



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

GUIDELINE ON GIFTS AND OTHER BENEFITS

(Section 17 of the *Ethics and Conflict of Interest Code for Senators*)

(Last revised May 2026)

I. Introduction

Senators are sometimes offered gifts or other benefits. The ethical concern that can arise from gift-giving is that senators may be influenced in the performance of their duties or functions, consciously or unconsciously, when they receive a gift or benefit. Accordingly, the *Ethics and Conflict of Interest Code for Senators* (the Code) limits the kinds of gifts and benefits that a senator may properly accept. Senators cannot accept a gift or benefit that could reasonably be seen to have been given to influence them in their senatorial role.

The purpose of this guideline is to assist senators and others understand which gifts and benefits are acceptable under the Code and which may be prohibited.

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.

II. What is the rule?

The general rule is that neither a senator, nor a senator's family member, can accept, directly or indirectly, a gift or benefit if it could reasonably be seen to have been given to influence them in the exercise of a duty or function of their office (s 17(1)).

III. To whom does the rule apply?

The prohibition applies to a senator who is offered a gift or benefit, and to a senator whose family member has been offered a gift or benefit, because of the senator's position.

IV. What is the purpose of the rule?

The rule is aimed at protecting senators from any allegation that they have been, or could be seen to be, influenced in the performance of their senatorial role by the fact that they have received a gift or benefit. Receiving a gift can arouse feelings of gratitude and reciprocity toward the donor, whether conscious or unconscious. When senators receive a gift, these kinds of emotions can sometimes influence their decision-making.

The rule helps prevent these situations from arising by prohibiting senators from receiving gifts or benefits that are offered to them because of their position as senators, if the circumstances suggest that the gift or benefit was given for purposes of trying to influence them in the performance of their senatorial role.

The rule does not apply to gifts or benefits that senators may receive from family or friends in their personal capacity.

The rule recognizes that senators may accept tokens of appreciation that can be characterized as normal expressions of courtesy, protocol, or hospitality (s 17(2)). These kinds of gifts and benefits are often offered in gratitude for activities that senators engage in frequently – giving a speech, attending an opening, or presiding a ceremony. Because of the context in which they are given and their small value, they are usually considered to be unlikely to influence senators.

V. What does it mean in section 17 when it says, “reasonably be seen to have been given to influence the senator in the exercise of a duty or function of their office”?

Generally, a prohibited gift or benefit is one that is given to a senator because of their position, not for personal reasons. Further, the prohibition applies only where presentation of the gift or benefit could reasonably be seen to amount to an attempt to influence the senator in the discharge of official duties or functions.

The first question is whether the gift or benefit appears to have been given to the senator because of their official role, on the one hand, or because of their personal relationship with the donor, on the other. If it is the former, the second question is whether a reasonable person could conclude that the gift or benefit was given to the senator in order to influence them. If these two conditions apply, the gift or benefit cannot be accepted.

Naturally, the Code permits senators to accept gifts or benefits from family and friends that are not related to their position as senators.

However, depending on the circumstances, the prohibition on accepting gifts or benefits could apply even to gifts or benefits from family members or friends. For example, if a gift or benefit is given by a family member or friend primarily because of the senator's position, the senator should not accept it if the purpose of the gift could reasonably be interpreted as amounting to an attempt to influence the senator in the performance of an official duty or function.

A number of factors must be considered in determining whether a gift or benefit could reasonably be seen as having been given to influence a senator. Of course, the value of the gift or benefit is relevant – an expensive gift will be more likely to influence a senator than a modest one. On the other hand, an inexpensive gift is likely to be regarded as a token of courtesy, protocol, or hospitality. Consider also the source – if the donor is likely to benefit from the senator's present or future actions, the offer of a gift might reasonably be interpreted as a means of influencing the senator. Timing may also be a factor – a gift presented while a bill affecting the donor is under debate in the Senate may be more likely to be seen as a means of influencing the senator than a gift given in more neutral circumstances.

In summary, the relevant circumstances surrounding the presentation of a gift or benefit to senator must be considered when determining whether the gift or benefit is prohibited. Various factors must be viewed from the perspective of a reasonable observer. If a reasonable person might think that the gift or benefit was given to affect how the senator carried out their official duties, the gift or benefit would not be acceptable.

The focus is not on the donor's actual intent, or the effect of the gift or benefit on the senator. The issue is whether the circumstances as a whole would suggest to a reasonable observer that the gift or benefit was given to influence the senator.

VI. What does it mean in section 17 when it says that a senator cannot accept a gift or benefit “indirectly”?

This means that a prohibited gift or benefit cannot be accepted on the senator's behalf by a family member, staff member, or anyone else.

Similarly, the prohibition applies even if the senator redirects the gift to a family member, friend, staff member, or another person or entity, including a not-for-profit organization. The senator would still be considered to have received the gift or benefit personally.

VII. What is a gift or benefit?

Gifts and benefits include:

- Money, or the equivalent (eg a gift card);
- Goods such as books, flowers, artwork, and alcohol;
- Meals paid for by another person or organization;

- [Invitations or tickets](#) to attend an event, such as a sports match, gala, concert, play, or fundraiser, at a reduced rate or at no cost;
- [Property, or the use of property](#) at a reduced rate or at no cost;
- [Membership](#) in a club at a reduced rate or at no cost;
- [Services](#), such as dry cleaning, designing or photography, at a reduced rate or at no cost; or
- [Donations to a charity](#) made in the senator's name or in the name of a family member.

The prohibition in the Code does not depend on the value of the gift or benefit. Subject to what is said below about disclosures, gifts and benefits of all values are caught by the Code.

VIII. [Are there exceptions to the general rule?](#)

Yes. A senator may accept a gift or benefit in their official capacity if it falls within one of the three exceptions to the general prohibition on gifts and benefits: (1) compensation authorized by law; (2) protocol, courtesy and hospitality; or (3) sponsored travel.

The first exception, compensation authorized by law, refers to a senator's sessional allowance and any additional allowances to which senators may be entitled under federal legislation.

The second exception concerns gifts or benefits provided to a senator as an expression of courtesy or protocol, or within the customary standards of hospitality that normally accompany a senator's position.

This exception usually involves small gifts offered as an expression of appreciation for a senator's role at an event. For example, if a senator is performing a ceremonial or representational role at an event, as a speaker, presenter, or official representative, the hosts may offer the senator a gift in thanks for the senator's attendance. They may also invite the senator to join the participants at a meal or reception.

Usually, the gifts that senators receive in these situations are inexpensive items, such as pins, pens, books, tote bags, refreshments, and standard conference meals. These items can be characterized as expressions of courtesy or protocol, or as falling within the customary standards of hospitality, because they could not reasonably be considered to influence a senator. As such, they are acceptable.

It is sometimes useful to consider the proportionality of the gift to the nature of the senator's participation. The gift or benefit provided to the senator must be proportionate to the senator's involvement to be considered an expression of courtesy, protocol, or hospitality. Consider what a reasonable person would believe to be appropriate in the circumstances.

The third exception, sponsored travel, falls under section 18 of the Code and is discussed in the [Guideline on Sponsored Travel \(Section 18\)](#).

IX. Are there any other rules that apply to gifts?

Some gifts and other benefits provided to a senator in their official role could engage other rules or laws, such as the *Lobbyists' Code of Conduct* or the *Criminal Code*. The Senate Ethics Officer can give advice only on the interpretation of the Code. Where other restrictions could apply, senators may need to check the rules relating to lobbying with the Commissioner of

Lobbying or contact the Office of the Law Clerk and Parliamentary Counsel for information.

X. Examples of acceptable and unacceptable gifts and benefits

- (i) Is a gift offered to a senator on behalf of a municipal, provincial or foreign government during a meeting or an official visit acceptable?

Yes. This gift would normally fall under the exception for expressions of courtesy, protocol, or hospitality.

- (ii) Is a gift provided to a senator to express gratitude for attending or participating in an event in their senatorial capacity acceptable?

Yes. This kind of gift would also normally fall under the exception for expressions of courtesy, protocol, or hospitality.

- (iii) If a senator is giving a speech at an event in their senatorial capacity, can the organization holding the event provide the senator with a gift of cash or a gift certificate as a token of gratitude for their participation at the event?

Yes. A gift of cash, a gift certificate, or a gift card can be considered to be a courtesy or protocol gift, so long as the amount is nominal and cannot be characterized as a speaker's fee (see below). Conference organizers often provide this type of gift to speakers instead of something that may be difficult to travel with (eg a coffee table book).

(iv) Can a senator be paid to give a speech in their senatorial capacity?

No. Senators are already paid to be senators and cannot be remunerated for giving speeches in their senatorial capacity.

(v) Are free tickets to a concert or sporting event acceptable if the senator does not have a specific role to play as a public official at the event?

No. These tickets do not generally fall within the exception for expressions of courtesy or protocol because the senator is not performing a senatorial function at the event. The gift would be acceptable only if the senator had an official role to play (giving a speech, inaugurating a facility, or introducing a distinguished performer), or if the senator was invited in their representational capacity – for example, as a distinguished guest representing the community, region, or province. The tickets would then be acceptable because they would fall under the exception for matters of courtesy and hospitality.

(vi) A service club in a senator's hometown wishes to give the senator the gift of a gold watch worth \$2,000 in recognition of the senator's long and honourable service. The senator is due to retire in three months. Is the gift acceptable?

Yes. This gift is acceptable. The circumstances do not give rise to a reasonable inference that the gift is being presented to influence the senator. While the value of the retirement gift is high, a reasonable person would probably not conclude that the service club was seeking to influence the senator, especially since the gift is being presented near the senator's retirement date. The gift is unlikely to have any effect on the senator's performance of official duties.

- (vii) Does the Code permit a senator who delivers a speech at an organization's dinner in their senatorial capacity to accept a free meal?

Yes. A senator may accept the organization's expression of thanks by way of a meal and refreshments when participating in their senatorial capacity.

- (viii) Is a meal at an expensive restaurant offered and paid for by a lobbyist during which a senator is discussing matters in their senatorial capacity permissible?

No. This benefit would not be permissible. The gift of a meal is offered in the senator's official capacity and could reasonably be seen to have been given to influence the Senator in the exercise of a duty or function of their office. Further, the meal is not being provided as courtesy for participating at a conference, ceremony, or other event.¹

- (ix) What should senators do if they receive a gift or benefit that falls within the exception for expressions of courtesy, protocol, or hospitality?

If the gift or benefit is acceptable because it falls under the exception to the prohibition for gifts or benefits of courtesy, protocol or hospitality, senators must report it to the Senate Ethics Officer if it exceeds \$500 in value. If a senator receives a number of gifts or benefits from one source in a one-year period, the total value of which exceed \$500 in value, these, too, must be reported to the Senate Ethics Officer. In both cases, the senator must file a Statement of Gifts or Other Benefits with the Senate Ethics Officer within 30 days after the gift or benefit is received or after the total value is exceeded,

¹ Note also the rules relating to lobbying (the *Lobbyists' Code of Conduct*).

as the case may be. This form can be found on the Office of the Senate Ethics Officer's website. Click [here](#).

The Statement should include the name of the donor, the value and nature of the gift or benefit, and the circumstances in which it was given.

This rule applies to gifts and benefits provided by organizations, both for-profit and not-for-profit, as well as individuals. It also applies to a protocol, courtesy, or hospitality gift or benefit presented by a foreign government if the value of the gift or benefit is over \$500.

The Senate Ethics Officer will post the senator's Statement on the Public Registry, which can be found on the Office of the Senate Ethics Officer's website.

- (x) What should senators do if they are uncertain about the acceptability of a gift or benefit?

If possible, senators should seek advice before attending an event or embarking on a trip when they expect to be offered a gift for their involvement. 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.

XI. Related guidelines

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

[Guideline on Outside Activities \(Section 5\)](#)