



2024 ANNUAL REPORT

COIBC

OFFICE OF THE CONFLICT OF INTEREST
COMMISSIONER

The Office of the Conflict of Interest Commissioner is located on the territory of the ləkʷəŋən peoples. We give gratitude to the ləkʷəŋən peoples of the Songhees and Esquimalt Nations on whose traditional territory we work and whose historical relationship with the land continues to this day. The Songhees and Esquimalt Nations have always had a profound relationship with this land and a deep connection that continues today and into the future. We are grateful for their enduring stewardship, and for sharing their wisdom and homeland with us.

Hay'sxw'qa si'em.

COIBC | OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

July 15, 2025

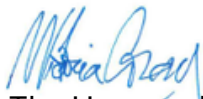
Honourable Raj Chouhan
Speaker of the Legislative Assembly
Room 207
Parliament Buildings
Victoria BC V8V 1X4

Dear Honourable Speaker:

It is an honour to present the Annual Report of the Office of the Conflict of Interest Commissioner for 2024.

This Report is submitted pursuant to section 15 of the *Members' Conflict of Interest Act*, Chapter 287 of the Revised Statutes of British Columbia.

Sincerely,



The Honourable Victoria Gray, K.C.
Acting Commissioner

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COMMISSIONER'S MESSAGE

The primary focus of the work of the Office of the Conflict of Interest Commissioner is to ensure that Members of the Legislative Assembly do not use their public office to further their private interest, or appear to do so. This work serves to preserve the public's confidence in our elected representatives and the institution of government as a whole. This mandate is addressed in three ways.



Hon. Victoria Gray, K.C.
Acting Commissioner

First, all Members must disclose their personal financial circumstances on an annual basis, and the disclosure includes certain family members and corporations. I also meet with each Member annually to review their disclosure statements and review their obligations under the Members' Conflict of Interest Act (Act).

The financial information is then summarized in a Public Disclosure Statement (PDS) that is accessible through the Office of the Clerk's website. Throughout the year, Members are required to report any material changes to their PDS, so that the publicly available financial information is kept current, and report any gifts they receive which are worth \$250 or more. Starting in 2024, the office has filed Gift Declarations with the Clerk's Office which enable the public to learn about gifts to Members shortly after the gift has been received, rather than only annually in the PDS. Notices of Material Changes are also available through the Office of the Clerk's website. This transparency enables the public to consider whether Members' ability to perform their official duties may be affected by their financial interests.

Second, the Act permits Members to seek my confidential opinion on their compliance with the Act. If I conclude, for example, that a Member will not be in a conflict of interest in a certain situation, that opinion will be binding. As a result, the Member can avoid conflicts of interest and act with confidence on the basis of my advice. Traditionally, my office has received approximately 75 to 80 requests annually from Members for advice. However, since 2021, we have noted an increase in the number of requests. In 2021, we received 138 requests, in 2022 we received 113, in 2023 we received 105, and in 2024 we received 109. 2024 was a general election year, with the election in October. This year we also received requests for information from people considering running for election, and from former MLAs who chose not to run again or were not re-elected.

Overall, the number of requests is trending towards 110 annually. I consider this trend to be a good thing, because I believe it reflects a culture of concern about conflicts of interest and an awareness that there is significant scrutiny by the press of politicians nationally. Most requests come directly from Members, but sometimes they come through Constituency Assistants or Caucus Chairs. Most advice is confirmed in writing.

Third, I can be asked to investigate complaints that a Member has contravened the Act. Requests for my opinion can be made by Members of the Legislative Assembly, members of the public, Cabinet, and the Legislative Assembly itself. I received 11 complaints in 2024, but none of them required an investigation. Complaints do not require an investigation if they are not within the jurisdiction of my office (such as complaints about people who are not MLAs), or the information does not include reasonable and probable grounds to believe that there was a contravention. In 2024, nine complaints were outside my jurisdiction, and two of the complaints did not include reasonable and probable grounds to believe there was a contravention.

There have not been any changes in the role or mandate of my office. Over a decade ago, a legislative committee recommended some changes, but none of them have been implemented. As a result, the work has not changed for over a decade, except in reaction to things like the COVID-19 pandemic. Our allocated budget for the 2023/24 fiscal year was \$899,000, but actual spending was \$739,044 (\$159,956 under budget). As in the previous few years, these savings are largely accounted for in the reduction of travel expenses and no outside contracts being required to support inquiries.

A significant project in 2024 was our move to new premises. We had enjoyed an office in the Legislative Precinct for many years, but the Legislative Assembly required the space and asked us to move by the summer of 2024. We had hoped to remain close to the Legislative Precinct, but were unable to find available premises which were small enough for our needs and budget. We were pleased to find space in the Fort Street building occupied by the Ombudsperson, Merit Commissioner, Police Complaints Commissioner and Information and Privacy Commissioner. The new space is 746 square feet in size, which is significantly smaller than our previous offices. Making the move required a major reduction in our physical files, and I am very grateful to my staff for their hard work in reducing our paper and making our move possible. The new premises are about a 20 minute walk or 5 minute drive from the Legislative Precinct. This means that it is less convenient for MLAs to drop into our office, but since the COVID pandemic, almost all meetings have been virtual and most inquiries have been by telephone or email.

It has been my honour to serve as Commissioner for over four years, and I thank the Members for their ongoing cooperation and engagement. It has been my delight to work with the staff of the Office, who are experienced, professional, good-natured, cooperative, creative, and fun.


A handwritten signature in blue ink, appearing to read "M. G. Gray", with a large loop at the bottom.

OVERVIEW

Holding elected office is a public trust. The rules governing conflict of interest for Members are set out in the Act and ensure that those who are elected to public office are held to high standards of conduct.

A conflict of interest arises when a Member's duty to act in the public interest is or may be affected by their private interest.

Members must avoid both actual and apparent conflicts of interest, and must arrange their private affairs to prevent such conflicts from arising. Where that is not possible, they must ensure that they do not participate in decisions affecting their private interest.



Members must act in the public interest at all times, and must not use their official position for personal gain or advantage.

OTHER PROHIBITIONS



INSIDER
INFO

SECTION
4

Members must not use information that is gained in the execution of their office, and that is not available to the general public, to further or seek to further their private interests.



INFLUENCE

SECTION
5

Members must not use their office to influence a decision, to be made by another person, to further their private interests.




EXTRA
BENEFITS

SECTION
7

Members must not accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of their duties of office.

COMMISSIONER'S ROLE



The Commissioner is an independent, non-partisan Officer of the Legislative Assembly who is responsible for impartially administering the *Members' Conflict of Interest Act*.

In British Columbia, as in most parliamentary democracies, there are several Statutory Officers of the Legislature whose work is essential to ensure accountability and promote good governance. However, the Conflict of Interest Commissioner is the only Officer of the *Legislative Assembly*.

The Conflict of Interest Commissioner is dedicated *exclusively* to the service of the Legislative Assembly itself in respect of the Members' conduct expectations and discipline. As a result, the records contained in our Office remain confidential as part of legislative privilege.

THREE PRIMARY ROLES



DISCLOSURE PROCESS

Meets with each Member at least annually to review the disclosure of their financial interests



ADVICE & OPINIONS

Provides confidential advice to Members about their obligations under the Act



INQUIRIES

Responds to allegations that a Member has contravened the Act, and conducts an inquiry if warranted

INFORMATION AND ADVICE

As the focus of the Commissioner's work is to help Members understand the Act and to provide guidance to prevent conflicts of interest from arising or persisting, arguably the Commissioner's most important function is the advisory role.

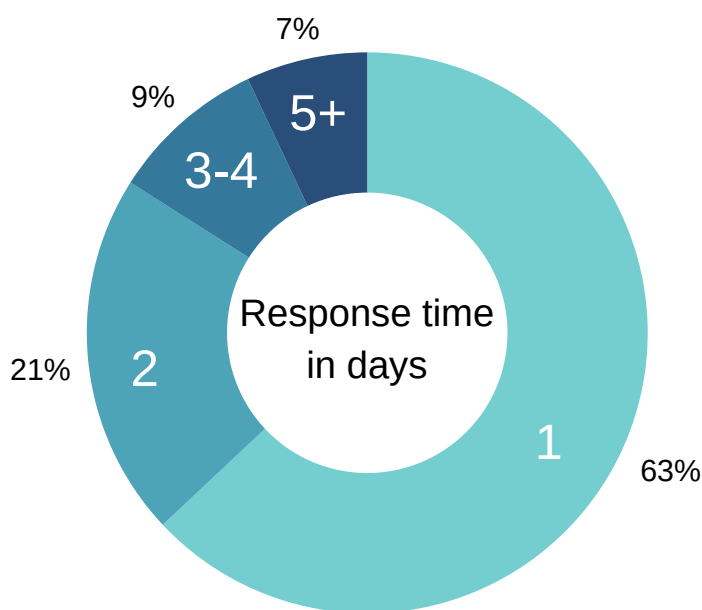
Under section 18 of the Act, Members may request that the Commissioner provide a formal written opinion on a conflict of interest matter. They are encouraged to do so if in any doubt about their obligations. This advice remains confidential unless the Member decides to release it. The Commissioner is also available to provide confidential oral advice to Members.

If the Commissioner determines that a Member has or may have a conflict of interest, the Commissioner can make recommendations and specify a time-frame for compliance.

In addition to responding to requests for advice in relation to specific issues, we frequently provide general information to Members about their obligations and provide assistance with disclosure, reporting and procedural matters.

We are able to respond to most requests for advice or information within 2 business days. It may take longer to provide a final response if the matter is more complex, as research and further communication with the Member may be required.

Members of the public and the media also contact our Office for information, primarily in relation to our jurisdiction and ongoing inquiries. If we are unable to assist, we try to make an appropriate referral (e.g. Ombudsperson).



Members ask the Commissioner for advice on a wide variety of issues, most of which fall under the following categories:

Constituency Issues

Members may ask about providing appropriate assistance to constituents. Questions relating to the proper use of constituency resources are generally referred to the Office of the Speaker or the Clerk of the Legislative Assembly.

Disclosure/Holdings

Members ask questions about reporting of investment holdings, hold mail accounts, business and other financial interests, particularly during the annual disclosure period.

Gifts/Benefits

If offered a gift in connection with their duties of office, Members ask the Commissioner whether it is appropriate to accept the gift and whether it must be formally disclosed.

Family

Questions involving family members primarily involve the employment activities of a spouse or child, but may include those of other family members.

Letters of Reference

Members may ask if it is appropriate to write letters of reference or support for individuals or groups in their constituency and about the proper use of letterhead (i.e. personal, constituency, ministerial).

Outside Activities

Questions regarding outside activities primarily involve whether the Member may engage in volunteer or paid work in addition to their MLA duties.

Post-Elected Office

Former members of Executive Council and former Parliamentary Secretaries may seek the Commissioner's non-binding advice on their obligations under section 8 of the Act.

Sponsored Travel

Sponsored Travel includes any travel and related expenses paid for in whole or in part by a third party. Members should seek approval from the Commissioner before accepting such offers.

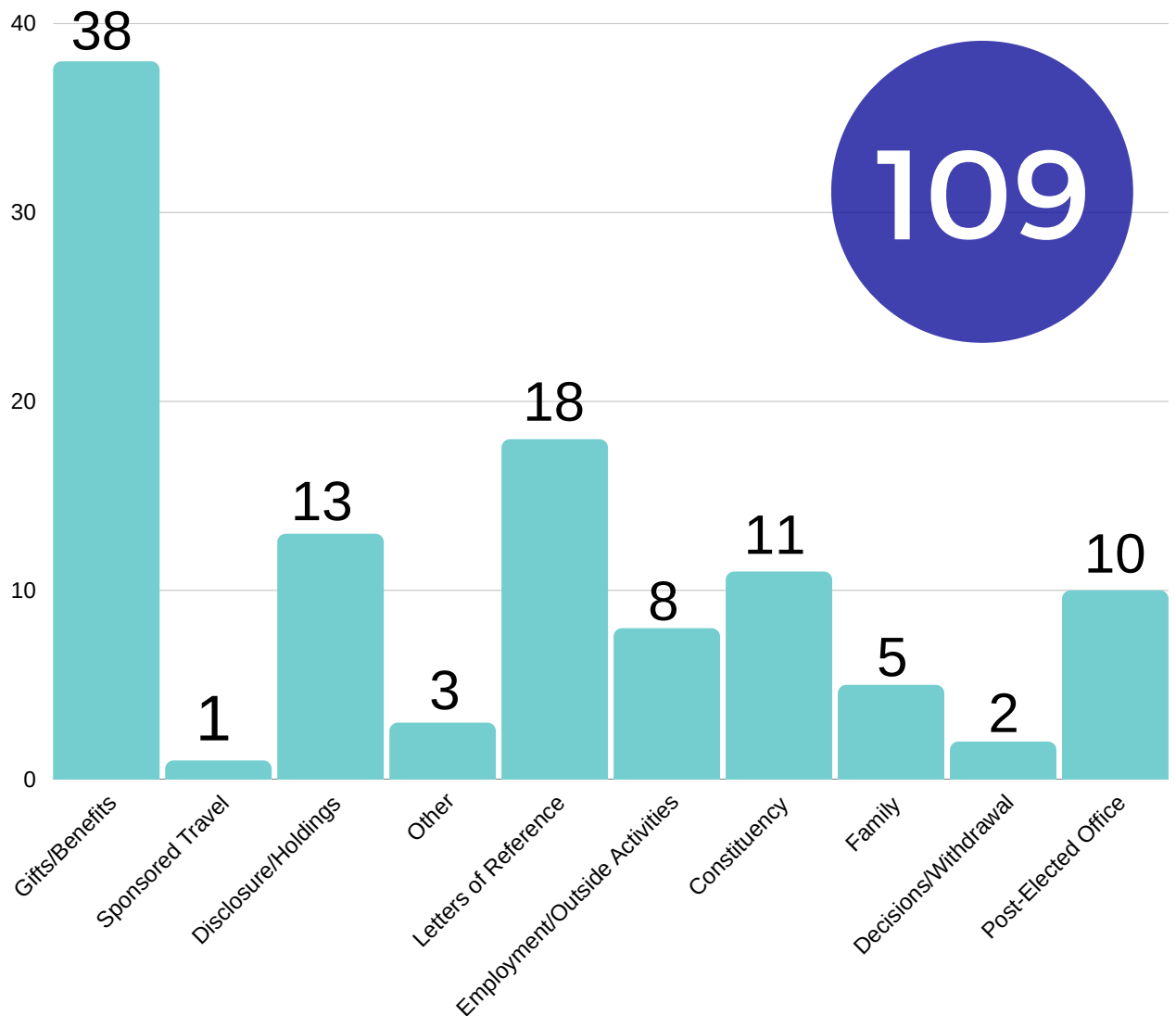
Taking Part in Decisions/Withdrawal

Members who have a private interest in a matter before the Legislative Assembly or one of its Committees may be required to withdraw from participation, if the Commissioner determines that there is a conflict or apparent conflict of interest.


REQUESTS FROM MEMBERS FOR ADVICE

Our Office responded to 109 requests for advice from Members and their staff in 2024, compared to 105 in 2023. Similar to previous years, a significant portion of requests (approximately one third) related to gifts and benefits.

In 2024 we received several requests for advice from former members of Executive Council and Parliamentary Secretaries about their post-political office obligations, which are set out in section 8 of the Act. This was the result of an election being held in late 2024, as several members of Executive Council and Parliamentary Secretaries either did not run for re-election or were not re-elected.



ALLEGATIONS CONCERNING MEMBERS



The Commissioner may conduct an inquiry into allegations that a Member has breached the Act.

Under section 19 of the Act, the Commissioner may provide an Opinion about a Member's compliance with the Act or section 25 of the *Constitution Act* in response to a request from a member of the public, a Member of the Legislative Assembly or Executive Council, or the Legislative Assembly itself.

Typically, when concerns about a Member's compliance are brought to our Office, the Commissioner first gathers information informally to determine if there are reasonable and probable grounds to support the allegations. The Commissioner then determines whether to proceed to the formal inquiry stage or dismiss the allegations as unsupported.

If a Member is found in contravention of the Act, the Commissioner may recommend a penalty, which may include a reprimand, suspension, fine of up to \$5,000 or a declaration that the Member's seat shall be vacant until an election is held in the Member's electoral district. It is then up to the Legislative Assembly to accept or reject the recommendation.

REQUESTS FOR INQUIRY

Our Office received 11 requests for the Commissioner's Opinion pursuant to section 19 in 2024. Only 2 of these were jurisdictional, but were not investigated as the complainants did not provide reasonable and probable grounds to support the allegations.

ANNUAL DISCLOSURE PROCESS

Within 60 days of being elected, and after that annually, every Member must file a Confidential Disclosure Statement (CDS) with the Commissioner, which contains a statement of the nature of the assets, liabilities and financial interests belonging to the Member and their spouse.

Separate disclosure forms are required if the Member has any minor children, and if the Member, their spouse or minor child, has a controlled private corporation. Members (and their spouses if available) are required to meet with the Commissioner to review their statements.

Once the contents of the confidential statements have been finalized and acknowledged to be accurate, Public Disclosure Statements (PDS) are prepared by our Office. The PDS contains most, but not all of the information contained in the CDS, as well as a summary of any gifts or personal benefits that have been disclosed to the Commissioner since the Member's last filing.

Members' PDSs are all filed together on the same date with the Clerk of the Legislative Assembly, where they are available for public inspection, in person or online at [Members' Public Disclosure Statements, Notices of Material Change, and Gifts | Legislative Assembly of BC](#).

2024 DISCLOSURE

The Commissioner met with all 85 Members from February to May 2024 to review their disclosure statements. All meetings were held virtually. Public Disclosure Statements were filed with the Clerk of the Legislative Assembly on June 13, 2024.

ONGOING DISCLOSURE OBLIGATIONS

After Members have filed their annual Confidential Disclosure Statements, they have an ongoing obligation to report any material changes to their financial interests within 30 days of the change occurring.

REPORTING MATERIAL CHANGES

A "material change" is an acquisition or disposition, whether in whole or in part, occurring after the Member has filed a disclosure statement, of any asset, liability, financial interest or source of income by the Member, their spouse or minor children or a private corporation controlled by any of them, if the change or event would reasonably be expected to have a significant effect on the information previously disclosed.

After reviewing the Member's material change form, our Office prepares a Notice of Material Change (NMC) which is then filed with the Clerk of the Legislative Assembly, where it is posted online with the the Member's most recent PDS.

There were 69 NMCs processed in 2024, compared to 71 in 2023.

69
NMCs
PROCESSED

REPORTING GIFTS & BENEFITS

Members are prohibited from accepting gifts or personal benefits in connection with the performance of their official duties. However, there is an exception for gifts or personal benefits received "as an incident of protocol or social obligations that normally accompany the responsibilities of office". In most cases this means a token expression of appreciation or complimentary hospitality in the context of some official interaction.

Members must disclose and provide details of any gift or personal benefits they have received if the value of the gift exceeds \$250. Most gifts are received in conjunction with an official event or are gifts of sponsored travel. A summary of gifts received throughout the year is included in the Member's PDS.

As of January 1, 2024 our Office commenced filing Gift Declarations with the Clerk soon after they are received from the Member. For greater transparency, Gift Declarations are now posted on the Clerk's website, in the same manner as NMCs.

21
GIFTS
DISCLOSED

OTHER ACTIVITIES

CONFERENCES AND MEETINGS

Our Office is an active member of the Canadian Conflict of Interest Network (CCOIN), which brings together Commissioners and professional colleagues from all the parliamentary and legislative jurisdictions in Canada. CCOIN members meet annually to exchange information and learn about best practices and developments in their respective jurisdictions. The 2024 CCOIN conference was held in Quebec City, Quebec from September 5-7.

We are also a member of the Council on Governmental Ethics Laws (COGEL), which hosts an annual conference bringing together practitioners from the fields of conflict of interest, ethics, elections, lobbying, freedom of information and campaign finance, from both the United States and Canada. The Commissioner attended the annual conference in Los Angeles, California from December 8-11.

The Commissioner meets with other Statutory Officers on occasion, and the Office participates in regular meetings with Officers and their staff to discuss matters of shared interest.

PRESENTATIONS

Each year, the Commissioner meets with Legislative Interns who have been selected for the BC Legislative Internship Program. In 2024 Commissioner Gray met with the Legislative Interns on January 9 for a presentation and lively discussion. The Program has been sponsored for more than 40 years by the Legislative Assembly and the exchange is a valuable experience for both the Commissioner and the Interns.

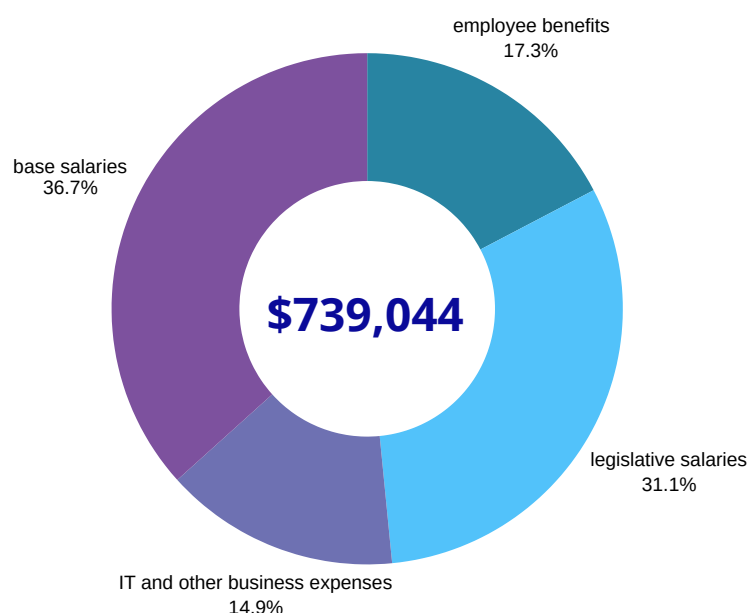
FINANCES AND ACCOUNTABILITY

The Office is accountable for its operations through the issuance of the Annual Report and the annual budget presentation to the Select Standing Committee on Finance and Government Services (the Committee). The Commissioner met with the Committee on October 27, 2023 and April 26, 2024 to review the 2024/25 budget request.

Actual	Budgeted
\$739,044	\$899,000
\$159,956	

Actual expenditures for the 24/25 fiscal year totaled \$739,044, being \$159,956 under our allocated budget of \$899,000 (17.8% under budget). Savings were largely accounted for by minimal travel expenses and no outside contracts being awarded in 2024.

OPERATING EXPENSES



Our operating expenses for 2024/25 were similar to previous budget years.

The most significant budget items remain salaries and benefits. Two of the three staff members are fulltime, and one works 60% time. The Commissioner works on a 75% of fulltime basis.

ACKNOWLEDGEMENTS AND APPRECIATION

EXTERNAL SUPPORT

Technical support to our Office is provided by the Legislative Assembly Information Technology Branch (LAITB). Many thanks to the LAITB staff for their expert advice and assistance with our day to day technology needs, as well as support for our ongoing projects. We are also grateful to the Speaker and the Clerk of the House and their respective Offices, as well as the Caucus Chairs and the Members' assistants.

On-site base support services are provided through a sub-lease agreement for our office, now located on Fort Street. These services include mail handling, guest reception, on-site IT support (as required by the Legislative Assembly Information Technology Branch), janitorial services, and facilities maintenance. We are thankful for the people that support us through this agreement.

The guidance and hard work of staff in these offices is much appreciated.

Angela Koutougos, Administrative Assistant

Ms. Koutougos joined the Office in September 2021. Her primary responsibility is working with the Members in the disclosure process, both for the annual disclosure and for the ongoing disclosures throughout the year. She has worked in various administrative roles with the BC Public Service over the last 20 years. Her wealth of experience, professionalism and cheerfulness are a great asset to the Office.

Carol Hoyer, Executive Coordinator

Ms. Hoyer joined our Office in June 2018 as our Executive Coordinator. She has extensive experience in senior administrative roles within government, in particular with the Ministry of Health and the Ministry of Indigenous Relations and Reconciliation. Her work is greatly valued and appreciated.

Alyne Mochan, Legal Officer

Ms. Mochan has been our talented and diligent Legal Officer since 2011. She is an important member of our team, as well as a valuable resource for the work of CCOIN - where she has earned the respect and gratitude of our colleagues around the country.



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conflictofinterest@coibc.ca
www.coibc.ca