

POLICY: CONFLICTS OF INTEREST MANAGEMENT

Approved by:	Canberra Brass Inc. Committee
Implementation Date:	22 July 2025
Supersedes Policy Dated:	New
Revision Date:	Annually from the date of implementation
Canberra Brass Inc. Contact Officer:	Secretary E: canberrabrass.secretary@gmail.com

1. PURPOSE

1.1 The purpose of this policy is to assist all members of the Canberra Brass Inc. Committee to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of Canberra Brass Inc. and effectively manage risk.

2. OBJECTIVE

2.1 The Canberra Brass Inc. Committee (hereafter referred to as the 'Committee') aims to ensure that all Committee members, and others in positions of responsibility, are fully aware of their obligations to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of Canberra Brass Inc.

3. SCOPE

3.1 This policy applies to all members of the Committee as defined in the Canberra Brass Inc. Constitution. In addition this policy applies to those members holding the following non-Committee positions of responsibility:

Librarian

Assistant Librarian

Band Manager

Public Officer

Property Officer

Social Officer

Community Promotion and Media Officer

4. DEFINITION OF CONFLICTS OF INTEREST

4.1 A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of Canberra Brass Inc.

4.2 Personal interests include direct interests, as well as those of family, friends, or other organisations a person may be involved with or have an interest in.

4.3 It also includes any conflict between a Committee or non-committee member's duty to Canberra Brass Inc and another duty that the member may have (for example, to another organisation or charity). A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

4.4 These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of Canberra Brass Inc., and therefore must be managed accordingly.

5. POLICY

5.1 Overview

5.1.1 This policy has been developed to address potential and actual conflicts of interest affecting Canberra Brass Inc.

5.1.2 Conflicts of interest are common, and they do not need to present a problem to Canberra Brass Inc. so long as they are openly and effectively managed.

5.1.3 It is the policy of Canberra Brass Inc., as well as a responsibility of the Committee, that ethical, legal, financial or other conflicts of interest are avoided and that any such conflicts (where they do arise) do not conflict with their obligations to Canberra Brass Inc.

5.1.4 Canberra Brass Inc. will manage conflicts of interest by requiring Committee members, and those listed in para 3.1 above, to:

- avoid conflicts of interest wherever possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

5.2 Responsibility of the Committee

5.2.1 The Committee is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across Canberra Brass Inc.
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

5.2.2 The Committee must ensure that all Committee members are aware of the ACNC governance standards, particularly Governance Standard 5 (see Annex A to this policy), and that they disclose any actual or perceived material conflicts of interests as required by Governance Standard 5.

5.2.3 The Committee is also responsible to ensure that on being appointed to the Committee, all Committee members sign the Financial Declaration at Annex B to this policy.

5.3. Identification and disclosure of conflicts of interest

5.3.1 Once an actual, potential or perceived conflict of interest is identified, it must be entered into the Canberra Brass Inc. Register of Interests, as well as being raised with the Committee.

5.3.2 Where every other Committee member shares a conflict, the Committee should refer to ACNC Governance Standard 5 to ensure that proper disclosure occurs.

5.3.3 The Register of Interests must be maintained by the Secretary. The register must record information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

5.4 Confidentiality of disclosures

5.4.1 The Committee is responsible to ensure that only members of the Committee as defined in para 13 of the Canberra Brass Inc. Constitution have access to any conflict of interest information that has been disclosed. If additional restrictions on disclosure are required these should be referred to the President for consideration and decision.

6. ACTION REQUIRED TO MANAGE CONFLICTS OF INTEREST

6.1. Conflicts of interest of Committee members

6.1.1 Once the conflict of interest has been appropriately disclosed, the Committee (excluding the Committee member who has made the disclosure, as well as any other conflicted Committee member) must decide whether or not those conflicted Committee members should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.

6.1.2 In exceptional circumstances, such as where a conflict is very significant or likely to prevent a Committee member from regularly participating in discussions, the Committee must consider whether it may be appropriate for the person conflicted to resign from the Committee.

6.2. What should be considered when deciding what action to take

6.2.1 In deciding what approach to take, the Committee must consider:

- whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- the objects and resources of Canberra Brass Inc., and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of Canberra Brass Inc.

6.2.2 The approval of any action requires the agreement of at least a majority of the Committee (excluding any conflicted Committee member/s) who are present and voting at the meeting.

6.2.3 The action and result of the voting must be recorded in the minutes of the meeting and in the Register of Interests.

7. COMPLIANCE WITH THIS POLICY

7.1 If the Committee has a reason to believe that a person subject to the policy has failed to comply with this policy, it will investigate the circumstances.

7.2 If it is found that this person has failed to disclose a conflict of interest, the Committee may take action against them. This may include seeking to terminate their membership of Canberra Brass Inc. in accordance with para 10 of the Canberra Brass Inc. Constitution.

7.3 If a person suspects that a Committee member has failed to disclose a conflict of interest, they must bring this to the attention of the Committee for further consideration and decision.

8. CONTACTS

8.1 For questions about this policy, contact the President or Secretary of Canberra Brass Inc. in the first instance.

Annexes:

- A. Australian Charities and Not-for-Profit Commission Governance Standards
- B. Financial Declaration for Canberra Brass Inc. Committee Members



SIGNED: _____

President, Canberra Brass Inc.

DATE: _____ 22 July 2025 _____

**Annex A to
Conflicts of Interest Management Policy
Dated 22 July 2025**

**AUSTRALIAN CHARITIES AND NOT-FOR-PROFIT COMMISSION (ACNC)
GOVERNANCE STANDARDS**

1. What the Governance Standards require

1.1 The ACNC Governance Standards require a charity to remain charitable, operate lawfully, and be run in an accountable and responsible way. Through these requirements, the standards help maintain public trust in charities, and help charities continue to do their charitable work.

1.2 Because the Governance Standards are a set of high-level principles rather than precise rules, each charity must decide how it will comply with them.

1.3 A charity must be able to demonstrate that the steps it has taken to comply with the Governance Standards are appropriate, considering factors such as its size, purposes and activities.

1.4 For example, a larger charity or one with vulnerable beneficiaries may need to take extra steps to comply with the standards.

Governance Standard 1: Not-for-profit and working towards charitable purpose

Governance Standard 1 requires charities to demonstrate that they are set up as a not-for-profit with a charitable purpose, and run as a not-for-profit and work towards that charitable purpose. It also requires charities to demonstrate that they can provide information to the public about their charitable purpose.

Governance Standard 2: Accountability to members

Governance Standard 2 requires charities to take reasonable steps to be accountable to their members, and allow their members adequate opportunities to raise concerns about how the charity is run.

Governance Standard 3: Compliance with Australian laws

Governance Standard 3 requires charities to act in a lawful way, and comply with Australian laws. A charity must not commit a serious offence (such as fraud) under any Australian law or breach a law that may result in a penalty of 60 **penalty units** or more.

Governance Standard 4: Suitability of Responsible People

Governance Standard 4 requires charities to ensure they not controlled by people who may pose a risk to the charity's financial position or the pursuit of its charitable work.

A charity must take reasonable steps to:

- be satisfied that its Responsible People (such as board or committee members or trustees) are not disqualified from managing a corporation under the *Corporations Act 2001* (Cth) or disqualified from being a Responsible Person of a registered charity by the ACNC Commissioner, and
- remove any Responsible Person who does not meet these requirements.

Governance Standard 5: Duties of Responsible People

Governance Standard 5 requires charities to take reasonable steps to make sure that its Responsible People meet certain duties.

A charity must take reasonable steps to make sure that its Responsible People are subject to, understand, and carry out the duties set out in Governance Standard 5. These duties include:

- to act with reasonable care and diligence
- to act honestly and fairly in the best interests of the charity and for its charitable purposes
- not to misuse their position or information they gain as a Responsible Person
- to disclose conflicts of interest
- to ensure that the financial affairs of the charity are managed responsibly, and
- not to allow the charity to operate while it is insolvent.

Governance Standard 6: Maintaining and enhancing public trust and confidence in the Australian not-for-profit sector

Governance Standard 6 requires charities to take reasonable steps to become a participating non-government institution if they are, or are likely to be, identified as being involved in the abuse of a person.

A charity must take reasonable steps to become a participating non-government institution of the National Redress Scheme if the charity is, or is likely to be, identified as being involved in the abuse of a person either:

- in an application for redress made under section 19 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (Redress Act), or
- in information given in response to a request from the National Redress Scheme Operator (Secretary of the Department of Social Services) under section 24 or 25 of the Redress Act.

**Annex B to
Conflicts of Interest Management Policy
Dated 22 July 2025**

FINANCIAL DELCARATION FOR CANBERRA BRASS INC COMMITTEE MEMBERS

1, In accordance with Section 60.15 of the Australian Charities and Not-for-profits Commission Regulations 2022 as a member of the Canberra Brass Inc. Committee I declare that:

- (a) there [are] / [are not] reasonable grounds to believe that Canberra Brass Inc. is able to pay all of its debts, as and when they become due and payable; and
- (b) the financial statements and notes [satisfy] [do not satisfy] the requirements of the Australian Charities and Not-for-profits Commission Act 2012.
- (c) I have not been disqualified from managing a corporation.
- (d) I have not been disqualified from being a Responsible Person by the ACNC.

Signed in accordance with subsection 60.15(2) of the Australian Charities and Not-for-profits Commission Regulations 2022.

NAME: _____

POSITION: _____

SIGNATURE: _____

DATE: _____