

1. Objective of Policy

The objective of this Policy is to outline Motorsport Australia's requirements in regard positions of interest and Conflict of Interest.

2. Scope of Policy

This Policy applies to all Motorsport Australia directors, management, staff and volunteers.

3. Definitions

Capitalised terms used in this Policy have the following meanings unless stated otherwise:

- (a) **Board** means the Board of Motorsport Australia;
- (b) **CEO** means the Motorsport Australia Chief Executive Officer;
- (c) **Conflict of Interest** means a position where You, or any organisation with which You are associated, stands to make any benefit, whether financial or otherwise, or where such organisation has objects which might conflict with those of Motorsport Australia;
- (d) **Individual** means any individual to whom this Policy applies;
- (e) **Motorsport Australia** means the Confederation of Australian Motor Sport Ltd. trading as Motorsport Australia.
- (f) **Volunteer** means an unpaid/honorary representative engaged on authorised and approved Motorsport Australia business, including but not limited to Officials, Stewards and Commission and Committee members.

4. Policy Statement

(a) Duties of Individuals

Individuals have the following duties in the performance of their role:

- (i) Duties to Motorsport Australia;
 - (ii) Duties to Motorsport Australia's stakeholders including other Motorsport Australia members;
 - (iii) Duty to act with due diligence;
 - (iv) Duty to not misuse information;
 - (v) Duty to act with professional integrity;
 - (vi) Duties in relation to Conflict of Interest.
- (b) Duties in Relation to Conflict of Interest

(i) Improper Advantage

An Individual must not take improper advantage of their position to gain, directly or indirectly, a personal advantage or an advantage for any associated person and/or which might cause detriment to Motorsport Australia.

(ii) Personal Interests

(A) An Individual's personal interests, and those of their family must not be allowed to prevail over those of Motorsport Australia or its stakeholders.

(B) An Individual should seek to avoid conflicts of interest wherever possible.

(C) Full disclosure of any conflict or potential conflict, must be made to the Board or other relevant entity.

(D) When considering any conflict issues, the significance of the potential conflict for Motorsport Australia must be considered as well as any possible consequences if mishandled.

(iii) Types of Interest from which Conflict may arise

An interest may be commercial (e.g. holding of shares in an organisation dealing with Motorsport Australia) or related to offices or positions held in motorsport organisations (as part of dealings with Motorsport Australia), for example, club membership. Interests are not limited to these situations.

(c) Registration of Conflict of Interest

(i) Register of Interests

(A) Subject to any relevant rules (ie the Constitution or Governance Charter), a conflict of interest does not of itself automatically disqualify an Individual. A conflict can be declared and not acted upon.

(B) An Individual must provide the CEO with a list of commercial and motor sport interests which exist or may have the potential for conflict and declare any conflicts that arise at any point of discussion of activity undertaken by Motorsport Australia.

(C) The CEO will maintain a register of interests submitted by an Individual.

(ii) Ownership of Competing Vehicle or Race Team

Ownership of a competing vehicle or race team is a conflict of interest with Motorsport Australia. This includes:

(A) Involvement in a commercial enterprise which deals with the sport, events, competitors, or Motorsport Australia;

- (B) Acceptance of any deal, such as the provision of cars free of charge, from a person or entity from within the industry which might compromise the Individual;
 - (C) Involvement with an affiliated club which organises events under Motorsport Australia's authority;
 - (D) Involvement with a club or enterprise that competes with Motorsport Australia.
- (iii) Activities that present potential for conflict and which must be declared
- Activities which would involve conflict and which should not be engaged in are (but not limited to):
- (A) Working on events for a commercial promoter;
 - (B) Acceptance of any deal from a person or entity from within the industry which might compromise the Individual's ability to act with impartiality (e.g. the provision of a car);
 - (C) Acting in a judicial capacity for an event;
 - (D) Organising events which rely on Motorsport Australia's authority and which pays fees to Motorsport Australia;
 - (E) Acting as an employee or consultant with organisations that conduct motor sport activities.
- (iv) Responsibilities in relation to declaration of interest and Conflict of Interest
- An Individual involved in activities that may conflict with Motorsport Australia's interests must:
- (A) Register the interest with the CEO;
 - (B) Declare the interest wherever it is relevant to the Motorsport Australia activity undertaken by the Individual;
 - (C) Bring any matter of concern to the attention of the Motorsport Australia Board for resolution (this is usually done by the CEO);
 - (D) Direct the administration not to provide agenda and other papers which relate to the interest;
 - (E) Disqualify themselves from discussions in matters in which the conflict may arise;
 - (F) Resign in situations where the Conflict is substantial and from which activity the Individual does not wish to disassociate.

5. Implications for Non-Adherence

Any breach of this Policy may result in disciplinary action being taken by Motorsport Australia. Disciplinary action may include but not be limited to suspension of duties

or obligations or termination of employment or other arrangements with Motorsport Australia.

6. Related Rules, Policies or Procedures

- (a) CAMS Constitution
- (b) Privacy Policy

7. General

The Policy Manager is the Motorsport Australia Legal Counsel, to whom any questions in relation to this Policy should be directed.

Policy Creation Date	September, 2017
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