



# BRITISH COLUMBIA TARGET SPORTS ASSOCIATION

## CONFLICT OF INTEREST POLICY

### Contents

- Part 1 Definition
- Part 2 General Duties
- Part 3 More About Avoiding a Conflict of Interest
- Part 4 Using BCTSA Property and BCTSA Information
- Part 5 Rules About Gifts

### Part 1: Definition

1.1 A “conflict of interest” is any situation where

- (a) Your personal interests, or
- (b) Those of a close friend, family member, business associate, corporation or partnership in which you hold a significant interest, or a person to whom you owe an obligation could influence your decisions and impair your ability to
  - (i) Act in the BC Target Sports Association’s best interests, or
  - (ii) Represent the BC Target Sports Association fairly, impartially and without bias.

It is important to note that a “conflict of interest” exists if the decision **could** be influenced – **it is not necessary that influence takes place.**

### Part 2: General Duties

2.1. Unless authorized to do so by the BC Target Sports Association Board, or by a person the Board designates, you may not

- (a) Act on behalf of the BC Target Sports Association, or deal with the BC Target Sports Association, in any matter where you are in a conflict of interest or appear to be in a conflict of interest, nor
- (b) Use your position, office or affiliation with the BC Target Sports Association to pursue or advance your personal interests or those of a person described in paragraph 1.1(b).

2.2 The “appearance of a conflict of interest” occurs when a reasonably well informed person properly could have a reasonable perception that you are making decisions on behalf of the BC Target Sports Association that promote your personal interests or those of a person described in paragraph 1.1(b).

- 2.3 You must immediately disclose a conflict of interest to the Board of Directors either in writing or indicated at a Board of Directors' meeting. It is important to make the disclosure when the conflict first becomes known. If you do not become aware of the conflict until after a matter is concluded, nevertheless you must still make the disclosure immediately.
- 2.4 If you are in doubt about whether you are or may be in a conflict of interest, you must request the advice of the Board of Directors or a person the Board designates.
- 2.5 Unless otherwise directed, you must immediately take steps to resolve the conflict or remove the suspicion that it exists, by
- Promptly declaring to the Board of Directors any conflict of interest as defined by this policy and asking that such declaration be recorded in the minutes.
  - Excusing yourself from the portion of the meeting where the matter giving rise to the conflict of interest is being discussed.
  - Refraining from all discussion of the matter giving rise to the conflict of interest, at any meeting of the Board of Directors, or elsewhere.
  - Refraining from voting on the matter giving rise to the conflict of interest, at any meeting of the Board of Directors.

### **Part 3: More About Avoiding a Conflict of Interest**

#### 3.1 You must not

- (a) Use your relationship with the BC Target Sports Association to confer a benefit on a person described in paragraph 1.1(b). This duty does not prevent you or anyone else from conducting business with other situations, as authorized by the Board.
- (b) Personally benefit from any business activity involving the BC Target Sports Association except in unique situations, as authorized by the Board.
- (c) Indirectly benefit from any business activity involving the BC Target Sports Association except in unique situations, as authorized by the Board.

#### 3.2 An "indirect benefit" is

- (a) A benefit derived by a close friend, family member, business associate, or a corporation or partnership in which you hold a significant interest, or
- (b) A benefit which advances or protects your interests although it may not be measurable in money.

#### **Part 4: Using BC Target Sports Association's Property and Trade Information**

- 4.1 You must have authorization from the Board, or from a person that Board designates
- (a) To use, for personal purposes, property owned by the BC Target Sports Association or
  - (b) To purchase BC Target Sports Association property unless it is through channels of disposition equally available to the public. Even then you may not purchase the property without authorization if you are involved in some aspect of the sale.
- 4.2 You may not take personal advantage of an opportunity available to the BC Target Sports Association unless
- (a) It is clear that the BC Target Sports Association has irrevocably decided against pursuing the opportunity and
  - (b) The opportunity is equally available to members of the public.
- 4.3 You may not use your position with the BC Target Sports Association to solicit any BC Target Sports Association's stakeholder(s) for personal business or one operated by a close friend, family member, business associate or a corporation or partnership in which you hold a significant interest. This duty does not prevent you or anyone else from transacting business with other people connected with the BC Target Sports Association.
- 4.4 "BC Target Sports Association information" is information that is acquired solely by reason of involvement with the BC Target Sports Association and which the BC Target Sports Association is under an obligation to keep confidential.
- 4.5 You may use BC Target Sports Association's information only for BCTSA's purposes.
- 4.6 You must not use BCTSA information for your own personal benefit or for those of a close friend, family member, business associate or a corporation or partnership in which you hold a significant interest.
- 4.7 You must protect BCTSA information from improper disclosure.
- 4.8 You must report to the Board, or to a person the Board designates, any incident of abuse of BCTSA information.
- 4.9 You may only divulge BCTSA information if
- (a) You are authorized by the Board,

- (b) You are a designated spokesperson,
- (c) The person or agency that has a lawful right to the information.

**Part 5: Rules About Gifts**

- 5.1 You may accept a gift made to you because of your involvement in the BCTSA in the following circumstances only if:
- (a) The gift has no more than token value.
  - (b) It is the normal exchange of hospitality or a customary gesture of courtesy between persons doing business together.
  - (c) The exchange is lawful and in accordance with local ethical practice and standards, and
  - (d) The gift could not be constructed by an impartial observer as a bribe, pay off or improper or illegal payment.
- 5.2 You may not use BCTSA property to make a gift, charitable donation or political contribution to anyone on behalf of the BCTSA. Any gift must have the authorization of the Board of Directors or a person the Board designates.

**Part 6: Guidelines for Authorizing a Transaction From Which a Member May Derive a Benefit**

- 6.1 Even if you are not a Director, if you are in a position to influence decisions made on behalf of the BCTSA, the Board must treat you as if you are a Director.

Reviewed August 2014

Note: The origin of this policy statement is a document prepared by the BC Law Reform Commission. It was designed to provide, in relatively plain language, guidance on conflict of interests and related issues. Permission to reprint has been granted (<http://www.amcdirectory.com/articles/conflictOfInterest.shtml>)