



EQUESTRIAN
QUEENSLAND

CONFLICT OF INTEREST POLICY

Policy Area: Governance

Policy Number: EQ 0017

Effective Date: 1 January 2016
(First adopted 1 January 2016)

What is a Conflict of Interest?

Definition:

A conflict of interest is a conflict between public duty and private interests, which could influence the performance of official duties and responsibilities.

A reasonable perception of a conflict of interest is where a fair minded person, properly informed as to the nature of the interests of the decision maker, might reasonably perceive that the decision maker might be influenced in the performance of his or her official duties and responsibilities

Categories:

- 1. An actual conflict of interest is one where there is a real conflict between the person's public duties and their private interests;*
- 2. A potential conflict of interest arises where a person has private interests that could conflict with their public duties;*
- 3. A perceived conflict of interest can exist where a third party could form the view that a persons private interest could improperly influence the performance of their duties now or into the future.*

Examples:

The following are types of potential and perceived conflicts of interests:

- 1. Benefitting from who or what you know: A person or their family member may receive a financial or other significant benefit as a result of their position on the EQ Board, Sport Committee or sub-committee;*
- 2. Undue influence: When a person has the opportunity to influence the business of the EQ Board, Sport Committee or sub-committee in a manner that leads to personal gain or advantage or the advantage of another entity or professional association;*
- 3. Compromised judgement and decision making: When a person has an existing or potential financial or other significant interest that impairs or might appear to impair independence in the discharge of their responsibilities to the EQ Board, Sport Committee or sub-committee.*

Duty to avoid Conflict of Interests

Members of the EQ Board, Sport Committee or sub-committees must not place themselves in a position where there is a real, potential or perceived possibility of a conflict of interest.

Members have a duty to disclose conflict of interest to the relevant persons.

If a members interests appear to raise a conflict with the proper performance of the members duties in relation to the consideration of the matter; the member must, as soon as possible after the relevant facts have come to the members knowledge, disclose the nature of the interest at the next meeting of the EQ Board, Sport Committee or sub-committee.

Directors of the Board of Equestrian Queensland should disclose conflicts of interest to the Chair of the Board and the Chief Executive Officer of Equestrian Queensland or at the beginning of each Board meeting.

Employees of Equestrian Queensland should disclose conflicts of interest to the Chief Executive Officer of Equestrian Queensland.

Members of the Sport Committees and sub-committees established under the Membership & Committee By-Laws should disclose conflicts of interest to the Chair or the Sport Committee and/or sub-committee and the Chief Executive Officer of Equestrian Queensland or at the beginning of each meeting.

To who does this policy apply

This policy applies to:

- Directors of the Board of Equestrian Queensland
- Officers and Employees of Equestrian Queensland
- Members of the Sport committees
- Members of any sub-committees set up by the Sport Committees
- Delegates and Appointees of the Equestrian Queensland Board
- Any other Delegates and Appointees provided for under the Membership & Committee By-law

Determining the existence of a Conflict of Interest

The following are guides for determining the existence of a conflict:

1. The assessment of the conflicting interests must be made by every person afflicted by the conflict;
2. The perception of a conflict of interest must be made by another member and should be raised by the holder of that perception;
3. Self-management of a conflict is not adequate;
4. The threshold for the disclosure of a conflict of interest is low;
5. The test is a relative one, related to whether a fair minded lay observer might reasonably believe that the persons interest might result in a conflict with the proper performance of their duties;
6. When a conflict is apparent and so pervasive as to prevent the member from participating meaningfully in the business of the EQ Board, Sport Committee or sub-committees, resignation could be the only effective course available. Alternatively, the member may excuse him/herself from a particular decision-making event, if the conflict of interest is limited to a particular issue or case.

Procedures for managing conflicts of interest

The action which a member of the EQ Board, Sport Committee or sub-committee should take if he or she is faced with an actual, potential or perceived conflict of interest in relation to a particular matter being considered will depend on the nature and the circumstance of the conflict.

Generally, it will include abstaining from voting on the matter and absenting him/herself from all deliberations relating to the matter.

The Chair of the Board/Sport Committee or sub-committee or the Chief Executive Officer of Equestrian Queensland may also provide direction and guidance in relation to the procedures and steps to be taken at the time a member makes a disclosure.

Maintenance of a register of Conflicts of Interest

Equestrian Queensland will maintain a register of conflicts of interest disclosed under this policy.

Members and Participating members of Equestrian Queensland may make a written application to the Chair of the Board to inspect the register of conflicts of interest.

The Chair may refuse the application in circumstances where he/she reasonably considers the application to be frivolous or vexatious.