

DOES IT FIT THE EXCEPTION?

NEED MORE INFORMATION?

ACCEPTING NON-PERSONAL GIFTS:

QUICK REFERENCE GUIDE

INCIDENT OF PROTOCOL

A situation where a Member attends an event, meeting, conference or official visit and receives a gift from

- a representative of another level of government as a gesture of goodwill between the two governments; or
- a member of a cultural or social group which traditionally offers gifts to express gratitude or commemorate the Member's participation

SOCIAL OBLIGATION

A gift or benefit offered as a matter of gratitude or courtesy appropriate to the occasion, most usually where a Member attends an event and:

- has a role (e.g. to bring greetings, present an award, speak, etc); or
- does not have a role but the attendance of the Member is normally expected (e.g. charity fundraisers, opening ceremonies, etc)



If it does not fit the exception, do not accept the gift

1 CHECK THE FULL GUIDE FOR MORE INFORMATION ABOUT:

- sponsored travel
- donating gifts
- meals and hospitality
- complimentary passes and memberships
- tickets to sporting, cultural and charitable events
- fees and prizes
- gifts to/from friends and family
- gifts from lobbyists
- returning prohibited gifts

2 ASK FOR THE COMMISSIONER'S ADVICE

If in any doubt about your obligations, contact us at:

conflictofinterest@coibc.ca
(250) 356-0750

*Members' Conflict of Interest Act
Section 7*

RULE

Members are **prohibited** from accepting a fee, gift or personal benefit connected, directly or indirectly, with the performance of their duties of office

EXCEPTION

Members may accept a gift or personal benefit that is received as an incident of the **protocol or social obligations** of office

DISCLOSURE

Gifts or personal benefits worth more than **\$250** must be disclosed and are publicly reported

QUESTIONS TO ASK

WHEN TO DISCLOSE

1 The starting point is NOT the value of the gift. Just because a gift is valued under \$250, does not mean it can be accepted. Anytime you are offered a non-personal gift, you must first consider whether it meets the **exception** set out in the Act. If it does not, or if there are other factors that might suggest the the gift has been given in order to influence you or is otherwise inappropriate, must be declined or returned to the donor.

WHY AM I BEING OFFERED THIS GIFT?

Was the gift offered to you because you are an MLA (even if from a friend or relative)? Gifts given in connection with the performance of your duties of office, whether directly or indirectly, can only be accepted if the exception applies.

DOES THE EXCEPTION APPLY?

You may only accept gifts offered in circumstances that fit the "protocol or social obligations of office" exception (see definitions overleaf), or those of a purely personal nature (e.g. birthday gift from spouse).

WHAT TYPE OF GIFT IS IT?

Certain gifts are never acceptable (e.g. cash or gift cards). Offers of Sponsored Travel should be pre-approved by the Commissioner. If a gift seems disproportionately valuable (e.g. luxury watch given as a thank you for delivering a speech), consult the Commissioner as it may exceed what is considered an appropriate expression of gratitude in the circumstances.

WHO IS THE DONOR?

Even if the exception applies or the gift is from a friend or relative, exercise caution if the donor has official dealings with the government or has interests that might be affected by a decision you could be called upon to make (e.g. the donor is applying for a government contract). It could appear that the donor is attempting to influence you.

2 Gifts valued at over \$250 must be disclosed to our Office within **30 days** of receipt.

- single gifts worth over \$250
OR
- multiple gifts from the same donor worth over \$250 in a calendar year
- gifts for which a value cannot be determined may be disclosed as having "no commercial value"
- gifts accepted on behalf of the Province that the Member does not intend to keep personally do not need to be disclosed



Use **Form 5**
to disclose receipt of
a gift or benefit

Full Guide and Forms are available on our website
<https://coibc.ca>