



MANITOBA SOCCER ASSOCIATION POLICIES AND ADMINISTRATIVE PROCEDURES



CONFLICT OF INTEREST POLICY

STATEMENT

The Manitoba Soccer Association (MSA) is committed to have its directors, officers, employees and members of committees of the MSA be bound to act honestly, and in good faith, and in the best interests of the Association. Consistent with such standards of conduct, conflicts of interest and the appearance of conflicts of interest are to be avoided where possible and acted upon openly and appropriately when encountered.

ADMINISTRATIVE PROCEDURES

The purpose of this policy is to describe how members of the Manitoba Soccer Association will conduct themselves in matters relating to conflicts of interest and to clarify how the Manitoba Soccer Association will make decisions in situations where conflicts of interest may exist.

1. A conflict of interest is a situation in which directors, officers, employees and members of committees of the Manitoba Soccer Association have, in relation to a matters coming before the Association, a private or personal interest sufficient to influence or to appear to influence the objective and open-minded exercise of his or her function as a member of the Association Executive Committee or Board Member.

The circumstances giving rise to a conflict of interest need not involve only a director, officer, employee or committee member, but may also involve the interest of a person having close family ties to these persons or be a friend or a business associate.

2. The Manitoba Soccer Association is incorporated under the Manitoba Corporations Act and is governed by the Act in matters involving a real or perceived conflict between the personal interests of a director, officer, employee, member of committees or other individual involved in decision-making or decision-influencing roles and the broader interests of the Association. Under the Act, any real or perceived conflict, whether pecuniary or non-pecuniary, between a director's, officer's interest and the interest of the Manitoba Soccer Association must at all times be resolved in favour of the Association.



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3. Directors, officers, employees and members of committees shall not allow their loyalty to the Manitoba Soccer Association to be compromised by their relationship to, or involvement in, another organization. In this regard, however, one must note that the governing structures of the Manitoba Soccer Association may be built upon the representation from member Associations. The fact that these persons owe a duty of loyalty to his/her constituents as well as to the Manitoba Soccer Association on whose governing bodies he or she serves cannot in itself be considered a conflict of interests, provided always that the individual in question keeps an open mind, and is left free to exercise and does exercise his or her judgment, take a position, or cast a vote, that he or she believes to be in the best interests of the Manitoba Soccer Association.
4. In addition to fulfilling all requirements of the Manitoba Corporations Act, the Manitoba Soccer Association and its Representatives shall also fulfill the additional requirements of this policy. Representatives of the Manitoba Soccer Association shall not:
 - a) Exploit their positions within the Manitoba Soccer Association to derive a personal profit from the activities of the Association;
 - b) Exploit their positions within the Manitoba Soccer Association to lever for themselves a personal profit, advantage or position of prestige;
 - c) Accept any gift in cash or in kind from persons doing or seeking to do business with the Manitoba Soccer Association except as may be of a personal nature and nominal value;
 - d) Gain information of a confidential nature from involvement in the work of the Manitoba Soccer Association except for the proper purposes of advancing the interests of the Association;
 - e) In the performance of their official duties, accord preferential treatment to family members, friends or colleagues or to organizations with which such persons have an interest, financial or otherwise;
 - f) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek in any way preferential treatment;



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- g) 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 Manitoba Soccer Association or in which they have an advantage or appear to have an advantage on the basis of their association with the Association;
 - h) Use property, equipment, supplies or services belonging to the Manitoba Soccer Association for activities not associated with the performance of official duties with the Association;
 - i) Accept any gift or favor that could be construed as being given in anticipation or in recognition for any special consideration granted by virtue of being a representative of the Manitoba Soccer Association.
- 5. On an annual basis, (beginning of their term) all directors, officers, employees and committee members will sign a declaration indicating that they have read, understood and accepted the terms and conditions of the Conflict of Interest Policy.
- 6. At any time that a representative of the Manitoba Soccer Association becomes aware that there may exist a real or perceived conflict of interest, it is expected that the individual will make a brief but informative declaration of the conflict. That declaration will then be recorded in the Minutes of the relevant meeting. The individual will then absent herself or himself from the meeting, while the topic is discussed and such absence shall be recorded in the Minutes. It does not matter whether the topic giving rise to a conflict situation was formally on the agenda or came up unexpectedly. As soon as the meeting considers a matter or begins to discuss an issue which puts an individual in a circumstance of conflict of interest, he or she must interrupt and declare their conflict.
- 7. The person declaring a conflict of interest shall indicate by saying: "I am declaring my conflict as (here insert your conflicting position or interest) and I am leaving the meeting while this subject is under discussion" or words to that effect.

The Secretary of the meeting shall then record this in the Minutes as follows:
“(Name of person declaring conflict of interest), having disclosed her conflict as (position) of the Manitoba Soccer Association was absent from the meeting during discussion of (describe the topic).”



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8. Any person who is of the view that a Representative of the Manitoba Soccer Association may be in a position of conflict of interest may report this matter to the President of the Association in writing.
9. A topic which involves a conflict of interest may come up in several meeting and the conflict must be disclosed and the representative must absent herself or himself from the meeting during discussion of the topic at each of the meetings.
10. The Manitoba Soccer Association will not restrict employees from accepting other employment, contracts or volunteer appointments during the term of their employment with the Association provided that the employment contract or volunteer appointment does not diminish the employee's ability to perform the work contemplated in their employment agreement with the Association. Any determination as to whether there is a conflict of interest will rest solely with the Manitoba Soccer Association and where a conflict of interest is deemed to exist, the employee will resolve the conflict by ceasing the activity giving rise to the conflict.
11. Failure to adhere to this policy may give rise to discipline in accordance with the Manitoba Soccer Association's Discipline policy.

APPROVED BY: Manitoba Soccer Association Board of Directors

DATE OF APPROVAL: March 9, 2005