

HOCKEY HONG KONG , CHINA

CONFLICT OF INTEREST / CONFIDENTIALITY POLICY

1. SCOPE OF APPLICATION

This Policy applies to all members of the Hockey Hong Kong, China (HockeyHK) Council (the Council), to all members of the HockeyHK Section Committees, to all members of other committees or bodies appointed under the auspices of the HockeyHK and to all employees of the HockeyHK.

2. POLICY STATEMENT

A member of the Council or of a Section Committee, or any other person covered by this policy as set out above, may not participate in any discussion on any subject brought before the Council or before a Section Committee or before any other committee or body appointed under the auspices of the HockeyHK for consideration and/or decision if that member has, or may have, directly or indirectly, an interest in the outcome of the consideration and/or decision, without first declaring the conflict of interest and may not vote on any decision or resolution related to such subject.

Members of staff employed by the HockeyHK shall avoid actual or potential, present or future, conflicts between personal interests and official duties or work related activities.

3. DETERMINING WHAT IS A CONFLICT OF INTEREST

A conflict of interest is considered to exist:

- In any situation where the personal or business interests of a person covered by this policy may influence his/her ability to put the interest and welfare of the HockeyHK before personal or business interests or where someone is likely to perceive that that person could be so influenced.
- Whenever an individual can benefit directly or indirectly from information received by, or a decision made by, the Council, Section Committee, committee or body appointed under the auspices of the HockeyHK, or where someone might reasonably perceive there to be such a benefit.
- When an individual has two separate and competing interests and it may be unclear as to which interest he/she is acting for.

4. COMMON INSTANCES OF CONFLICT OF INTEREST

In assessing the situations described in Paragraph 3 above, direct as well as indirect interests shall be taken into account. This also includes the interests of a third person such as a parent, spouse, other relative or dependent.

The following non-exhaustive list shows examples of common instances of conflict of interest:

- Where a person has personal interests in business transactions or contracts that the HockeyHK may enter into.
- Where a person has an interest in other organizations that have dealings or relationships with the HockeyHK and when matters involving the interest of both the HockeyHK and the other organization are being considered.
- Where a person has an interest in any joint ventures with external parties which the HockeyHK may enter into.
- Where a person has a relationship, or association, or personal interest, which may not be of a pecuniary nature, but which can influence his/her judgement in discharging his/her duties on behalf of the HockeyHK, or may reasonably be perceived as having such an influence.
- Where a person is involved in recruiting staff with close relationships (i.e. those who are more than acquaintances).

- Where a person is a partner, director or employee of a firm or company that receives income from sport.
- Where a person receives income as a consultant, or in any other capacity, from work undertaken within sport.
- Where a person is party to any contract for the provision of services or goods, for profit, within sport.
- Where a person receives personal income or benefit from sponsorship of sport.

5. DEALING WITH CONFLICTS OF INTEREST

5.1 General Principles

It is the personal responsibility of each person to avoid any case of conflict of interest.

Faced with a situation of an actual or potential conflict of interest, the person concerned shall disclose the actual or potential conflict of interest to the Council, committee or body concerned or, if a staff member, to the Honorary Secretary General of the HockeyHK.

Pending determination of the question, the person concerned should refrain from expressing any opinion, participating in any discussion and/or from voting on any subject until the question is finally determined, as provided in the following sub-paragraphs.

5.2 Council Members

If the person concerned is a Council member, the Council is responsible for taking a decision concerning the management of the conflict of interest.

If the Council cannot reach a decision concerning one of its members, or concerning a case referred to it by a Section Committee or a committee or body appointed under the auspices of the HockeyHK, it shall appoint a Legal Adviser to determine the case. The Legal Adviser shall be a solicitor or barrister practising in Hong Kong, not being a member of the Council or of a Section Committee or of any other committee or body appointed under the auspices of the HockeyHK.

5.3 Members of Section Committees, and other committees or bodies appointed under the auspices of the HockeyHK

If the person concerned is a member of a Section Committee, or another committee or body appointed under the auspices of the HockeyHK then the committee/body of which that person is a member is responsible, in the first instance, for taking a decision concerning the management of the conflict of interest.

If the committee/body cannot reach a decision, the committee/body Chairman shall refer the case to the Council for determination.

5.4 Staff Member

If the person concerned is a staff member, the Honorary Secretary General of the HockeyHK is responsible, in the first instance, for taking a decision concerning the management of the conflict of interest.

If the Honorary Secretary General of the HockeyHK cannot reach a decision, or faces a conflict of interest in making such a decision, he/she shall refer the matter to the Council for determination.

5.5 Final Decision

In any matter referred to:

- the Legal Adviser under paragraph 5.2, or
- the Council under paragraphs 5.3, or 5.4,

the decision of the Legal Adviser, or the Council, as the case may be, shall be final and binding on the HockeyHK and the person(s) concerned and there shall be no further appeal.

6. DECLARATION OF INTEREST

Immediately following their election, appointment or commencement of employment, as the case may be, all persons covered by this policy shall declare in writing all business, sport or other personal interests that might result in a conflict of interest, actual or potential, in the discharge of their responsibilities. The Declaration shall be in the form annexed as Schedule A.

If at any time following the filing of his or her Declaration there occurs any material change in the information contained in the Declaration given, he/she shall file a supplementary Declaration describing such change, as soon as reasonably possible.

An up-to-date Register of the business, sport and other personal interests, as declared by all persons covered by this policy, will be maintained by the Honorary Secretary General of the HockeyHK.

The Register will be made available at the HockeyHK Office for inspection by any member of the Council or any other person authorized by the President or the Honorary Secretary General of the HockeyHK.

7. CONFIDENTIALITY

Discussions at meetings of the Council, of the Section Committees and of other committees and bodies appointed under the auspices of the HockeyHK may be confidential. Members of the Council and others covered by this Policy shall not disclose to any third parties any confidential discussions that take place at meetings.

The official record of all meetings of the Council and other committees and bodies appointed under the auspices of the HockeyHK are the minutes of those meetings.

All official announcements, statements and correspondence (in all forms) on behalf of the HockeyHK may only be made by the President, the Honorary Secretary General or any other person authorized by them to do so.

SCHEDULE A

HockeyHK CONFLICT OF INTEREST / CONFIDENTIALITY DECLARATION

PREAMBLE

- HockeyHK has adopted a Conflict of Interest/Confidentiality Policy (“the Policy”) – a copy is attached. The Policy applies to all members of the Council, to all members of Section Committees, to all members of other committees or bodies appointed under the auspices of the HockeyHK and to all employees of the HockeyHK.
- All persons to whom the Policy applies are required to recognise and avoid participation in any activities that involve, might be perceived to involve, or could result in, a conflict of interest, actual or potential.
- All persons to whom the Policy applies shall also ensure compliance with the provisions of the Policy with respect to Confidentiality.
- A conflict of interest is defined in paragraph 3 of the Policy.

DECLARATION

- I the undersigned **DECLARE** as follows:
- I have read, understand and accept the Policy.
- I do not have, nor do I presently anticipate having, any conflict of interest, actual or potential, other than as set out in this completed Schedule.
- I agree to make immediate disclosure of any actual or potential conflict of interest arising after the date of this declaration.
- I agree to be bound by the decision of the person or body authorized to make decisions under the Policy.

SCHEDULE

Name (in full):

Address:

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Position(s) held:

Details of Conflicts of Interest (actual or potential)

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Date: / / 20 ...

Signature: