



POST ADDRESS:		PHONE:
Print Name 2011-2012 POST ADJUTANT	Print Name 2011-2012 POST _____ COMMANDER	Print Name 2011-2012 POST QUARTERMASTER

JULY 1, 2011

ADMINISTRATION POLICY STATEMENT CONFLICT OF INTEREST POLICY

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SECTION 1. PURPOSE:

The Veterans of Foreign Wars of the United States, Department of South Carolina, Post _____ is a nonprofit, tax-exempt (501c19) organization. Maintenance of its tax-exempt status is important both for its continued financial stability and for public support. Therefore, the IRS, as well as, state regulatory and tax officials view the operations of the Department of South Carolina VFW, Post _____ as a public trust, which is subject to scrutiny by and accountable to such governmental authorities as well as to members of the public.

Consequently, there exists between the Department of South Carolina VFW and Post _____ officers (both elected and appointed), management employees and the public a fiduciary duty which carries with it a broad and unbending duty of loyalty and fidelity. Post _____ officers (both elected and appointed), management employees have the responsibility of administrating the affairs of the Department of South Carolina VFW, Post _____ honestly and prudently and of exercising their best care, skill and judgment for the sole benefit of the Department of South Carolina VFW, Post _____. Those persons shall exercise the utmost faith in all transactions involved in their duties and they shall not use their positions with the Department of South Carolina VFW, Post _____ or knowledge gained there from, for their personal benefit. The interests of the organization must be the first priority in all decisions and actions.

SECTION 2. PERSONS CONCERNED:

This statement is directed not only to Post officers (both elected and appointed), but to all employees who can influence the actions of the Department of South Carolina VFW, Post _____. For example, this would include all who make purchasing decisions; all persons who might be described as "management personnel" and anyone who has proprietary information concerning the Department of South Carolina VFW, Post _____.

SECTION 3. AREAS IN WHICH CONFLICT MAY ARISE:

Conflicts of interest may arise in the relations of directors, officers and management employees with any of the third parties:

- Persons and firms supplying goods and services to the Department of South Carolina VFW, Post _____.
- Persons and firms from whom the Department of South Carolina VFW, Post _____ leases property and equipment.
- Persons and firms with whom the Department of South Carolina VFW, Post _____ is dealing or planning to deal with in connection with the gift, purchase or sale of real estate, securities, or other property.
- Competing or affinity organizations.
- Donors and others supporting the Department of South Carolina VFW, Post _____.
- Agencies, organizations and associations which affect the operations of the Department of South Carolina VFW, Post _____.



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SECTION 4. NATURE OF CONFLICTING INTERESTS:

A conflicting interest may be defined as an interest, direct or indirect, with any persons or firms mentioned in Section 3. Such an interest may arise through:

- Owning stock or holding debt or other proprietary interests in any third party dealing with the Department of South Carolina VFW, Post _____.
- Holding office, participating in management, or being otherwise employed (or formerly employed) with any third party dealing with the Department of South Carolina VFW, Post _____.
- Receiving remuneration for services with respect to individual transactions involving the Department of South Carolina VFW, Post _____.
- Using the Department of South Carolina VFW, Post _____'s time, personnel, equipment, supplies, or good will other than for the Department of South Carolina VFW, Post _____.
- Receiving personal gifts or loans from third parties dealing or competing with the Department of South Carolina VFW, Post _____. Receipt of any gift is disapproved except gifts of a value less than \$50.00, which could not be refused without discourtesy. No personal gift of money should ever be accepted.

SECTION 5. INTERPRETATION OF THIS STATEMENT OF POLICY:

The areas of conflicting interest listed in Section 3, and the relations in those areas which may give rise to conflict, as listed in Section 4, are not exhaustive. Conflicts may arise in other areas or through other relations. It is assumed that the Post officers (both elected and appointed) and management employees will recognize such areas and relations by analogy.

The fact that one of the interests described in Section 4 exists, does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily adverse to the interests of the Department of South Carolina VFW, Post _____.

However, it is the policy of Post _____ that the existence of any of the interests described in Section 4 shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of Post _____ officers (both elected and appointed), management employees to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.



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SECTION 6. DISCLOSURE POLICY AND PROCEDURE:

Transactions with parties with whom a conflicting interest exists may be undertaken only if all of the following are observed:

- The conflicting interest is fully disclosed;
- The person with the conflict of interest is excluded from the discussion and approval of such transaction;
- A competitive bid comparable valuation exists; and
- The Post, or a duly constituted committee thereof has determined that the transaction is in the best interest of the organization (Post).

Disclosure in the organization should be made to the Department of South Carolina VFW, Post Commander, or if he or she is the one with the conflict, the Post Sr. Vice Commander, or a duly constituted committee therefrom. Disclosure involving any member of, should be made to the Department of South Carolina VFW, Post _____ Commander, or if he or she is the one with the conflict, then to the Department of South Carolina VFW Post Senior Vice Commander, who shall bring these matters to the Post membership.

The Post shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair and reasonable to the Department of South Carolina VFW, Post _____. The decision of the Post membership on these matters will rest in their sole discretion and their concern must be the welfare of the Department of South Carolina VFW, Post _____ and the advancement of its purpose.

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VETERANS OF FOREIGN WARS OF THE UNITED STATES
 DEPARTMENT OF SOUTH CAROLINA, POST _____



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2011-2012 CONFLICT OF INTEREST DISCLOSURE STATEMENT

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Preliminary note: In order to be more comprehensive, this statement of disclosure/questionnaire also requires you to provide information with respect to certain parties that are related to you. These persons are termed "affiliated persons" and include the following:

- your spouse, domestic partner, child, mother, father, brother or sister;
- any corporation or organization of which you are a board member, an officer, a partner, participate in management or are employed by, or are, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and
- any trust or other estate in which you have substantial beneficial interest or as to which you serve as a trustee or in a similar capacity.

⇒ **1) NAME OF POST OFFICER (both elected and appointed) COMMITTEE MEMBER, OR EMPLOYEE:**

(Please Print) _____

⇒ **2) CAPACITY:**

_____ Post Officer (i.e. Post Commander, Post Sr. Vice Cmdr. etc.)

_____ Appointed Officer (i.e. Post Community Service Chairman, Post Membership Chairman etc.)

_____ Staff Position (i.e. Canteen Manager, Bartender Post Supplies Management etc.)

⇒ **3) Have you or any of your affiliated persons provided services or property to the Department of South Carolina VFW, Post _____ in the past 2010-2011 VFW year?**

YES _____ NO _____

⇒ **4) If yes, please describe the nature of the services or property and if an affiliated person is involved, the identity of the affiliated person and your relationship with that person.**

⇒ **5) Have you or any of your affiliated persons purchased services or property from the Department of South Carolina VFW, Post _____?**

YES _____ NO _____



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⇒ **6)** If you answered yes to question #5, please describe the purchased services or property and, if an affiliated person is involved, the identity of the affiliated person and your relationship: _____

⇒ **7)** Please indicate whether you or any of your affiliated person had any direct or indirect interest in any business transaction (s) in the past 2010-2011 VFW year to which the Department of South Carolina VFW, Post _____ was or is a party.

YES ___ NO ___

If yes, please describe the transaction (s) and if an affiliated person is involved, the identity of the affiliated person and your relationship with that person:

⇒ **8)** Were you or any of your affiliated persons indebted to pay money to the Department of South Carolina VFW, Post _____ at any time in the past 2010-2011 VFW year, other than travel expenses or the like?

YES ___ NO ___

If yes, please describe the indebtedness and if an affiliated person is involved, the identity of the affiliated person and your relationship with that person:



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 DISCLOSURE STATEMENT**

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⇒ **9)** In the past 2010-2011 VFW year, did you or any of your affiliated persons receive, or become entitled to receive, directly or indirectly, any personal benefits from the Department of South Carolina VFW, Post _____ or as a result of your relationship with the Department of South Carolina VFW, Post _____ that in the aggregate could be valued in excess of \$1000.00 that were not, or will not be compensation directly related to your duties to the Department of South Carolina VFW, Post _____?

YES ___ NO ___

If yes, please describe the benefit (s), and if an affiliated person is involved, the identity of the affiliated person and your relationship with that person:

⇒ **10)** Are you or any of your affiliated persons a part to, or have an interest in any pending legal proceedings involving the Department of South Carolina VFW, Post _____?

YES ___ NO ___

If yes, please describe the proceeding (s), and if an affiliated person is involved, the identity of the affiliated person and your relationship with that person:



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⇒ **11)** Are you aware of any other events, transactions, arrangements, or other situations that have occurred or may occur in the future, that you believe should be examined by the Department of South Carolina VFW, Post _____ø officers (both elected and appointed) and appointed committees in accordance with the terms of intent of the Department of South Carolina VFW, Post _____ø conflict of interest policy?

YES ___ NO ___

If yes, please describe the situation (s), and if an affiliated person is involved, the identity of the affiliated person and your relationship with that person:

I HEREBY CONFIRM that I have read and understand the Department of South Carolina VFW, Post _____ø conflict of interest policy, and that my responses to the above questions are complete and correct to the best of my information and belief. I agree that, if I become aware of any information that might indicate that this disclosure is inaccurate, or that I have not complied with this policy, I will notify the Department of South Carolina VFW, Post _____ Commander, or the Post.

Date

Signature

Print your name

