



## Point Clark Beach Association

### Conflict of Interest

The conflict of interest policy for the Point Clark Beach Association (“PCBA”) Board is in place to ensure the integrity, independence and accountability in decisions being made by the Board.

#### Defining a Conflict of Interest

An actual conflict of interest is defined as a situation in which an individual decision-maker has an impediment to being impartial and loyal, such as:

- a personal, professional, financial, business or volunteer position, responsibility, or interest; or
- a conflicting duty to another entity where the individual's allegiance may be split between the PCBA and other organizations/individuals.

An apparent conflict is defined as a situation or relationship that may cause a reasonable person to believe that there is a real conflict or to question whether there is an impediment to impartiality that could cause the judgment to be compromised.

This Duty requires PCBA Leaders to act in the interests of the PCBA and not for personal or third-party gain, promotion of commercial interests, or financial enrichment

It is a conflict of interest for PCBA Board members to:

- use their position and status to promote any commercial enterprise;
- allow outside interests to affect their loyalty to the PCBA when making decisions;
- take actions in which the Board member has a financial interest; and
- engage in decisions and activities that provide unwarranted benefit or endorsement by the PCBA.

Whether or not a specific situation is considered a conflict of interest or an apparent conflict of interest is determined by how that situation appears to others. This might not be how the leader with the actual or apparent conflict of interest views the situation. Conflicts of interest – whether actual or apparent - must be resolved.

In some cases, conflicts of interest can be resolved by disclosure and explanation.



## **Conflict of Interest**

PCBA Col v2. - January 2019

### **Direct pecuniary interest**

A pecuniary interest in a matter is one where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the Board member.

### **Indirect pecuniary interest**

A Board member may have a pecuniary interest under where he or she has an indirect pecuniary interest in the matter as a result of a relationship with another entity. An indirect pecuniary interest can arise a matter coming to the board will impact the finances, economic prospects or property value of:

- a private corporation in which the member is a shareholder, director or senior officer;
- a public corporation in which the member has a controlling interest, or is a director or senior officer of;
- a body of which the member is also a member;
- a member's business partner; or
- a member's employer.

### **Spouse, Child, Parent**

The direct or indirect pecuniary interests of a Board member's spouse, child (regardless of age) or parent are deemed to be the same interests of the member.

### **Declaring an interest**

Declaring an interest calls for an objective judgement by each individual Board member in each case as to whether a pecuniary interest exists. Board members should review the agenda in advance of all meetings to identify matters that could give rise to direct and/or indirect pecuniary interests. If it is discovered by the Board member during the meeting that a pecuniary interest exists, the member should declare at that point.

### **Once an interest is declared on a matter.**

If the Board member has declared a pecuniary interest, whether direct or indirect, the Board member may not participate in the discussion of, or vote on any question with respect to that matter.