

# **Gemini Science and Technology Advisory Committee Conflict of Interest Policy**

September 2013

The primary role of the STAC is to provide sound and expert advice to the Gemini Board on pertinent and strategic scientific and technical matters that confront the Observatory. STAC members are chosen for their specialized knowledge and experience, and it is this expertise that is of most value to the Gemini Board. It is expected that STAC advice will be given with the intent of benefitting the Gemini Observatory, the Partnership and the user community. A conflict of interest within the STAC is only material if a reasonable person could conclude that it compromises this expectation.

STAC members are chosen from the Partner communities in proportion approximately reflecting Partner share. It is to be expected that STAC members will be in touch with their communities and may bring that community perspective, as well as any individual opinions and expertise, to a formal discussion.

Two types of potential conflicts of interest are relevant for the STAC:

1. When a STAC member stands to benefit financially from, or is likely to feel extraordinary pressure from colleagues or employers regarding, a decision that the Board will make after considering STAC advice.
2. When a STAC member is privy to confidential information that could compromise the integrity of a competition. This could occur, e.g., if the STAC member has inside knowledge from a proposal team that cannot be shared with the rest of the STAC but would be material to the competition.

The most common scenario likely to lead to such a conflict is one in which the STAC is providing advice on competing proposals or priorities, and a STAC member is connected with one of them. The connection is “direct” if the member is a named participant in the proposal. The connection is “indirect” if the proposal includes people who are either close collaborators, or associated with the STAC member’s institution.

If a STAC member feels that a direct or indirect conflict exists, or if a STAC member is concerned that another member may be conflicted, it is their duty to bring this to the attention of the STAC Chair. The (potentially) conflicted member and the Chair will work together to find a suitable mechanism for managing the conflict. If the situation is particularly ambiguous or complex, the Chair may confer with other STAC members and/or the Gemini Board Chair before reaching a decision. If either the STAC Chair or the Gemini Board Chair is conflicted, the appropriate Deputy Chair will take on the responsibility for managing the potential conflict of the STAC member.

Mechanisms for resolving the conflict could include:

- a) No action, no substantive conflict exists;
- b) Disclosure to STAC members, and notation thereof in formal meeting minutes;
- c) Exclusion from voting, but inclusion in discussion, on the issue in question;
- d) Exclusion<sup>1</sup> from any discussion on the issue;
- e) Resignation from the STAC.

The majority of conflicts that are likely to arise will be dealt with under a), b) or c) above. There should be a high tolerance for indirect conflicts, which will generally be dealt with under options a) or b), since the expertise contributed by the STAC member may outweigh any potential conflict. Option d) would be necessary, e.g., if the STAC member were directly participating in a competing proposal, due to the need for confidentiality of information. Option e) would only be necessary if the member were conflicted for a majority of STAC issues; STAC members should be chosen such that this does not arise.

STAC members have a role as liaison with their community. Communication should always respect confidentiality of privileged STAC information. If an identifiable conflict of interest is material to a formal discussion of STAC business with non-STAC members, it is the duty of the STAC member to declare his or her conflict to the parties of the discussion.

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<sup>1</sup> As stated in the Terms of Reference, if a Partner country would lose all or the majority of its STAC representation on a specific matter, the Partner may choose to replace the conflicted member(s) with an alternate or alternates for discussion related to that matter.