

Students' Society of McGill University
Association étudiante de l'Université McGill

Office of the Speakers
Bureau de Présidents du Conseil

Motion Regarding Conflict of Interest Policy

many members are concerned that the SSMU's current Conflict of Interest Policy does not provide sufficient clarity or due process for managing conflicts of interests regarding Society business;

the Conflict of Interest Policy worked on during the Winter 2011 term was tabled until the 2011-2012 academic year, and subsequently referred for further review to the Bylaw Review Committee;

the proposed policy below has drawn on the input of the Bylaw Review Committee, General Manager, and the Society's legal counsel to further strengthen the draft presented to Council in March 2011;

the following Conflict of Interest Policy be adopted to replace the current Conflict of Interest Policy, effective March 29, 2012 to March 29, 2017.

Moved by:

Maggie Knight, President
Emily Yee Clare, VP University Affairs
Isabelle Bi, Arts Representative
Ian Clarke, Law Representative

Conflict of Interest Policy (the "policy")

Preamble and Scope

The Students' Society of McGill University (the "Society") is committed to making decisions with integrity, transparency, and objectivity.

This policy applies to Directors, Councillors, Executive Officers, Senators, committee members, staff (employees), and all others involved in Society decision-making processes (hereinafter

appropriately recognized, disclosed, assessed, and addressed, the existence of a conflict of interest does not connote misconduct.

- 1.2. Perceived Conflict of Interest: means a situation in which a member to have a Conflict of Interest or any situation with creates the of a Conflict of Interest in respect of a member.
 - 1.3. Financial Interest: means any financial interest of any kind which, in view of all of the circumstances, is substantial enough that it would, or reasonably could, affect a member's judgement with respect to such member's involvement with the Society.
 - 1.4. Professional Interest: means any advantage or benefit that an individual may pursue regarding non-Society, professional affiliations or career opportunities which would, or reasonably could, affect a member's judgement with respect to such member's involvement with the Society.
 - 1.5. Interpersonal Interest: means any relationship a member has with other individuals, including but not limited to a current or former romantic partner, friend, family member, colleague (from occupations including but not limited to remunerated work, student group activities, and campus publications), roommate, or (including student group leadership or projects), which would, or reasonably could, affect a member's judgement with respect to such member's involvement with the Society.
 - 1.6. Personal Interest: means any personal advantage or benefit that may be pursued by an individual, whether a Financial Interest, Interpersonal Interest, Professional Interest or otherwise.
 - 1.7. Breach of the Conflict of Interest Policy: A situation in which a member has not properly addressed a Conflict of Interest or Perceived Conflict of Interest by failing to address it and allowing it to affect the individual's conduct of their Society activities in an inappropriate manner, as determined in accordance with this policy.
2. Ethics Commissioner
- 2.1. Pursuant to this policy, the Society shall have an Ethics Commissioner who shall help members identify and manage Conflicts of Interest and Perceived Conflicts of Interest in accordance with this policy.
 - 2.2. The Ethics Commissioner shall be a member of the Society who has completed at least four (4) full-time semesters in the Faculty of Law at McGill University, or equivalent, selected by the Nominating Committee.
 - 2.3. The Ethics Commissioner shall be selected annually by April 1st and must reside in Montreal and be available to conduct his or her duties from May 1st to April 30th.
 - 2.4. The Ethics Commissioner may: (i) where required, receive guidance in respect of this policy from a committee comprised of the Society's President, Vice-President (Finance and



4.4.4. The Chair of the relevant decision-making body to which this conflict of interest may apply must be informed that its member is currently involved in a seven (7) day appeals process, and that decision making should be postponed if possible during that period. The Chair must respect the member's right to confidentiality, according to this policy and the recommendation of the Ethics Commissioner.

4.5. Accusation of Breach

4.5.1. If a member (hereinafter "appellant") believes another member (hereinafter "accused") has breached the Conflict of Interest Policy, the appellant shall be responsible for disclosing this in writing to the Ethics Commissioner using the Potential Conflict of Interest Disclosure Form ().

4.5.2. If the Chair, Executive and/or Ethics Commissioner who is informed of a member's real conflict of interest, as per section 3.2.2.1 of this policy, believes the member has breached the conflict of interest policy, this member should disclose this accusation immediately.

4.5.3. The procedures outlined in sections 4.3 and 4.4 of this policy shall apply following any accusation of breach.

4.6. Withdrawal from Deliberations and Abstention from Voting

4.6.1. If it is determined that a member has a real conflict of interest, the member is responsible for stating this conflict to the applicable decision-making body prior to the start of deliberations, and to deferring to an alternate in the event that the member is the Chair of the aforementioned.

4.6.2. In the event that a member becomes aware of a conflict of interest, but did not have a reasonable amount of time to address it with the Ethics Commissioner, he or she shall state this real or perceived conflict of interest to the applicable decision-making body before the start of deliberations to prevent a breach in the Conflict of Interest Policy.

4.6.3. A member shall resolve the conflict in the procedure outlined herein by abstaining from voting and, if appropriate, at the member's discretion or at the request of the Chair or by simple majority vote of the committee, withdrawing from the deliberations of the applicable decision-making body.

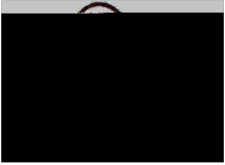
4.6.4. In the event that a member does not feel comfortable stating his or her real or perceived conflict, he or she reserves the right to abstain from deliberations without giving reason beyond the statement of a real or perceived conflict of interest.

4.6.5. If a real or perceived conflict of interest interferes with the achievement of necessary quorum for a vote and no alternate may fill in for the member, the decision-making body may use its discretion to determine a course of action.

5. Addressing Breaches of the Policy



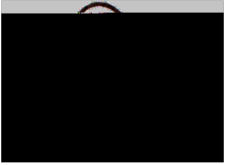
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they encounter a situation which raises ethical questions they cannot readily answer. A culture of transparency, accountability, and integrity is essential to maintaining public faith in the Society while pursuing its best interests.



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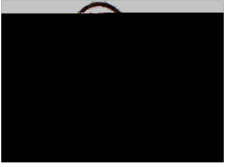
Appendix I: Potential Conflict of Interest Disclosure Form

This form is to be submitted to the Ethics Commissioner of the Students' Society of McGill University (SSMU) by any member who has reason to believe that he or she may hold a real or perceived conflict of interest or by any member who has reason to believe that another member has breached the Society's Conflict of Interest Policy

Name:

Position held within the Society:

1. Brief disclosure of real or perceived conflict of interest:
2. Persons or groups likely to benefit from the real or perceived conflict of interest:



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