



GIFT GUIDE FOR MPPs

TICKETS	MEALS
PROTOCOL	GIFT BASKETS

**The Office of the Integrity
Commissioner of Ontario**

COMMON MISCONCEPTIONS ABOUT THE GIFT RULE

Each MPP can decide whether it's okay to accept a gift.

False

MPPs are prohibited from accepting any gift, fee or benefit. While there are limited exceptions to this prohibition, it is important to fully understand these exemptions and to seek advice from the Integrity Commissioner to ensure a specific gift is allowed.

Accepting a free ticket to an event is okay because attending events is part of an MPP's job.

Not always

A ticket to an event could be considered a gift under the *Members' Integrity Act, 1994*. In deciding whether an exemption applies, the Integrity Commissioner would consider the MPP's role in the event and other factors.

It's okay to accept any gift as long as it's worth less than \$200.

False

The \$200 amount is simply the threshold that triggers the requirement for a gift to be publicly reported. A gift valued under \$200 may still be inappropriate to accept.



CAN ONTARIO MPPS ACCEPT GIFTS?

Ontario's Members of Provincial Parliament are prohibited from accepting a gift, fee or benefit.

There are only limited exceptions to this rule:

Is the gift received as part of protocol, customs or social obligation?

While gifts received in instances of protocol, customs or social obligation are exempted from the 'no gift' rule, these situations are specific and must meet certain criteria.

Protocol

A gift offered on behalf of a level of government (Canada or international) during a meeting, conference or official visit.

Customs

A gift or benefit, usually of nominal value, that is customarily offered as a way to express gratitude or commemoration for participation in an event.

Social Obligation

A benefit, usually a meal or refreshment, offered as a matter of courtesy when attending an event in an official capacity.

Is the Integrity Commissioner of the opinion it is unlikely the gift or benefit was given in order to influence the MPP?

Exceptions beyond protocol, customs or social obligation may be granted by the Integrity Commissioner in certain instances.

DISCLOSING GIFTS

When must a Gift Form be filed?

If the Integrity Commissioner has provided an exemption for an MPP to accept a gift, AND it has a value of \$200 or more, then a gift form must be submitted to the Office.

If the total value of gifts and benefits from one source exceeds \$200 in any 12-month period, these gifts must also be disclosed.

Gift forms must be filed with the Office within 30 days of receipt of the gift or benefit.

Where is the Gift Form?

Forms are available on the website at: **www.oico.on.ca**

Click on the Members' Integrity tab.

How is the information reported to the public?

Information about gifts is reported on the Office website as part of the annual publication of MPP financial disclosure statements. This includes the name of the individual or organization that provided the gift, the date and details of the gift.



MPP GIFT GUIDANCE

These scenarios will help MPPs determine whether a gift can be accepted. Contact the OIC when the circumstances of the offered gift vary.

Item or benefit offered	Is it offered as part of protocol, customs or social obligation?	Can it be accepted?
MPP gives a speech and receives a mug, pen or an item of nominal value as thanks.	✓	✓
MPP is offered a sculpture by government official from another country.	✓	✓
MPP has been invited to be the keynote speaker at an event and is provided with a meal as part of the evening's schedule.	✓	✓
MPP has been invited to be the keynote speaker at an event in another city, with airfare and accommodation offered by the organizers.	Possibly	Seek advice from the Integrity Commissioner.
MPP is offered a meal at a restaurant paid for by government stakeholder, during which official matters are discussed.	✗	Generally not allowable. Decline offer or seek advice from the Integrity Commissioner.
MPP is offered a clock by a company on a trade mission to another country.	✗	Generally not allowable. Decline offer or seek advice from the Integrity Commissioner.

Item or benefit offered	Is it offered as part of protocol, customs or social obligation?	Can it be accepted?
MPP is offered a ticket to a cultural, sporting or charity event by a government stakeholder where the MPP does not speak or have an official role.	X	Generally not allowable. Decline offer or seek advice from the Integrity Commissioner.
MPP is offered a donation of food or supplies from a government stakeholder for a community event in the riding.	X	Generally not allowable. Decline offer or seek advice from the Integrity Commissioner.
MPP takes a tour of a company's facility in the riding and is presented with a large gift basket of products.	X	Generally not allowable. Decline offer or seek advice from the Integrity Commissioner.
MPP is offered a ticket to attend a cultural event hosted by a community organization.	Possibly	Seek advice from the Integrity Commissioner.
MPP wins a raffle at an event while attending in official capacity.	X	Seek advice from the Integrity Commissioner.
MPP is invited to attend, but not participate, in a reception commemorating an event that is connected to the riding or responsibilities at Queen's Park.	Possibly	Seek advice from the Integrity Commissioner.
MPP is offered a trip to another country or part of the province as a "fact-finding" tour.	X	Seek advice from the Integrity Commissioner.



THE GIFT RULE

The Gift Rule is found in s.6 of the *Members' Integrity Act, 1994*.

- (1) A member of the Assembly shall not accept a fee, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office.

Non-application of subs. (1)

- (2) Subsection (1) does not apply to,
 - (a) compensation authorized by law;
 - (b) a gift or personal benefit that is received as an incident of the protocol, customs or social obligations that normally accompany the responsibilities of office;
 - (c) a fee, gift or personal benefit that is given, directly or indirectly, by or on behalf of a political party, constituency association, candidate or leadership contestant registered under the *Election Finances Act*, including remuneration or financial assistance; or
 - (d) any other gift or personal benefit, if the Commissioner is of the opinion it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the member in the performance of his or her duties.

Disclosure

- (3) Within 30 days after receiving a gift or personal benefit referred to in clause (2) (b) or (d) that exceeds \$200 in value, the member shall file with the Commissioner a disclosure statement in the form provided by the Commissioner, indicating the nature of the gift or benefit, its source and the circumstances under which it was given and accepted.

Same

- (4) Subsection (3) also applies to gifts and personal benefits referred to in clauses (2) (b) and (d) if the total value of what is received from one source in any 12-month period exceeds \$200.



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