

Policy Name: Conflict of Interest Policy	Date of Approval: February 7 th , 2024	Activation Date: February 13 th , 2024
Approved By: Board of Directors	Version: 2024.1	Replacing Previous Version:
Review Cycle: 3 Years or as required		

1.1 Terms and Definitions

- a) The following terms have these meanings in the Policy:
- i. *“Conflict of Interest”* – Any situation in which a Representative’s decision-making, which should always be in the best interest of the Manitoba Gymnastics Association (MGA), is influenced or could be influenced by personal, family, financial, business, or other private interests.
 - ii. *“Pecuniary Interest”* – 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.
 - iii. *“Non-Pecuniary Interest”* – An interest that an individual may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss.
 - iv. *“Representatives”* – Individuals engaged in activities on behalf of, the MGA including but not limited to coaches, volunteers, managers, administrators, committee chairpersons, committee members, and Directors of the MGA.

1.2 Background

- a) Individuals who act on behalf of the MGA have a duty first to that organization and second to any personal stake they have in the operations of the MGA. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the MGA is connected to their own personal interests.
- b) Process related to conflict of interest for full time, part time or contract employees of the MGA are addressed in the MGA HR Policy Manual.

1.3 Purpose

- a) The MGA strives to reduce and eliminate nearly all instances of conflict of interest at the MGA – by being aware, prudent, and forthcoming about the potential conflicts. This policy describes how representatives will conduct themselves in matters relating to conflict of interest, and will clarify how representatives shall make decisions in situations where conflict of interest may exist.
- b) This policy applies to all representatives.

1.4 Obligations

- a) Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a representative’s personal interest and the interest of the MGA, shall always be in favor of the MGA.

- b) Representatives will not:
- i. Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with the MGA, unless such business transaction, or other interest is properly disclosed to the MGA and approved by the MGA.
 - ii. Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment.
 - iii. In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise.
 - iv. Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with the MGA, if such information is confidential or not generally available to the public.
 - v. Without the permission of the MGA, engage in any outside work, activity, or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of the MGA, or in which they have an advantage or appear to have an advantage on the basis of their association with the MGA.
 - vi. Without the permission of the MGA, use the MGA's property, equipment, supplies, or services for activities not associated with the performance of their official duties with the MGA.
 - vii. Place themselves in positions where they could, by virtue of being an MGA representative, influence decisions or contracts from which they would derive any direct or indirect benefit.
 - viii. Accept any gift or favor that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being an MGA representative.

1.5 Disclosure of Conflict of Interest

- a) On an annual basis, all the MGA's Directors, Committee Members and Judging Chairpersons as well as candidates for elected positions will complete a "**Declaration Form**" disclosing any real or perceived conflicts that they might have. Declaration forms shall be retained by the MGA.
- b) Immediately upon becoming aware that a conflict of interest may exist, all representatives must disclose any real or perceived conflict of interest via an updated "**Declaration Form**" or within the forum that a conflict arises (i.e. meeting, emails, etc.).
- c) Representatives shall also disclose any and all affiliations with any and all other organizations involved with the same sport. These affiliations include any of the following roles: athlete, coach, manager, official, employee, owner, volunteer, or director.

1.6 Minimizing Conflicts of Interest in Decision-Making

- a) Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an MGA Representative will be considered and decided with the following additional provisions:
 - i. 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 or noted.
 - ii. The representative may participate in discussion on the matter upon the request of the decision-making body to provide background or contextual information.
 - iii. The representative abstains from voting on the decision.
 - iv. For board-level decisions, the representative does not count toward quorum. If a quorum



cannot be achieved, a subcommittee may be formed to provide a recommended decision to the BOD.

- v. The decision is confirmed to be in the best interests of the MGA.

1.7 Conflict of Interest Complaints

- a) Any person who believes that a representative has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to the MGA to be addressed under the MGA's *Discipline and Complaints Policy*.