



THE CANADIAN
BAR ASSOCIATION
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Trans-Pacific Partnership Agreement – Temporary Entry for Business Persons and Transparency and Anti-Corruption

**CANADIAN BAR ASSOCIATION
ANTI-CORRUPTION TEAM AND IMMIGRATION LAW SECTION**

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PREFACE

The Canadian Bar Association is a national association representing 36,000 jurists, including lawyers, notaries, law teachers and students across Canada. The Association's primary objectives include improvement in the law and in the administration of justice.

This submission was prepared by the Immigration Law Section and the CBA Anti-Corruption Team (CBA-ACT), with assistance from the Legislation and Law Reform Directorate at the CBA office. The submission has been reviewed by the Legislation and Law Reform Committee and approved as a public statement of CBA-ACT and the Immigration Law Section.

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Trans-Pacific Partnership Agreement – Temporary Entry for Business Persons and Transparency and Anti-Corruption

EXECUTIVE SUMMARY

The Canadian Bar Association comments on two chapters of the Trans-Pacific Partnership (TPP) Agreement. The CBA Immigration Law Section (CBA Section) comments on Chapter 12, Temporary Entry for Business Persons, and the CBA Anti-Corruption Team (CBA-ACT) comments on Chapter 26, Transparency and Anti-Corruption.

The CBA Section reviews commitments in Chapter 12 against major free trade agreements (FTAs) and identifies areas of incongruity; for example, for Intra-Corporate Transferees (ICTs); the definition and duration of a “Treaty Investor”; and the definitions and requirements for a “professional” and a “technician”. The CBA Section also identifies and expresses concerns with a lack of reciprocity amongst TPP Parties when issuing certain types of work permits, such as specialist ICTs. The CBA Section makes recommendations to address these concerns, and to better align the chapter with existing obligations under major FTAs. These recommendations include expanding the definition of “managerial capacity”; including “Treaty Trader” in the definition of “Treaty Investor”; proposing five-year initial Treaty Investor work permits; and modifying the definitions of “technician” and “professional”. The CBA Section also discusses the adjudication of work permit applications under Chapter 12 and recommends additional resources to support border security officers in fulfilling their duties and responsibilities. In making its recommendations, the CBA Section acknowledges that the TPP has already been signed.

CBA-ACT compares Chapter 26 against international agreements on anti-corruption to which Canada is a party (namely, the *OECD Anti-Bribery Convention* and the *United Nations Convention Against Corruption*) and against Canada’s existing obligations under federal laws. CBA-ACT notes that the chapter does not impose any additional obligations on Canada and identifies areas in which Chapter 26 goes beyond international agreements – for example, the prohibition against allowing tax deductions for expenses incurred in the commission of prescribed

corruption offences. CBA-ACT also notes areas in which Chapter 26 is not as far reaching as other agreements, such as extra-territorial jurisdiction over nationals, mutual legal assistance and extradition. Finally, CBA-ACT suggests areas in which Canada should encourage further development in international law against anti-corruption, including whistleblower protection, enforcement, extra-territorial jurisdiction, mutual legal assistance and extradition. CBA-ACT supports Chapter 26, noting the potential to benefit Canadian businesses by increasing transparency and respect for the rule of law and reducing corruption in TPP countries.

I. INTRODUCTION

The Canadian Bar Association is pleased to comment on two chapters of the Trans-Pacific Partnership (TPP) Agreement. The CBA Immigration Law Section (CBA Section) is pleased to comment on Chapter 12, Temporary Entry for Business Persons, and the CBA Anti-Corruption Team (CBA-ACT) on Chapter 26, Transparency and Anti-Corruption.

The CBA Section comprises lawyers from across Canada whose practices embrace all aspects of immigration and refugee law. CBA-ACT comprises lawyers across Canada, including from the International Law, Business Law, Competition Law, Construction Law and Charities and Not-for-Profit Law Sections of the CBA. CBA-ACT was established to monitor and respond to issues involving corrupt practices, and to provide a resource centre for Canadian lawyers to learn about anti-corruption law.

II. CHAPTER 12 – TEMPORARY ENTRY FOR BUSINESS PERSONS

A. Overview

Chapter 12 of the TPP deals with the international mobility of business people. The CBA Section is concerned that the commitments made by Canada to issue work permits for Intra-Corporate Transferees (ICT) are not reciprocal with other TPP Parties. The CBA Section has also identified areas of incongruity between the TPP and major free trade agreements (FTAs), for ICTs, the definition and duration of Treaty Investor, and the definitions and requirements of a “professional” and a “technician”. The CBA Section makes recommendations, outlined below, to address these concerns. The CBA Section also recommends additional resources for those responsible for determining eligibility under Chapter 12. In making its recommendations, the CBA Section acknowledges that the TPP has been signed and that the language is unlikely to be changed.

B. Intra-Corporate Transferees: Reciprocity and Definition

In Chapter 12, Canada commits to issue ICT work permits to any TPP Party that has made an ICT commitment in its schedule. Canada extends this commitment to the category of workers known as specialist ICTs in certain countries, namely Australia, Brunei Darussalam, Chile, Japan, Mexico, New Zealand and Peru. These countries have not made a similar commitment to Canada on specialist ICTs work permits in their schedules. The CBA Section is concerned with the lack of reciprocity between TPP Parties.

In addition, some aspects of ICTs are not consistent with major FTAs. In Chapter 12, Canada commits to issue ICT work permits for “management trainees on professional development,” if the other TPP Party has made a similar commitment in its schedule. This commitment involves employees with a post-secondary degree on a temporary work assignment intended to broaden their knowledge in preparation for a senior leadership position in the company. A similar provision does not appear in the *North American Free Trade Agreement (NAFTA)*. It does appear in Canada-Peru, Canada-Colombia, and Canada-Korea FTAs.

The definition of “manager” in Chapter 12, relevant for determining eligibility for ICTs, is different from its equivalent in NAFTA. While the definition of “executive” in the TPP is similar to the definition of “executive capacity” in NAFTA ICT cases, and the definition of “manager” in the TPP is similar to the definition of “managerial capacity” used in NAFTA ICT cases; the definition of “manager” in the TPP varies from NAFTA because it does not include employees who manage an essential function of the organization or department in that organization. This omission may restrict entry under the TPP for key management personnel and undermines consistency with other international agreements.

RECOMMENDATION:

- 1. Interpret the definition of “managerial capacity” to include an employee who manages an essential function in an organization or department of an organization for the purpose of determining eligibility for ICTs.**

C. Treaty Investors: Definition and Duration

Canada’s commitment to issue work permits to Treaty Investors in Chapter 12 is similar to the Treaty Investor provisions in major FTAs. However, the definition and duration vary from those FTAs and existing practices.

Definition

The TPP does not recognize Treaty Traders, who are engaged in substantial trade between Canada and a TPP Party, as a category of Treaty Investor – a category that exists in many FTAs. The CBA Section recommends that Canada propose the inclusion of a Treaty Trader category and suggest that the Committee on Temporary Entry for Business Persons formed pursuant to Article 12.7 consider this recommendation at its next meeting.

RECOMMENDATION:

- 2. Propose including a Treaty Trader category in the definition of Treaty Investor, consistent with provisions in existing FTAs, at the next meeting of the Committee on Temporary Entry for Business Persons.**

Duration

The initial duration for a Treaty Investor under the TPP is similar to NAFTA: one year, with the possibility of extension. CBA Section members report that very few US business persons have sought entry to Canada as NAFTA Treaty Investors. Despite the claim that NAFTA is intended to be reciprocal, US citizens entering Canada as NAFTA Treaty Investors continue to receive initial Treaty Investor work permits for only one year, while Canadian citizens seeking entry to the US are issued Treaty Investor visas for five years. The brevity of the one-year initial duration under the TPP and the complexity of filing may deter foreign business persons from using this option under the TPP. The CBA Section recommends that Canada propose five-year initial TPP Treaty Investor work permits, with extensions in five-year increments, at the next meeting of the Committee on Temporary Entry for Business Persons.

RECOMMENDATION:

- 3. Propose five-year initial Treaty Investor work permits for TPP investors at the next meeting of the Committee on Temporary Entry for Business Persons.**

D. Professionals and Technicians

In Chapter 12, Canada commits to issue work permits for professionals and technicians of another TPP Party, if that Party has made similar commitments covering the same occupation in its Schedule. Variances in the definition and requirements of “professional” and “technician” exist, however, between the TPP and major FTAs.

Professional

The definition of “professional” in the TPP requires a four-year degree plus any additional requirement noted in the National Occupational Classification. This definition may limit eligibility, as some professionals may qualify in the field under certain FTAs based on relevant experience rather than a particular degree. The TPP also includes a requirement of two years of paid work experience in the sector of activity of the contract for a work permit. This is unique to the TPP and is not required in NAFTA or other FTAs. Finally, the TPP requires remuneration at a level commensurate with similar professionals in Canada. This requirement may refer to a minimum wage floor, which is not a requirement in NAFTA or other FTAs.

RECOMMENDATIONS:

At the next meeting of the Committee on Temporary Entry for Business

Persons:

- 4. Propose including in the definition of “professional” a work-experience equivalency to degree requirement;**
- 5. Propose removing from the definition of “professional” the requirement of two years of paid work experience in addition to a degree; and**
- 6. Propose removing the requirement that a “professional” be paid the prevailing wage.**

Technician

The definition of “technician” in the TPP requires a post-secondary or a technical degree requiring two or more years of study as a minimum entry into the occupation. This definition is more restrictive than NAFTA, which recognizes scientific technicians who have two years of training or education but not necessarily a post-secondary credential. Other FTAs also have less onerous requirements. For example, the Canada-Peru FTA requires a post-secondary or technical degree requiring one or more years of study, or the equivalent of such a degree, as a minimum for entry into the occupation.

The TPP requires four years of paid work experience in the sector of activity of the contract. This work experience requirement, in addition to a specialized post-secondary credential, is unique to the TPP and not a requirement in NAFTA (except in situations where it is specifically permitted instead of a four-year degree) or other FTAs. As well, similar to the requirements for

a “professional”, the TPP requires technician remuneration at a level commensurate with similar technicians in Canada. This is not required under NAFTA or other FTAs.

RECOMMENDATION:

- 7. Propose modifying the definition of “technician” to require two years of training or education, but not a post-secondary credential at the next meeting of the Committee on Temporary Entry for Business Persons.**

E. Implementation and Resource Support

Border Services Officers (BSOs) are called on to make complex determinations to assess an applicant’s eligibility under the TPP. BSOs must evaluate the following in any given situation: the existence of an agreement; the reciprocal nature of any agreement; and the application of specific eligibility requirements. For example, for a TPP professional or technician, a BSO must confirm that the country of the foreign business person’s nationality has made a commitment in its own Schedule, whether it covers the same occupation, if an economic needs test or numerical restriction applies, and if the applicant satisfies the eligibility requirements for that particular occupation.

Although the complexity of these adjudications should not prevent implementation of Canada’s commitments under Chapter 12, resources for BSOs would assist in making determinations. Access to immigration specialists in Immigration Refugees and Citizenship Canada or the Canada Border Services Agency 7 days a week/24 hours a day, as well as detailed instructions, would assist BSOs, applicants and counsel in adjudicating these work permit applications.

RECOMMENDATION:

- 8. Provide BSOs with 24/7 access to an immigration specialist with TPP expertise and include a detailed and constantly updated chart in the Program Delivery Instructions to help adjudicate work permit applications.**

III. CHAPTER 26 – TRANSPARENCY AND ANTI-CORRUPTION

A. Overview of Chapter 26

CBA-ACT supports the Transparency and Anti-Corruption chapter in the TPP. This chapter imposes important obligations on all TPP Parties. The obligations imposed by this chapter fall into three categories: transparency; anti-corruption; and promotion of integrity. Taken as a

whole, this chapter represents an important development in promoting fair play for Canadian investors in TPP countries.

Transparency

The transparency provisions impose a number of obligations for laws, regulations, procedures, and administrative rulings of TPP Parties on “any matter covered by this agreement”, including

- publication requirements, such as advance publication and provision of a reasonable opportunity to comment; and
- procedural fairness rights in administrative proceedings, including the right to notice and the right to present facts and arguments.

Anti-Corruption

The anti-corruption provisions require TPP Parties to (among other things):

- establish criminal offences for bribery of government officials, both domestic and foreign;
- impose liability on legal persons (corporations) for corruption offences;
- end tax deductibility for bribes; and
- establish measures to prevent the covering up of bribes through false accounts.

Integrity

The anti-corruption provisions are supplemented by a positive obligation to take measures to promote integrity, honesty and responsibility amongst public officials, including for:

- selection and training of public officials;
- policies and procedures for identifying and managing conflicts of interest;
- declarations by senior public officials of non-government activities and investments;
- codes of conduct; and
- measures to prevent corruption among the judiciary.

CBA-ACT supports the inclusion of these obligations in the TPP. Canadian companies that do business in TPP countries need to be able to rely on the rule of law and integrity of public officials in those countries. The TPP includes countries that score well on anti-corruption measures, and some that score poorly. Schedule “A” shows some of the latest scores and rankings for TPP countries from Transparency International. To the extent that they are

implemented, the transparency and anti-corruption provisions in the TPP will improve the rule of law and reduce corruption in TPP countries.

CBA-ACT's assessment of this chapter looks at consistency with international agreements on corruption; consistency with Canadian law; and areas for future improvement.

B. Consistency with International Agreements

The Transparency and Anti-Corruption chapter is generally consistent with international agreements on anti-corruption to which Canada is a party, in particular, the *OECD Anti-Bribery Convention* (OECD Convention) and the *United Nations Convention Against Corruption* (UNCAC). To a certain extent, particularly in its transparency provisions, the chapter goes beyond these two agreements. For example, the express prohibition against tax deductions for expenses incurred in the commission of prescribed corruption offences is notable. This is not present in the OECD Convention, but is in the *Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions*, (2009) and the *Recommendation of the Council on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions* (2009). The UNCAC also requires state parties to disallow the tax deductibility of bribes.

In some areas, the Transparency and Anti-Corruption chapter is not as far reaching as other international agreements. For example:

- The TPP lacks an express requirement for parties to take extra-territorial jurisdiction over their own nationals. This is a key ingredient of effective legislation dealing with corruption of foreign public officials, since almost by definition, this conduct occurs in other countries.
- The TPP lacks provisions for mutual legal assistance. Article 25(3) simply reaffirms existing obligations.
- The TPP lacks provisions requiring Parties to make corruption offences extraditable.

A broader comparison of key provisions in the TPP with their equivalents in the OECD Convention and the UNCAC is in Schedule "B".

While it is regrettable that the TPP lacks certain provisions found in other international anti-corruption conventions, this does not necessarily create a gap. All TPP Parties are also parties to the UNCAC, and all but Brunei, Malaysia, Peru, Singapore and Vietnam are parties to the OECD Convention. (See Schedule "C" for the ratification status of each TPP Party for selected

treaties.) Overall, while the chapter's key anti-corruption provisions largely duplicate those in other international conventions, its transparency provisions represent progress that will benefit Canadian businesses. As well, unlike UNCAC and the OECD Convention, which are stand-alone anti-corruption treaties, the TPP is a trade agreement with anti-corruption obligations. That a trade agreement amongst twelve countries with widely divergent corruption profiles and legal systems contains robust anti-corruption disciplines is a major achievement.

C. Consistency with Canadian Law

The obligations in the Transparency and Anti-Corruption chapter have generally been implemented in Canadian legislation, at least at the federal level.

A non-exhaustive summary of Canadian federal legislation implementing the obligations in Chapter 26 is in Schedule "D". We have not attempted to assess the degree to which these obligations have been implemented in provincial laws and municipal bylaws.

Since Canada already has laws that implement all key obligations of the chapter, at least at the federal level, the chapter does not impose significant additional or onerous obligations on Canadian businesses and Canadians.

D. Areas for Future Improvement

The TPP is an international agreement negotiated amongst twelve countries, of which Canada is only one. For this reason, any improvements that might be suggested would be difficult to implement. Nevertheless, international law against corruption is rapidly developing through multilateral treaties and state practice. Canada can, and should encourage this development in a number of areas.

Whistleblower protection

The whistleblower protection in TPP Article 26.7(6) mirrors UNCAC Article 34. Both are relatively weak, requiring parties only to "consider adopting" whistleblower protection policies. Canada has enacted whistleblower protection in the *Criminal Code* s. 425.1 and should encourage its trading partners to do likewise.

Enforcement

TPP Article 26.9(1) requires that “no Party shall fail to effectively enforce its laws or other measures adopted or maintained to comply with Article 26.7.1 (Measures to Combat Corruption) through a sustained or recurring course of action or inaction.” Article 26.12(3) makes TPP’s dispute resolution inapplicable to a breach of Article 26.9(1). This means Canada would have no formal recourse against a TPP Party that failed to enforce its anti-corruption laws. As a practical matter, however, the international community has encouraged enforcement of anti-corruption treaties through suasion. The OECD, for instance, has long conducted peer reviews of parties to its convention. The UN Conference of State Parties established by the UNCAC has recently begun a similar peer review process. The TPP represents another opportunity for further suasion, which will benefit a number of jurisdictions. Certain NGOs, particularly Transparency International, monitor and report on anti-corruption enforcement around the world, and Canada’s own enforcement record has been criticized in the past by both the OECD and Transparency International. Canada must ensure that it vigorously enforces the *Corruption of Foreign Public Officials Act* and the *Criminal Code*. As well, Canada should encourage all TPP Parties to strengthen their own anti-corruption laws where necessary, and to enforce them vigorously.

Extradition

Although the TPP does not require TPP Parties to make corruption offences extraditable, both the UNCAC and the OECD Convention impose this. Both also have “extradite or prosecute” provisions requiring parties that do not extradite their own nationals to take jurisdiction over offences they commit abroad. Canada should encourage TPP Parties that have not made corruption offences extraditable to do so. Canada may also wish to enter into extradition treaties with TPP countries with which it does not have an extradition treaty or an extradition partner relationship. (See Schedule “B”).

Extra-territorial jurisdiction

The TPP does not require parties to take jurisdiction over corruption offences committed by its nationals abroad, but the OECD Convention does. While the UNCAC makes extra-territorial jurisdiction optional, it requires parties that refuse to extradite their own nationals to take extra-territorial jurisdiction. Canada should encourage its TPP partners that have not adopted extra-territorial jurisdiction to do so.

Mutual legal assistance

The TPP does not contain mutual legal assistance provisions. There is no gap, since the UNCAC does. Canada does not have mutual legal assistance treaties with several TPP countries, however, and should negotiate those treaties. (See Schedule “B”).

E. Conclusion

The Transparency and Anti-Corruption chapter in the TPP has the potential to benefit Canadian businesses by increasing transparency and respect for the rule of law, and reducing corruption in TPP countries. The chapter does not impose any significant additional obligations on Canada and is largely consistent with international conventions that Canada has signed. CBA-ACT supports this chapter.

IV. CONCLUSION

The CBA Section and the CBA-ACT welcome the opportunity to provide comments on particular aspects of the TPP, and would be pleased to discuss any of the above items in more detail.

Schedule “A” – Transparency International Scores for TPP Countries

TPP Party	Corruption Perception Index		OECD Anti-Bribery Convention Enforcement
	Rank	Score	
Australia	13	79	Moderate
Brunei	n/a	n/a	n/a
Canada	9	83	Moderate
Chile	23	70	Little
Japan	18	76	Moderate
Malaysia	54	50	n/a
Mexico	95	35	Little
New Zealand	4	88	None
Peru	88	36	n/a
Singapore	8	85	n/a
USA	16	76	Active
Vietnam	112	31	n/a

Schedule “B” – Comparison of TPP, OECD Convention, and UNCAC

TPP Topic	TPP	OECD	UNCAC
Transparency			
Publication	Publication of laws, regulations, and procedures, after advance publication and consideration of comments (Art 26.2)	N/A	N/A
Administrative Proceedings	Procedural fairness rights in administrative, including the right to notice and the right to present facts and arguments	N/A	N/A
Anti-Corruption			
Bribery offence (public officials)	<p>“Shall” establish as criminal offences:</p> <ul style="list-style-type: none"> – bribing a [national] public official – soliciting a bribe by national public officials – bribing a foreign public official (Art 26.7(1)) 	<p>“Shall” establish as criminal offence:</p> <ul style="list-style-type: none"> – bribing a foreign public official 	<p>“Shall” establish as criminal offences:</p> <ul style="list-style-type: none"> – bribing a [national] public officials (Art 15) – soliciting a bribe by national public officials (Art 15) – bribing a foreign public official (Art 16) – for bribery of national public officials (Art 15)
Bribery offence (private sector)	N/A	N/A	Art 21 (see also Art 12)
Embezzlement offence			Art 22
Money laundering	N/A	N/A	Art 23
Concealment	See books & records, Art 26.7(5)	See books & records, Art 8	Art 24
Obstruction offence	N/A	N/A	Art 25
Liability of legal persons (corporations)	Art. 26.7(3)	Art 2, 3(2)	Art 12(3) and Art 26

TPP Topic	TPP	OECD	UNCAC
Nationality jurisdiction (extra-territorial)	N/A	Art 4(2)	Art 42 (extradite or prosecute)
End tax deductibility for bribes	Art 26.7(4)	In later Recommendations.	Article 12(4)
Books and records	Art 26.7(5)	Art 8	Art 12(3)
Mutual legal assistance	N/A	Art 9	Art 46
Extradition	N/A	Art 10 – Make corruption offences extraditable – Extradite or prosecute own nationals	– Make corruption offences extraditable (Art 44-45) – Extradite or prosecute own nationals (Art 42)
Improve selection and training of public officials	Art 26.8(1)	N/A	Art 7
Codes of conduct for public officials, discipline procedures	Art 26.8(2)-(3)	N/A	Art 8(1)-(2), (6)
Declarations by senior public officials of outside activities and investments	Art 26.8(1)(d)	N/A	Art 8 (5)
Measures to prevent corruption among the judiciary	Art 26.8(4)	N/A	Art 11
Restrictions on post-employment activities of public officials	N/A	N/A	Art 12(2)(e)
Application and Enforcement of Anti-Corruption Laws	Art 26.9	N/A	Various provisions regarding enforcement (Arts 30-42, 47-50)
Asset recovery	N/A	N/A	Chapter V contains provisions regarding asset recovery

Schedule “C” – Ratification Status of TPP Parties for Selected Treaties

TPP Party	OECD	UNCAC	Extradition treaty or extradition partner	MLAT with Canada
Australia	✓	✓	Partner	✓
Brunei	✗	✓	None	✗
Canada	✓	✓		
Chile	✓	✓	Treaty	✗
Japan	✓	✓	Partner	✗
Malaysia	✗	✓	None	✗

TPP Party	OECD	UNCAC	Extradition treaty or extradition partner	MLAT with Canada
Mexico	✓	✓	Treaty	✓
New Zealand	✓	✓	Partner	✗
Peru	✗	✓	Treaty	✓
Singapore	✗	✓	Partner	✗
USA	✓	✓	Treaty	✓
Vietnam	✗	✓	None	✗

Schedule “D” – Implementation of TPP Chapter 26 in Canadian Law

TPP obligation	Canadian law
Publication of laws, regulations, and procedures, after advance publication and consideration of comments	The process by which Canadian laws and regulations are made correspond to these obligations. The extent to which comments are received and considered by government departments that are developing procedures varies.
Procedural fairness rights in administrative proceedings, including the right to notice and the right to present facts and arguments	Canada’s law on procedural fairness in administrative proceedings is well-developed, and includes both common law and statutory protections.
Establish criminal offences for bribery of domestic public officials	<i>Criminal Code</i> , ss. 119-125, establish a number of offences relating to corruption involving public officials. These provisions have been applied to corruption of employees of Crown corporations.
Establish criminal offences for bribery of foreign public officials	<i>Corruption of Foreign Public Officials Act</i> , s. 3
Impose liability on legal persons (corporations) for corruption offences	Canada imposes criminal liability on corporations: <i>Corruption of Foreign Public Officials Act</i> , s. 3, and <i>Criminal Code</i> , s. 22.2.
End tax deductibility for bribes	<i>Income Tax Act</i> , 67.5(1)
Establish measures to prevent the covering up of bribes through false books	<i>Corruption of Foreign Public Officials Act</i> , s. 4
Selection and training of public officials	Rules for the selection and training of public officials are well-developed at the federal level by the Public Service Commission pursuant to the <i>Public Service Employment Act</i> , SC 2003, c 22, ss 12, 13.
Policies and procedures for identifying and managing conflicts of interest	Federal public servants are subject to the <i>Values and Ethics Code for the Public Sector</i> , promulgated by the Treasury Board of Canada pursuant to the <i>Public Servants Disclosure Protection Act</i> SC 2005, c 46. Public office holders are subject to the <i>Conflict of Interest Act</i> , SC 2006, c 9, s 2
Declarations by senior public officials of outside activities and investments	Public office holders who are designated as “reporting public office holders” are subject to the reporting obligations in the <i>Conflict of Interest Act</i> .
Codes of conduct for public officials	Senior public servants are subject to the Values and Ethics Code for the Public Sector, as well as the <i>Conflict of Interest Act</i> . Ministers of the Crown and Members of Parliament are subject to the <i>Conflict of Interest Code for Members of the House of Commons</i> as well as the <i>Conflict of Interest Act</i> .
Measures to prevent corruption among the judiciary	Federally-appointed judges are subject to a code of conduct and can be disciplined by the Canadian Judicial Council.