

## CANADA

### Relevant laws, regulations or decrees:

#### a. Canada Elections Act

Bill C-24, amending the Canada Elections Act and the Income Tax Act (political financing) came into force on 1 January 2004. It regulates campaign financing of federal elections. In particular, the Act introduces limits on contributions that may be made to parties, candidates, electoral districts, associations and leadership contestants; it also regulates donations. The Canada Elections Act may be found at: <http://laws.justice.gc.ca/en/e-2.01/text.html>

#### b. Criminal Code

Bill C-45, An Act to amend the Criminal Code (criminal liability of organizations) came into force on March 31, 2004. The bill codifies and modernizes the Canadian criminal law in relation to corporate criminal liability. In particular, this enactment amends the Criminal Code to:

- (a) establish rules for attributing to organizations, including corporations, criminal liability for the acts of their representatives;
- (b) establish a legal duty for all persons directing work to take reasonable steps to ensure the safety of workers and the public;
- (c) set out factors for courts to consider when sentencing an organization; and
- (d) provide optional conditions of probation that a court may impose on an organization.

The Criminal Code may be found at: <http://laws.justice.gc.ca/en/c-46/text.html>

#### c. Public Service Employment Act

The new Public Service Employment Act was enacted on 7 November 2003. It is not in force, except for technical transitory provisions, and the date for its coming into force has not yet been set. The purpose of this Act is to modernize the public service while retaining core values of merit, excellence, representativeness, impartiality and the ability to serve members of the public with integrity in the official language of the public's choice. It also foresees the creation of a public service staffing tribunal which will, among others, look into developing guidelines for public servants wanting to engage in political activities.

The Public Service Employment Act can be found at:

[http://www.parl.gc.ca/37/2/parlbus/chambus/house/bills/government/C-25/C-25\\_4/C-25\\_cover-E.html](http://www.parl.gc.ca/37/2/parlbus/chambus/house/bills/government/C-25/C-25_4/C-25_cover-E.html)

- d. Bill C-13, An Act to amend the Criminal Code (capital markets fraud and evidence-gathering) received Royal Assent on March 29, 2004. The Act creates a new offence to prohibit threatening or retaliating against employees for disclosing unlawful conduct. The date for its coming into force has not yet been fixed.