

Fact Sheet: Conflicts of Duty and Interest

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What is a Conflict of Interest?

- Our legislation defines a Conflict of Interest as when a student representative is “in a position to influence a UASU or University decision that may result in real or perceived private benefit to themselves or a Direct Associate” [Regulation 100.02: Code of Conduct at s. 5(1)]
- A Direct Associate is defined as including (but not limited to) “a person or entity whose interests are closely connected with a Councilor's personal interests, including but not limited to: a partner or family member; a business partially or wholly owned by the Councilor; an employer or employee; or a business partner.” [Regulation 100.08: Definitions at s. 19]

What are your obligations if you have a Conflict of Interest?

- Report it! Under the Code of Conduct, you are required to disclose a Conflict of Interest to the Speaker. [Regulation 100.02: Code of Conduct at s. 3(1)(f)]
- Do not use your position “to further personal and/or business interests for [yourself] or a Direct Associate.” [Bylaw 100: Governance at s. 3(1)] Upon reporting it to the Speaker, they will help you navigate this.¹
- If you do act in a way that would specifically benefit a Direct Associate, report it to the Speaker immediately! [Bylaw 100: Governance at s. 3(5)]

What is a Conflict of Duty?

- A Conflict of Duty arises when a student representative's obligations “conflict with duties to other organizations” in a real or perceived way [Regulation 100.02: Code of Conduct at s. 6(1) & 6(2)]
- A Conflict of Duty does not automatically occur through membership in the “General Faculties Council, student groups, or Student Representative Associations.”² [Regulation 100.02: Code of Conduct at s. 6(3)(b)]

What are your obligations if you have a Conflict of Duty?

- Report it! Under the Code of Conduct, you are required to disclose a Conflict of Duty to the Speaker if it relates to Council, or your committee chair if it relates to a committee. [Regulation 100.02: Code of Conduct at s. 6(2)]
- Once reported, Council will determine by a two-thirds majority vote if the Conflict of Duty should prevent participating in a discussion or decision. [Regulation 100.02: Code of Conduct at s. 6(3)]

¹ Note: Faculty Associations may be exempt from this requirement. Consult the Speaker for more information.

² Note: This does not mean a conflict of duty is impossible in connection to these organizations. If your role within these organizations imposes a duty on you that is unique or significantly impacts your obligations as a member of Students' Council or its committees, a conflict of duty may occur.