



# **RIVER AYR DISTRICT** **SALMON FISHERY BOARD**

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## **POLICY AND DECLARATION ON** **BOARD MEMBERS' RELEVANT FINANCIAL INTERESTS**

in terms of the

**Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003**  
**(as amended by s20 of the Aquaculture and Fisheries (Scotland) Act 2013)**

### **Introduction**

Section 20 of the Aquaculture and Fisheries (Scotland) Act 2013, amended the 2003 Act to place a number of new duties on DSFBs relating to openness and accountability. The new section 46E required a DSFB to “*maintain and review arrangements for registering and declaring the relevant financial interests of board members.*”

### **Declaration of Relevant Financial Interests**

1. For the purposes of this Policy, “**relevant financial interests**” is defined as including (but not necessarily limited to):
  - interest in a salmon fishery (but due to the nature of DSFBs, this would not normally preclude a member from participating/voting);
  - gifts or hospitality received in connection with a Board function with a value in excess of **£150**;
  - an interest in a development with the potential to impact upon migratory salmonids within the district;
  - the provision of financial, management or consultancy services to the Board.
2. Board members must declare their relevant financial interests and any gifts or hospitality received in connection with their role with a value in excess of **£150**.
3. A Declaration and Register of Relevant Financial Interests (as detailed in **Annex A**) must be kept and maintained for this purpose by the Clerk to the Board.
4. The Register of Relevant Financial Interests will be reviewed regularly and updated when any changes occur.
5. If changes do occur, it is the responsibility of Board members to inform the Clerk to the Board and to arrange to sign an updated Declaration of Relevant Financial Interests.
6. Each Board Meeting will commence with inviting Board members to declare new/amend existing relevant financial interests. If any member is unsure what to declare, or whether/when their Declaration needs to be updated, please err on the side of caution.
7. The Register of Relevant Financial Interests will be made available to any member of the public upon a request to the Clerk to the Board.

### **Conflict of Interest**

Approved by River Ayr District Salmon Fishery Board: **?? May 2023**

8. A strict policy of Conflict of Interest avoidance has been adopted by the Board with all personal or business interests which conflict (or may conflict) with the interests of the Board (“**a personal or business interest**”) being declared by the Board member and a minuted requirement that they absent themselves from any decisionmaking which could involve that personal or business interest. Such potential conflicts might include an interest in a development (e.g. wind farm, hydro scheme, fish farm etc.) with the potential to impact upon migratory salmonids within the district, or the provision of financial, management or consultancy services to the board. These are examples, and there are almost certainly other scenarios which might fall within the definition of a conflict (or potential conflict).
9. A Board member shall also be deemed to have a personal or business interest in a particular matter if any partner or other close relative of his/hers or any firm of which he/she is a partner or any limited company of which he/she is a substantial shareholder or director (“**a connected party**”), has a personal or business interest in that matter.
10. A Board member shall not vote at a Board meeting on any resolution concerning a matter in which he/she has a personal or business interest which conflicts (or may conflict) with the interests of the Board; he/she must withdraw from the meeting while an item of that nature is being dealt with.
11. Where a Board member provides services to the Board or might benefit from any remuneration paid to a connected party for such services, then:
  - (a) the maximum amount of the remuneration must be specified in a written agreement subject to the approval of a majority of the Board (excluding any Board member who has such a personal or business interest);
  - (b) the Board members must be satisfied that it would be in the interests of the Board to enter into the arrangement (taking account of that maximum amount); and
  - (c) less than half of the Board members must benefit from remuneration of that nature.

### **Gifts and Hospitality**

12. Board members should never canvas or seek gifts or hospitality.
13. Board Members are responsible for decisions connected with the offer or acceptance of gifts or hospitality and for avoiding the risk of damage to public confidence in the Board. As a general rule, it is usually appropriate to refuse offers except:-
  - isolated gifts of a trivial character;
  - normal hospitality associated with your duties and which would reasonably be regarded as inappropriate to refuse;
  - gifts received on behalf of the Board.
14. Board members should not accept any offer by way of gift or hospitality which could give rise to a reasonable suspicion of influence on your part to show favour, or disadvantage, to any individual or organisation. Board members should also consider whether there may be any reasonable perception that any gift received by a spouse or co-habitee or by any company in which the Board member has a controlling interest, or by a partnership of which you are a partner (or any other connected party), can or would influence your judgement. The terms “**gift**” includes benefits such as relief from

indebtedness, loan concessions, or provision of services at a cost below that generally charged to members of the public.

15. Board members should not accept repeated hospitality from the same source in connection with their role on the Board.
16. Members should not accept any offer of a gift or hospitality from any individual or organisation which stands to gain or benefit from a decision the Board may be involved in determining.

## **Annex A**

### **Declaration and Register of Relevant Financial Interests**

I hereby declare that, save as set out below, I have no relevant financial interests pursuant to Section 46E of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003.

<b>Register of Relevant Financial Interests</b>		
<b>Name</b>	<b>Interest</b>	<b>Date declared</b>

#### **Declaration**

<b>Name</b>	
<b>Signature</b>	
<b>Date</b>	