OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
SPECIAL GENERAL ASSEMBLY
SEPTEMBER 14TH, 2010
VANCOUVER, B.C.

Resolution no. 2010-24

RE: Adoption and Support of the UBCIC Conflict of Interest and Ethics Policy

WHEREAS at the Union of BC Indian Chiefs Annual General Assembly in September 2009, the Constitution Committee was struck through UBCIC Resolution 2009-45 to "review the UBCIC Constitution and Bylaws" to develop:

- A Renewal Plan that considers: Priority Setting, Strategic Planning and Budgeting; Conduct of Union of BC Indian Chiefs meetings; Resolutions Management Process; and the structure of the Union of BC Indian Chiefs' Executive; and
- The Renewal Plan will provide milestones ensuring the UBCIC leadership are actively engaged in this renewal process and clear direction to ensure implementation of duly accepted recommendations;

WHEREAS the Constitution Committee provided an update to the UBCIC Chiefs Council in March and June 2010, and sought feedback and input from the Chiefs Council and the current Executive Members, and sought input from the Grand Chiefs as well as full and active members of the UBCIC;

WHEREAS as part of its review and work the Constitution Committee has developed a draft *UBCIC Conflict of Interest and Ethics Policy* for the review and feedback by the Chiefs-in-Assembly at the September 14, 2010 Special General Assembly;

WHEREAS the draft *UBCIC Conflict of Interest and Ethics Policy* was provided one week in advance of the Special General Assembly for the review and feedback of the Chiefs Council;

THEREFORE BE IT RESOLVED that the UBCIC Special Chiefs-in-Assembly support and adopt the *UBCIC Conflict of Interest and Ethics Policy* as proposed by the Constitution Committee.

Moved: **Chief Larry Nooski, Nadleh Whut'en First Nation**
Seconded: **Chief Alan Louie, Ulkatcho First Nation**
Disposition: **Carried**
Date: **September 14, 2010**

Certified copy of a resolution adopted on the 14th day of September of 2010 in Vancouver, British Columbia

Grand Chief Stewart Phillip, President

UNION OF B.C. INDIAN CHIEFS
CONFLICT OF INTEREST AND ETHICS POLICY
ADOPTED SEPTEMBER 14, 2010

1. **General**

(1) This Conflict of Interest and Ethics Policy applies to all U.B.C.I.C. Executive Committee members, Active Members, and Committee Members representing the U.B.C.I.C. A U.B.C.I.C. Committee Member is a person who is appointed by the U.B.C.I.C. to represent the organization as a member of a committee or working group.

(2) In exercising their duties, U.B.C.I.C. Executive Committee members, Active Members and Committee Members will act honestly, in good faith and in the best interests of the U.B.C.I.C. and its Members, and will take an oath of office in which they pledge to uphold the U.B.C.I.C. Constitution and By-laws, Aboriginal Title and Rights Position Paper, Aboriginal Title, Rights and Treaty Rights Mandate and to uphold and honour this Conflict of Interest and Ethics Policy

(3) Consistent with the principles and objectives set out in the U.B.C.I.C. Constitution and By-laws, Aboriginal Title and Rights Position Paper, and Aboriginal Title, Rights and Treaty Rights Mandate, Executive Committee members, Active Members and Committee Members shall follow this Conflict of Interest and Ethics Policy, and at all times:

(i) Conduct themselves with integrity and in an ethical manner that is in keeping with the dignity of their office or appointment with the U.B.C.I.C.;

(ii) Avoid any real or perceived conflicts of interest, and declare in writing to the Chiefs Council any real or perceived conflict of interest as soon as they become aware that such a conflict exists or might be reasonably be perceived to exist;

(iii) Establish and maintain good working relations with U.B.C.I.C. Members and staff based on principles of loyalty, trust and transparency;

(iv) Respect the principles of collective responsibility and confidentiality, including not misrepresenting or making comments which would call into question the reputation or any decision taken by the U.B.C.I.C., or disclose or use to their personal benefit any information obtained in confidence in the exercise of their role as an Executive Committee member, Active Member or Committee Member of the U.B.C.I.C.; and

(v) Neither seek nor take any instruction from any other organization or body which may compromise their duty of loyalty and obligations to the U.B.C.I.C.

(4) An Executive Committee member, Active Member or Committee Member present at a meeting considering a matter for which they have reasonable grounds to believe that they have a conflict of interest or perceived conflict of interest will fully disclose the nature of the conflict or perceived conflict of interest, and remove themselves from the meeting, and not attempt to influence discussions or decisions about the matter. Executive Members present not involved in a conflict may decide that the person who discloses a conflict of interest or perceived conflict of interest can participate in the discussion, and on what conditions.

2. **Consequences for Breach**

(1) A Full or Active Member in good standing of the U.B.C.I.C. may make a complaint in writing alleging that an Executive Committee member, Active Member or Committee Member is in potential breach of this Conflict of Interest and Ethics Policy (Section 1). At their next meeting following receipt of the written complaint, the Chiefs' Council will establish a review committee to consider the complaint. The review committee will be made up of three Full or Active Members in good standing, and may not include the person against whom the complaint was brought.

(2) The review committee will inquire into the complaint and determine what, if any, action (including legal action) should be taken. The review committee will provide the Executive Committee member, Active Member or Committee Member against whom the complaint has been brought with the opportunity to be heard before they make a decision.

(3) Factors that the review committee will take into account include:

(i) The Executive Committee member, Active Member or Committee Members responsibilities and obligations to the U.B.C.I.C.;

(ii) The seriousness of the real or perceived conflict;

(iii) Value and type of assets or benefits involved;

(iv) Perception of the U.B.C.I.C. members and the public and impact on the U.B.C.I.C.; and

(v) Other factors the committee deems relevant.

(4) Where the review committee determines that an Executive Committee member, Active Member or Committee Member has breached this Policy, they may:

(i) Decide that the complaint does not warrant taking any action;

(ii) Provide a written warning to the Executive Committee member, copied to all Executive Committee members, and (at their discretion) to the Chiefs' Council; and

(iii) Notify the members of the Chiefs' Council at a Chiefs' Council or General Meeting about the complaint and their consideration of the matter.

(5) The review committee established under this Policy does not have the power to recall or remove from office a member of the Executive Committee or an Active Member. Any decision to recall an Executive Committee member or Active Member must be under the recall provisions in the By-laws. The review committee may make a recommendation to the Chiefs Council that a Committee Member be removed from that position.

(6) This Policy comes into force when approved by resolution of the U.B.C.I.C. Chiefs in assembly, and may be amended from time to time, as they deem necessary, by a majority of the Chiefs' Council.

3. **Conduct of U.B.C.I.C. Incumbents During Elections**

(1) The purpose of this part of the Policy is to ensure the proper conduct of sitting Executive Committee and Active Members of the U.B.C.I.C. during elections, and to ensure that U.B.C.I.C. resources are not used for the benefit of any candidate standing for election to the U.B.C.I.C.

(2) Where an incumbent Executive Committee Member or Active Member is nominated and decides to stand for re-election to the position which they currently hold within the U.B.C.I.C., or decides to seek the nomination and election to any other political office external to the U.B.C.I.C. they must take a leave of absence from their position as a member of the Executive or Active Member of the U.B.C.I.C. from the date they file their nomination papers until the election ends.

(3) An incumbent running for election within the U.B.C.I.C. or election to any other political office, shall not use U.B.C.I.C. resources to support or further their election campaign. This includes not using any membership or confidential information, finances, office, equipment, personnel, or any other property or resource of the U.B.C.I.C.

(4) The Chiefs' Council or remaining members of the Executive Committee may ask that Executive Committee Members or Active Members continue any of their duties necessary for the proper functioning of the U.B.C.I.C. during the campaign period.