



**Immediate Release**

### **NCC Refuses to Disclose Board Member's Gatineau Park Conflict**

**Chelsea, December 4, 2009** – The Gatineau Park Protection Committee is urging the National Capital Commission to disclose all the facts regarding a board member's Gatineau Park conflict of interest.

Minutes of the NCC Board Meeting of February 13, 2009, confirm director Robert Tennant had to recuse himself from a discussion of Gatineau Park property acquisitions, having declared a conflict of interest in that regard.<sup>i</sup>

Mr. Tennant is a managing partner with FoTenn Consultants, an Ottawa-based land use planning and urban design consulting firm. He has been an NCC board member since March 2007.<sup>ii</sup>

“This begs the question as to the nature of Mr. Tennant's conflict of interest. Does he own property in Gatineau Park; might he profit from any NCC property acquisitions, in particular those discussed at the February 13 meeting? And if he does own land in the park, doesn't this potentially cloud his views regarding the role private property should play there?” said GPPC co-chair Andrew McDermott.

According to the Conflict of Interest Act, public office holders must recuse themselves from any discussion, decision, debate or vote on matters that would place them in a conflict of interest.<sup>iii</sup> The Act also says public office holders will be in conflict if they use their positions to promote their interests or those of friends or relatives, or to improperly further another person's interests.

To determine the nature of Mr. Tennant's conflict, the GPPC made an access to information request on September 28, 2009. Predictably, the response it got from the NCC was evasive, saying that “Mr. Tennant is not a reporting public office holder as [...] defined in the Conflict of Interest Act [and that] apart from recusing himself, as he did on the record, he has no further reporting or disclosure obligation.”<sup>iv</sup>

“Although the NCC says Mr. Tennant is under no obligation to disclose the nature of his conflict of interest in Gatineau Park, the public has a right to know all the facts about this and the NCC has a moral obligation to provide them,” said Mr. McDermott. “Continued evasion will only raise another red flag of suspicion on the NCC, an agency that lost all credibility with the public,” he added.

“Besides, such a conflict of interest only reinforces the perception that the NCC is run for and by Gatineau Park landowners, in violation of its own mandate and commitments,” said Mr. McDermott.

**Backgrounder**  
**NCC answer to question on Mr. Tennant's**  
**Conflict of interest**  
**(October 28, 2009 email)**

*Please be advised that the only record that the NCC possesses that is responsive to your request is the minutes of the meeting of the Board of Directors of February 13, 2009, containing the declaration of Robert Tennant. It should be noted that potential conflicts of interest are dealt with by the federal Conflict of Interest Act. Section 21 of the Conflict of Interest Act stipulates that a public office holder shall recuse himself or herself from any discussion, decision, debate or vote on any matter in respect of which he or she would be in a conflict of interest."*

*Furthermore, the Conflict of Interest Act imposes additional obligations on reporting public office holders. Mr. Tennant is not a reporting public office holder as that term is defined in the Conflict of Interest Act. Accordingly, apart from recusing himself, as he did on the record, he has no further reporting or disclosure obligation.*

*We hope the information provided is helpful. Should you have additional questions or comments, please do not hesitate to contact us again.*

**Public Affairs**  
**National Capital Commission**  
**Record #3037455**



NCC Board member Robert Tennant  
Source : FoTenn Consultants, Inc.  
<http://www.fotenn.com/firm.htm>

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<sup>i</sup> National Capital Commission, Minutes of meeting No. C-200903, Friday, February 13, 2009, p.4,  
[http://www.capcan.ca/data/2/rec\\_docs/21817\\_In-camera-minutes-090213.pdf](http://www.capcan.ca/data/2/rec_docs/21817_In-camera-minutes-090213.pdf)

<sup>ii</sup> <http://www.fotenn.com/firm.htm>.

<sup>iii</sup> Conflict of Interest Act, Section 21, 2006, c.9, s. 2, <http://laws.justice.gc.ca/eng/C-36.65/20091107/page-0.html?rp2=HOME&rp3=SI&rp1=conflict%20of%20interest%20act&rp4=all&rp9=cs&rp10=L&rp13=50#idhit6>

<sup>iv</sup> NCC ATIP A-2009/10-00053.