

# Policies and Procedures

## Rhythmic Gymnastics Alberta

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### Section 1. Conflict of Interest

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### 1.1 OVERVIEW

#### 1.1.1 Intent (Purpose)

1.1.1.1 The RGA is committed to the values of ethical conduct, integrity and honesty. Good governance requires an avoidance of conflict of interest, and the regulation of conflict of interest is necessary to promote good governance practices.

1.1.1.2 The purpose of this policy is to describe how individuals involved in RGA shall conduct themselves in matters relating to real or perceived conflicts of interest, and to clarify how RGA will make decisions in situations where conflicts of interest may exist.

#### 1.1.2 Application

1.1.2.1 This policy applies to Representatives of the RGA: directors, officers, committee members, program volunteers and other volunteers who are involved in decision-making or decision-influencing roles within RGA.

### 1.2 INTERPRETATION

#### 1.2.1 Definition of conflict of interest

1.2.1.1 A conflict of interest is a situation where an individual, or the organization that he or she represents or has an interest in, has a real, potential or perceived, direct or indirect competing interest with RGA's activities. This competing interest may result in the individual, or entities in which they have an interest, being in a position to benefit from the situation or in the RGA not being able to achieve a result which would be in the best interest of RGA.

1.2.1.2 Conflicts of interest include both pecuniary and non-pecuniary interests.

- a) A **pecuniary interest** is an interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated.
- b) A **non-pecuniary interest** may include family relationships, friendships, volunteer positions in associations or other interests that do not involve the potential for financial gain or loss. While it is understood that this is very difficult to avoid in a small organization, it is vital that all individuals consider whether they are in a conflict situation and act accordingly, as per this *Conflict of Interest Policy*.

#### 1.2.2 Statutory obligations

1.2.2.1 At the time of the adoption of this policy, RGA is incorporated under the Alberta Societies Act (the "Act") and is governed by the Act in matters involving a real or perceived conflict between the personal interests of a director or officer and the

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broader interests of the Federation.

1.2.2.2 Under the Act, any real or perceived conflict, whether pecuniary or non-pecuniary, between a Representative's interest and the interests of RGA must at all times be resolved in favour of RGA.

1.2.2.3 These statutory obligations continue under the Alberta Societies Act and its successor.

#### **1.2.3 Additional obligations**

1.2.3.1 In addition to fulfilling all requirements of the Act or its successor, RGA and its Representatives will also fulfill the additional requirements of this policy.

Representatives of the RGA shall not:

- a) engage in any business or transaction, or have a financial or other personal interest that is incompatible with their official duties with RGA, unless such business, transaction or other interest is properly disclosed in accordance with this policy;
- b) knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration, or who might seek, in any way, preferential treatment;
- c) in the performance of their official duties, give preferential treatment to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest, financial or otherwise;
- d) derive personal benefit from information that they have acquired during the course of fulfilling their official duties with RGA, where such information is confidential or is not generally available to the public;
- e) engage in any outside work, activity or business or professional undertaking that conflicts or appears to conflict with their official duties as a Representative, or in which they have an advantage or appear to have an advantage on the basis of their association with RGA;
- f) use RGA's property, equipment, supplies or services for activities not associated with the performance of official duties with RGA;
- g) place themselves in positions where they could, by virtue of being a Representative, influence decisions or contracts from which they could derive any direct or indirect benefit or interest; or
- h) accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being a Representative.

#### **1.2.4 Disclosure of conflict of interest**

1.2.4.1 On an annual basis, all Representatives who are involved in decision-making or decision-influencing roles will complete a written statement disclosing any real or perceived conflicts that they might have.

1.2.4.2 At any time that a Representative becomes aware that there may exist a real or perceived conflict of interest, they shall immediately disclose this conflict to the Vice President or Executive Director, as appropriate.

1.2.4.3 Any person who is of the view that a Representative may be in a position of conflict of

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interest may report this matter to the Vice President or Executive Director, as appropriate.

#### **1.2.5 Resolving conflicts in decision-making**

1.2.5.1 Questions about decisions or transactions that may involve a real or perceived conflict of interest that have been reported or disclosed by a Representative shall be considered and decided upon by the respective committee or Board of Directors to which the question relates, or, if not related directly to the Board of Directors or a committee, by the Executive Committee, provided that:

- a) the nature and extent of the Representative's interest has been fully disclosed to the body that is considering or making the decision and this disclosure is recorded in the minutes of that body's meetings;
- b) the Representative does not participate in discussion on the matter giving rise to the conflict of interest, unless the body considering the matter votes to allow such participation;
- c) the Representative abstains from voting on the proposed decision or transaction;
- d) the Representative is not included in the determination of quorum for the proposed decision or transaction; and
- e) the decision or transaction is in the best interests of the RGA.

#### **1.2.6 Enforcement and Compliance**

1.2.6.1 Failure by a Representative to adhere to this Conflict of Interest Policy may be referred for disciplinary action.

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