



Policy

Conflicts of Interest

Endorsed: 27 February 2019

Brief description

This Policy establishes the GPC Board's expectations about the manner in which conflicts of interest are to be addressed and managed at GPC.

Document information

Current version	10
First released	February 2008
Last updated	February 2019
Effective by	February 2008
Review frequency	Biennially or as required
Review before	February 2021
Audience	GPC representatives as defined herein.

Document accountability

Role	Position
Owner	Board
Custodian	Chief Executive Officer

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Terms and definitions

The following key terms and definitions apply to this Policy:

Term	Definition
Custodian	Accountable for designing and monitoring the application of the policy and advising the owner of the monitoring outcomes.
Employee	Any person appointed by GPC to a position on a permanent, temporary, fixed term or casual basis, or an apprentice, trainee or vacation student.
Gladstone Ports Corporation (GPC) representative	For the purpose of this policy includes Directors, officers, consultants, contractors and employees.
Official duties	Day to day activities performed by GPC representatives as part of their role accountabilities and responsibilities.
Owner	The Owner is accountable for approval of GPC processes and has the authorised discretion to implement or significantly change GPC systems
Private or personal interests	Are those private, professional or business interests that can benefit or disadvantage us as individuals, or others we may wish to benefit or disadvantage. They also include the personal, professional or business interests of individuals or groups we associate with. Private interests include a wide range of external activities, including financial and economic interests, family or private businesses and interest groups and involvement in other employment.

1 Policy Statement

GPC is committed to having its representatives:

- Avoid any conflicts of interest;
- Identify any actual, potential or perceived conflict of interest;
- Address and manage any identified actual, potential or perceived conflicts of interest in an open and transparent manner.

2 Scope

This Policy applies to all GPC representatives, as defined herein.

3 Purpose

The purpose of this policy is to establish a common understanding of the appropriate conduct expected of GPC's representatives in respect to the management of conflicts of interest.

4 Content

It is the responsibility of all GPC representative to be aware of situations which may give rise to a conflict of interest, and know how to deal with the conflict in a manner that is ethically sound, and compliant with legislative requirements and GPC's related policies and procedures.

A conflict of interest exists where there is a disparity between a GPC representative's official duties and private interests such that an independent observer might reasonably consider that the GPC representative's professional actions or decisions are improperly influenced by private interests or for personal gain.

Private interests of a GPC representative include both:

- a) Personal, professional and business interests; and
- b) Personal, professional or business interests of people or groups that a GPC representative is associated with.

A conflict of interest can be actual, perceived or potential as follows:

- c) Actual conflict of interest - involves a conflict between a GPC representative's official duties to GPC and existing private interests (for example, where a GPC representative has an ownership interest in a company which stands to benefit from a decision made by GPC).
- d) Perceived conflict of interest - where it would appear to an independent observer that a GPC representative's private interest do or could improperly influence the performance of their duties to GPC (for example, a GPC representative is in a position to influence GPC's decision to employ a family member or friend).
- e) Potential conflict of interest - where a GPC representative has private interests that could conflict with their duties to GPC (for example a close family member works for a company that is interested in contracting to GPC).

All GPC representatives have a duty to GPC to disclose promptly any conflicts of interest they may have. All GPC representatives must disclose and manage any conflicts of interest in the way set out in the GPC Conflict of Interest Standard.

The table below provides further examples of conflicts you may encounter in your day to day activities at GPC.

Examples of Conflicts

1. **Scenario:** During a tender process, you become aware that your best friend's company is tendering for the contract. You are on the selection panel and your friend sends you a bottle of wine to your office.
Action required: You must immediately withdraw from the selection panel, courteously decline the bottle of wine and advise the Commercial General Manager and the Chief Governance Officer of the situation.
2. **Scenario:** As a GPC manager, you are also the Chairperson of a local community body that specialises in placing apprentices in local businesses. A member of the community body requests you to review GPC's traineeship program to accommodate the uptake of apprentices from the community body.
Action required: You must declare your conflict of interest to the local community body and excuse yourself from any decision-making in relation to the conflict. You must also discuss the situation with your GPC line manager.

5 Roles and Responsibilities

All GPC representatives must:

- a) Seek to avoid any actual, potential or perceived conflicts of interest;
- b) Disclose any conflicts they have in accordance with the GPC Conflict of Interest Standard and any supporting procedures;
- c) Comply with this policy, the GPC Conflict of Interest Standard and any supporting procedures;
- d) Notify their manager or supervisor if they do not understand any part of this policy, the GPC Conflict of Interest Standard or any supporting procedures.

General Managers, Managers and Supervisors must:

- a) Make sure their employees, consultants and contractors know about this policy, the GPC Conflict of Interest Standard and any supporting procedures;
- b) Ensure this policy, the GPC Conflict of Interest Standard and any supporting procedures are complied with;
- c) Following this policy, the GPC Conflict of Interest Standard and any supporting procedures if an actual, potential or perceived conflict of interest arises.

The Chief Governance Officer must:

- a) Maintain the Register of Declared Conflicts of Interest for GPC representatives;
- b) Advise the General Management Team and the Board about policy changes and implications for the policy, the GPC Conflict of Interest Standard and any supporting procedures;
- c) Give advice, guidance and assistance about the policy, the GPC Conflict of Interest Standard and any supporting procedures.

The CEO has overall responsibility for GPC representatives' performance of the above roles and responsibilities.

The GPC Board has ultimate accountability for the Conflict of Interest Policy.

6 Non-compliance with this Policy

The CEO is responsible for monitoring overall compliance with this policy. Any instances of non-compliance with this policy will be assessed and dealt with on a case-by-case basis in accordance with GPC's policies and procedures, and reported to the GPC Board.

7 Review of this Policy

The CEO is responsible for reviewing and evaluating the effectiveness of this policy on a biennial basis. The policy may need to be updated, adjusted or rewritten where necessary to ensure that it remains relevant and effective in dealing with actual, perceived and potential conflicts of interest.

8 Access to Policy

This policy is available to all persons identified within the scope of this policy (Refer section 2).

This document is uncontrolled when printed. The current version of this Policy is located on Gladstone Ports Corporation's Website and Intranet. Should you require any further information, please contact your manager or supervisor.

9 Related documents

9.1 Legislation and regulation

Key relevant legislation and regulation, as amended from time to time, includes but is not limited to:

Type	Legislation / regulation
Federal Acts	<i>Corporations Act 2001</i> (Cth)
State Acts	<i>Government Owned Corporations Act</i> (1993) (Qld) <i>Right to Information Act 2009</i> (Qld) <i>Information Privacy Act 2009</i> (Qld) <i>Crime and Corruption Act 2001</i> (Qld) <i>Public Interest Disclosure Act 2010</i> (Qld) <i>Integrity Act 2009</i> (Qld) <i>Integrity Reform Bill 2010</i> (Qld) <i>Public Sector Ethics Act 1994</i> (Qld)
Other	Various Australian Standards and Government Policies are also applicable.

9.2 Gladstone Ports Corporation documents

The following documents relate to this Policy:

Type	Document number and title
Policy	DOCSCQPA# 93301 – Code of Conduct DOCSCQPA# 123595 – Gifts and Benefits DOCSCQPA# 1321861 – GPC Procurement DOCSCQPA# 1412364 – Enterprise Risk and Resilience
Standard	DOCSCQPA# 1447372 – Conflict of Interest Standard DOCSCQPA# 722669 – GPC Recruitment
Specification/Procedure	DOCSCQPA# 960456 – Managing Discipline