

Ways to avoid or manage conflict of interest:

- ◆ Take all steps to keep such affiliations under control and not allow them to interfere with your public duties/decisions
- ◆ Divest if necessary
- ◆ Change portfolio
- ◆ Declare all interest
- ◆ Abstain from discussions and voting

Government Contracts:

- ◆ Avoid knowingly or willingly, directly or indirectly from being apart of a contract with the government or any public body.
- ◆ Having an interest directly or indirectly (family/friends) in a company that is a party to a contract with the government or any public body.

Ministers and members of the House of assembly **should scrupulously avoid any danger of an actual or apparent conflict of interest between their public duties and their private interests.**

In order to avoid such a danger, they should be guided by the general principle that they should ***either dispose of any interest giving rise to the actual or apparent conflict*** or take alternative steps to prevent such conflict.

Ministers are expected to observe, uphold and be guided by the Seven Principles of Public Life:

1. **Selflessness**-Act solely for public interest only.
2. **Integrity**-Never place self under any financial or other obligations to anyone.
3. **Objectivity**-Make choices on merit only.
4. **Accountability**-Answerable to all decisions/actions.
5. **Openness**-Openness in all decisions and actions.
6. **Honesty**-Duty to declare any private interest and resolve conflict of interest.
7. **Leadership**- Promote and support all principles by leadership and example.

TURKS AND CAICOS ISLANDS



CONFLICT OF INTEREST

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What is Conflict of Interest?

A conflict of interest is deemed to arise if a person in public life or those exercising public functions, were to make or participate in the making of a decision in the execution of his office and at the same time knows or ought reasonably to have known that in the making of the decision, there is an opportunity either directly or indirectly to further his private interest or that of a member of his family or any other person.

Questions to think about?

1. Does the interest create an incentive to act in a way that may not be in the best interest of the government body in question?
2. Is the existence of an incentive sufficient to create the conflict?

If the answer to any of the above is yes – A conflict of interest exists. **Note: Whether or not a person would actually act upon the incentive is irrelevant.**

Identifying Conflict of Interest:

In identifying conflict of interest, focus should be placed on interest that are specific rather than generic. Two ways in which a conflict of interest, or the perception of it, can arise are:

1. Exercising power or influence to benefit oneself or associate at the expense of others.
2. Using special knowledge acquired in the course of your public duties to benefit or avoid loss in some private transaction.

Responsibility for avoiding a conflict:

Ultimately, it is the responsibility of all persons in public life to order their own private lives in such a way as to avoid a criticism and to decide whether and what action is needed to avoid a conflict or the perception of a conflict.

They should be able to defend that decision if necessary by accounting for it to the relevant authorities.

Types of Conflict of Interest

Conflicts of interest are likely to arise in the following situations and care should be taken to identify and manage any such conflicts.

- ◆ Directorships or other employment,
- ◆ Interest in business enterprises or professional practices
- ◆ Share ownership
- ◆ Beneficial interest in trusts
- ◆ Existing professional association with a public body or personal association with a person in public office
- ◆ Professional association or relationships with other groups or organisations
- ◆ Family and other close relationships

If in an official position best practice is to dispose of such a position on becoming a minister.

What is expected of a person in public life if actual or perceived Conflict of Interest arises?

Where there is a actual or perceived conflict of interest on some matter, **Persons in Public Life must disclose their interest and recuse themselves from the decision-making process.**