

# AUSTRALIAN INSTITUTE OF GEOSCIENTISTS

## CODE OF ETHICS

*As Revised by an Extraordinary Meeting of the Australian Institute of Geoscientists,  
Perth, November 2006*

### **1. Definitions**

For the purposes of this Code, unless the context otherwise requires, member shall mean any person admitted to any grade of membership of the Institute; Institute shall mean the Australian Institute of geoscientists; Council shall mean the board of directors and governing council of the Institute; Ethics and Standards Committee shall mean the Ethics and Standards Committee duly constituted and regulated by the Council under Article 55 of the Institute's Articles of Association; the male gender shall include the female gender and the singular shall include the plural, and vice versa.

### **2. Principle**

Members shall discharge their duties with fidelity to the public, their employers and clients, and at all times in their professional or employed capacities carry out their work with competence, integrity and professional responsibility.

### **3. Application**

This Code shall apply to all members including Graduates, Members, Fellows and Registered Professional Geoscientists of the Institute.

### **4. Duties**

In all working decisions and recommendations, a member shall have due regard for the welfare and safety of the community which may be affected by the work for which he is responsible or which may result from his recommendations. All members are required to conform to this Code so as to uphold the dignity of their profession and to maintain the highest possible level of conduct in all professional matters.

### **5. Matters of Fact**

A member shall avoid and discourage exaggerated and unwarranted statements. If called upon to give evidence or otherwise to speak on a matter of fact a member shall state what he believes to be the truth with scrupulous impartiality.

### **6. Matters of Opinion**

Provided that the matter is clearly expressed as an opinion, a member may, where require, give a considered professional opinion based on facts, experience, interpretation, extrapolation or a combination of these.

### **7. Public Comment**

In any public written or verbal comment, a member shall be careful to state whether the statements or assertions made therein represent facts, an interpretation of facts, an opinion, or a belief. In all such circumstances, a member shall act only with

propriety in criticising the ability, opinion or integrity of another member, person or organisation.

### **8. Intra-Professional Conduct**

A member shall neither intentionally nor negligently do anything to injure, directly or indirectly, the reputation, prospects or business of another member. However, if he considers a member to be guilty of unethical, illegal or unfair practice, it is his duty to present his views and the relevant information to the Council.

### **9. Unfair Advantage**

A member shall not use the advantages of former or present status or position to compete unfairly with members in private practice, nor use unfairly the advantages of private practice to the detriment of salaried members.

### **10. Limitation**

A member shall engage or advise his employer or client to engage, and cooperate with, other experts and specialists whenever the employer's or client's interests would be best served by such service. He shall not accept a concealed fee for referring a client or employer to a specialist or for recommending services other than his own.

### **11. Training of Subordinates**

When in a position of authority over other members of the profession, a member shall take care to see that those under his direction are afforded every reasonable opportunity to advance their knowledge and experience.

### **12. Credit to Others**

A member shall ensure that proper credit is given to any associate, subordinate or otherwise, who has contributed to work for which he is responsible or whose work is being reviewed.

### **13. Acceptance of Favours**

A member shall avoid placing himself under any obligation to any person or organisation who might deal with his employer or client. He shall not accept any substantial favours from such person or organisation.

### **14. Patents or Information**

A member shall not receive, either directly or indirectly, any royalty, gratuity or commission in respect of any patented or protected article or information or process used in any work with which he may be connected unless he shall have fully disclosed the fact, in writing, to his employer, client or fellow professionals and associates in this matter.

### **15. Confidential Information**

A member shall not use for any personal gain or advantage, nor shall he disclose, confidential information which he may acquire as a result of special opportunities arising out of work done for his client or employer, without the consent in writing of

his client or employer or until it is clear that there can no longer be a conflict of interest with the original client or employer.

## **16. Contract Preparation and Supervision**

In the planning of work, preparation of plans, reports, specifications and contract documents and in the supervision of work, a member shall have due regard for and protect the interests of his client or employer, who he shall represent with the utmost good faith. However, in the interpretation of all contract documents, he shall maintain an attitude of scrupulous impartiality as between his client and employer on the one hand and the contractor on the other and shall, as far as he can, ensure that each party to the contract shall discharge his respective duties and enjoy his respective rights as set down in the contract or agreement.

## **17. Consulting Practice**

A member shall not describe himself, nor permit himself to be described as a consultant in his particular branch or branches of the profession unless he occupies a position of professional independence and is able to act as an unbiased and independent adviser. When acting as a consultant he shall conform in all respects with the Code of Ethics of this Institute. He shall not knowingly accept professional work in connection with which another member has been appointed to act, except in collaboration with such other member, unless he be formally notified by the Client that he is required to act, and that the other member has been appropriately notified. He shall not tender nor knowingly compete with any other member for employment on the basis of professional charges. He shall not conduct himself in a manner or act in any capacity nor hold any appointment which, in the opinion of the Council, prejudices his status as a Consultant or the interests of the Institute. Members who are directors or responsible officers of companies carrying on a practice as Consultants should endeavour to ensure at all times that the professional practice of the company conforms to the spirit of the Institute's Code of Ethics.

## **18. Governmental and Organisational Requirements**

A member shall have knowledge of and strictly comply with all laws and regulations relating to his professional activities and shall comply with the rules of any related professional organisation to which he belongs.

## **19. Financial Market Regulatory Authority**

A member shall comply strictly with the Code for the Technical Assessment and Valuation of Mineral and Petroleum Assets and Securities for Independent Expert Reports ("VALMIN Code") and the rules, regulations and practices as established and promulgated by the Australian Stock Exchange with respect to the Australian Stock Exchange Listing Rules for mining and other companies

## **20. Responsibility**

The administration of this Code and matters related to it shall, subject to Article 55 of the Institute's Articles of Association, be vested in the Ethics and Standards Committee. Any matter of misconduct or negligence related to this Code shall be referred by the Council to the Ethics and Standards Committee for recommendation on appropriate action to be taken.

## **21. Non-Compliance with the Code**

Where the Ethics and Standards Committee is of the opinion that a member has breached any provision of the Articles or this Code, the member shall be: disciplined including being suspended from membership under the provisions of Article 15 and **AIG's Complaints Management System** as amended from time to time, or expelled by the Council from membership of the Institute, subject to Article 15 of the Institute's Articles of Association.

## **ARTICLES OF ASSOCIATION REFERRED TO IN THE CODE OF ETHICS**

**Article 14.** A member may at any time by giving notice in writing to the Secretary resign his membership of the Institute but shall continue to be liable for any annual subscription and all arrears due and unpaid at the date of his resignation and for all other moneys due by him to the Institute and in addition for any sum not exceeding \$50.00 for which he is liable as a member of the Institute under Clause 5 of the Memorandum of Association of the Institute.

**Article 15.** If any member shall wilfully refuse or neglect to comply with the provisions of the Memorandum or Articles of Association of the Institute or the Code of Ethics or shall be guilty of any conduct other than that specified in Regulation 14 hereof which in the opinion of the Council is unbecoming of a member or prejudicial to the interest of the Institute, the Council shall have the power to discipline or suspend the membership of a member under the provisions of the Code of Ethics by imposing one or more penalties as it thinks fit or expel the member from the Institute and erase his name from the Register of Members provided that at least fourteen days before the meeting of the Council at which a resolution for his expulsion is passed the member shall have had notice of such meeting and of what is alleged against him and of the intended resolution for his expulsion and that he shall at such meeting and before the passing of such resolution by at least two thirds of members of Council eligible to vote have had an opportunity of giving orally or in writing any explanation or defence he may think fit. The Code of Ethics may be amended from time to time by the Council.

**Article 55.** The Council may delegate any of its other powers (not being duties imposed on the Council as directors of the Institute by the Act or general law) to sub-committees consisting of such member or members of the Council or Institute as it thinks fit; any sub-committee so formed (herein called a Permanent Committee) shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Council and subject thereto shall have power to co-opt any member or members of the Institute. All members of such Permanent Committee shall have one vote.

All decisions of Permanent Committees shall be subject to ratification by Council. There shall initially be a:

- (i) Qualifications Committee;
- (ii) Ethics and Standards Committee;
- (iii) Legal Committee; and
- (iv) Registration Board.

[Note there is now a Complaints Committee in addition to those above]

**EXTRACT FROM MEMORANDUM OF ASSOCIATION REFERRED TO IN THE  
CODE OF ETHICS**

**Clause 5.** Every member of the Institute undertakes to contribute to the assets of the Institute, in the event of the same being wound up while he is a member, or within one year after he ceases to be a member, for payment of the debts and liabilities of the Institute contracted before he ceases to be a member, and of the costs, charges, and expenses of winding-up and for the adjustment of the rights of the contributories among themselves, such amount as may be required, not exceeding \$50.00.