

Conflict of Interest Policy

Definitions

1. The following terms have these meanings in this Policy:
 - a) **Conflict of Interest** – Any situation in which a Representative's decision-making, which should always be in the best interests of Biathlon Canada, is influenced or could be influenced by personal, family, financial, business, or other private interests
 - b) **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
 - c) **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
 - d) **Representative** – Individuals employed by, or engaged in activities on behalf of, Biathlon Canada including: coaches, staff members, convenors, contract personnel, volunteers, managers, administrators, committee members, and Directors and Officers of Biathlon Canada

Background

2. Individuals who act on behalf of a not-for-profit organization have a duty first to that organization and second to any personal stake they have in the operations of the organization. Representatives must not put themselves in positions where making a decision on behalf of Biathlon Canada is connected to their own personal interests. That would be a conflict of interest situation.

Purpose

3. Biathlon Canada strives to reduce and eliminate nearly all instances of conflict of interest at Biathlon Canada – 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 clarifies how Representatives shall make decisions in situations where conflict of interest may exist.
4. This Policy applies to all Representatives.

Obligations

5. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a Representative's personal interest and the interests of Biathlon Canada, shall always be resolved in favour of Biathlon Canada.
6. Representatives will not:
 - a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with Biathlon Canada, unless such business, transaction, or other interest is properly disclosed to Biathlon Canada and approved by Biathlon Canada
 - 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 preferential treatment
 - c) 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
 - d) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with Biathlon Canada, if such information is confidential or 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 of Biathlon Canada, or in which they have an advantage or appear to have an advantage on the basis of their association with Biathlon Canada

- f) Without the permission of Biathlon Canada, use Biathlon Canada's property, equipment, supplies, or services for activities not associated with the performance of their official duties with Biathlon Canada
- g) Place themselves in positions where they could, by virtue of being a Representative of Biathlon Canada, influence decisions or contracts from which they could derive any direct or indirect benefit
- 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 of Biathlon Canada

Disclosure of Conflict of Interest

7. On an annual basis, all Biathlon Canada's Directors and candidates for election to the Board, Officers, Employees, and Committee Members will complete a **Declaration Form** disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by Biathlon Canada until updated, or for a year after an individual's term ends.
8. Immediately upon becoming aware that a conflict of interest may exist, all Representatives must disclose any real or perceived conflict of interest as follows:
 - a) Directors, Officers, Committee Members, candidates for election to the Board, and the senior staff person must disclose real and perceived conflicts of interest to the Board
 - b) Employees must disclose real and perceived conflicts of interest to the senior staff person
 - c) Coaches, volunteers, managers, and other Representatives must disclose real and perceived conflicts of interest to their immediate supervisor (e.g., team manager, staff person, other volunteer, etc., as applicable)
9. Representatives shall also disclose any and all affiliations with any and all other organizations involved with biathlon. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, or Director.

Minimizing Conflicts of Interest in Decision-Making

10. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by a Representative of Biathlon Canada will be considered and decided with the following additional provisions, where the Nominations Committee will consider and make recommendations to the Board on provisions for Board members, committee members, and the General Manager:
 - 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 or noted
 - b) The Representative does not participate in discussion on the matter
 - c) The Representative abstains from voting on the decision
 - d) For Board-level decisions, the Representative does not count toward quorum
 - e) The decision is confirmed to be in the best interests of Biathlon Canada
11. For potential conflicts of interest involving employees other than the General Manager, the Human Resources and Compensation Committee will determine whether there is a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. Biathlon Canada will not restrict employees from accepting other employment contracts or volunteer appointments provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with Biathlon Canada or give rise to a conflict of interest.

Conflict of Interest Complaints

12. Any person who believes that a Representative, other than an employee covered by paragraph 11, may be in an undeclared conflict of interest situation, should report the matter in writing (or orally if during a meeting of the Board or any committee) to the Chair of the Board or respective committee, who will consult with the Chair of the Nominating Committee to recommend to the Board the appropriate measures to eliminate the potential or existing conflict. In the case where the Chair of the Board or of a committee is the subject of the allegation, the Chair of the

Nominating Committee is the alternate official for receiving the complaint. The Board may apply the following actions singly or in combination for real or perceived conflicts of interest, taking into consideration whether the Representative appeared to intentionally or unintentionally fail to declare the conflict:

- a) Declare of the conflict and take appropriate actions to minimize the conflict
- b) Removal or temporary suspension of certain responsibilities or decision-making authority
- c) Removal or temporary suspension from a designated position
- d) Removal or temporary suspension from certain teams, events, and/or activities
- e) Expulsion from Biathlon Canada
- f) Other actions as may be considered appropriate for the real or perceived conflict of interest

13. Any person who believes that an employee, other than the General Manager, may be in an undeclared conflict of interest situation, should report the matter in writing to the General Manager who will consult with the Human Resources and Compensation Committee on the appropriate measures to eliminate the potential or existing conflict. In the case where the General Manager is involved with in the allegation, the Chair of the Human Resources and Compensation Committee is the alternate official for receiving the complaint.
14. Any person who believes that a real or perceived conflict of interest has not been addressed under this policy may submit a complaint, in writing, to Biathlon Canada to be addressed under the *Discipline and Complaints Policy*.
15. Failure to comply with an action as determined by the Board will result in automatic suspension from Biathlon Canada until compliance occurs.
16. The Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending a meeting and a decision of the Board.

Enforcement

17. Failure to adhere to this Policy may permit discipline in accordance with the *Discipline and Complaints Policy*.

Appendix A – Conflict of Interest – Declaration Form

I have read the *Conflict of Interest Policy*, I agree to be bound by the obligations contained therein, and I commit to avoid any real or perceived conflict of interest. I also commit to disclosing the existence of any real or perceived conflict of interest to the Board, as soon as it is known to me.

I declare the following interests which may represent a potential conflict of interest:

[illegible]

Name

Signature

Date