

Conflict of Interest Disclosure Forms Member's General Instructions

Members' Conflict of Interest Act

Dear Member:

Read carefully the following guidelines and definitions prior to completing the *Conflict of Interest Disclosure Forms*. Each of the forms outlines a series of questions. Please answer each question and if necessary supply the additional information required. Should you have questions concerning these guidelines, or have difficulty completing any of the forms, please contact the *Conflict of Interest Commissioner*. If you do not have enough space to complete any item in any of the forms, please attach a separate sheet. Additional forms and copies of individual sheets are available at the *Commissioner's Office*.

On receipt of your *Confidential Disclosure Statements*, and prior to the preparation of your *Public Disclosure Statement* by the Commissioner, you can expect the *Office of the Commissioner* to schedule a personal interview with you, your spouse (if available) and the Commissioner.

General Guidelines

Form 1: Member's Disclosure Statement

Complete the following five sections:

- Part A, General Information;
- Part B, Assets;
- Part C, Liabilities;
- Part D, Sources of income; and
- Part E, Executive Council (Executive Council members ONLY).

In answering the specifics of certain questions, a condition of joint ownership or liability may apply. If ownership or liability is joint, specify for each family member to whom ownership or liability applies.

Form 2: Member's Conflict of Interest Declaration

On completing the *Member's Disclosure Statement* (form 1) and *Private Corporation Statement* (form 3, if applicable), you are also required to sign the declaration stating you are familiar with the requirements of the *Members' Conflict of Interest Act* and that you have accurately disclosed all necessary information.

Form 3: Private Corporation Statement

You are required to complete form 3 for each private corporation and its affiliates controlled by you or a member of your family. Form 3 may be obtained at the Office of the Commissioner.

Form 4: Material Change

You are required to file a *material change form* with the Conflict of Interest Commissioner within 30 days of acquisition or disposition of any asset, liability, financial interest or source of income of you or a member of your family. Material change also applies to any private corporation controlled by yourself, your spouse or minor children.

Form 5: Member's Statement of Gifts and Personal Benefits

You are required to complete a *Statement of Gifts and Personal Benefits* (form 5) if you or a member of your family have accepted a gift or personal benefit that exceeds \$250 and is connected directly or indirectly with the performance of the duties of your office.

Definitions

In each of the Disclosure Statements:

“child” includes a person to whom a member has demonstrated a settled intention to treat as a child of his or her family;

“commissioner” means the person appointed under section 14 of the *Members' Conflict of Interest Act*;

“insider” is someone who owns more than 10% of the voting shares or is a director or senior officer of a corporation;

“material change” means an acquisition or disposition, whether in whole or in part, occurring after a member files a disclosure statement, of any asset, liability, financial interest or source of income by a member, the member's spouse or a minor child of the member, or a private corporation controlled by any of them or any combination of them, except

- a) an asset, liability or financial interest of less than \$1,000 in value,
- b) a source of income of less than \$1,000,
- c) personal property used for transportation, household, educational, recreational, social or aesthetic purposes,
- d) cash on hand or on deposit with a financial institution in Canada that is lawfully entitled to accept deposits,
- e) fixed value securities issued by any government or municipality in Canada or any agency thereof,
- f) one arising within a mutual fund, investment fund or segregated fund, whether within or without an RRSP or RRIF, that has previously been disclosed,
- g) a guaranteed investment certificate or similar financial instrument, or
- h) an annuity, life insurance policy, pension right or educational savings plan;

“member” means a member of the Legislative Assembly or of the Executive Council, or both;

“member of your family” refers to your spouse and minor children;

“mortgagee” refers to the lender of the mortgage funds who holds the mortgage;

“mortgagor” refers to the holder of the mortgage or one who owes money on a mortgage. Mortgagor does not mean money owed from late payments.

“private corporation” means a corporation, all of whose issued and outstanding securities are subject to restrictions on transfer and are beneficially owned directly or indirectly by not more than 50 persons;

“private interest” does not include an interest arising from the exercise of an official power or the performance of an official duty or function that

- a) applies to the general public,
- b) affects a member as one of a broad class of electors, or
- c) concerns the remuneration and benefits of a member or an officer or employee of the Legislative Assembly;

“public corporation” means that it is not a private corporation;

“self directed RRSP” is an RRSP where you have appointed a trustee with whom you deposit your contributions and who invests this money in securities which you select or as you direct;

“non-self directed RRSP” is an RRSP where contributions are made to a financial agent, bank or broker who invests the money in securities selected by the agent;

“spouse” means a person who is married to a member or a person who is living with a member as husband and wife but does not include a husband or a wife who is separated and living apart from a member and who

- a) has entered into a written agreement under which they have agreed to live apart, or
- b) is subject to an order of the court recognizing the separation.