

MAA INTERNATIONAL

CONFLICT OF INTEREST POLICY



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1 INTRODUCTION

1.1 PURPOSE

The purpose of this policy is to help Board members, employees and volunteers of MAA International (MAA) to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of MAA and manage risk.

1.2 ROLES AND RESPONSIBILITIES

MAA aims to ensure that Board members, employees, volunteers and filed partners are aware of their obligations to disclose any conflicts of interest that they may have, in perception, potential to be or actual conflict and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of MAA.

It is responsibility of related party to:

- Disclose any potential conflict of interest in writing
- Take appropriate actions to eliminate or reduce it to acceptable levels
- Document the conflict and its resolution
- Managing conflicts of interest across the charity
- Monitoring compliance with this policy, and
- Reviewing this policy on an annual basis to ensure that the policy is operating effectively.

MAA must ensure that its board members are aware of the ACNC governance standards, particularly governance standard 5, and that they disclose any actual or perceived material conflicts of interests as required by governance standard 5.

1.3 DEFINITIONS

A conflict of interest occurs when a person's personal interest conflicts with their responsibility to act in the best interests of MAA. Personal interests include direct interests as well as those of family, friends, or other organisations a person may be involved with or have an interest in. It also includes a conflict between a board member's duty to MAA and another duty that the board member has. A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of MAA.

Therefore these situations must be managed accordingly.

1.4 SCOPE

1. This policy applies to all MAA board members, staff, volunteers and contractors.
2. This policy applies to all Partner Organisations (including implementing country offices in the and their board members, staff, volunteers and contractors implementing Aid and Development Activities funded by, or through, MAA.

2 POLICY & PROCEDURES

2.1 POLICY STATEMENT

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to MAA if they are openly and effectively managed. It is the policy of the MAA as well as a responsibility of the board, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts do not conflict with the obligations to MAA.

2.2 GUIDING PRINCIPLES

MAA will manage conflicts of interest by requiring board members to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest, and
- Follow this policy and respond to any breaches.

2.3 PROCEDURES

2.3.1 Responsibility of the board

The board is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the charity
- monitoring compliance with this policy, and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

The charity must ensure that its board members are aware of the ACNC governance standards, particularly governance standard 5, and that they disclose any actual or perceived material conflicts of interests as required by governance standard 5.

2.3.2 Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into MAA's register (Finance/Compliance), as well as being raised with the CEO/department heads or managers per the hierarchy (bottom-up). Where all of the other board members share a conflict, the board should refer to ensure that proper disclosure is recorded in the meeting minutes and accepted by all members.

The register of interests must be maintained by CEO/Head of Finance, and record information related to a conflict of interest.

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2.4 ACTION REQUIRED TO MANAGE CONFLICTS OF INTEREST

2.4.1 Conflicts of interest of board members

Once the conflict of interest has been appropriately disclosed, the board (excluding the board member who has made the disclosure, as well as any other conflicted board member) must decide whether or not those conflicted board members should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a board member from regularly participating in discussions, it may be worth the board considering if it is appropriate for the person conflicted to resign from the board.

2.4.2 What should be considered when deciding what action to take

In deciding what approach to take, the board will consider:

- whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- the MAA's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the charity.

The approval of any action requires the agreement of at least a majority of the board (excluding any conflicted board member/s) who are present and voting at the meeting.

The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

2.4.3 Conflicts of interest of others than the board members

If conflict relates to employees, volunteers and field partners, where the conflict of interest concerns matter of procurement of goods and services or similar in nature, in such circumstances, the head of finance or CEO should decide in accordance with the procurement

of goods and services policy whether conflict is acceptable or alternative measure should be used to eliminate the conflict.

2.5 COMPLIANCE WITH THIS POLICY

If the relevant members have a reason to believe that a person subject to the policy has failed to comply with conflict of interest, the matter should be investigated in due course and with duty of care.

If it is found the person has failed to disclose a conflict of interest, then appropriate actions may be taken against the person depending on the seriousness of the breach. This could be rectification of This may include seeking to terminate their relationship with the charity.

3 REVISION HISTORY

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