

ACT Greens Conflict of Interest Policy

1. Background

1.1 This policy is designed to assist ACT Greens officials to identify and appropriately manage situations where personal interests could conflict, or be perceived to conflict, with their duties on behalf of the ACT Greens.

1.2 A conflict of interest arises when a person is involved in decision-making that could directly or indirectly benefit or disadvantage themselves, or individuals or organisations with whom they have a close relationship. This includes family members, close friends, professional or community organisations in which the person holds a role, or individuals or organisations with whom there is an ongoing dispute.

1.3 This policy does not apply in circumstances where a person belongs to a broader group that may be affected by party decisions (e.g. renters, workers, people with disability). Such lived experience is valued and encouraged in party deliberations.

1.4 The ACT Greens are committed to managing conflicts of interest transparently and ethically to maintain integrity, trust, and public confidence. Unmanaged conflicts risk reputational and financial harm to the party and undermine our credibility.

1.5 This policy operates alongside the ACT Greens Code of Conduct (Part 12 of the By-Laws). Clause 68.1 states:

“The ACT Greens hold ourselves to the high standards of integrity and accountability that we expect of social institutions, organisations and individuals. As a member of the ACT Greens I strive to demonstrate this by:

- appropriately disclosing or mitigating a real or potential conflict of interest.”

2. Definitions

2.1 Official – A party member elected or appointed to a party position, a party employee, or an ACT Greens parliamentary representative or preselected candidate.

2.2 Private Interests – Relationships and obligations arising from family, friendship, business, employment, or recreational associations.

2.3 Types of Conflict of Interest

- Real conflict – A direct and current conflict between official duties and private interests.
- Apparent conflict – Where it appears, or could be perceived, that private interests may be influencing official duties, regardless of whether this is true.

- Potential conflict – Where a private interest may conflict with future duties or decisions.

2.4 Pecuniary vs Non-Pecuniary

- Pecuniary – Involves actual or potential financial gain or loss (not necessarily a direct money transaction).
- Non-pecuniary – Arises from relationships or interests that could lead to favouritism, bias, or nepotism.

2.5 Other Terms

- General meeting – Forum, Special General Meeting (SGM), or Annual General Meeting (AGM).
- Party organ – Management Committee, subcommittee, or standing working group.
- Formal meeting – A meeting with decision-making authority beyond its internal workings and at which minutes are recorded.

3. Scope

3.1 This policy applies to all officials in the performance of their duties, including:

- formal meetings,
- internal consultations,
- public communications, and
- advocacy activities.

3.2 The policy focuses on appropriate conduct in decision-making contexts and does not limit open, robust policy and governance discussions among members.

3.3 This policy does not apply to elected MLAs and parliamentary employees undertaking parliamentary work, and who are subject to the policies and procedures of the parliament while undertaking that work. However, this policy still applies when elected MLAs and parliamentary employees engage with the party, including on party systems and at party events. Furthermore, parliamentary employment can itself represent a conflict of interest to be declared and managed.

4. Procedures

4.1 Register of Interests

4.1.1 All officials, preselected candidates, and employees must proactively declare any personal interests that could result in a real, apparent, or potential conflict.

4.1.2 The Secretary will maintain a confidential Register of Interests, recording:

- the nature and extent of any ongoing personal interests; and
- any actions taken to manage those interests.

4.1.3 The Register is accessible only to the Management Committee, except where:

- sensitive declarations are marked confidential and not disclosed in meeting documents or minutes;
- party members request access to non-confidential entries; or
- the Management Committee denies access to protect privacy or party interests.

4.2 Formal Meetings of Party

4.2.1 At the start of every formal meeting, a standing agenda item will remind attendees to declare any conflicts of interest.

4.2.2 Declarations must be made:

- at the start of the meeting,
- when the relevant item is reached, or
- if a conflict arises during discussion.

4.2.3 All attendees—including members, employees, and observers—must declare conflicts before contributing.

4.2.4 When a conflict is declared, the meeting will decide by consensus one of the following:

- a) The person leaves for the relevant item.
- b) The person may stay but not contribute.
- c) The person may speak but not vote or block consensus.
- d) The person may fully participate.

4.2.5 Guidance for application:

- (a) applies when access to information could advantage the individual.
- (b) applies when presence could bias or mislead others.
- (c) applies when relevant expertise exists but decision-making bias is possible.
- (d) applies when the conflict is minor, the person is acting against their own interest, the conflict applies to a substantial proportion of those involved, or is otherwise found to be not relevant or important.

4.2.6 Additional provisions:

- Standing waivers can be granted for recurring items.
- Restricted participants must not lobby on the matter outside the meeting.
- All declarations and decisions must be minuted.

4.2.7 In rare cases where a conflict significantly impedes participation, the Management Committee may request a resignation. This must be disclosed to members, and the individual may seek re-election.

4.2.8 Disputes over how a conflict is handled may be raised under the party grievance process.

4.3 Other Meetings

4.3.1 Participants must declare conflicts before engaging in relevant discussion.

4.3.2 They may contribute to discussion but may not vote unless the meeting reaches consensus allowing it.

4.4 Public Representation and Advocacy

4.4.1 Party spokespeople with a conflict must not publicly represent the party on the relevant issue unless portfolio responsibilities require it.

4.4.2 If representation is unavoidable, they must clearly declare the conflict and outline steps taken to manage it.

4.5 Supply of Goods and Services

4.5.1 No member, supporter, or associate may receive preferential treatment in the supply of goods or services to the party.

4.5.2 Members of the Management Committee, Campaign Team, or their associates must not have financial dealings with the party beyond membership payments, donations, or reimbursements.

4.5.3 Business promotion must occur through private channels, not party resources.

4.6 Employees

4.6.1 Employees must inform the Convenor of any conflict of interest related to their duties.

4.6.2 Prospective employees must disclose likely conflicts during recruitment.

4.6.3 The Co-Convenors will assess and determine appropriate action, and advise Management Committee of these decisions/actions.

4.7 Preselection and Election Campaigning

4.7.1 Preselection nominees, candidates, and Campaign Team members must declare and manage any conflicts.

4.7.2 The Campaign Committee will assess and determine appropriate action, and advise Management Committee of any decisions/actions.

4.8 Non-Member Volunteers

4.8.1 Non-member volunteers must disclose conflicts as they arise.

4.8.2 The Party Director will assess and determine appropriate action.

4.9 Returning Officers

4.9.1 Returning Officers and Deputies must declare conflicts as soon as practicable after nominations close.

4.9.2 The Management Committee will assess and determine appropriate action.

5. Failure to Declare

5.1 Failure to disclose a conflict of interest is a breach of the Code of Conduct and may lead to sanctions, depending on severity.

5.2 If an undeclared conflict is later discovered, the relevant committee or the Management Committee may:

- declare the related decision invalid, and
- request that it be revisited.