

Potential committee member

Review of personal interests that may create a conflict with your role with Greater Wellington Regional Council

Introduction

Personal interests that intersect with your Greater Wellington Regional Council (GWRC) responsibilities as a committee member can potentially create conflicts of interest.

As a potential committee member you are asked to review your interests and to declare any interests that could be in conflict with your potential GWRC committee appointment. The purpose of this review is to assist:

- 1 Strengthening public trust and confidence in the integrity of GWRC processes and decision making; and
- 2 Promoting the highest standards of behaviour and conduct for committee members.

Your personal interests that are separate, or remote, from your potential GWRC responsibilities, or are no more than the ordinary interests of a ratepayer or a resident of the Wellington Region, do not need to be declared.

This form is provided to enable you to record your personal interests that may intersect with your potential GWRC responsibilities as a committee member.

In consideration of whether an interest needs recording you should consider:

- 1 Is your interest in a GWRC issue more than the ordinary interests of a ratepayer or a resident of the Wellington Region; and/or
- 2 Are you connected to a GWRC interest through:
 - a Financial, or pecuniary, interests; or
 - b Close personal relationships; or
 - c Ownership interests in other entities; and/or
- 3 Is your interest:
 - a A current interest; or
 - b A past interest that still has an influence; or
 - c An interest that will foreseeably arise in the future; *and/or*
- 4 How other third parties will perceive your interest in terms of that interest influencing your committee role.

Declaration of personal interests that may intersect with your potential GWRC responsibilities

This form records two different types of interest:

1. Pecuniary (financial) interests

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides the legal framework for considering committee members' pecuniary interests. The objective of LAMIA is to help protect the integrity of local authority decision making by ensuring that committee members are not affected by personal motives when participating in local authority decision making.

The scheme of LAMIA is that committee members:

- Need an exemption if they have entered (or will enter) into contracts with GWRC worth more than \$25,000 (GST inclusive) over all contracts per financial year. There is automatic disqualification from being a committee member if this limit is breached with no exemption; and
- Cannot participate in GWRC matters in which they have a pecuniary interest, other than an interest in common with the public.

There are possible criminal charges for breaching the LAMIA contracting and pecuniary interest rules.

The test of whether there is a pecuniary interest is:

“Whether, if the matter were dealt with in a particular way, discussing or voting on the matter could reasonably give rise to an expectation of a gain or loss of money for the committee member or parties associated with the committee member.”

You are requested to identify (in the form below) any pecuniary interests you (or a person or company associated with you) have with a contract with GWRC.

Further information on pecuniary interests is available in the Auditor-General's publication *Local Authorities (Members' Interests) Act 1968: A guide for members of local authorities on managing financial conflicts of interest* (June 2020): <https://oag.parliament.nz/2020/lamia>.

2. Non pecuniary interests

Non pecuniary interests can create conflicts of interests for committee members. These conflicts generally relate to the common law issues of bias and pre-determination.

A conflict of interest exists where two different interests intersect. This includes when you (or a person, business or group associated with you) benefits from a GWRC decision that you can influence.

The common law requires that GWRC decision making be procedurally fair. This requires that committee members with the power to make decisions affecting the rights and obligations of others carry out their duties fairly and free from bias and pre-determination.

The types of interests of a committee member that could create a conflict of interest include:

- A close relationship (which may be identified with the provision of hospitality, etc.) or involvement in (including an investment) with an individual or organisation affected by a matter before GWRC;
- A financial interest in an issue that is wider than the pecuniary issues relating to LAMIA;
- Employment with an organisation that is involved (or attempting to be involved) with GWRC;
- Membership of other public bodies;
- Prior statements or conduct; this may indicate predetermination of an issue; and
- Being, or having been, involved in a contract with GWRC that involves provision of advice to the committee to which the committee member is appointed.

This form requests that you note your interests that are, or may foreseeably, be in potential conflict with your possible role as a committee member. There is no obligation to provide details associated with these interests that may be personal or commercially sensitive.

Further information on non-pecuniary interests is available in the Auditor-General's publication *Managing conflicts of interest: A guide for the public sector* (June 2020): <https://oag.parliament.nz/2020/conflicts/docs/conflicts-of-interest.pdf>

Further information

If you want to discuss any issues associated with this form, please contact Francis Ryan, Manager Democratic Services (04 830 4248, 027 244 3603, francis.ryan@gw.govt.nz).

Name:

Potential GWRC committee/s:

Part 1 Pecuniary (financial) interests that are potentially in conflict with your role with GWRC:

Role or contract: Nature of the pecuniary interest:
Role or contract: Nature of the pecuniary interest:
Role or contract: Nature of the pecuniary interest:
Role or contract: Nature of the pecuniary interest:
Role or contract: Nature of the pecuniary interest:

Part 2 Other (non-pecuniary) interests that are potentially in conflict with your role with GWRC:

Role or contract: Nature of the interest:
Role or contract: Nature of the interest:
Role or contract: Nature of the interest:
Role or contract: Nature of the interest:
Role or contract: Nature of the interest:

Signed:

Date:

The information provided by you in this document is personal information:

- If requested by GWRC auditors, the information you provide in this document will be conveyed to them for audit purposes.
- Any request from a third party (excluding GWRC's auditors) for the information will be considered in accordance with the Local Government Official Information and Meetings Act 1987.
- The information provided by you in this document will not be published externally by GWRC.
- You have the right to request a copy of this document, or to seek correction of any personal information contained in it, at any time.

Please return this completed form to democratic.services@gw.govt.nz, or post it to Democratic Services, Greater Wellington Regional Council, PO Box 11646, Manners Street, Wellington 6142.

Reviewed by:

Name:	Signature:
Title:	Date: