

*Code of ethics and professional conduct  
governing jury and committee members  
and assessors*

Approved by the Board of Directors of the Conseil des arts et des lettres du Québec  
Date: March 24, 2004 (Res. CA0304A034)  
Amended: December 8, 2005 (Res. CA0506A029)  
December 13, 2006 (Res. CA0607A043) and  
December 12, 2012 (Res. CA1213A023)

## PREAMBLE

Bearing in mind that the members of the Board of Directors of the Conseil des arts et des lettres du Québec have approved the Policy governing juries, committees and assessors aimed at defining the terms and general principles that the Conseil des arts et des lettres du Québec applies with respect to the constitution of the bank of resource persons and the composition and role of the members of juries, advisory committees and selection committees and the assessors selected;

Bearing in mind that the members of the Board of Directors of the Conseil des arts et des lettres du Québec wish to adopt a code of ethics and professional conduct pertaining to the work of the members of juries, advisory committees and selection committees and assessors;

In light of the foregoing, the members of the Board of Directors of the Conseil des arts et des lettres du Québec have adopted the following Code of ethics and professional conduct.

## DEFINITIONS

Unless otherwise indicated and except where the context dictates otherwise, the following words and expressions in this Code have the meanings stipulated below.

- Advisory committee:** a committee comprising peers selected and remunerated by the CALQ in accordance with the Policy, who are mandated to evaluate grant applications submitted by target organizations covered by CALQ programs.
- Artist:** an artist or a writer or an artists' group or a writers' group eligible for a program, a grant or any other financial assistance that the CALQ offers pursuant to the *Act respecting the Conseil des arts et des lettres du Québec*.
- Assessor:** an individual selected and remunerated by the CALQ in accordance with the Policy mandated to give an opinion on a performance, an event, an exhibition, a project or an application for a travel grant.
- CALQ:** the Conseil des arts et des lettres du Québec.
- Code:** the CALQ's *Code of ethics and professional conduct governing the members of juries, advisory committees and selection committees and assessors* adopted under resolution number CA1213A023 of the CALQ Board of Directors.
- Committees:** an advisory committee or a selection committee.
- Jury:** a jury comprising peers selected and remunerated by the CALQ in accordance with the Policy, who are mandated to evaluate grant applications submitted by artists under CALQ programs.
- Members:** refers collectively to the members of a jury, an advisory committee or a selection committee and assessors, and "Member" refers to one of them.
- Policy:** the *Policy governing juries, committees and assessors* of the CALQ, as adopted by the Board of Directors of the CALQ.

**Related persons:** refers to persons related to a Member by:

- i. blood;
- ii. marriage;
- iii. civil union;
- iv. de facto union;
- v. adoption;

for the purposes of this Code, the following persons are also related to a Member:

- vi. the child of an individual covered by paragraphs ii to iv of this definition;
- vii. a member of his immediate family living under the same roof; and
- viii. the legal person that a Member controls or that is controlled by a person covered in paragraph i to iv and vi of this definition;  
or by a group of such persons acting jointly;
- ix. any person that a Member might be inclined to favour because of his relationship with the person or a third party, because of his status, title or otherwise.

**Selection committee:** a committee comprising individuals who may or may not be peers selected and remunerated by the CALQ in accordance with the Policy, who are mandated to evaluate grant applications from artists or grant applications submitted by target organizations in conjunction with an agreement signed between the CALQ and one or more signatory partners.

**Target organization:** a non-profit organization or a cultural association eligible for a program, a grant or any other financial assistance that the CALQ offers pursuant to the *Act respecting the Conseil des arts et des lettres du Québec*.

**The Act respecting the Conseil des arts et des lettres du Québec:** (R.S.Q., c. C-57.02).

In this code, except in the case of incompatibility with the context, the singular includes the plural and vice versa and the masculine form of pronouns includes, without discrimination, women and men.

## Chapter I – PRINCIPLES AND VALUES

### Article 1

The CALQ expects of each of its Members that he act in such a way as to maintain the trust of target organizations, artists and individuals as regards the CALQ's reputation, integrity, objectivity and impartiality.

### Article 2

The CALQ's mission is to support, throughout Québec, research and artistic and literary creation, experimentation, production and dissemination in the realms of the visual arts, the arts and crafts, literature, the performing arts, the multidisciplinary arts, the digital arts, cinema and video, and architectural research. The CALQ also seeks to enhance the influence of artists, writers and arts organizations and their works in Québec, the rest of Canada and abroad.

The CALQ carries out a mission in the public interest through the services that it offers to target organizations, artists and individual Quebecers and because such services are funded by society as a whole. For this reason, the CALQ must fulfil its mission not only efficiently but also in accordance with its core values.

The core values to which the CALQ adheres are:

- respect for the autonomy and the freedom of artists to create;
- respect for the artistic and administrative independence of organizations;
- recognition by peers of artistic merit;
- collaboration with the arts and literary communities;
- the rigour and openness of methods of attributing financial assistance.

## Chapter II – PURPOSE AND FIELD OF APPLICATION

### Article 3

The purpose of this Code is to maintain and strengthen the relationship of trust of Quebecers in the integrity and impartiality of the CALQ, promote transparency in the CALQ and make the Members aware of their responsibilities.

### Article 4

This Code sets out the standards of ethics and the rules of professional conduct intended to guide the behaviour of the Members. It draws inspiration from the Policy and seeks to complement it.

### Article 5

Each Member must act in good faith and display competency, caution, diligence, efficacy, assiduity, fairness, respect, impartiality, honesty, integrity and loyalty in performing his duties.

### Article 6

Each Member must formally undertake to respect the confidential nature of the information and documents that he receives within the framework of his mandate and to abide by the Code by signing the form in Appendix I, a copy of which the CALQ will send to him. The completed form must be signed and submitted prior to the beginning of the first business meeting or the mandate of the Member and is added to the file.

### Article 7

Each Member must perform his duties while conforming to the following principles:

- (1) he must fulfil his duties and organize his personal affairs in such a way that Quebecers' trust is maintained in the integrity, objectivity and impartiality of the CALQ;
- (2) he must display an irreproachable attitude and comply with the letter and the spirit of the Code;
- (3) his conduct must withstand the closest scrutiny; to fulfil this obligation, it is not sufficient to simply abide by the Code;
- (4) he must avoid placing himself in a situation that creates a genuine or potential conflict of interest that might hinder the fulfillment of his duties and the pursuit of the CALQ's objectives; the public interest must always prevail in cases where a Member's interests conflict with his duties;
- (5) within the framework of his mandate, he is prohibited from soliciting or accepting transfers of economic value;
- (6) he is prohibited from overstepping his duties to assist natural or legal persons in their relations with the CALQ;
- (7) he is prohibited from directly or indirectly using for his benefit or the benefit of a third party information obtained in the performance of his duties;
- (8) he is prohibited from directly or indirectly using for his benefit or the benefit of a third party the CALQ's property, except with the CALQ's prior approval; and
- (9) at the conclusion of his mandate, he must act in such a way that he does not derive undue benefits from his previous duties performed on behalf of the CALQ.

## **Article 8**

Each member must exercise discretion concerning his participation and what he learns in the course of fulfilling his duties, including the contents of the deliberations and recommendations of a jury or a committee and discussions and exchanges with other Members respecting any grant application or any file that he is asked to examine, until such information is in the public domain.

## **Article 9**

Each Member must, in the performance of his duties, make decisions that are free of partisan political considerations.

## **Article 10**

Each Member must adopt, in his relations with the other Members and the staff of the CALQ, an attitude of courtesy, respect and openness, in order to ensure productive exchanges and fruitful collaboration.

## **Article 11**

A Member may not have a direct or indirect interest in a target organization that puts his personal interest in conflict with that of the CALQ.

## **Article 12**

Each Member must declare in writing to the secretary of the CALQ or to his designated representative, upon receipt of the list of grant applications or files that he will be asked to examine, any direct or indirect interest likely to create a conflict of interest by filling out and signing the declaration form for the members of juries or committees and assessors, found in Appendix II of the Code. The form must be filled out, signed and submitted to the CALQ before the Member receives the documentation pertaining to grant applications or files that he must review. The completed, signed form is added to the file.

Each Member must also submit in writing to the secretary of the CALQ or to his designated representative an updated declaration if a change occurs during his mandate.

## **Article 13**

A conflict of interest is deemed to be any real, apparent or potential situation that may compromise the independence and impartiality necessary for a member of a jury, a member of a committee or an assessor to perform his duties and pursue the objectives of the CALQ, or at the time of which the Member uses or seeks to use the attributes of his duties to derive an undue advantage or to obtain an undue advantage for a third party.

A direct interest is deemed to exist when a Member submits an application for financial assistance to the CALQ in an individual capacity, on behalf of or through a target organization or an artist who is deemed to be a person related to the Member.

A direct interest is deemed to exist when a Member has been, during the last two years preceding his mandate, an employee of a target organization or an artist who submits an application for financial assistance.

An indirect interest for a Member is deemed to exist when a person related to the Member, a target organization or an artist with whom the Member has or is likely to have business ties pertaining to the application for financial assistance under study submits an application for financial assistance.

#### **Article 14**

The following situations, among many others, constitute conflicts of interest:

- (1) the use for the Member's own purposes or for the benefit of a third party of confidential or privileged information to which the Member has access in the performance of his duties;
- (2) the use by a Member of his prerogatives or duties with a view to seeking gain or profit or deriving a personal benefit or a benefit for a third party;
- (3) participation in the deliberations or a decision of the CALQ, knowing that a genuine or potential conflict of interest exists, in order to influence it and to derive a personal benefit or a benefit for a third party;
- (4) privileged support for a target organization or an artist in his relations with the CALQ with a view to granting special treatment to the target organization or the artist;
- (5) the soliciting of assistance by a Member for a close relation, an associate or a related person;
- (6) the submission or transmission to the CALQ of an application for assistance from a target organization or an artist who is deemed to be a person related to the Member.

#### **Article 15**

Moreover, each Member undertakes to:

- (1) fully take into account the objectives, terms and conditions described in the Policy and in the information documents corresponding to the application or the file that he is asked to examine;
- (2) neither disclose his participation as a Member of a jury or a committee or as an assessor nor the names of other Members until such time as the CALQ makes public this information;
- (3) avoid discussing with an artist or a target organization the grant application submitted prior to, during or after the jury's or the committees' deliberations and to refer to the CALQ any artist, target organization or individual wishing to obtain information on an application for assistance, the recommendation of a jury or a committee on which the Member sat.

#### **Article 16**

A Member who declares an interest likely to create a conflict of interest must refrain from participating in any deliberation or decision that risks tainting the impartiality of the deliberation or decision.

To this end, the Member must, in particular, withdraw from the meeting of the jury or the committee for the duration of the deliberations and the vote pertaining to the question that creates for him a conflict of interest.

### **Article 17**

At the end of his mandate, each Member must return to the CALQ all of the documentation that he received. He must also be sure to destroy, at the conclusion of his mandate, electronic versions of the CALQ files in his possession.

### **Article 18**

A Member who does not submit within the prescribed deadline the form stipulated in article 6 or the form stipulated in article 13 of the Code filled out and signed will have revoked his participation on the jury or the committee or his mandate.

Should a Member fail to abide by this Code, the CALQ will terminate his mandate and his name may be withdrawn from the bank of resource persons for a determined period or indefinitely.

## APPENDIX I

*The following form is provided as an example. The CALQ will send the form to be completed and signed to the individuals hired to participate in a jury or a committee or to act as an assessor.*

### CONFIDENTIALITY UNDERTAKING FORM

FOR THE MEMBERS OF A JURY, AN ADVISORY COMMITTEE OR A SELECTION COMMITTEE OR AN ASSESSOR

**Name of member:**

**Description of the  
mandate:**

All external jury or committee members or assessors of the Conseil des arts et des lettres du Québec must undertake to respect the confidential nature of the information and documents received in conjunction with their mandates and to comply with the *Code of ethics and professional conduct governing jury and advisory committee members and assessors of the Conseil des arts et des lettres du Québec*.

I, the undersigned, \_\_\_\_\_, acknowledge that I have been appointed by the Conseil des arts et des lettres du Québec to sit on the aforementioned jury, advisory committee or selection committee or to act as an assessor and that I have accepted this mandate.

As such, I acknowledge that I am likely to receive confidential information and documents concerning the CALQ and the artists and arts organizations that fall under its jurisdiction.

I acknowledge that the disclosure of such confidential information and documents might contravene the *Act respecting Access to documents held by public bodies and the Protection of personal information*, be prejudicial to the CALQ and contrary to the CALQ's interests and to the interests of artists and arts organizations. I acknowledge that I am liable to penalties should I fail to abide by the Code.

I hereby declare that I have read the *Code of ethics and professional conduct governing jury and committee members and assessors of the Conseil des arts et des lettres du Québec* and that I fully understand its meaning and scope. I adhere to the principles and values set forth in the Code. I undertake to assume all of the duties and obligations stipulated therein.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**APPENDIX II**

*The following form is provided as an example. The CALQ will send the form to be completed and signed to the individuals hired to participate in a jury or a committee or to act as an assessor.*

**DECLARATION OF INTEREST FORM**

FOR THE MEMBERS OF JURIES, ADVISORY COMMITTEES AND SELECTION COMMITTEES OR THE ASSESSORS OF PERFORMANCES, EVENTS, EXHIBITIONS, ART WORKS, SPECIFIC PROJECTS OR APPLICATIONS FOR TRAVEL GRANTS

All members of juries, advisory committees and selection committees and all assessors must undertake to declare any direct or indirect interest, as defined in article 13 of the Code.

I declare that I have received a copy of the *Code of ethics and professional conduct governing jury and committee members and assessors of the Conseil des arts et des lettres du Québec*, that I have read it in its entirety and, in particular, article 13 of Chapter III – Duties and obligations.

Please check the appropriate box.

For the members of a jury, an advisory committee or a selection committee :

**I hereby declare that I do not have a direct or indirect interest**, as defined in article 13 of the Code, in the context of the registration period in respect of which I am a member of a jury, an advisory committee or a selection committee.

For assessors :

**I hereby declare that I do not have a direct or indirect interest**, as defined in article 13 of the Code, in respect of an artist, an artists' group, an arts organization or a promoter whose performance, event, exhibition, art work, specific project or travel grant application I am evaluating.

**OR**

**I hereby declare that I have direct or indirect interests**, as defined in article 13 of the Code, and indicate my interests as follows (attach an additional sheet if necessary):

<b>Name of the artist, the artists' group, the promoter or the organization</b>	<b>Relationship</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date