



**Pan American Taekwondo Union**  
**Conflict of Interest Policy**  
**(July, 2021)**

## Introducción

In accordance with Article 2.4.1 and 7.5 of the Pan American Taekwondo Union (PATU) Bylaws and Article 9.4 of the World Taekwondo Bylaws, the Pan American Taekwondo (“PATU”) Council has established this Conflict of Interest Policy (the “Policy”). Members of the PATU Council, Commissions and Committees shall declare any interests to the Secretary General in accordance with the Policy. The PATU Secretary General shall maintain a register of interests and post them on the PATU website on a quarterly basis.

### 1. Scope

1.1 This Policy sets out the procedures for identifying and managing conflicts and potential conflicts of interest or duty (hereinafter referred to as “Conflicts” for this Policy) affecting all persons involved in the management, operation of PATU and its business (hereinafter referred to as “Party(ies)” in this Policy).

### 2. Background

2.1 The parties have an obligation to act in the best interests of PATU and WT, in accordance with applicable rules and regulations. They are expected to act impartially, objectively and actively take steps to avoid Conflicts.

2.2 Conflicts are important because they affect discussions and decision-making processes and can lead to decisions that are not in the best interests of PATU and WT. They can give the impression - both internally and to the public - that improper conduct has occurred, even when it has not.

2.3 Conflicts in numerous forms. It is primarily the responsibility of each Party to identify whether there is a Conflict or potential Conflict that could affect them or anyone in connection with them.

2.4 This Policy is not intended to adversely affect decision making within PATU. It is intended to make them more transparent and to allow for the management of Conflicts, which will inevitably arise. It is important that Conflict management is proportionate to the intrinsic risk of the Conflict and in the best interests of PATU and WT.

### 3. Identifying what is a Conflict

3.1 There are two types of Conflict:

- (a) **Conflict of Interest** – This is the case when a Party has a personal interest (which may be financial or non-financial) that conflicts, or may conflict, with the best interests of PATU and WT.
- (b) **Conflict of Duty** – This is when a Party has a duty to another entity (such as employment, elected official, shareholder, fiduciary, etc.) that conflicts or may conflict with its duties to act in the best interests of PATU and WT. Such conflicts must not be personal or financial to the Party. The conflict of duties can also be described as the **Conflict of allegiances**

### 4. Associated Persons

4.1 A Dispute may arise if it involves a payment or benefit given to a third party connected with the Party in question. An “Associated Person” is:

- (a) Any parent, grandparent, child, stepchild, grandchild, brother, sister or spouse of a Party or any person cohabitating with the Party as his or her partner;
- (b) A firm, company or partnership in which the Party is a partner, officer, employee, consultant,

director, member or shareholder (unless the Party owns less than 1% of the issued shares on a recognized stock exchange); (c) A firm or company in which the Party is a partner, officer, employee, consultant, director, member or shareholder (unless the Party owns less than 1% of the issued shares on a recognized stock exchange); and

(c) A firm or company in which an individual listed in (a) above is connected in the ways set forth in subsection (b) above.

## **5. Duty of avoiding Conflict**

5.1 All parties are under duty to avoid the Conflict whenever possible.

5.2 If a Conflict or a potential Conflict exists, it must be declared by the Party and handled in accordance with the provisions of this Policy.

5.3 If there is any doubt as to whether certain facts or circumstances may give rise to a Conflict, it must be resolved in favor of declaring those facts or circumstances as a Conflict.

## **6. Declaration of I**

6.1 Upon entering the office, Parties must declare their interests on the declaration of interests form, which can be found on the World Taekwondo website as part of the candidate packet. In particular, this declaration must include:

(a) Directorships, partnerships and employment within National Member Associations, Continental Unions, World Taekwondo or businesses that are involved with the sport taekwondo or derive a substantial part of their profits to Taekwondo;

(b) Any position held within Member National Associations, Continental Unions or any other international taekwondo or sporting entities;

(c) Trusteeships or positions on the boards of Member National Associations, Continental Unions, World Taekwondo or institutions, charities that are involved with the sport of Taekwondo or derive a substantial part of their earnings to Taekwondo; and,

(d) Any material interest arising from a close family or personal relationship with another Party to PATU.

6.1 The Secretary General shall use the information in the declarations to maintain a register of interest. The information provided in any declaration of interest shall be processed in accordance with the WT's information handling policy and the WT's safeguarding policy. The information provided will not be used for any other purpose by PATU or World Taekwondo.

6.2 Parties should update their declarations as soon as possible, following any change in circumstances, in any event, they should resubmit their declarations within 14 days after the General Assembly of each year.

6.3 In Board, Committee or Commission meetings, the Party is required to declare to the director and the General Secretary (or PATU's personnel manager) the nature and extent of any potential or actual Conflicts, which may have proposed or actual subject matter at the meeting. In particular, this includes declaring any interest that an Associated Person may have or may have in any existing or proposed transaction or arrangement with PATU. This procedure also applies to any electronic voting or other electronic discussion.

6.4 Each meeting of the Board (or a committee, or commission) shall have a Conflicts statement as a

separate agenda item. Any Conflict statement on any agenda item must be made at that point and must be noted in the minutes of the meeting. If the Party subsequently notices that it must declare a Conflict, this must be done immediately and be noted in the minutes of the meeting.

6.5 If the Party has an interest listed in the Register of Interests that is to be reported as a Conflict, the chair of the meeting shall report it at the meeting, if the Party fails to do so in the relevant agenda item.

6.6 Any Party who has a concern or is unsure about the procedure to be followed should contact their PATU director or personnel manager, for advice from their committee or commission.

## **7. Managing Conflict of Interest.**

7.1 If a Party has a Dispute, a decision shall be made as to how it shall be handled. This decision shall be made by:

- (a) The chairperson (for Conflicts relevant to Board members);
- (b) The chairperson of the meeting at which the Conflict becomes relevant; or
- (c) In all other cases, the Secretary General,

And in each case after consultation with the Integrity Committee.

7.2 If the President has a relevant Conflict, then the Vice President, elected by the other Vice Presidents, shall make the decision. If the Director has a relevant Conflict, then the Vice Director shall make the decision.

7.3 The Party is required to give the decision maker any additional information it requests in order to determine how the conflict is handled.

7.4 The decision maker must decide whether the Party:

- (a) May continue its participation normally, with its interest recorded on the record.
- (b) May not participate in the proceeding and therefore abstain from voting (but the entity may request the Party to provide any relevant information concerning the matter), or
- (c) Is removed from all or part of the affected part of the proceeding.

## **8. Specific Situations**

8.1 This Policy has established general principles applicable to all situations. This section contains requirements in specific situations, which may occur frequently. The list is not exhaustive.

**8.2** In the event of, or during, an event in which UC is intervened by WT, all conflict of interest issues will be resolved by the entity designated by WT.

### **In Relation to MNAs**

8.3 It is recognized that most Parties will be involved with their MNAs, and this is to be expected.

8.4 There shall be no Conflict due to an involvement of the Party's MNA, even where the MNA has made a submission that is being discussed, unless the discussion or proposed decision:

- (a) Affects the specific Party's MNA;

- (b) Affects the Party's MNA in a manner different from that in which it affects other MNAs; or
- (c) The Party is an employee of the MNA and that employment may be affected by the decision;
- or (d) The Party is an employee of the MNA and that employment may be affected by the decision.

### **Competition**

8.5 A Party need not make any statement if it is involved in a discussion or decision that may affect its athletes in a competition, provided that the decision affects all athletes equally - e.g. a change in the Rules and Interpretation of Competitions.

### **Jobs and Appointments by PATU**

8.6 A Party shall have a dispute in relation to any discussion or decision, actual or proposed, concerning:

- (a) Jobs with PATU; or
- (b) Appointments by PATU to any international sports organization.

8.7 No member of the Board shall be assigned to any salaried position in PATU or any position of PATU on a fee basis, and no remuneration, or other monetary benefit or monetary value shall be granted by PATU for any member of the Board except as approved by the Financial Regulations. This rule also applies to members of the Administration, whose remuneration shall be controlled by rules approved by the Board. No remuneration or benefit, monetary or of monetary value, shall be granted by PATU to Board members and/or Trustees in the absence of approved Financial Regulations to govern this matter.

### **Procurement of goods or services or other commercial agreements.**

8.8 In the event that the Party has a conflict in connection with any discussion or decision concerning the actual or proposed procurement of goods or service for PATU, the Party shall withdraw from the decision process. This shall also apply to any commercial agreements with these companies or PATU and/or World Taekwondo Events.

### **Competition Officers**

8.9 A conflict of interest shall exist when a Competition Official has, or reasonably appears to have, a personal or financial interest, which could affect the official's ability to be impartial.

8.9.1 When a Competition Official is aware of a conflict of interest, he/she shall decline the invitation to serve in PATU and/or WT Sanctioned or Promoted Events.

8.10 When a Competition Official is in doubt as to the action to be taken, he/she shall immediately consult PATU, before accepting the invitation and being bound by its decision.

8.11 When at an event, a Competition Official becomes aware of a conflict of interest, the official shall report the potential conflict to the Competition Oversight Board.