

CONFLICT OF INTEREST POLICY

Scope

The Conflict of Interest Policy (“the Policy”) outlines how a conflict of interest is defined and what Trustees do should they find themselves in a position of a conflict of interest.

Background

A conflict of interest, real or perceived, exists when a person has the opportunity to advance or protect their own interest or the private interests of others with whom the person has a relationship, including a familial or other personal or business relationship, in a way detrimental to the interests, or potentially harmful to the integrity or fundamental mission of the PEBT.

When a conflict of interest exists, Trustees do not have the option to decide whether they can act impartially or not. Even if the Trustee believes they can act in good faith with no harm done to the Trust, the conflict of interest still exists and must be handled based on the guidelines outlined in this policy. Trustees should be guided by the principle that preserving the appearance of integrity is as important as actual integrity.

Conflict of Interest Guidelines

The Trustees of the PEBT have the following conflict of interest guidelines. This is not an exhaustive list.

1. Trustees must not make decisions on PEBT matters that could bring them or those that they have a personal or business relationship with, a financial benefit.
2. Trustees must disclose to the Board when they have a direct or indirect interest in a transaction, contract or proposed contract with the PEBT as soon as they become aware of the conflict.
3. Trustees must not enter into contracts or transactions that may have an adverse impact on the PEBT or is in contravention of their duties as a Trustee to the PEBT.

4. Trustees must not use their official position or authority to engage in activities that could further their personal interests. Nor will they use information gained through their position or authority, which is not available to the general public, to further their private interests or the interests of those they have a personal or business relationship with.
5. Trustees, in the performance of their duties, must not give preferential treatment to an individual or organization in which the Trustee, or someone the Trustee has a personal or business relationship with, has a personal interest.
6. Trustees must not use the PEBT name, logo or reputation in pursuit of their personal interests or the personal interests of those they have a relationship with.
7. Trustees cannot accept or solicit gifts that may influence or appear to influence their decisions as a Trustee. Trustees may generally accept gifts associated with their role as a Trustee in the regular course of business if the gift is within the normal standards of hospitality and would not compromise the integrity of the PEBT. Should a gift be received that is not considered appropriate under these guidelines, the gift should be returned as soon as possible. If it is not possible to return the gift for any reason, the gift should be turned over to the trust for proper disposition. Whether the gift is returned or not, the gift must be disclosed to the Board.
8. Trustees who have resigned, retired or have not been re-appointed after their term has ended must not take improper advantage of information obtained while serving as a Trustee.

Conflict of Interest Procedures

Each Trustee is expected to declare a conflict of interest at any Board or committee meeting before the subject matter of the conflict is dealt with by the Board or committee. The Trustee shall excuse themselves from the meeting until the matter has been dealt with by the Board or committee.

Should any Trustee believe another Trustee to have a conflict of interest they may raise this issue at any Board or committee meeting prior to the matter in question being discussed. The issue of the conflict will be discussed at the meeting with the Trustee alleged to have the conflict. The Chair will call for a vote on whether the alleged conflict exists. The Trustee with the alleged conflict will not be present for the vote.

If it is not considered appropriate for the Trustee with the conflict of interest to remain present and this results in a loss of quorum, as outlined in section 8.19 and 8.20 of the Trust Agreement, the issue will be tabled until later in the meeting or until a future meeting when quorum can be reached. If it is determined that quorum cannot exist (more than one Trustee

has a conflict of interest) the issue will be referred to the Settlers of the Trust, BCPSEA and CUPE for a decision.

If the Chair has a conflict of interest, the Vice-Chair or a Trustee selected by the other trustees shall chair the meeting until the Board or committee has dealt with the matter in question. If the Vice-Chair is also in a conflict of interest regarding the same matter, the other Trustees will select a trustee from their group to chair the meeting until the matter in question is dealt with.

Every effort will be made to ensure that the Trustee with a conflict of interest does not receive any documentation regarding the matter in question. If the conflicted Trustee does receive such documents, the Trustee will refrain from reading the document and delete the document or return it to the sender, whichever is most appropriate.

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