

## *Conflict of Interest Act*

### **Information Notice on Lobbying and the *Conflict of Interest Act***

The Office of the Conflict of Interest and Ethics Commissioner regularly receives questions from former reporting public office holders (RPOHs) relating to the five-year prohibition on lobbying that follows their departure from public office. Many have expressed confusion with regard to who administers it.

The five-year lobbying prohibition is not included in the *Conflict of Interest Act* (the Act). It was first introduced in section 29 of its predecessor, a revised *Conflict of Interest and Post-employment Code for Public Office Holders* issued by the Prime Minister on February 6, 2006 (the 2006 Code). It prohibited former ministers, senior public servants and most ministerial staff from various lobbying activities for a period of five years after leaving office.

The five-year lobbying prohibition has been in effect since that time. Although the Act replaced the 2006 Code on July 9, 2007, the five-year lobbying prohibition in section 29 of that Code remained in effect until July 2, 2008, when it was replaced by a similar, but not identical, provision in the *Lobbying Act*.

Public office holders are subject to the post-employment regime in force at the time they leave office and not the regime in force at the time of their appointment. The Office responsible for administering and enforcing the five-year prohibition on lobbying depends on when the public office holder ceased to hold office.

The Conflict of Interest and Ethics Commissioner is only responsible for administering and enforcing the five-year prohibition in respect of former public office holders who left office before July 9, 2007, the date on which the *Conflict of Interest Act* came into force.

On July 9, 2007 responsibility for administering the 5-year lobbying prohibition was transferred to what was then known as the Office of the Registrar of Lobbyists. On July 2, 2008 the *Lobbying Act* came into effect. The Registrar was replaced by the Commissioner of Lobbying, who took over responsibility for administering and enforcing the lobbying prohibition. Any former public office holders who left office on or after July 9, 2007 should direct any inquiries regarding the lobbying prohibition to the Office of the Commissioner of Lobbying at 613-957-2760.

Any individuals who qualify as designated public office holders within the meaning of the *Lobbying Act* and who continue to hold office should also direct any inquiries regarding the five-year prohibition on lobbying to the Office Commissioner of Lobbying.

Reporting public office holders are reminded that specific lobbying restrictions are just one aspect of ongoing obligations after they leave public office. The *Conflict of Interest Act* contains other rules in sections 33 to 42 that should be considered when choosing future employment outside the federal public sector. For more information, please consult the summary of these rules found on this Web site or call the Office of the Conflict of Interest and Ethics Commissioner at 613-995-0721.