

Conflict of Interest Policy

Scope

This policy sets out the procedures for identifying and managing potential conflicts of interests or duty (called “Conflicts” in this policy) affecting all persons involved in elected, appointed and professional positions within the International Ski Federation (FIS) and its business (who are called “Parties” in this policy).

This policy was approved by the FIS Council on 13 February 2019.

Background

Parties have an obligation to act in the best interest of FIS and in accordance with its Statutes and Regulations. They are expected to act impartially and objectively and to actively take steps to avoid Conflicts.

Conflicts affect discussions and decision-making and may result in decisions being reached that are not in the best interests of FIS. They can give the impression, both internally and to the wider public, that improper conduct has occurred even if it has not.

Conflicts come in different forms. It is the responsibility of each Party to identify if there is a Conflict or potential Conflict that may affect them or someone connected to them.

This policy is intended to make decision making more transparent, and to allow the management of Conflicts that may arise. It is important that management of a Conflict is proportionate to the risk that it poses to the best interests of FIS.

Identifying what a Conflict is

There are two types of Conflicts:

- (a) A **conflict of interests** – this is where a Party has an interest personal to them (which may be financial or non-financial) which may conflict with the best interests of FIS.
- (b) A **conflict of duties** – this is where a Party owes a duty to another body (such as being an employee, elected official, shareholder, trustee etc.) that conflict with their duties to act in the best interests of FIS.

This type of conflict does not have to be personal or financial to the Party.

A conflict of duties can also be described as a conflict of loyalties.

Connected Persons

A Conflict can still arise if it involves a benefit being given to a third party connected to the Party in question. A “Connected Person” is:

- (a) any relation such as parent, grandparent, child, stepchild, grandchild, brother, sister or spouse or partner of a Party;
- (b) a firm, company or association in which the Party is a partner, officer, employee, consultant, director, member or shareholder (unless the Party owns no more than 1% of the issued shares on a recognised stock exchange);

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

Duty to avoid conflicts

All Parties have a duty to avoid a Conflict where possible.

If a Conflict or potential Conflict exists, it must be declared by the Party and managed as set out in this policy.

Any doubt as to whether certain facts or circumstances may give rise to a Conflict should be resolved in favour of declaring those facts or circumstances.

Declarations of interests

On appointment, Parties must declare their interests on the **Declaration of Interests** form on the FIS website. In particular, this declaration must include:

- (a) directorships, partnerships and employments with a National Ski Association, FIS, businesses or organisations that are engaged in skiing and winter sports, or derive any substantial portion of their revenue from skiing and winter sports;
- (b) any office held with a National Ski Association and any other international winter sports or sporting bodies;
- (c) trusteeships, or board positions with National Ski Associations, FIS or institutions or charities that are engaged in the sport of skiing and snowboarding, or derive any substantial portion of their revenue from skiing and snowboarding; and
- (d) any material interests arising from close family or personal relationships with another Party in FIS.

The FIS Head of Administration will maintain a register of interests. The information provided in any declarations of interest will be processed in accordance with the data protection principles as set out in the DSGVO. The information provided will not be used for any other purpose by FIS.

Parties must update their declarations following any change in circumstances.

If a Party has an interest that should be disclosed as a Conflict, the chairman of the meeting shall disclose it if the Party does not do so at the relevant point on the agenda.

Any Party who has a concern or is unsure of the proper procedure to follow should contact the President, Committee Chairman and/or FIS Secretary General for advice.

Managing conflicts of interest

If a Party has a Conflict, then a decision as to how to manage it will be made by:

- (a) the President (for Conflicts relevant to members of Council);
- (b) the chairman of the meeting at which the Conflict becomes relevant;

If the President has a Conflict, then a Vice President chosen by the other Vice-Presidents will make the decision. If a Committee Chairman has a Conflict, the Vice-Chairman will make the decision.

A Party is required to give the decision-maker any additional information asked for to determine how the conflict is to be managed.

The decision-maker may decide that the Party:

- (a) can continue to participate normally with the interest being noted in the minutes;
- (b) shall not participate and is to abstain from voting (but the body may ask the Party to provide any relevant information concerning the matter); or
- (c) is to withdraw for the whole or part of the affected proceedings.

Specific Situations

This policy has set out general principles applicable to all situations. The lists are not exhaustive.

Relationships with NSAs

Most Parties will have involvement with their NSAs and this is to be expected.

For members of Council, they are specifically elected in accordance with the FIS Statutes article 30.5 *“Council Members act and vote as independent individuals and not as representatives of their National Association.”*

There is no Conflict if this involves the Party’s NSA, even when that NSA has made a submission that is being discussed, unless the discussion or proposed decision:

- (a) affects the Party’s NSA specifically;
- (b) affects the Party’s NSA in a different way from all other NSAs; or
- (c) the Party is an employee of his NSA and that employment may be affected by the decision.

Own Competition participation

Notably in the case of elected members of the FIS Athletes Commission relating to their participation in Council and Committee Meetings, a Party does not need to make any declaration if participating in a discussion or decision which would affect their competition as an athlete (provided it is a general decision affecting all athletes equally – for example changes to the International Competition Rules).

Employment or Appointments by FIS

A Party would have a conflict in relation to any discussions or decisions concerning actual or proposed employment with FIS and/or FIS Marketing AG; or

Article 22.9 of the Statutes contains further provisions concerning members of Council.

Provision of goods or services or other Commercial Arrangements

A Party would have a conflict in relation to any discussions or decisions concerning the actual or proposed provision of goods or services to FIS Marketing AG. This also applies to commercial arrangements with the company or with FIS Events.

FIS Officials

FIS Officials are governed by the ICR with respect to their appointment for assignments at events.

In relation to major event appointment decisions by the FIS Council, the relevant provisions of the ICR and conflict of interest rules are to be followed by the nominating FIS Technical Committee in the discipline concerned.