

OWN THE PODIUM (“OTP”) **Conflict of Interest Policy**

Application

1. This policy applies to all Organizational Participants of Own the Podium (OTP), unless otherwise noted.

Purpose

2. OTP strives to reduce and eliminate nearly all instances of conflict of interest at OTP by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Organizational Participants will conduct themselves in matters relating to conflict of interest and clarifies how Organizational Participants shall make decisions in situations where conflict of interest may exist.

Definition of Conflict of Interest

3. The following terms have these meanings in this Policy:
 - a) *“Conflict of Interest”* – A conflict of interest is a situation where an Organizational Participant, or the organization they represent or has an interest in, has a real, potential or perceived, direct or indirect competing interest with OTP’s activities. This applies to any situation in which an Organizational Participant’s decision making, which should always be in the best interests of OTP, is influenced or could be influenced by personal, family, financial, business, or other private interests. This competing interest may result in the Organizational Participant, or entities in which they have an interest, being in a position to benefit from the situation or in OTP not being able to achieve a result which would be in the best interest of the organization.
 - 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.

Statutory Obligations

4. OTP is incorporated under the *Canada not-for-profit Corporations Act* (“Act”) and is governed by the Act in matters involving a real or perceived conflict between the personal interests of an Organizational Participant and the broader interests of the organization.

5. Under the Act, any real or perceived conflict, whether pecuniary or non-pecuniary, between an Organizational Participant and the interests of OTP must at all times be resolved in favour of OTP.

Additional Obligations

6. Organizational Participants **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 OTP, unless such business, transaction, or other interest is properly disclosed to and approved by OTP in accordance with this policy;
 - 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 or be perceived as giving 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 OTP, where 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 an Organizational Participant, or in which they have an advantage or appear to have an advantage on the basis of their association with OTP;
 - f) Without the permission of OTP, use OTP's property, equipment, supplies, or services for activities not associated with the performance of their official duties with OTP;
 - g) Place themselves in positions where they could, by virtue of being an Organizational Participant, influence decisions or contracts from which they could derive any direct or indirect benefit; and
 - 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 an Organizational Participant.

Disclosure of Conflict of Interest

7. At the request of OTP, any Organizational Participant, as well as candidate for election to the Board, will disclose any real or perceived conflicts that they might have. Disclosures shall be retained by OTP.

8. Organizational Participants shall disclose real or perceived conflicts of interest to OTP's Board immediately upon becoming aware that a conflict of interest may exist.
9. Organizational Participants shall also disclose any and all affiliations with any and all other organizations involved in high performance sport in Canada and/or abroad. 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 an Organization Participant will be considered and decided with the following additional provisions:
 - a) The nature and extent of the Organizational Participant's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded in the minutes;
 - b) The Organizational Participant does not participate in discussion on the matter giving rise to the conflict of interest, unless the body considering the matter votes to allow such participation;
 - c) The Organizational Participant abstains from voting on the proposed decision or transaction;
 - d) For Board-level decisions, the Organizational Participant is not included in the determination of quorum for the proposed decision or transaction; and
 - e) The decision or transaction is confirmed to be in the best interests of OTP.

Conflict of Interest Complaints

11. Any person who believes that an Organizational Participant may be in a conflict of interest situation should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to OTP's Board which will decide appropriate measures to eliminate the conflict. The Board may apply the following actions, singly or in combination, for real or perceived conflicts of interest:
 - a) Removal or temporary suspension of certain responsibilities or decision making authority;
 - b) Removal or temporary suspension from a designated position;
 - c) Removal or temporary suspension from certain events and/or activities;
 - d) Expulsion from OTP; and

- e) Other actions as may be considered appropriate for the real or perceived conflict of interest.
12. Any person who believes that an Organizational Participant has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to OTP to be addressed under OTP's *Discipline and Complaints Policy*.
 13. Failure to comply with an action as determined by the Board will result in automatic suspension from OTP until compliance occurs.
 14. 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.
 15. For clarity, an Organizational Participant who is a Director may not be suspended by the Board from acting in their capacity as a Director of OTP or be removed from their position by Board.

Enforcement

16. Failure to adhere to this Policy may permit discipline in accordance with OTP's *Discipline and Complaints Policy*.
17. Any violation that may be considered "Prohibited Behaviour" or "Maltreatment" (defined in the UCCMS and/or the *Code of Conduct and Ethics*) when the Respondent is an Organizational Participant who has been designated by OTP as a UCCMS Participant, will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner ("OSIC"), subject to the rights of the OTP as set out in the *Code of Conduct and Ethics* and any applicable workplace policies.

Last Updated: January 13, 2023