



Architectural Centre Inc.
Conflict of Interest Policy
(August 2014)

1. This Document

- a. This Conflict of Interest policy is to ensure that the Architectural Centre and its members are not compromised by a member's Conflict of Interest with respect to the activities of the Architectural Centre. The aim of this policy is to protect both members and the Architectural Centre.

2. Conflict of Interest definition.

- a. Conflicts of Interest arise whenever the personal, financial, or professional, interests of a member could appear to influence the objective application of their Architectural Centre duties. For the Architectural Centre this is relevant for committee members, and any member who has a role of responsibility with respect to Architectural Centre activities.
- b. A member will have a Conflict of Interest if the member:
 - i. is a party to, or will derive a material financial benefit from a transaction to which the Architectural Centre is a party.
 - ii. has material financial interest in another party to a transaction to which the Architectural Centre is a party.
 - iii. is the parent, child or spouse of another party to, or person who will or may derive a material financial benefit from a transaction to which the Architectural Centre is a party.
 - iv. is otherwise directly or indirectly interested in an activity to which the Architectural Centre is a party.
- c. Examples of Conflict of Interest include:
 - i. Working on a project, or working for a company which is involved with a project, when the Architectural Centre is compiling a submission or conducting a campaign in relation to that project.
 - ii. Ownership of, or working for, a company which the Architectural Centre is considering having, or has, a business relationship with.
 - iii. Failure to disclose Architectural Centre committee membership when publicly presenting a viewpoint about the Architectural Centre.

3. Rules

- a. When a member owns or works for a company which the Architectural Centre is considering having a business relationship with (e.g. commissioning work), that member will not participate in the decision-making regarding the commissioning of work, or any Architectural Centre decision regarding business with the company that they own or work for.
- b. When a member has any past, current, or known future, involvement in a project which is the subject of an Architectural Centre submission or campaign, that member will not be involved in any aspect of the activity, and, if a submission, it shall include the following, or similar, text:

"Members of companies involved in this Resource Consent application (and hence having a potential or actual Conflict of Interest), have not been involved in the writing of this submission."

4. Declaration of potential Conflict of Interest

- a. The first meeting item (after apologies) of all Architectural Centre Committee meetings shall be "Declaration of Conflict of Interest" to allow members present to declare any potential Conflict of Interest. The declaration must include the nature and extent of the Conflict of Interest, including, if relevant, any monetary value. In order to allow this to happen efficiently meeting agendas should be issued prior to the meeting.
- b. If a committee member has a potential Conflict of Interest they must alert the President in the first instance and/or another committee member.
- c. If a committee member is made aware of another member's potential Conflict of Interest they must alert the President.
- d. Where a committee member believes they have an actual Conflict of Interest this shall be treated as a potential Conflict of Interest until a determination is made.
- e. Where the President has a potential Conflict of Interest 5e below applies.
- f. If a committee member considers that they may have a Conflict of Interest they may excuse themselves from involvement in all decision-making or discussion pertaining to items in which they believe they have, or may have, a Conflict of Interest, without going through the process of d
- g. etermination.
- h. Any declaration of a Conflict of Interest must be recorded in the meeting minutes.

5. Determination of a potential Conflict of Interest.

- a. While the process of determining whether a Conflict of Interest exists, and how any Conflict of Interest will be managed, is undertaken, the member with the potential Conflict of Interest will not be involved in any Architectural Centre decision-making related to the Conflict of Interest.
- b. Once the President has been alerted to a potential Conflict of Interest they must alert the Committee at the earliest opportunity that a potential Conflict of Interest exists and the nature of that potential Conflict of Interest. The Committee (without the involvement of the member with the potential Conflict of Interest) must determine through consensus whether or not a Conflict of Interest exists. Where a consensus cannot be agreed to, it will be assumed that a Conflict of Interest exists.
- c. If the member with the potential Conflict of Interest does not wish the nature of the Conflict of Interest to be disclosed, beyond the President, to the remaining Architectural Centre committee, then management of the Conflict of Interest shall be achieved through removal of the member from all Architectural Centre activities that relate to that Conflict of Interest.
- d. If the President has a potential Conflict of Interest they must disclose both the nature and the fact of the Conflict of Interest to the Committee. The Committee will appoint an Acting President for the period from notification to the resolution of the Conflict of Interest.
- e. If it is determined that a Conflict of Interest exists the Committee will then agree how the Conflict of Interest will be managed.
- f. The meeting minutes will record the determination of all potential Conflicts of Interest.

6. Management of a Conflict of Interest

- a. Management of the Conflict of Interest shall be decided at an Architectural Centre committee meeting by consensus.
- b. Where the timeframe to have a committee meeting will not allow the Conflict of Interest to be resolved in a timely manner another means of agreement may be taken, such as email (with appropriate subject heading), where all committee members (excepting any member with a Conflict of Interest) participate.
- c. The meeting minutes will record the agreed process for the management of the Conflict of Interest.
- d. Declaration of a potential Conflict of Interest in some instances may be sufficient to manage the Conflict of Interest.
- e. When declaration is not sufficient to manage a Conflict of Interest, then the preferred management of a Conflict of Interest is for the relevant member not to be involved in any decision-making relevant to the Conflict of Interest.
- f. Minutes of the relevant committee meeting will explicitly state the removal of any committee members from decision-making to ensure that measures to manage potential or actual Conflicts of Interest are documented (for example: "due to their Conflict of Interest, A and B left the meeting for the duration this agenda item" or "due to their Conflict of Interest, A abstained from contributing to the discussion and decision-making on this matter").
- g. The management of a Conflict of Interest will continue until no Conflict of Interest exists.

7. Violation of the Conflicts of Interest Policy.

- a. If the Committee has reasonable cause to believe a committee member has failed to disclose actual or potential Conflicts of Interest, it shall inform the committee member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Committee determines the member has failed to disclose an actual or potential Conflict of Interest, it shall take appropriate disciplinary and corrective action.
- c. Examples of possible action include:
 - i. The Conflict of Interest is declared.
 - ii. The member with the Conflict of Interest is removed from decision-making relevant to the Conflict of Interest for the remaining duration of the Conflict of Interest.
 - iii. The member with the Conflict of Interest is required to stand down from the committee or relevant sub-committee for the remaining duration of the Conflict of Interest.
 - iv. Parties potentially affected by the failure of the Conflict of Interest to be declared are alerted to the member's Conflict of Interest.
 - v. The member with the Conflict of Interest is required to permanently stand down from the committee or relevant sub-committee.