



66, rue Slater Street  
22<sup>e</sup> étage / 22<sup>nd</sup> Floor  
OTTAWA, ONTARIO  
CANADA  
K1A 0A6

PROTECTED - PERSONAL INFORMATION

February 15, 2007

Mr. Duff Conacher  
Coordinator  
Democracy Watch  
420 - 1 Nicholas Street  
P.O. Box 821, Station B  
Ottawa, ON K1P 5P9

Dear Mr. Conacher:

This is further to your letter of January 23, 2007 regarding your request that I conduct an inquiry, under *the Conflict of Interest Code for Members of the House of Commons* (Members' Code), on the activities of Mr. Wajid Khan, member of Parliament for Mississauga-Streetsville.

I would like to point out that subsection 27(1) of the *Conflict of Interest Code for Members of the House of Commons* stipulates that the Ethics Commissioner can conduct an inquiry only when a request is received from a member of the Senate or House of Commons.

Since this request is not from a member of the Senate or the House of Commons, I do not have any statutory authority to proceed with an inquiry into the conduct of the Member of Parliament, Wajid Khan on that basis.

As you have made reference to, I do have, pursuant to subsection 27(4) of the *Conflict of Interest Code for Members of the House of Commons*, the authority to self initiate and conduct an inquiry. However, I am not intending to exercise this authority in this case because:

- i) The issue of 'crossing the floor', which you are raising, was dealt with in the Harper-Emerson Report. In particular, the following comment was made:

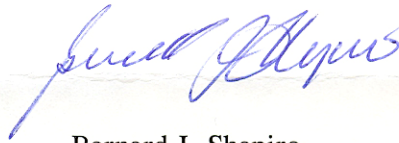
"In the final analysis, the most appropriate place to settle issues of this kind [i.e., crossing the floor] is not in the Office of the Ethics Commissioner but in Parliament itself."



- ii) On the basis of the information you have provided, I am unable to conclude that there are reasonable grounds to believe that a violation of the Members' Code has occurred.

Thank you for having brought this matter to my attention.

Cordially,



Bernard J. Shapiro  
Ethics Commissioner