# Conflict of interest policy and procedure

This is a sample template that may be used to guide the development of policy and procedures specific to your needs.

**Introduction**

The Board of [Name of Crown Reserve] is committed to high standards of ethical conduct and accordingly places great importance on clearly declaring any existing or potential conflict of interest.

**Policy**

A conflict of interest may occur if an interest or activity influences or appears to influence the ability of a Board Member to exercise objectivity.

The Board places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned and documented in the Board’s Conflicts of Interest Register.

A Board member who believes another Board member has an undeclared conflict of interest should specify in writing the basis of this potential conflict.

Where a Board member has a conflict of interest, as defined by statute, that Board member shall not initiate or take part in any Board discussion on that topic (either in the meeting or with other Board members before or after the Board meetings), unless expressly invited to do so by unanimous agreement by all other members present.

Where a Board member has a conflict of interest, as defined by statute, that Board member shall not vote on that matter.

The Board may supplement the statutory definition of conflict of interest if it so wishes, in which case the same procedures shall apply.

Board members are not barred from engaging in business dealings with the Crown Reserve, provided that these are negotiated at arm’s length without the participation of the Board member concerned.

**Definition**

Conflict of interest applies where:-

1. a Board member stands to gain financially from any business dealings, programs or services of the Crown Reserve, other than where
   * 1. the Board member falls into the class of people benefited by the Crown Reserve and the financial gain is of a nature common to other beneficiaries, or
     2. The person is an employee of the Crown Reserve, and the financial gain is of a nature common to other employees.
2. the immediate family or business connections of a Board member stands to gain financially from any business dealings, programs or services of the Crown Reserve,
3. the person is an employee of the Crown Reserve,
4. A Board member or the ex-officio member of the Board has a role on the governing body of another Crown Reserve, where the activities of that other body may be in direct conflict or competition with the activities of [Name of Crown Reserve].

**Procedures**

A Board Member must:

* **Disclose** any conflict of interest prior to commencing in the role; and file with the [Chairperson] a list of principal business activities. This must include involvement with other charitable and business Crown Reserves, vendors or business interests, or with any other associations that might produce a conflict of interest.
* **Declare** any conflicts of interest of which they become aware either at the start of the Board meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes.
* **Remove** themselves from any Board discussion on topics involving a conflict of interest. They should do so either in the meeting or with other Board members before or after the Board meetings.
* **Refrain** from attending the meeting during discussion, voting or deliberating on decisions related to the conflict of interest, unless expressly invited to do so by unanimous agreement by all other members present. The Board Member’s abstinence should be recorded in the meeting minutes.
* **Respect** the confidentiality of all person(s) who declare anexisting or potential conflict of interest.
* **Escalate** any matter to Department of Industry – Lands where there is an allegation that a person has a conflict of interest, (actual or potential), and the Board is unable to reach agreement from all parties involved that the conflict of interest exists.

**Authorisation**

[Signature of Board Secretary]  
[Date of approval by the Board]  
[Name of Crown Reserve]