

# Declaration of Pecuniary and Personal Interest (DPPI)

## For Use by the Governance Group

Last updated January 2023

I, .....

declare as a Board Member of the Glenfield Community Centre Incorporated, that I hold the following and/or pecuniary interest(s):

<b>Pecuniary Interests</b>	<b>Please provide details of the interest</b>
Current Employment	
Businesses (of which I am a partner or sole proprietor)	
Company Directorships — details of all companies of which I am a Director	
Charity Trusteeships — details of all companies of which I am a Trustee	
Membership of professional bodies, membership organisations, public bodies or special interest groups of which I am a member and have a position of general control or management	
Gifts or hospitality offered to you by external bodies while acting in your position as a Governor/Trustee and whether this was declined or accepted in the last 12 months	
Contract offered by you for the supply of goods and/or services to the Kaipatiki Project	
Any other conflict	

<b>Personal Interests</b>	<b>Name</b>	<b>Relationship to me</b>	<b>Organisation</b>	<b>Nature of the interest</b>
Immediate family/close connections to Board Member				



Company directorships or trusteeships of family/close connections to Board Member				
---	--	--	--	--

**If you are a Governor or Trustee of any other organisation, please provide details below:**

**Name of Organisation/s:** .....

**Position Held:** .....

**Date appointed/ elected to post:** .....

**Date of termination to post:** .....

**Declaration:**

To the best of my knowledge, the information supplied above is correct and complete. I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal matter that relates directly or indirectly to myself or any relation in any contract, proposed contract or other matter when present at a meeting of the Board where such a contract or matter comes under consideration.

I understand that I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I agree to review and update this declaration annually and give consent for the information provided to be used in accordance with the Glenfield Community Centre’s Code of Conduct.

**Signed:** .....

**Date:** .....



## Guidance Notes:

Governors and trustees have a legal duty to act only in the best interests of their organisations. Where a situation arises in which they cannot do this due to a personal interest they have, steps should be taken to identify, prevent, and record the conflict (e.g. in the Meeting Minutes). This ensures Governors or Trustees are acting in the best interests of the organisation.

In the declaration above, you must provide details relating to:

- Your ownership or partnership of a company or organisation that may be used by the Glenfield Community Centre to provide goods or services;
- Goods or service you offer that may be used by the Glenfield Community Centre;
- Any close relation you have to someone who satisfies either of the above; and
- Any close relationship you have to someone who is employed by the Glenfield Community Centre.

As an officer, you should have a good understanding of your charity's rules document and its legal structure. You should also understand laws that may apply to your charity such as health and safety, tax, contract and labour laws. If you are an incorporated society or a trust, in general there is limited personal liability, provided decision makers act honestly, prudently, within the group's charitable purposes and not for personal gain.<sup>1</sup>

Making an annual declaration does not remove your requirement to make an oral disclosure of the interest and temporarily leave a meeting, where the interest is relevant to something being discussed.

### **Pecuniary Interests**

Generally, Board members should not participate in any discussions in which they may directly or indirectly benefit from a pecuniary interest, except where the relevant authority has been authorised. A "direct benefit" refers to any financial benefit you may have by virtue of a relationship to someone who stands to gain from a decision of the governing Board. Both direct and indirect interests must be declared.

---

<sup>1</sup> The NZ Law Commission has undertaken a review of the Incorporated Societies Act 1908 and recommended bringing the responsibilities of Boards into line with the Companies Act 1993. This will extend a more detailed list of responsibilities but with the exception of other common law the current Act applies.

## **Non-pecuniary interests (Conflicts of Loyalty)**

There may be a non-pecuniary interest whereby a Governor does not stand to gain any benefit but a declaration should still be made. For example, this might be where a Governor has a family member working for the organisation. While the Governor might not benefit personally, their judgement could be impaired if something was brought up that would affect the family member.

### **Handling the Conflict**

The governing Board must make a decision as to whether or not they should take steps to remove the conflict by:

- Not pursuing the course of action it relates to; or
- Proceeding with it in an alternative way that does not give rise to the conflict; or
- Not appointing the governor in question or seeking to secure their resignation.

In the minutes of the meeting, the following should be recorded:

- The nature of the conflict;
- Which governor(s) it relates to;
- Whether a declaration was made in advance of the meeting;
- A brief overview of what was discussed;
- Whether the governor(s) withdrew from the meeting;
- How the Board made the decision in the best interests of the organisation.

### **Charity Services Guidance**

Upon completion, this signed form should be given to the Glenfield Community Centre Manager whose responsibility it is to keep a register of all interest and review it annually.

Charity Services provides additional online information and guidance relating to conflicts of interest here: <https://www.charities.govt.nz/im-a-registered-charity/officer-information/officer-kit/conflict-of-interest/>