

# **AVCC Conflict of Interest Policy**

May 2013

## **1. Obligations of AVCC Committee Members**

Members of the Committee have a duty to act in the best interests of the organisation as a whole including:

- An overriding obligation to act honestly and in accordance with the Committee Policies;
- An obligation to:
  - Act in good faith for the best interests of the AVCC over their own personal interests
  - Exercise powers for the purpose for which they were conferred under the terms of the constitution
  - Observe a duty of care and diligence in discharging their obligations in accordance with all relevant legislation.

## **2. A conflict of interest**

- exists when the interests of Committee Members or those of their families, friends or other organisations with which they are involved, are incompatible or in competition with the interests of the AVCC;
- Can be actual, potential or perceived (see Appendix A for a list of examples of conflicts of interest).

## **3. Declaration of interest form**

Committee Members are required to declare, where it is relevant to the operation of the AVCC:

- Any employment with, (current or previous if the committee member retains a financial or otherwise interest), or appointment to, (voluntary or otherwise e.g. trusteeships, directorships, local authority, tribunal membership), an organisation that has any relationship with the AVCC;
- Professional and organisational memberships which impact or are relevant to the AVCC;
- Membership of any special interest groups which have a relationship with the AVCC;
- Investments in listed or unlisted companies, partnerships and other forms of business which deal with the AVCC;
- Gifts or hospitality offered to a Committee Member by external bodies, and whether this was accepted or declined;
- Family connections where relevant, such as a spouse/partner working for an organisation with which the AVCC has a business relationship; and
- Contractual relationships between a Committee Member or a close relative and the AVCC that provides pecuniary or other benefits.

## **4. Register of Interests**

- Completed declarations are to be returned to one of the co-chairs on an annual basis.

- It is a Committee Member's responsibility to declare a conflict of interest to the AVCC committee.
- Committee Members will be advised who is controlling the register of interests, how often records will be updated, and appropriate security arrangements for the information declared.

**5. Managing a conflict when making a decision**

Even if a conflict has been declared in the Register, Committee Members should again declare the conflict early in any Committee discussions to ensure:

- Any appearance of impropriety is avoided;
- The Committee Member is not involved in the discussion (unless they are able to provide important information or answer questions), and decision; and,
- The Committee Member does not obtain information from an earlier discussion that would allow them to influence the final decision.

NO person is allowed to participate in any decision where there is potential for pecuniary gain for that person

See attached Appendix for examples of conflict of interest

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Approved in AVCC Meeting Dated: .....

Approved \_\_\_\_\_ (Date) \_\_\_\_\_

**AVCC Co-Chair**

Approved \_\_\_\_\_ (Date) \_\_\_\_\_

**AVCC Co-Chair**

**Appendix A - Examples of Conflict of Interest**

**Direct financial interest:**

For example:

- Payment of a salary or professional fee to a Committee Member
- Awarding of a contract to a company with which a Committee Member is involved

- Sale of a property or asset at below-market value to a Committee Member or the family of a Committee Member

**Indirect financial interest:**

For example:

- Awarding of an employment contract to a Committee Member's spouse/partner
- Making a grant to a Committee Member's dependent child
- Accepting a personal gift or discount from an organisation wanting to do business with the association.

**Non-financial conflict:**

For example:

- Awarding contracts to friends or family
- A Committee Member may have competing loyalties between the Association to which they owe a primary duty and some other person or entity.