senator can be identified and featured on materials produced by the organization, including its website (See Question (i) above).

However, fundraising by senators in their senatorial capacity is a nuanced issue that often requires a case-by-case analysis. However, when senators are involved in fundraising in their personal capacity, questions of potential conflict usually do not arise.

The following are some general principles to keep in mind when senators engage in fundraising in their senatorial role. Note also the important caveats below.

Fundraising, by its nature, is often a means of advancing a person's or an entity's private interests. Accordingly, it can raise issues relating to the use of a senator's influence to further private interests. A senator cannot, when performing parliamentary functions, further their own private interests, those of their family members, or improperly further the private interests of another person or an entity

(s 8). Similarly, a senator cannot use or attempt to use their position to influence another person to further their own private interests or those of their family members, or to improperly further the private interests of another person or an entity (s 9).

But fundraising by senators for truly not-for-profit organizations or charities rarely raises issues under the Code. In this context, fundraising is usually conducted to advance a public, not a private, interest. It does not raise ethical issues because there are no private interests being furthered by the fundraising. Rather, the fundraising advances a public interest, and senators are encouraged, indeed expected, to advance public interests (ss 2(a), 4), remain members of their communities, continue to be involved in community activities (s 2(2)(a)), and continue to assist members of the public (s 4).

Moreover, there are various ways in which senators can assist in fundraising for a not-for-profit or a charitable organization that, without more, do not raise any issues under the Code. For example, they may be asked to serve as the honorary chair of a fundraising campaign or to join a fundraising committee. They may be asked to be involved more directly by attending or speaking at a fundraising event, lending the prestige of their office to the campaign. They may be asked to contribute something that could be auctioned off at a charity event – a signed photograph, a hosted lunch, or a personal tour of the Senate of Canada Building.

None of these kinds of activities gives rise to any serious concerns under the Code provided they do not involve advancing the private interests of the senator or a member of their family. Further, as mentioned above, if they are carried out to advance a public interest, not a private interest, ethical issues are unlikely to arise.

In some situations, out of an abundance of caution, senators may choose to avoid any potential allegation that they are improperly furthering someone's private interests by keeping their role as a senator and their role in fundraising clearly separate. In doing so, they should avoid conduct that could lead to a perception that they are fundraising in their capacity as a senator (for example, by refraining from identifying themselves as senators).

There are two additional caveats that must also be considered.

First, if the senator or a senator's family member has an official role in the charity, such as membership on its Board of Directors, special care must be taken when fundraising on behalf of the organization to avoid a possible breach of the Code. Sometimes, directors have a private interest that could be furthered by a fundraising campaign. For example, they may be receiving director's fees or an allowance for expenses that are paid out of the funds raised. These benefits could fall within the definition of "private interests" (see s 11(1)). Further, a person's very position as a director could be advanced or sustained by virtue of the fundraising activity. Accordingly, if senators or any of their family members have an official role in an organization, senators must be careful not to engage in a fundraising campaign that would further their own or their family member's private interests, directly or indirectly.

Second, even when acting in support of a public interest, section 8 of the Code could be engaged when senators are directly involved in soliciting funds on behalf of a not-for-profit or charitable organization. For example, donations that are made to influence senators in the performance of their parliamentary functions could raise issues under section 8. For this reason, senators engaged in fundraising must avoid creating or appearing to create a relationship of obligation between the senator and those who have donated funds. For example, senators should avoid situations where a potential donor may feel some obligation to contribute to a fundraising campaign to further their own private interests. Similarly, senators should avoid creating or

appearing to create any expectation that donors could obtain preferential treatment from them in the future. Therefore, it would be prudent for senators to consider whether, in the course of their parliamentary duties and functions, they could have an impact in some way on the private interests of any potential donors. In addition, if senators currently have, or may in the foreseeable future have, official dealings with an organization or a person, they should not be placed in a situation where they are perceived to be soliciting funds from them. The most prudent course is often for senators to avoid becoming directly involved in soliciting funds or to avoid doing so with persons or entities they have, or may in the foreseeable future have, official dealings with.

- (x) A senator is invited to participate in a fundraising activity on behalf of a political candidate. Can the senator accept the invitation?

Yes, subject to the qualifications and caveat below.

Senators are entitled to be involved in political activities: “political activities are an inherent and essential part of the parliamentary functions of a Senator” (*Senate Administrative Rules*, Chapter 1:02, s 3(b)).

Accordingly, the following activities, without more, do not raise issues under the Code. Senators may endorse electoral candidates, knock on doors on behalf of candidates, talk to Canadians and express their views during and after an election on the issues and on the candidates, and they may participate in other such campaign activities. They may also attend political events, such as rallies and fundraisers. And they may be identified as a senator when doing so.

However, the provisions of the Code may come into play when senators’ political activities involve fundraising and, in particular, when senators are personally soliciting funds.

Fundraising for a candidate or party will advance that person's or entity's private interests by increasing their assets or reducing their liabilities (see s 11(1)(a), (b)). Accordingly, fundraising can raise issues relating to the use of a senator's influence for purposes of furthering a private interest. Senators cannot, when performing parliamentary functions, including political activities, further their own private interests or those of their family members (as defined in s 3(2)). In addition, senators cannot improperly further the private interests of another person or entity (s 8). Similarly, a senator cannot use or attempt to use their position to improperly further the private interests of another person or entity (s 9).

The key word in these provisions of the Code is "improperly." What is improper depends entirely on the circumstances. It would be improper, for example, for senators to use Senate resources for political fundraising. Senators can use Senate resources only for purposes of discharging their parliamentary functions or in the service of the Senate.⁸ While the term "parliamentary functions", as defined in the *Senate Administrative Rules*, includes political activities generally, it does not include some activities related to elections.⁹ Additional restrictions on the use of Senate resources in the context of political activities may also be found in other Senate policies and governance instruments, for example, in the *Senators' Office Management Policy*.¹⁰ If a senator used Senate resources in a political fundraising campaign, they could be acting contrary to the *Senate Administrative Rules* or the *Senators' Office Management Policy*.¹¹

It would also be improper for a senator to engage in political fundraising that would benefit a member of the senator's family (even if the person does not fall within the definition of "family member" in the Code, which is limited to spouses, common-law partners, and children (s 3(2))).

⁸ *Senate Administrative Rules*, Chapter 3:01 Allocation and Use of Senate Resources, s 1(1).

⁹ *Senate Administrative Rules*, Chapter 1:03 Definitions, s 1.

¹⁰ *Senators' Office Management Policy*, s 5.18.1.

¹¹ These Rules and this Policy are interpreted and applied by the Standing Committee on Economy, Budgets and Administration (CIBA).

It would also be improper for a senator to solicit funds from a person who is lobbying the senator on a governmental or parliamentary matter.

In some situations, out of an abundance of caution, senators may choose to avoid any potential allegation that they are improperly furthering someone's private interests by keeping their role as a senator and their role in fundraising clearly separate. In doing so, they should avoid conduct that could lead to a perception that they are fundraising in their capacity as a senator (for example, by refraining from identifying themselves as senators).

A further caveat:¹² Senators engaged in political fundraising must avoid creating or appearing to create a relationship of obligation between the senator and those who have donated funds. For example, senators should avoid situations where a potential donor may feel some obligation to contribute to a fundraising campaign to further their own private interests. Similarly, senators should avoid creating or appearing to create any expectation that donors could obtain preferential treatment from them in the future. Therefore, it would be prudent for senators to consider whether, in the course of their parliamentary duties and functions, they could have an impact in some way on the private interests of any potential donors, which could potentially engage section 8 of the Code. In addition, if senators currently have, or may in the foreseeable future have, official dealings with an organization or a person, they should not be placed in a situation where they are perceived to be soliciting funds from them. The most prudent course is often for senators to avoid becoming directly involved in soliciting funds or to avoid doing so with persons or entities they have, or may in the foreseeable future have, official dealings with.

¹² This caveat (and the other guidance set out here) derives solely from the Code. There are other rules and laws relating to fundraising that sometimes come into play outside the scope of the Code, eg the *Canada Elections Act*. Senators may wish to contact the Senate Law Clerk and Parliamentary Counsel for information about other relevant rules and laws.

- (xi) Can a senator, who is a doctor, continue to practice medicine after their appointment to the Senate?

Yes. Senators are permitted to have outside activities, including practicing a profession, as long as they are able to comply with rules and principles of the Code.

- (xii) Can a senator be involved, in their capacity as a senator, in an organization that is created under a statute that explicitly authorizes senators to be appointed to a position within it?

Yes. It is acceptable for a senator to accept the position and be identified as a senator.

- (xiii) Can a senator be involved in their capacity as a senator in an organization when the Government of Canada explicitly requests that a senator be involved?

Yes. It is acceptable for senators to be involved in organizations in their capacity as senators when the Government of Canada requests them to do so. They may be identified as a senator in doing so.

X. Do senators have to disclose an outside activity?

Yes. Senators must disclose their outside activities to the Senate Ethics Officer within 30 days of the commencement of a new activity. They must also inform the Senate Ethics Officer when the activity has ended. They have 30 days within which to do so after it ceases. They must file a Statement of Material Change; this form is found on the Office's website at the following address:

<https://seo-cse.sencanada.ca/media/g3ek53ej/statement-of-material-change.pdf>

These forms are made public in the Public Registry on the Office's website.

XI. In case of uncertainty about involvement in an outside activity

Senators should contact the Office of the Senate Ethics Officer for advice at (613) 947-3566 or by email at cse-seo@sen.parl.gc.ca.

XII. Related Guidelines and Directives

[Guideline on Sponsored Travel \(Section 18\)](#)

[Guideline on Gifts and Other Benefits \(Section 17\)](#)

[Directive 2024-01 Friendship Groups \(section 5 and paragraphs 28\(1\)\(c\) and 31\(1\)\(c\)\)](#) issued by the Standing Committee on Ethics and Conflict of Interest for Senators on Monday, July 8, 2024.