



Australian Government
Coal Mining Industry
(Long Service Leave Funding) Corporation

COALSL

Conflicts of Interest Policy



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1. Introduction

The Coal Mining Industry (Long Service Leave Funding) Corporation (**Coal LSL**) is a corporate Commonwealth entity (CCE) established by the *Coal Mining Industry (Long Service Leave) Administration Act 1992* (Cth) (**Admin Act**) and subject to the *Public Governance, Performance and Accountability Act 2013* (Cth) (**PGPA Act**).

This policy has been developed to protect the integrity of decision-making and governance at Coal LSL, ensuring compliance with obligations under relevant legislation.

2. Policy purpose

The purpose of this policy is to ensure conflicts of interest are identified, disclosed, and managed to allow Coal LSL to conduct its operations with integrity, honesty, and fairness. This policy promotes transparency and ensures Coal LSL aligns with its TORCH values, principles, and public expectations.

3. Policy scope

This policy applies to all Coal LSL Officers, staff members, contractors, and service providers engaged in any capacity with Coal LSL, either in a paid or unpaid role.

4. Policy objectives

The objectives of this policy are to:

- ensure all Coal LSL Officers, staff members, contractors, and service providers understand their obligations to act in the public interest and avoid personal gain
- build and maintain public trust by upholding the integrity and reputation of Coal LSL as an accountable and transparent organisation
- ensure compliance with all applicable laws regarding conflicts of interest
- ensure all conflicts are identified, disclosed, and properly managed to prevent influencing decisions and duties.

5. Policy principles

The following principles guide this policy:

- **Transparency** – Coal LSL will take a consistent and open approach to identifying, disclosing and managing conflicts of interest to protect public interest and build trust with stakeholders.
- **Accountability** – All individuals are responsible for disclosing and managing their own personal interests that could influence their official duties.
- **Integrity** – Coal LSL will maintain credibility by ensuring that all operations are conducted in alignment with TORCH values and the Code of Conduct.

6. Policy statements

Types of conflicts of interest

Conflicts of interest may be:

- **Actual:** Where a conflict exists between duties and personal interests.
Example: A staff member is on a recruitment panel, and one of the candidates is their close friend or family member.
- **Potential:** Where a personal interest is not currently in conflict but could come into direct conflict with official duties.
Example: A Coal LSL officer has a close friend who works in an executive role for a supplier.
- **Perceived:** Where it could be perceived that personal interests are improperly influencing the performance of duties, whether this is the case or not.
Example: A staff member's partner owns a company tendering for services with Coal LSL, even though the staff member is not directly involved in the process.

Material personal interest

A material personal interest refers to any interest that could influence, or be perceived to influence, an individual's ability to perform their duties impartially. This can include financial or non-financial interests.

The following obligations must be adhered to:

Coal LSL directors and officials must:

- disclose any material personal interests in writing
- refrain from voting on matters in which they have a material personal interest.

If an interest could affect impartial decision-making or appears closely tied to personal gain, it should be disclosed to ensure transparency and compliance. **If in doubt**, disclose the material personal interest.

Disclosure of conflicts of interest

All Coal LSL staff are required to:

- disclose any conflict of interest in writing as soon as they are identified
- inform the relevant team leader of the disclosure in line with the responsibility matrix framework
- document how the conflict will be managed and who should be informed
- adhere to any management strategies developed to mitigate the potential impact of the conflict.

Coal LSL will maintain a central conflict of interest register within Folio to ensure transparency in the disclosure process and the appropriate management of risks.

Interests of immediate family members

Individuals in positions of responsibility, including Key Management Personnel (KMP), must disclose any personal interests of immediate family members that could influence, or be seen to influence, their decisions at Coal LSL.

Immediate family members include:

- spouse/partner
- adult children and dependents.

Other personal interests

The following interests may give rise to conflicts of interest requiring disclosure:

- secondary employment commitments (paid or unpaid)
- previous employment or future employment opportunities (if aligned to responsibilities in the person’s role at Coal LSL)
- affiliations with profit or not-for profit organisations, sporting clubs, political groups, or unions
- receipt of gifts or benefits
- directorships or partnerships
- close relationships with colleagues, friends, or relatives by marriage.

All staff are responsible for disclosing personal interests in Folio as soon they become aware of them and documenting the steps taken to manage the conflict, in consultation with the relevant Team Leader.

Information regarding gifts or benefits can be found in the Gifts and Benefits Guideline.

Managing conflicts of interest

Coal LSL will actively manage conflicts of interest by:

- maintaining a clear and transparent process for disclosing and documenting conflicts
- implementing management strategies, such as restricting involvement or removing individuals from decision making processes, to mitigate risks
- regularly reviewing conflict disclosures to ensure they are appropriately managed and remain up to date.

Related party transactions

Coal LSL will manage related party transactions to prevent any undue influence on decision making. This includes:

- disclosing and documenting annually all related party transactions in compliance with the Australian Accounting Standards [AASB 124 Related Party Disclosures](#)
- maintaining a register of these transactions to manage potential conflicts

Coal LSL staff identified as a KMP must record the disclosure of related party transactions annually.

7. Responsibilities and delegations

Position	Responsibilities and delegations
Coal LSL Officers, staff members and contractors	<ul style="list-style-type: none">• complying with this policy and associated guideline, and complete any mandatory training• being aware of potential conflicts that might impact them• identifying and disclose any actual or potential conflicts that might affect or may be perceived to affect, the proper performance of their duties• avoiding where possible any conflicts in the course of their duties• complying with management strategies put in place by the relevant Team Leader• reviewing and update declared conflicts of interest on a regular basis.

Position	Responsibilities and delegations
Chair of the Board and Deputy Chair of the Board	<ul style="list-style-type: none"> assessing any material personal interest disclosed by directors and non-directors serving as appointed committee members, in conjunction with the CEO, to determine whether the disclosed interest represents a conflict of interest ensuring an appropriate strategy for managing the conflict of interest is developed and recorded on the Conflicts of Interest register.
Directors and non-directors serving as appointed committee members	<ul style="list-style-type: none"> avoiding conflicts of interest, where possible declaring conflicts of interest as soon as practicable and ensure members of the Board/Committee are made aware declaring any interest raised during a meeting, and where applicable remove themselves from deliberations completing annual disclosure statements for material personal interests and related party transactions.
Audit, Risk Management and Compliance Committee (ARCC)	<ul style="list-style-type: none"> overseeing the conflicts of interest framework, assuring it is adequately embedded into business operations and conflicts are appropriately disclosed and effectively managed.
Chief Executive Officer	<ul style="list-style-type: none"> being accountable for the implementation of the Conflict of Interest Policy and Guideline ensuring relevant controls are in place for conflicts of interest providing assurance to the ARCC on the adequacy of the Conflict of Interest Policy and Guideline ensuring conflicts of interest are appropriately disclosed and effectively managed reporting matters pertaining to significant breaches of this policy to the ARCC and the Board reviewing and approving conflicts of interest declarations of direct reports (Chiefs), ensuring management strategies are in place where a conflict exists completing an annual disclosure of material personal interests and related party transactions.
Executive Leadership Team (ELT)	<ul style="list-style-type: none"> reviewing and approve conflicts of interest declarations of direct reports, ensuring management strategies are in place where a conflict exists monitoring the conflicts of interests disclosed by Officers and staff members within their divisions, ensuring that appropriate management strategies are implemented and documented in Folio where a conflict exists completing annual disclosure of their material personal interests and related party transactions.
Senior Leadership Cohort / Team Leaders	<ul style="list-style-type: none"> reviewing and approving conflicts of interest declarations of direct reports, ensuring management strategies are in place where a conflict exists

Position	Responsibilities and delegations
	<ul style="list-style-type: none"> • monitoring the conflicts of interests disclosed by staff members within their team • ensuring that appropriate management strategies are implemented and documented in Folio where a conflict exists • completing annual disclosure of their material personal interests and related party transactions.
General Manager, Governance, Risk and Compliance	<ul style="list-style-type: none"> • administering the conflicts of interest framework, including training, and maintaining the register • ensuring serious breaches with this policy and the Conflicts of Interest Guideline are appropriately investigated following the Fraud and Corruption Investigation and Response Guideline • maintaining records of all conflicts of interest matters that are investigated and any external referrals that have been made • collaborating with General Manager, Finance, on the assessment of disclosed related party transactions.
General Manager, Finance	<ul style="list-style-type: none"> • complying with <i>AASB 124 Related Party Disclosures</i> • assessing disclosed related party transactions • conducting reviews of the Minister's disclosed interests against Coal LSL vendors • verifying any potential related party transactions with directors, as part of the end of financial year process.
Coal LSL service providers	<ul style="list-style-type: none"> • complying with this policy and Conflicts of Interest Guideline • be aware of potential conflicts that might impact on the ability to perform services for Coal LSL • identifying and disclose any actual or potential conflicts that might affect (or may be perceived to affect, the proper performance of their duties under contract • having management strategies in place where a conflict exists.

8. Definitions

Coal LSL Officer – a person who makes, or participates in making, decisions that affect the whole or a substantial part of the organisation or undertaking of Coal LSL and includes directors and non-directors serving as appointed board committee members.

Conflict of interest – a situation where personal interests may interfere with the ability to perform official duties impartially.

Key Management Personnel (KMP) – are those persons having authority and responsibility for planning, directing, and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity.

Material personal interest – refers to the interests that arise from an individual's private or non-work life that can bring financial or other material benefits or result in disadvantages to the public interest or

to other people. Personal interests do not give rise to a conflict of interest unless there is a real or sensible possibility of conflict and not simply a remote or theoretical possibility of conflict. In addition, to be 'material,' the nature and substance of the interest must have the capacity to impact on the ability of the person to honestly discharge their duties to the entity. A personal interest can arise from a wide range of personal or professional/business-related sources.

Official – as per Part 1-2, Section 9 Officials (1) Item 4 of the PGPA Rule, an official of a Commonwealth entity is a person engaged as a consultant or independent contractors to the Corporation who:

- makes, or participates in making decisions that affect the whole, or substantial part, or the operations of the Corporation; or
- has the capacity to affect significantly the Corporation's financial standing,

Related party transaction – is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

Service provider – any entity that provides goods or services to Coal LSL directly.

Significant breach of this policy – refers to when the assessment of a breach against Coal LSL's Risk Matrix results in a High or Extreme risk rating.

Staff members – refers to all Coal LSL staff, including full-time, part-time, fixed/maximum term and casual employees.

Stakeholders – refers to all stakeholders who interact with Coal LSL e.g. employees, employers, auditors, government, industry bodies, media and the public.

9. Breach of policy

Breaches of the policy will be investigated. If a breach is established, appropriate action will be taken. Action may include disciplinary action, termination of employment or procurement contract, a tender not being selected, or any other action deemed appropriate.

10. Review and reporting

Any breach of this policy will be reported to the Chief Executive Officer (CEO). The Audit, Risk Management and Compliance Committee (ARCC) and Board will be notified and updated on all significant breaches of this policy and the corresponding action undertaken.

This policy will be reviewed and updated at least every 2 years or more frequently, where there is a substantial change in the systems, functions, legislation, or activities of Coal LSL that necessitates review.

11. Essential supporting documents/framework elements

This policy is supported by:

- Code of Conduct and TORCH Values
- Conflicts of Interest Guideline
- Fraud and Corruption Policy

- Fraud and Corruption Investigation and Response Guideline
- Public Interest Disclosure Guideline
- Gifts and Benefits Guideline
- Procurement Policy.

12. References and related documents

- [Australian Accounting Standards AASB 124 Related Party Disclosures](#)
- [Public Governance, Performance and Accountability Act 2013 \(PGPA Act\) Public Governance](#)
- [Performance and Accountability Rule 2014 \(PGPA Rule\)](#)

13. Version history

Ver	Date	Ownership	Approved by	Changes made
1.	8 Sep 2020	Chief Governance Officer	ARCC/Board	Original.
2.	6 Dec 2022	Chief Governance Officer	ARCC/Board	Scheduled review.
3.	13 Nov 2024	Chief Executive Officer	ARCC	Scheduled review.