

Conflict of Interest Rules

The conflict of interest rules for public servants in public bodies, including appointees, are set out in [Ontario Regulation \(O. Reg.\) 381/07](#). These rules:

- apply to conflicts between a public servant and the public body in which he/she is employed or to which he/she is appointed.
- broadly prohibit conduct that could result in a conflict between a public servant and the Crown.

Public bodies may have their own rules that require the approval of the Integrity Commissioner. Approved rules take effect when posted on the [Commissioner's website](#). Public bodies that do not have their own rules must, at a minimum, meet the ethical requirements set out in [O. Reg. 381/07](#).

Post-service Activity Conflict of Interest Rules

Rules that apply to the post-service activity of former public body employees or appointees are noted in Part II of [O. Reg. 381/07](#). This form is for the use of current or former ministry employees who are planning/contemplating post-service activity that may be affected by these rules.

Submission of Form

The completed form must be submitted to your ethics executive according to the list below. Note that current public servants (employees and appointees) should submit the form to your post-service ethics executive.

Public Servant	Ethics Executive (Post-service)
Former public body employee or appointee	Integrity Commissioner
Former public body chair or prescribed individual	Integrity Commissioner

What happens after this completed form is submitted?

1. You may be contacted for clarification and/or to provide additional information.
2. Other individuals may also be contacted to verify information and/or for additional information.
3. The ethics executive will usually issue a written determination. The determination may include directions to address a conflict of interest or potential conflict of interest.
4. In some instances, your ethics executive may refer the matter to the Integrity Commissioner.
5. Public and former public servants must comply with directions issued by the ethics executive or the Integrity Commissioner.
6. If you are a government appointee and the Integrity Commissioner (ethics executive for post-service matters) determines that you have contravened a conflict of interest rule, your ethics executive or the Integrity Commissioner (as applicable) is required to notify the minister responsible for the body to which you are appointed of the contravention.

For More Information

Consult your HR Advisor.

Potential Conflict of Interest Areas – [O. Reg. 381/07, Sections 14–20](#)

When describing the related circumstances, be factual. Provide specific dates, names, titles or positions and describe how the event or activity came about. Actions should be noted, not intent .

Section Item	Applicable To	Restriction
<p>B.1 Ethics Executive's Determination on Conflict of Interest</p>	<p>All former public servants</p>	<p>Prohibited from:</p> <ul style="list-style-type: none"> • seeking preferential treatment by or privileged access to public servants in a ministry, minister's office or public body • disclosing confidential information gained from being a public servant • using confidential information in a business or undertaking.
<p>B.2 Restriction on Certain Transactions – O. Reg. 381/07, Subsection 20</p>	<p>All former public servants who advised the Crown about a particular proceeding/negotiation/transaction while employed by the Crown.</p>	<p>Prohibited from advising or assisting a public body/other entity on the same proceeding/negotiation/transaction.</p>
<p>B.3 Restriction on Lobbying (only applies to designated senior positions) – O. Reg. 381/07, Subsection 18</p> <p>Clarify note A position that was classified as SMG 2, ITX 2, ITX 3, or ITX 4 and is now classified as Executive 2, Executive 3 or Executive 4 in the Senior Management Group continues to be a “designated senior position” within the meaning of subsection 14 in the Conflict of Interest Rules for Former Public Servants, Ontario Regulation 381/07.</p>	<p>Former public servants in designated senior position while employed by the Crown.</p> <ul style="list-style-type: none"> • Secretary of the Cabinet • Deputy minister • Associate deputy minister • Assistant deputy minister • SMG 2 • XOFA 1 • XOFA 2 • ITX 2 • ITX 3 • ITX 4 • Equivalent in public bodies that do not have these positions 	<p>During the 12-month period after leaving the employ of the Crown, the former public servant is prohibited from lobbying a public servant, minister and minister's staff in a ministry where the public servant worked 12 months before leaving the employ of the Crown.</p>
<p>B.4 Restriction on Employment (only applies to designated senior positions)</p>	<p>Former public servants in designated senior position during the 12 months before ceasing to be a public servant and who had:</p> <ol style="list-style-type: none"> a. substantial involvement with a public body or another person/entity; and b. access to confidential information that, if disclosed to the public body/person/entity could result in harm to the Crown or give the public body/person/entity an unfair advantage in relation to one or more third parties. 	<p>Prohibited from accepting employment with the public body/person/entity or serving as a member of the board of directors or other governing body of the public body/person/entity.</p>