



# EDMONTON COMBATIVE SPORTS COMMISSION

(Last updated August, 2012)

Policy 1-1  
October 19, 2007

## Policy: Code of Conduct and Conflicts of Interest

### ***Purpose of this Policy***

This policy governing Members will identify and provide guidance on appropriate conduct and the most common conflict of interest situations which may arise in the context of combative sports.

The purpose of this policy is to:

- facilitate effective governance;
- ensure and maintain public trust;
- outline appropriate conduct
- outline responsibilities surrounding conflict of interest;
- provide guidance for Members and Employees in identifying and/or dealing with actual, perceived or potential conflicts of interest;
- clarify the repercussions of violating this policy.

### ***PART 1: GENERAL ADMINISTRATION AND DEFINITIONS***

The Edmonton Combative Sports Commission policy on the Code of Conduct and Conflicts of Interest (the Code) is intended to govern the conduct of Members of the Commission. It also sets out guidelines for avoiding and disclosing conflicts of interest.

The provisions of the Code are intended to complement and enhance in a consistent manner, the requirements in Bylaw 15638, Edmonton Combative Sports Commission Bylaw.

The Code shall be, unless the context otherwise requires, construed and interpreted in accordance with the interpretation provisions of Bylaw 15638, Edmonton Combative Sports Commission Bylaw.

Unless otherwise specified, the words and expressions used in the Code shall have the same meaning as in Bylaw 15638, Edmonton Combative Sports Commission Bylaw.

- 1.1 Definitions. In the Code of Conduct and Policy on Conflicts of Interest,
- (a) “*City Manager*” means the Chief Administrative Officer of the City of Edmonton or his delegate;
  - (b) “*Commission*” means the Edmonton Combative Sports Commission;
  - (c) “*code of conduct*” means a set of principles and rules with which the Members of the Commission abide by as they perform their duties in an impartial and responsible manner that maintains and enhances public confidence and trust.
  - (d) “*conflict of interest*” means when a person has a private or personal interest sufficient to influence or to appear to influence the objective exercise of that person’s duties for the Commission;
  - (e) “*Council*” means the Municipal Council of the City of Edmonton;
  - (f) “*immediate relative*” means the spouse, children (including foster or stepchildren), parents (including foster or stepparent), brothers (including foster or stepbrother), sister (including foster or stepsister), and parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, and their spouses;
  - (g) “*Member*” means a person appointed to the Combative Sports Commission pursuant to Bylaw 15638 Edmonton Combative Sports Commission Bylaw.

## **PART 2: RESPONSIBILITIES AND CONDUCT OF MEMBERS**

- 2.1 Responsibilities of Members. Each Member is expected to become an active participant in the Commission so that it functions effectively as a whole. Members are responsible to:
- (a) Be informed of the legislation under which the Commission exists, its Bylaw, mission, values, code of conduct, and policies as they pertain to their duties;
  - (b) Keep generally informed about the activities of the Commission and general trends in the industry in which it operates;
  - (c) Exercise, in the performance of their duties, the degree of care, diligence and skill required of a Member pursuant to the Bylaw under which the Commission is formed;
  - (d) Be independent and impartial;
  - (e) Not be influenced by self-interest, outside pressure, expectation of reward or fear of criticism;
  - (f) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and the responsibilities and the maintenance of public confidence in the conduct of the Commission’s business;
  - (g) Treat Members and the public with respect;
  - (h) Know and respect the distinction between the role of Commission Members and that of the Executive Director,;

- (i) Exercise vigilance for and declare any apparent or real personal conflict of interest in accordance with the Commission's Bylaw and policies, and in particular with the Code; and comply with all other codes and policies approved by the Commission from time to time.

2.2 Specific Responsibilities of Members. In addition to the responsibilities set out in 2.1, a Member will:

- (a) Attend Commission meetings regularly, serve on committees of the Commission and contribute from personal, professional and life experience to the work of the Commission;
- (b) Offer their personal perspectives and opinions on issues that are the subject of Commission discussion and decision;
- (c) Voice, clearly and explicitly at the time a decision is being taken, any opposition to a decision being considered by the Commission;
- (d) Maintain solidarity with fellow Members in support of a decision that has been made in good faith in a legally constituted meeting, by Members in reasonably full possession of the facts;
- (e) Ask the Members to review a decision, if they have reasonable grounds to believe that the Commission has acted without full information or in a manner inconsistent with its fiduciary obligations.

2.3 Conduct of Members Member will at all times conduct themselves in a manner that:

- (a) Supports the objectives of the Commission;
- (b) Serves the overall best interests of the Commission;
- (c) Subordinates their personal interests, and those of any particular constituency, to the best interests of the Commission;
- (d) Brings credibility and goodwill to the Commission;
- (e) Respects principles of fair play and due process;
- (f) Demonstrates respect for individuals and human rights;
- (g) Respects and gives fair consideration to diverse and opposing viewpoints;
- (h) Demonstrates due diligence and dedication in preparation for, and attendance at meetings, special events and in all other activities on behalf of the Commission;
- (i) Demonstrates good faith, prudent judgment, honesty, transparency and openness in their activities on behalf of the Commission;
- (j) Ensures that the financial affairs of the Commission are conducted in a responsible and transparent manner with due regard for their fiduciary responsibilities;
- (k) Avoids real or perceived conflicts of interest;
- (l) Conforms with the Bylaw and policies approved by the Commission, in particular the Code and the Oath of Office and Confidentiality Agreement.

## **PART 3: CONFLICT OF INTEREST GUIDELINES**

- 3.1 Integrity. These conflict of interest guidelines are intended to ensure the highest standards and maintenance of the integrity of the Commission. Members shall act at all times in the best interests of the Commission rather than in the interests of particular constituencies. This means putting the interests of the Commission ahead of any personal interest or the interest of any other person or entity. It also means performing their duties and transacting the affairs of the Commission in such a manner that promotes public confidence and trust in the integrity, objectivity and impartiality of the Commission.
- 3.2 No Pecuniary Benefit to Members.
- (a) No Member shall directly or indirectly receive any profit from their position as such, provided that, notwithstanding anything herein contained to the contrary, Members may not receive remuneration for their services except reimbursement for reasonable expenses incurred by them in the performance of their duties as permitted in the Bylaw and approved by the Commission.
  - (b) The pecuniary interests of immediate relatives of a Member are considered to also be the pecuniary interests of the Member.
- 3.4 Definition of Conflict of Interest.
- (a) A conflict of interest refers to situations in which personal, occupational or financial considerations may affect, or appear to affect, a Member's objectivity, judgment or ability to act in the best interests of the Commission and includes conflicts as described in subsection 3.5.
  - (b) A conflict of interest may be real, potential or perceived in nature.
  - (c) A real conflict of interest arises where a Member or their immediate relative, has a private or personal interest sufficient to influence the objective exercise of that person's duties for the Commission, for example, a close connection or financial interest.
  - (d) A potential conflict of interest may arise when a Member has a private or personal interest sufficient to influence the objective exercise of that person's duties for the Commission, such as an identified future commitment.
  - (e) A perceived or apparent conflict of interest may exist when a reasonable, well informed person has a reasonable belief that a Member has a conflict of interest, even if there is no real conflict.
  - (f) Full disclosure, in itself, does not remove a conflict of interest.
- 3.5 Examples of Conflict of Interest

The following examples constitute conflicts of interest under the Code:

- (a) Any circumstance that may result in a personal or financial benefit to a Member or their immediate relative. This includes, but is not limited to, accessing financial or other resources for personal use, i.e. transportation, training costs, supplies, equipment, etc., or accepting any payment for services rendered to the Commission, other than payment for services of a Member as permitted in the Code such as contracted work or honoraria.
- (b) Personal interests which conflict with the interests of Members of the Commission or are otherwise adverse to the interests of the Commission.
- (c) Seeking, accepting or receiving any personal benefit from a supplier, vendor or any individual or organization doing or seeking business with the Commission.
- (d) Being a member or employee of another commission or organization which might have material interests that conflict with the interests of the Commission or its Members.
- (e) Any involvement with matters of another commission or organization which might conflict with the interests of the Commission.
- (f) Any involvement in the hiring, supervision, grievance, evaluation, promotion, remuneration or firing of an immediate relative of a Member.

This list illustrates the most common conflicts of interest that may arise; it is not intended to cover all situations that constitute a conflict of interest.

### 3.6 Principles for Dealing with Conflict of Interest of Members.

- (a) Both prior to serving on the Commission and during their term of office, Members must openly disclose a potential, real or perceived conflict of interest as soon as the issue arises and before the Commission or its committees deal with the matter at issue.
- (b) If the Member is not certain whether they are in a conflict of interest position, the matter may be brought before the Chair of the Commission, or the Commission for advice and guidance.
- (c) If there is any question or doubt about the existence of a real or perceived conflict, the Commission will determine by majority vote if a conflict exists. The Member potentially in conflict of interest shall be absent from the discussion and shall not vote on the issue.
- (d) It is the responsibility of other Members who are aware of a real, potential or perceived conflict of interest on the part of a fellow Member to raise the issue for clarification, first with the Member in question and, if still unresolved, with the Chair of the Commission.
- (e) The Member under investigation, must abstain from participation in any discussion on the matter, shall not attempt to personally influence the outcome, shall refrain from voting on the matter and, unless otherwise decided by the Commission, must leave the meeting room for the duration of any such discussion or vote.

- (f) The disclosure and decision as to whether a conflict exists shall be duly recorded in the minutes of the meeting. The time the Member left and returned to the meeting shall also be recorded.
- (g) The Commission or any Member may refer the ruling of the Commission regarding any dispute relating to conflict of interest, together with supporting documentation, to the City Manager for resolution. The decision of the City Manager shall be final.

3.7 Complaints and Disputes Involving Members.

- (a) The Commission, in a meeting duly called for the purpose, shall review any complaints that a Member has violated any provision of the Commission's Bylaw, or policies approved by the Commission, in particular, the Code and its Oath of Office and Confidentiality Agreement.
- (b) The City Manager may similarly review complaints against, or disputes between Members that interfere with the ability of the Commission to carry on its affairs.
- (c) Allegations of illegal activity shall be immediately referred to appropriate authorities for investigation. Any Member against whom such allegations are made shall take a leave of absence from the Commission pending completion of the investigation.
- (d) The review of such complaints or disputes shall include an opportunity for the Member concerned to present their position. Commission Members who originate or are the subject of such complaints or disputes must declare a conflict and recuse themselves from discussion and any vote on the matter.
- (e) Every attempt should be made to resolve such matters expeditiously and fairly.
- (f) Any recommendations determined by the Commission regarding resolution of such matters shall be passed by resolution of the Commission.
- (g) The Commission may refer any complaint or dispute, together with supporting documentation, to the City Manager for resolution. The decision of the City Manager shall be final.

3.8 Gifts and Hospitality. Members shall not directly or indirectly offer or accept cash payments, gifts, gratuities, privileges or other personal rewards, which are intended, or may be perceived as intended, to influence the activities or affairs of the Commission. Members upon the approval of the Commission, may, however, give or receive modest gifts or hospitality as a matter of general and accepted business practice, provided the foregoing does not include cash or other negotiable instruments and provided further proper accounting of any such expenses is made.

Any gifts received on behalf of the Commission by a Member, or Commission shall remain the property of the Commission.

#### **PART 4: CONFIDENTIALITY**

- 4.1 Confidential Information. The Commission is governed by the Freedom of Information and Protection of Privacy Act and must comply with the privacy provisions of this Act. It is the responsibility of Members to know what information is confidential and to obtain clarification when in doubt. Except as they may be compelled by applicable legal process, a Member must, both while having and after ceasing to have that status, treat as confidential all information regarding the policies (excepting the code of conduct), internal operations, systems, business or affairs of the Commission obtained by reason of their status as a Member and not generally available to the public. A Member shall not use information obtained as a result of their involvement on the Commission for their personal benefit. Each Member shall avoid activities which may create appearances that they have benefited from confidential information received during the course of their duties as a Member.
- 4.2 Review of the Code of Conduct. Each Member, immediately after being appointed, shall meet with the Chair of the Commission or in their absence, with the Vice-Chair of the Commission, to review the Code and such other policies of the Commission that apply to Members.
- 4.3 Oath of Office and Confidentiality Agreement. Each Member is required to sign and agree to comply with the *Oath of Office and Confidentiality Agreement* form (Schedule "A").
- 4.4 The Member Eligibility Certificate. Each Member is required to sign and agree to comply with the *Member Eligibility Certificate* (Schedule "B").

#### **PART 5: PROCESS FOR DEALING WITH ALLEGATIONS IN CONFLICT OF INTEREST OR CONDUCT BREACHES**

- 5.1 Allegations of Breach.  
It is the responsibility of Members to make the Commission aware of any allegations of breach with the Code.
- 5.2 Process for Dealing with Allegations.
- (a) All allegations must be submitted to the Chair of the Commission or in the absence of the Chair they must be submitted to the Vice-Chair of the Commission.
  - (b) Allegations about the conduct of the Chair must be submitted to the Vice Chair or in the absence of the Vice-Chair they must be submitted to the City Manager.
  - (c) The complaint must be made in writing.

- (d) All allegations must be accompanied with evidence supporting the allegations
- (e) The Chair or Vice-Chair will talk to the Member against whom the allegation is made and to any other person(s) who can assist in determining what occurred. Resolution of the allegations should occur in a timely manner.
- (f) The resolution of a breach must be brought forward to the Commission in a meeting duly called for the purpose of reviewing the complaint and ratifying the recommended resolution.
- (h) All allegations and their resolution will be documented by the Chair or in the case of a breach by the Chair, the Vice-Chair. Where the breach is substantiated, it shall form part of the annual evaluation of the Member.
- (i) If a Member or Chair does not agree that the conduct occurred or that it was a breach, the Chair or any Member may refer the finding of the Commission, with supporting documentation, to the City Manager for final resolution.
- (j) Where a breach exists, in addition to reporting the breach as part of the annual evaluation process, the Commission may direct that further consequences be specified, such as:
  - i. A reprimand;
  - ii. A recommendation that the Member not be reappointed as a Member;
  - iii. Suspension from specific activities;
  - iv. An application to Council to terminate the person's appointment;
  - v. In the case of the Chair or Vice-Chair, removal from the office of Chair or Vice-Chair.

Where the substantiated breach is serious or the Member has committed previous breaches, the Chair or Vice-Chair may choose to immediately make application to Council to terminate the Member's appointment.

Members of the Commission should not assume that any unethical activities not covered by or specifically prohibited by the Code, or by any legislation, are therefore condoned. If in doubt about actions they may be contemplating, Members are encouraged to seek advice from the Chair or from the City Manager.



**Schedule "A"**

**EDMONTON COMBATIVE SPORTS COMMISSION**  
**Oath of Office and Confidentiality Agreement**

I, \_\_\_\_\_, a Member of the Edmonton Combative Sports Commission, declare that I have read, understood and agree to comply with the Code of Conduct and Policy on Conflicts of Interest and other applicable policies, and that in carrying out my duties as a Member, I will:

1. Exercise the powers as a Member and fulfill my responsibilities honestly, in good faith and in the best interests of the Commission.
2. Exercise these responsibilities, at all times, with due diligence, care and skill in a reasonable and prudent manner.
3. Respect and support the Commission's Bylaws, policies, rules and operating procedures, Code of Conduct and Policy on Conflicts of Interest and decisions of the Commission.
4. Keep confidential all information unless the Commission determines that such information is public. This shall include, but not be limited to, information about personnel, trade-secrets, any personal information, and matters dealt with during *in-camera* meetings of the Commission.
5. Conduct myself in a spirit of collegiality and respect for the collective decisions of the Commission and subordinate my personal interests to the best interests of the Commission.
6. Immediately declare any personal conflict of interest that may come to my attention.
7. Immediately resign my position as a Member of the Commission in the event that I, or my colleagues on the Commission, have concluded that I have breached this *Oath of Office*.
8. Sign this *Oath of Office* and understand that any refusal to do so could lead to my removal as a Member.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Schedule "B"

**EDMONTON COMBATIVE SPORTS COMMISSION**  
**Member Eligibility Certificate**

The Edmonton Combative Sports Commission is established under City Bylaw 15638. Under this bylaw:

Section 2(c) defines **Combative Sports** as meaning "any professional sport that holds Contests where opponents strike each other with a hand, foot, knee, elbow or other part of the body, including, but not limited to, boxing, wrestling, full contact karate, kickboxing, martial arts, mixed martial arts, and muaythai"

Section 2(i) defines **Event** as meaning "a Combative Sports competition with one or more Contests, including weigh-ins, medical examinations and other Contest related activities"

Section 2(f) defines **Contest** as meaning "a bout, match, or fight"

Section 14 sets out **eligibility** to serve on the Commission as follows:  
"Promoters, Contestants, or individuals involved in the business of Combative Sports are not eligible to serve on the Commission until two years have passed from the last date on which the applicant participated at an Event unless Council otherwise directs".

While I believe that I meet the eligibility criteria, I do have the following connection to the regulated Combative Sports:

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**By checking this box:**  I \_\_\_\_\_, hereby declare the following:

- (a) that I am eligible to serve as a Member of the Edmonton Combative Sports Commission;
- (b) that I have read the Commission's Code of Conduct and Conflict of Interest document (draft as of August, 2012) and I am not aware of any actual or potential conflict of interest that could affect my ability to serve on the Commission in a fair and impartial manner;
- (c) that the information provided in this certificate is correct and complete to the best of my knowledge;
- (d) that I understand that false information given or any relevant information withheld may result in the denial of my application; and,
- (e) that I understand that, if appointed, a misrepresentation, could lead to my removal from the Commission by City Council.

This personal information is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act* and will be used to determine your eligibility for appointment to the Edmonton Combative Sports Commission. It is protected by the privacy provisions of the Act. If you have any questions about the collection contact the Civic Agencies Coordinator, 2<sup>nd</sup> Floor, Churchill Building 10019 – 103 Avenue., Edmonton, AB T5J 0G9 780-442-4395.