Bylaw Number BGB-110.05
Effective Date 2026-02-05
Next Review Date 2033-02

CONFLICT OF INTEREST OR DUTY

Primary Contact	Board of Governors
Related Policy / Legislation	BGB-110.04, Confidentiality of Board Information and Authorized Board Spokesperson; UFV Statement on Institutional Ethics (22)

PURPOSE/PHILOSOPHY

A member of the Board of Governors (hereafter "Board") of the University of the Fraser Valley holds a special position of trust. As such, members avoid all situations of conflict of interest. Each member has a primary responsibility to "act in the best interests of the university". Each member is also responsible to acting as a member of the Board, not as a member of any particular constituency. A Board member's commitment to this Bylaw works together with the expectation of upholding the confidentiality of all Board information not considered to be in the public realm.

BYLAW

Therefore, given the nature of Board membership, activities, and discussions, individual members of the Board may find themselves in conflict of interest, potential conflict of interest, or apparent conflict of interest situations. This Bylaw clarifies general areas of conflict of interest here, and in the procedures document, provides specific guidelines.

DEFINITIONS

In this statement:

Advisor: means a person the Board identifies to provide advice on whether a conflict of interest, potential conflict of interest or apparent conflict of interest exists.

Board: means the Board of Governors of the University of the Fraser Valley and associated Board committees.

Member: means a person either appointed to the Board by the Lieutenant Governor in Council, a person elected by a constituency, or a person who is on the Board because of a position held (i.e., President, Chancellor).

Private Duty: means a duty owed to someone or an organization other than the university.

Private Interest: means any real/tangible financial interest or other advantage that personally benefits a member or a related person.

Related Person: means a spouse, child, parent, or sibling of the member.

1. Conflict of Interest Defined[1]

1.1 A conflict of interest may arise when a Board member has a private interest or duty that supersedes or competes with their dedication to the interests of the university. This could arise from Real, Potential, or Apparent Conflict of Interest for a Board member, related persons or organizations, and may be financial or otherwise.

(a) A "Real Conflict of Interest" occurs when a Board member exercises an official power or performs an official duty or function and, at the same time, knows that in the performance of this duty or function or in the exercise of power there is the opportunity to further a private interest or be in a conflict with a private duty.

(b) A "Potential Conflict of Interest" occurs when there exists some private interest or duty that could influence the performance of a member's duty or function or in the exercise of power if they have not yet exercised that duty or function.

(c) An "Apparent Conflict of Interest" exists when there is a reasonable apprehension which reasonably well-informed persons could properly have that a Real or Potential Conflict of Interest exists on the part of the member.

2. Declaring and Managing A Conflict

2.1 Board members arrange their private affairs and conduct themselves in a manner to avoid a conflict of interest. In cases where conflict cannot be avoided, a Board member has an obligation to declare a conflict of interest prior to discussion or decision of an issue. Upon declaration of a conflict, the University Secretary notes it in the meeting record and the Board member:

(a) in an in-camera or closed session or committee meeting, absents themself from the proceedings during discussion and voting on that matter, contract, or arrangement;

(b) in a public session, refrains from discussion or voting on that matter, contract, or arrangement.

2.2 The related procedures for this Bylaw include the following:

[1] For a visual representation of these definitions, see the end of the Procedures document.

(a) how a member raises a matter about themselves where a potential conflict situation exists.

(b) how to determine if a conflict exists.

(c) how to handle a conflict discovered after a matter has been considered.

(d) how to proceed if a member perceives another member may be in a conflict.

(e) if desired, how the Board seeks advice on a specific case where a conflict may exist or has already been deemed by the Board to exist.

(f) how a member can manage a disagreement with a Board decision on conflict.

(g) other procedures the Board determines to include.

3. Sanctions Associated with Conflict of Interest

3.1 Subject to the University Act, the Board has the power and ability to impose sanctions including one or more of the following:

(a) letter of reprimand.

(b) suspension of a Board of Governors member(s) from the Board of Governors for a determined period of time.

(c) recommendation to the Lieutenant Governor in Council of dismissal from the Board.

4. General Guidelines for Declaring Conflict of Interest (under Section 1.1a)

The Procedures document for this Bylaw provides examples of conflict of interest in the context of the Board and general guidelines for declaring conflict of interest. These examples are not considered exhaustive. Instead, the definitions of conflict as described in Section 1 are used as the ultimate measure of conflict.