



OPINION OF THE
ACTING COMMISSIONER OF CONFLICT OF INTEREST
PURSUANT TO SECTION 15(1) OF THE
MEMBERS' CONFLICT OF INTEREST ACT

IN THE MATTER OF AN APPLICATION BY
MICHAEL DE JONG, MEMBER OF THE LEGISLATIVE ASSEMBLY
FOR MATSQUIL, WITH RESPECT TO ALLEGED CONTRAVENTION OF
PROVISIONS OF THE *MEMBERS' CONFLICT OF INTEREST ACT*
BY MOE SIHOTA, MEMBER OF THE
LEGISLATIVE ASSEMBLY FOR ESQUIMALT METCHOSIN

City of Victoria
Province of British Columbia
March 24, 1997

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Section 15 (1) of the *Members' Conflict of Interest Act* (the "Act") provides:

15(1) A member who has reasonable and probable grounds to believe that another member is in contravention of this *Act* or of section 25 of the *Constitution Act* may, by application in writing setting out the grounds for the belief and the nature of the contravention alleged, request that the commissioner give an opinion respecting the compliance of the other member with the provisions of this *Act*.

Pursuant to that section of the *Act*, Michael de Jong, MLA for Matsqui wrote to me on the 10th day of December, 1996 requesting an opinion respecting the compliance with the provisions of the *Act* by the Member of the Legislative Assembly for Esquimalt-Metchosin, Moe Sihota.

On the 20th day of December, 1996, I indicated that I was satisfied that the requirements of section 15 (1) of the *Act* had been met by de Jong and that I would give an opinion on the matter. I indicated that to assist in the preparation of the opinion I would conduct interviews with a number of people. I advised that at the completion of my opinion I would deliver it to the Speaker of the Legislative Assembly who will then lay it before the Assembly and send a copy to all Members of the Assembly. This document is my opinion on the matter.

In the course of my inquiry I interviewed 11 people. All interviews took place in my office and were recorded in full. Those interviewed and the dates of the interviews were as follows:

1. Premier Glen Clark - January 7, 1997
2. Former Premier Michael Harcourt - January 16, 1997
3. Carole Miller - an account manager with the Bank of Montreal - January 29, 1997

4. John Pollard - former Director of Agencies, Boards and Commissions - January 29, 1997
5. Harbance S. Dhaliwal, MP - January 29, 1997
6. Daniel A. Barrett - former Ministerial Assistant to Moe Sihota, MLA - February 5, 1997
7. Moe Sihota, MLA - March 5, 1997
8. Kehar Sekhon - Board Member, Vancouver Community College (Langara Campus) - March 14, 1997
9. Jeet Mandair - former member, Board of Insurance Corporation of B.C. - March 14, 1997
10. Robert A. Williams - Former Secretary of the Crown Corporations Secretariat - March 14, 1997
11. Linda Baker - former Chief of Staff to the Premier - March 14, 1997

The original transcripts of those interviews will accompany the delivery of this opinion to the Speaker of the Legislative Assembly.

In his December 10 letter, Mr. de Jong recited, in numbered paragraphs 1 to 14, what he described as "Facts Known To Date". The interviews substantially verified the 14 enumerated facts. They also disclosed that at the time of signing the July 26, 1991 Bank of Montreal mortgage as covenantor, Dhaliwal advanced to Sihota, in cash, the difference between the cumulative mortgage debt of approximately \$372,000 and the \$305,000 advanced on the new mortgage, a difference of approximately \$67,000. Dhaliwal also apparently made, on Sihota's behalf, some of the required mortgage payments both before and after he signed as a covenantor on the mortgage of July 26, 1991. Neither Sihota nor Dhaliwal was able to say precisely what was the total amount that Dhaliwal had paid; however, Sihota did provide a copy of a cheque payable to Dhaliwal in the amount of \$76,239.63 which apparently constitutes repayment of some or all of the outstanding debt, and which Sihota provided to Dhaliwal after the property in question was sold in November 1991.

The 14 facts recited by de Jong are as follows:

1. On September 14, 1976, Moe Sihota becomes the owner of property situated at 4179 Salish Drive in Vancouver (the "Property"). As this land is situated on reserve lands, the "interest" held by Mr. Sihota was a long-term leasehold interest.

2. By 1990, Mr. Sihota had used the Property as security for three mortgages as follows:

A mortgage dated March 11, 1990 in the amount of \$235,000 with Pacific Savings and Mortgage Corporation. The interest was 13.5 % per Annum, making payments of \$2, 675,00 per month (the "**PSMC Mortgage**").

A mortgage dated October 30, 1990 in the amount of \$100,000 with the Bank of Montreal. The interest rate was 16.54% per annum, making payments of \$1,468.70 per month (the "**Old BoM Mortgage**").

A mortgage dated November 13, 1990 in the amount of \$37,000 with the Aetna Trust Company. The interest rate was 19.22785% per annum making "interest only" payments of \$570.42 per month (the "**Aetna Mortgage**"). (collectively, the "**Old Mortgages**")

3. In short, Mr. Sihota owed \$372,000 on the Property, at varying interest rates of between 13.5% and 19.22785% per annum. I note for your reference the decreasing amounts of the mortgages, and rising interest rates that Mr. Sihota was able to obtain. I also note that his total mortgage payments were \$4, 714.12 per month.
4. On July 26, 1991, Mr. Sihota consolidates a number of these mortgages into one mortgage with the Bank of Montreal in the amount of \$305,000 with an interest rate of 10.5% per annum, making his total mortgage payments \$2,879.75 per month (the "**New BoM Mortgage**").
5. The New BoM Mortgage is signed by Moe Sihota as the Borrower. It is also signed by Herb Dhaliwal as Covenantor.
6. In August and October of 1991, the Old Mortgages are discharged.
7. As a result of this financing and lower interest rate, Moe Sihota's monthly payments drop by \$1,834.37 per month.
8. On November 5, 1991, Moe Sihota is appointed Minister of Labour and Minister Responsible for BC Hydro in the new NDP government.
9. On November 26, 1991, Moe Sihota transfers his leasehold interest in the Property to Amrit Kaur Sihota for the sum of \$1.00. On the same day, Ms. Sihota transfers her new interest in the Property to a Mary Glass for the sum of \$400,000.
10. On December 18, 1991, the new BoM Mortgage is discharged.

11. On May 14, 1992, Herb Dhaliwal is appointed to the Board of Directors of the British Columbia Hydro and Power Authority, for a term of one year. This appointment is made through Order in Council 762 and signed by Glen Clark (on behalf of Moe Sihota, the Minister responsible for BC Hydro) and Premier Michael Harcourt, Presiding Member of the Executive Council.
12. On May 13, 1993, Herb Dhaliwal is re-appointed to the Board of Directors of the British Columbia Hydro and Power Authority, for another term of one year. This appointment is made through Order in Council 646, and signed by Moe Sihota (Minister Responsible for BC Hydro) and Premier Michael Harcourt, Presiding Member of the Executive Council.
13. On November 18, 1993, the appointment of Herb Dhaliwal is rescinded.
14. I am advised that during his tenure as Director, Herb Dhaliwal earned \$26,000 in fees and expenses.

De Jong, in his letter, expressed the view that those facts set out reasonable and probable grounds to believe that Sihota contravened the *Act* and under the heading of "Allegations" he asked that, in my opinion, I address the following three questions. I will do as requested and, therefore, set them out:

1. In light of Mr. Dhaliwal's direct and personal financial support of Mr. Sihota, did Moe Sihota contravene the Original Act by being in a conflict of interest when he appointed Herb Dhaliwal to the Board of BC Hydro on May 14, 1992?
2. In light of Mr. Dhaliwal's direct and personal financial support of Mr. Sihota, did Moe Sihota contravene the Amended Act by being in a conflict of interest or an apparent conflict of interest when he appointed Herb Dhaliwal to the Board of BC Hydro on May 13, 1993?
3. In light of Mr. Dhaliwal's direct and personal financial support of Mr. Sihota, did Moe Sihota contravene the Amended Act by being in a conflict of interest or an apparent conflict of interest when he allowed Mr. Dhaliwal to remain a member of the BC Hydro Board of Directors?

It is clear that Dhaliwal gave to Sihota direct and personal financial support as referred to in each of those allegations.

In the Original Act referred to by de Jong, which was in force in unamended form from December 1990 to November 1992, a member was said to have a conflict of interest (that is to say, an actual conflict of interest) when he or she:

makes a decision or *participates* in making a decision in the execution of his or her office and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest.
[emphasis added]

Applying that provision to the first of de Jong's questions, I must decide whether Sihota *participated* in making the decision to appoint Dhaliwal to the Board of BC Hydro on May 14, 1992 and, if so, whether in doing so he knew that there was the opportunity to further his private interest.

In May 1992, Sihota was very busy in his Ministerial life particularly because of the duties resting with him as Minister Responsible for Constitutional Affairs. In his interview he put it this way:

My time was heavily occupied -- let me give you the priority of my time. My time was heavily occupied, one, by the constitution which was highly demanding; second, by labour and the demands on that portfolio; third, by ICBC because we had this rate increase at the time; fourth, by WCB which I felt needed a Royal Commission; and finally, B.C. Hydro which I thought was just basically running fine. Of all the things that were on my desk, you know Hydro really did fall to the bottom of the pile.

Former Premier Harcourt was involved in a substantial way in the selection of the May 1992 Board of BC Hydro. He was asked who had the principal responsibility for appointments to Crown Corporation boards. He responded:

Principal responsibility was with the Premier, and the Premier's staff. Other people made recommendations, but essentially it goes to the Premier's office for the major Crown Corporations. And, of course the Minister that would be responsible would *participate* in that process. But essentially it's the Premier's decision to put forward the boards of directors of the important Crowns. You know I don't get involved in Courts of Revision and the thousands of other appointments that are made.

Harcourt was of the view that, prior to his government taking office, the appointments to agencies, boards and commissions were not representative of the population of the province as a whole and he gave instructions that that was to change with emphasis to be placed on the appointment of women, persons from the North and the Interior, representatives of minorities and multicultural communities and people with disabilities.

Harcourt went on to say that he paid particular attention to BC Hydro:

because it's of importance to the economy and the change of direction we wanted Hydro to go, and because of some of the areas they were going to be involved in, in terms of the downstream benefits negotiations, the Columbia Trust -- Columbia Basin Trust, and some of the other initiatives we wanted to take.

The former Premier said he considered the Dhaliwal appointment to be an appropriate one. He spoke at length as to why he considered that to be so and he identified three of the 14 who were appointed in May of 1992 as the "ones I felt the strongest about being appointed and played a role in making sure they were appointed". Dhaliwal was one of those three.

A consideration of the content of the interviews satisfies me that Sihota, the Minister responsible for BC Hydro did *participate* as Harcourt said would be the case, albeit, because of his workload, to a lesser extent than Harcourt himself, in the selection of members appointed in May 1992 to the Hydro Board, including Dhaliwal. From the interviews, it became quite evident that in the normal course of events, the Minister responsible and his officials would have some involvement in the creation of lists of potential appointees. Sihota himself acknowledged that he personally contacted Dhaliwal and four others (including Sekhon and Mandair) and encouraged them to forward resumes. All of the persons Sihota contacted ultimately were appointed to various boards or commissions.

In opening his argument in support of his request for an opinion, de Jong said that in raising the matter he was guided by the analysis and findings contained in my August 16, 1993 opinion involving the then Minister of Municipal Affairs, Robin Blencoe.

The relevant law applicable in the Blencoe case was not the definition of a conflict of interest as it existed in the *Act* in May 1992 and quoted above. In November 1992, that definition was removed from the *Act* and the following replacement provisions were enacted:

- 2(1) For the purposes of this *Act*, a member has a conflict of interest when the member exercises an official power or performs an official duty or function in the execution of his or her office and at the same time knows that in the performance of the duty or function or in the exercise of the power there is the opportunity to further his or her private interest.
 - (2) For the purposes of this *Act*, a member has an apparent conflict of interest where there is a reasonable perception, which a reasonably well informed person could properly have, that the member's ability to exercise an official power or perform an official duty or function must have been affected by his or her private interest.
- 2.1 A member shall not exercise an official power or perform an official duty or function if the member has a conflict of interest or an apparent conflict of interest.

Section 2(1) is the new definition of an actual conflict of interest. It does not differ substantially from the previous definition. What has to be appreciated is that in the Blencoe opinion, no determination was made that Blencoe was in an actual conflict of interest. It was not necessary to make that determination. The opinion in Blencoe has relevance to an allegation of an apparent conflict of interest as that term was first included and defined in the amendments to the *Act* (section 2(2)) that became law in November 1992. The thrust of de Jong's reliance on Blencoe comes in his quotation back to me in the following passage from page 26 of that opinion:

. . . private interests are not limited to those that are contemporaneous with or subsequent to the exercise of the power, duty or function. Insofar as an "apparent conflict of interest" is concerned, at least, it is enough that the Member be a recipient of a past "private interest" that creates the reasonable perception that the Member's ability to exercise an official power or perform an official duty or function "must have been affected by his or her private interest". Where the Member's decision can be perceived to create a scenario, perhaps usefully described as a "quid pro quo" for past favours, that is also caught by the *Act*.

The definition of an actual conflict of interest as it stood at the time of Dhaliwal's appointment to the Hydro Board in May of 1992 quoted above contains the following three elements:

- (a) the member's making or *participating* in making a decision;
- (b) the opportunity to further the member's private interest; and,
- (c) knowledge by the member at the time of the decision that there is that opportunity.

The question of whether there is a decision or *participation* in a decision is relatively straight forward and can be determined on the facts of each particular case. I have found that Sihota *participated* in the decision to appoint Dhaliwal to the Hydro Board.

The term "opportunity" appears in the statutory definition of an actual conflict of interest as it stood at May 1992, and also as it stands today. The ordinary dictionary meaning of that word (according to the Concise Oxford Dictionary) is "a chance or opening offered by circumstances" and I attribute that meaning to its use in the *Act*.

A list of what would constitute an "opportunity to further the member's private interest" would be extensive. The determination of whether an opportunity exists in any particular case would depend on the circumstances of each case. Such an "opportunity" to further the member's private interest would certainly include a member using the powers and perquisites of elected office as a way of repaying a past or an outstanding debt or as a way of ensuring the provision of future financial assistance. There can be no doubt that Sihota had been significantly indebted to Dhaliwal who had provided him with substantial direct financial assistance. The question for me to answer is whether by participating in the appointment of Dhaliwal to the Hydro Board in May, 1992, there was an opportunity for Sihota to further his private interest and whether Sihota knew there was such an opportunity. In order to answer that question I have to consider and weigh a number of facts and circumstances including those in the following two paragraphs.

On the one hand, it was a fact that Sihota and Dhaliwal were very close friends and had been so from their university days. It is also clear that in the latter part of 1991, Dhaliwal gave to Sihota the very significant direct financial assistance to which I have referred. Without such assistance, Sihota would very likely have been in serious financial trouble. In the circumstances there can be no doubt that Sihota "owed" Dhaliwal a great deal, certainly a debt of gratitude, possibly a financial debt, or both. There can be no doubt that BC Hydro was one of the most, if not the most, important of the Crown Corporations and that appointment to the Hydro Board would be a matter of significant prestige.

On the other hand, the long standing friendship between Dhaliwal and Sihota also provides some explanation as to why Dhaliwal would help Sihota in the way that he did. During their interviews, both Dhaliwal and Sihota were adamant that no "quid pro quo" was sought, expected, or promised in return for the financial assistance that Dhaliwal gave. Their evidence in that regard is not contradicted. Further, the cheque for \$76,239.63 suggests that the debt, or most of it, had been repaid before Dhaliwal's appointment took place. There was also evidence that Dhaliwal was a qualified candidate for the appointment and that once on the Board, he carried out his duties in a very satisfactory manner.

To conclude that Sihota was in an actual conflict of interest, I would have to be satisfied that it was more likely than not that he was participating in the appointment of Dhaliwal to the Hydro Board as a way of repaying a past or outstanding debt to Dhaliwal or as a way of ensuring the provision of future financial assistance from him. On balance, I am not satisfied of that. The result is a finding that Sihota was not in violation of the actual conflict of interest provision that existed in the original Act. That answers the first of de Jong's questions.

The second question requires a consideration of the reappointment of Dhaliwal to the Hydro Board in May of 1993. Sihota, as Minister responsible for BC Hydro, signed the Order-in-Council approving the appointment. In doing so, he was certainly exercising an official power. His doing so has to be assessed in light of the amended provisions of the *Act*, both with respect to whether he was in an actual conflict of interest or an apparent conflict of interest.

The new definition of an actual conflict of interest is substantially similar to the previous one. It requires:

- (a) the member exercising an official power or performing an official duty or function;
- (b) an opportunity to further the member's private interest; and,
- (c) knowledge by the member at the time of the exercising of the power or the performance of the duty or function that there is that opportunity.

For the same reasons as I have expressed in relation to the previous definition of an actual conflict of interest, I find that despite exercising an official power, Sihota was not in an actual conflict of interest in violation of section 2(1) of the amended *Act* when he signed the Order-in-Council reappointing Dhaliwal to the Hydro Board in May of 1993. That answers the first part of de Jong's second question.

I now turn to a consideration of an apparent conflict of interest. While I have made recommendations for amendments to the *Act*, the apparent conflict of interest provision was not among them. Nevertheless, it has, since its enactment, had my full support. As I remain totally committed to what I said in the Blencoe opinion about an apparent conflict of interest as well as to the views I expressed with respect to the *Act* as a whole, I believe it appropriate to repeat certain passages from that opinion:

Helpful to me and hopefully to readers of this opinion is the genesis and *raison d'être* for our conflict of interest legislation enacted in 1990 and amended in 1992. My conclusion is that this is legislation enacted and amended to promote public confidence in elected public officials as they conduct public business. I conclude that this was seen and continues to be seen as necessary because of the low ebb to which that public confidence has sunk in recent years. I believe that this legislation is a positive move, perhaps a first step, in addressing the problem it was enacted and amended to help remedy. That said, given the set of facts on which I am now called upon to pass judgment, my endeavour will be to reach a conclusion that will honour the heart and soul of this legislation -- the restoration of public confidence in the conduct of the people's business by politicians who have achieved electoral success.

A consideration of the debate in the House at the time of enactment and amendment provide some sense of the purpose of the Act and supports what I have said in the preceding paragraph. I quote passages from each occasion:

July 1990 - (the original Act) The Provincial Secretary, (Honourable Howard Dirks) on first reading:

"The people of British Columbia have the right to be assured that decisions of elected officials are being made in an atmosphere free of conflict of interest . . . We are all aware in public office that the perception of a conflict of interest can be as harmful to the process of government as an actual conflict of interest".

The Provincial Secretary, (Honourable Howard Dirks) on second reading:

"This legislation stems from our belief in the public's right to know. The citizens of British Columbia have a right to know that the business of this House and the executive council is carried out in a manner that meets the highest standards of conduct". . . "Mr. Speaker, this bill establishes a process which will give British Columbians a firm guarantee that public business is conducted free from conflict of interest".

Leader of the Official Opposition, (Michael Harcourt) on second reading:

"New Democrats believe that our province deserves the toughest conflict of interest laws that we can come up with".

June 1992 - The Attorney General, (the Amendments) (Honourable Colin Gabelmann) on first reading:

"I am pleased to introduce Bill 64, Members' Conflict of Interest Amendment Act, 1992. This Bill contains a number of significant amendments that significantly strengthen the Members' Conflict of Interest Act and reflects the government's commitment to rigorous and fair conflict of interest rules. Such rules are of critical importance in helping to ensure the high standard of conduct on the part of members of the Legislative Assembly which British Columbians rightfully expect".

The Attorney General, (Honourable Colin Gabelmann) on second reading:

"The government has made clear its commitment to strengthening the Act that is now on the books. Conflict of interest rules that are strong and fair are essential to ensure that the conduct of government is open and honest, and is seen to be so by British Columbians. The amendments contained in this bill will strengthen the Act, and by doing so will meet the rightful expectations of British Columbians that members of cabinet and of the Legislative Assembly adhere to the highest standard of ethics. By clarifying conflict of interest requirements, the amendments will also assist present and future members to avoid inadvertently coming into conflict. Our objective, Hon. Speaker, is to have conflict of interest rules in British Columbia which are second to none in terms of rigour and fairness. The amendments to this bill are merely the first step towards that objective.

Another important addition to the Act contained in these amendments is the inclusion of a definition of "apparent conflict of interest". This is defined in terms of a reasonable perception which a reasonably well informed person could properly have that a member's ability to carry out official powers, duties or functions must have been affected by that member's private interests. Inclusion of that definition is important in recognition of the principle that justice must not only be done but also seen to be done . . .

I think in the final analysis what we need here is legislation that has public confidence and the confidence of all members of the House". . . "There are things we give up when we come to public life. The public expects us to have a higher standard, to behave differently in respect of our private interests. The public is increasingly demanding a degree of honour that is tough sometimes to keep up to, but I think those demands are correct. We have to find ways of ensuring that both our standards are exemplary and of the highest magnitude".

The Attorney General, (Honourable Colin Gabelmann) in committee:

"We are, as far as statute law is concerned, breaking new ground. It raises questions that have not been answered before in this country -- how you determine this apparent conflict".

. . . "Cabinet made the decision to recommend to the House that we proceed with this section based on our view that this is what the

public wants. The principle was raised in the Sinclair Stevens affair, and in that case Judge Parker talked about apparent conflict of interest and gave it a definition. We borrowed extensively -- in fact, we borrowed the words almost precisely -- from Judge Parker, in respect of the definition of apparent conflict of interest.

It gets back to a fundamental tenet of western parliamentary democracies: the old cliché about justice must not only be done, it must be seen to be done. So the appearance is as bad as the actuality".

In *Blencoe* I noted that for there to be a contravention of section 2(2) of the *Act*, it was not enough that the Minister's private interest was advanced, because consideration also had to be given to whether there was a reasonable perception which a reasonably well informed person could properly have that the Minister's participation must have been affected by his private interest. I stated that in addressing that question it would be relevant to consider a number of additional factors and that the first of those would be the timing of the advancement of the private interest of the Minister -- in the instant case, the direct and personal financial support given to Sihota by Dhaliwal. The closer in time, the more relevant. In this matter, approximately 22 months had passed from the time of Dhaliwal's advancement of funds and his signing as covenantor on the mortgage to the time of his reappointment to the Hydro Board. The passage of that time significantly lessens the relevance and impact of the financial assistance that Dhaliwal gave to Sihota in the summer of 1991.

A further factor which I have considered is that those interviewed made it quite apparent that the reappointment process was far more perfunctory than that for the original appointment. Whereas the original appointment of Dhaliwal was part of a process involving significant discussion and deliberation, the reappointment was by all accounts a "rubber-stamping" which effectively extended the appointment for another year.

Considering these factors, it is my conclusion that a reasonable person possessed of the relevant facts would not form or possess a reasonable perception that Sihota's ability to participate in the reappointment of Dhaliwal to the Hydro Board must have been affected by the favour that Dhaliwal had done for him nearly two years earlier. I therefore answer the second part of de Jong's second question in the negative and say that Sihota did not

contravene the apparent conflict of interest provision of the amended *Act* by participating in the reappointment of Dhaliwal to the Hydro Board in May of 1993.

With respect to de Jong's third question, *allowing* Dhaliwal to remain a member of the Hydro Board, as that term is used by de Jong does not, on the facts of this case at least, constitute an official power nor the performance of an official duty or function and I am unable to see how that allowance could be said to constitute a contravention of the amended *Act*.

In summary, I have found that Sihota was not in an actual conflict of interest when he participated in the original appointment of Dhaliwal to the Hydro Board and not in an actual or an apparent conflict of interest when he participated in the reappointment of Dhaliwal to that Board. Nevertheless, I consider this to have been an entirely appropriate matter to be brought forward to this office for an opinion.

The *Act* as it stood in May 1992, did not require Sihota to turn his mind to the matter of an apparent conflict of interest when he participated in the original appointment of Dhaliwal to the Hydro Board. If the current definition of an apparent conflict of interest had been in the *Act* at the time of the original appointment, I would have had no hesitation in concluding that Sihota's participation in that appointment constituted an apparent conflict of interest. In my view, a reasonably well informed person would have formed the perception that a member who had received the financial assistance that Dhaliwal provided to Sihota in the circumstances recounted above, must have been affected by it when, less than a year later, the member, in his ministerial capacity, exercised an official power such as appointing his benefactor to the board of a major Crown Corporation such as BC Hydro.

That does not mean that one in Dhaliwal's position should not, after his benevolence to one member of Cabinet, thereafter be appointed to a board of a Crown Corporation. Not at all. What it does mean is that for a reasonable period of time, a member who is the recipient of benevolence such as that provided to Sihota by Dhaliwal, should not exercise an official power nor perform an official duty or function in respect to his or her benefactor. Now that the November 1992 amendment pertaining to an apparent conflict of interest is firmly in place and the interpretation that I have placed upon it has been

clearly enunciated a number of times, honorable members should be well aware of the standard they are expected to meet.

Dated at the City of Victoria in the Province of British Columbia
this 24th day of March, 1997

E.N. (Ted) Hughes
Acting Commissioner
of Conflict of Interest