

BC VEGETABLE MARKETING COMMISSION

CONFLICT OF INTEREST **POLICY**

1. Preamble

The British Columbia Vegetable Marketing Commission was established in 1980 in accordance with the Natural Products Marketing (BC) Act and the British Columbia Vegetable Scheme. The Scheme provides for an appointed Chair and 8 elected Commission members. Members are elected to serve on the Commission because of their knowledge of the industry, and it is expected that they will act in an impartial manner.

This conflict of interest policy establishes when a member has a conflict of interest that would impact on his/her ability to be impartial. It also establishes what should be done under those circumstances.

2. Definition

2.1 A “conflict of interest” is any situation where:

- i. your personal interest, or those of a close friend, family member, business associate, corporation or partnership in which you hold a significant interest, or a person to whom you owe an obligation could influence your decisions and impair your ability to
 - (a) fulfill the objectives of the B.C. Vegetable Marketing Commission
 - (b) represent the BCVMC fairly, impartially, and without bias.

3. General Duties

3.1 Unless authorized to do so by the BCVMC, you may not

- (a) act on behalf of the BCVMC in any matter where you are in a conflict of interest or appear to be in a conflict of interest,
- (b) use your position, office or affiliation in a way which places you in a conflict of interest or appear to be in a conflict of interest.

3.2 The “appearance of a conflict of interest” occurs when a reasonably well-informed person properly could have a reasonable apprehension of bias that you are making decisions on behalf of the BCVMC that promote your personal interests or those of a person described in paragraph 2.1(b).

3.3 What to do about Conflict of Interest situations

- (a) If you are a Commissioner, you must immediately disclose a conflict of interest in writing to the BCVMC, or to a person the BCVMC designates. It is important to make the disclosure when the conflict first becomes known. If you do not become aware of the conflict until after the transaction is concluded, nevertheless you must still make a disclosure immediately.

(b) You must declare the conflict of interest situation when you become aware of it. You may present information on the situation involving the conflict of interest, but you may not be present in a Commission meeting when the relevant decisions are made.

3.4 If you are in doubt about whether you are, or may be, in a conflict of interest, you must request the advice of the BCVMC or a person the BCVMC designated.

3.5 Unless otherwise directed, you must immediately take steps to resolve the conflict or remove the suspicion that it exists.

4. More about avoiding a Conflict of Interest

4.1 If you are a Commissioner,

(a) You must not use your relationship with the BCVMC to confer a particular benefit on yourself, the BCVMC Commissioners as a group, or a person described in paragraph 2.1(b). This duty does not prevent you or anyone else from transacting business with other people connected with the BCVMC.

(b) You must not personally benefit from any transaction involving the BCVMC except in unique situations, authorized by the BCVMC.

(c) You may not use your position with the BCVMC to solicit BCVMC's clients for personal business or one operated by a person described in paragraph 2.1(b). This duty does not prevent you or anyone else from transacting business with other people connected with the BCVMC.

(d) You must not indirectly benefit from any transaction involving the BCVMC except in unique situations, authorized by the BCVMC.

(e) Even if you are not a Commissioner, if you are in a position to influence decisions made on behalf of the BCVMC, the BCVMC must treat you as if you are a Commissioner.

4.2 An "Indirect Benefit" is

(a) a benefit derived by a close friend, family member, business associate, or a corporation or partnership in which you hold a significant interest, or

(b) a benefit which advances or protects your interests although it may not be measurable in money.

5. Use of BCVMC Property and BCVMC Business Opportunities

5.1 You must have authorization from the BCVMC

(a) to use property owned by the BCVMC for personal purposes, or

(b) to purchase BCVMC property unless it is through usual channels of disposition equally available to other registered producers.

5.2 You may not take personal advantage of an opportunity available to the BCVMC unless

- (a) it is clear that the BCVMC has irrevocably decided against pursuing the opportunity, and
- (b) the opportunity is equally available to other registered producers.

5.3 You must maintain compliance with Commission Regulations or step aside from active participation until the situation is resolved.

6. BCVMC Information

6.1 “BCVMC Information” is information that is

- (a) acquired solely by reason of involvement with the BCVMC and which the BCVMC is under obligation to keep confidential, or
- (b) designated by the BCVMC as confidential.

6.2 You must use BCVMC information only for BCVMC purposes, within the terms and provisions of the Freedom of Information Act.

6.3 You must not use BCVMC information for your personal benefit.

6.4 You must protect BCVMC information from improper disclosure.

6.5 You must report to the BCVMC, or to a person the BCVMC designates, any incident of abuse of BCVMC information.

6.6 You may divulge BCVMC information if

- (a) you are authorized by the BCVMC to release it, and
- (b) it is to a person who has a lawful right to the information.

6.7 If you are in doubt about whether BCVMC information may be released, you must request advice from the BCVMC or from a person the BCVMC designates.

7. Rules about Gifts

7.1 You may accept a gift made to you because of your involvement in the BCVMC in the following circumstances:

- (a) the gift has no more than \$100 value;
- (b) it is the normal exchange of hospitality or a customary gesture of courtesy between persons doing business together;
- (c) the exchange is lawful and in accordance with local ethical practice and standards, and
- (d) the gift could not be construed by an impartial observer as a bribe, pay-off or improper or illegal payment.

7.2 You personally may not use BCVMC property to make a gift, charitable donation or political contribution to anyone on behalf of the BCVMC. Any gift used as an exchange

of business hospitality or as a customary gesture of courtesy must not have a value in excess of \$100, without prior authorization of the BCVMC.

8. Designates

- 8.1 For purposes of paragraph 3.3 (reporting a conflict of interest); 3.4 (assessing a conflict of interest situation); and 6.5 (reporting a breach of confidentiality), the BCVMC designate is the BCVMC Chair or, in the case of the Chair reporting, the General Manager.
- 8.2 For purposes of paragraph 6.7 the BCVMC designates the Assistant Manager of the BCVMC.

BC VEGETABLE MARKETING COMMISSION

COMMISSION MEMBER
CONFLICT OF INTEREST
UNDERTAKING

Have you read the BCVMC *Conflict of Interest Policy*? (Yes/No) _____

Do you agree to comply with its requirements? (Yes/No) _____

To the best of your knowledge, does any situation or relationship exist in which your personal interest, or that of a family member, close friend, business associate, or corporation or partnership in which you hold a significant interest, or any person to whom you owe an obligation, could influence your decisions and impair your ability to fulfill the objectives of the BC Vegetable Marketing Commission or represent the BC Vegetable Marketing Commission fairly, impartially, and without bias and thus be construed as a conflict of interest?

(Yes/No) _____

If “Yes”, please provide details of the situation(s) or relationship(s):

Please provide details of the circumstances or issues for which you would withdraw from discussion and decision in order to remove any appearance or existence of a conflict of interest:

Is there any other information you wish to disclose at this time which could give the appearance of a conflict of interest, or which could cause an actual conflict of interest, now or in the future?

Undertaking dated: _____

By: Name - _____

Signature - _____