

## ETHICS BULLETIN

*Office of the Conflict of Interest Commissioner  
Province of British Columbia  
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**To:** Members of the Legislative Assembly

**From:** The Honourable H.A.D. Oliver, Q.C.  
Commissioner

The following guidelines were previously sent to all Members on March 4, 2004 as "Commissioner's Guidelines" and are now incorporated under the heading of Ethics Bulletin.

### **MEMBERS' TRAVEL**

In view of frequent requests for advice on the acceptability of offers of payment of Members' travel expenses, the Commissioner wishes to indicate his own guidelines in considering such requests (although each request is considered on its individual merits).

1. Necessary travel expenses or transportation at no cost may be accepted by Members engaged on an authentic "fact-finding" tour where such tour is taken for educational purposes directly related to official duties. Such an event must not be for the personal pleasure or entertainment of Members but rather to allow them to become better informed regarding subject matters closely related to their official duties. Such a fact-finding event for educational purposes might include an oil company sponsoring an inspection tour of its offshore oil-drilling platform, or a lumber company arranging a demonstration of new logging methods in a remote area. Such an event must, as stated, be directly related to official duties as, for example, where a Member sits on a Committee of the House or a Caucus Committee whose functions bear a genuine relationship to the event being attended.

The term "fact-finding event" is intended to be interpreted narrowly so that travel expenses provided by representatives of the Maritime industry to attend a ship launching or participate in a free ocean cruise and such things as inaugural flights on new airline routes, would not be considered as genuine fact-finding activities and would fall under the prohibited gift provisions of the *Members' Conflict of Interest Act*.

2. Approval will more readily be given for travel provided by a government organization (federal, provincial or municipal) or a government sponsored body or by a recognized professional body (e.g. Law Society, Canadian Bar Association, BC College of Physicians

and Surgeons, Canadian Medical Association, BC Medical Association) or by a recognized public interest or industrial or labour organization (e.g. BC Mining Association, Vancouver Board of Trade) but approval for free travel provided by a commercial for profit corporation or corporate group will only be approved in exceptional circumstances.

3. Where the purpose of travel is to perform official duties such as general oversight activities within a Committee's jurisdiction or representation of the government or of a ministry and where the Member's presence is considered to be of particular value to the government or a ministry, the government or that ministry should bear the expense of travel.
4. Free travel invitations as a guest on private corporate aircraft will not normally be approved except in the circumstances referred to above. If travel aboard such aircraft takes place at all, it should be paid for either by government in the case of travel to fulfill official duties or by the Member where the purpose is substantially pleasure. In all other circumstances, the Commissioner's approval should be sought prior to acceptance.
5. In any case where payment by a Member to the owner of privately owned or corporate aircraft is thought appropriate after consultation with the Commissioner but is found to be prohibited by law, consideration should be given to the making of a donation to an approved charity of an amount equivalent to the fair cost of travel. In such a case, any amount so paid must not be claimed as a charitable deduction for income tax purposes.
6. When free travel is offered by relatives or close personal friends of long standing (with no financial interests which might directly or indirectly benefit from such offer), Members should seek the Commissioner's guidance in determining whether to accept or reject the offer. Where acceptance might give the appearance of benefiting the Member's financial interests – directly or indirectly, approval will be refused.
7. In all cases, where the wisdom of accepting an offer of travel is in the slightest doubt, Members are urged to seek assistance of the Commissioner.