

## **Declaration of Interests before or at hearings**

It is the personal responsibility of a panel member (including Chairperson or Deputy Chairperson) to examine whether he or she has any interests in an item to be heard and determined by an Appeal Board on an appeal, and declare it in the first possible opportunity when he or she is selected to serve on that Appeal Board. Based on the interests declared, the presiding officer will assess whether the panel member may have an actual, presumed or apparent bias in the appeal to be heard and determined by the Appeal Board.

### (A) Exclusionary Interests

The following, though not exhaustive, illustrate direct and significant interests

- (a) significant personal pecuniary interests which may be materially affected by the decision of the Appeal Board;
- (b) panel members' directorships, partnerships or advisory positions in companies which may be materially affected by the decision of the Appeal Board;
- (c) that a panel member, in his or her professional capacity, has advised or represented any person or body in connection with the appeal to be heard and determined;
- (d) other close or substantial interests, which if known publicly will lead reasonable members of the public to think that a panel member's advice may have been motivated by personal interests or involvement rather than by the duty to give impartial advice.

The above are regarded as exclusionary interests and the presiding officer will normally invite the panel member to withdraw from the hearing of an appeal in which he or she has such interests. The relevant papers and minutes will be withheld or withdrawn (if issued) from the panel member. The panel member's declaration and withdrawal from the hearing of the appeal will be recorded in the minutes.

(B) Declarable Interests

Interests other than exclusionary interests described above should be declared where they might be thought likely to incline a panel member towards a particular stance on the appeal to be heard and determined. In these appeals, however, the appeal member will normally still receive the relevant papers and minutes and be allowed to take part in the discussion.

(C) Declared Information to be Noted

Membership of boards and committees or other statutory and non-statutory advisory boards, committees and tribunals is not strictly speaking a declaratory interest. However, such positions are normally made known and noted.