

CODE OF CONDUCT

Issue 1 | July 2010



Business | Engineering | Design

Driving Business Success for Consulting Firms in the Built and Natural Environment

ABOUT CONSULT AUSTRALIA

Consult Australia is the peak industry body representing consulting companies that provide professional services to the built and natural environment. These services include design, technology and management solutions for individual consumers through to major companies in the private and public sector including local, state and federal governments. Consult Australia's vision is to drive business success for consulting companies in the built and natural environment through collaboration, education, support and advocacy.

OBJECTIVES OF THE CODE OF CONDUCT

This Code of Conduct is designed to assist members to understand their obligations with regards to their behaviour and participation at Consult Australia member meetings. As an industry association, Consult Australia brings together individuals from firms who often act in competition with each other. For this reason, this Code of Conduct sets out some guiding principles which will help members, and the association, comply with their obligations under the Trade Practices Act (1974).

OBLIGATIONS UNDER THE CODE OF CONDUCT

Members acknowledge the responsibility and privilege to participate in meetings and develop policy and other guidance material for Consult Australia. Members must adhere to this Code to support the productive participation by all members in meetings and in the development of material.

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We will:

Recognise that the development of policy and other documentation/information is for the benefit of the Australian community and members of Consult Australia, over and above the interests of any individual or company.

Commit to respecting others and the professional culture of Consult Australia. We will attend meetings fully briefed and prepared. We commit to meeting etiquette and the rules of engagement by:

- turning mobile phones off;
- being on time;
- advising our firms if an alternative representative (proxy or new appointment) is required;
- respecting others and their opinions by allowing one person to speak at a time;
- following an agreed agenda; and
- accepting group decisions and not returning to 'closed agenda items' unless new, relevant subject matter emerges, and supporting group decisions.

We will agree to our roles and responsibilities and actively participate in projects where agreed. We will engage with our respective employing organisations to ensure they are informed and their views represented.

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We will behave in a transparent manner by declaring all relevant interests. We will manage or remove potential, perceived or actual conflicts of interest, and facilitate the resolution of competing interests.

We will act in good faith and with due care and diligence and comply with applicable laws and Standards. We will avoid collusive or anticompetitive behaviour that is contrary to the Trade Practices Act 1974. We will promote a culture of fair and ethical behaviour and encourage the reporting of unethical behaviour, breaches of the law and matters detrimental to Consult Australia and its reputation.

We will abide by the provisions of the Trade Practices Act 1974 that prohibit agreements or arrangements between or among competitors that may reduce or prevent competition, in particular, agreements or arrangements to fix or to control prices or tenders or to boycott specified suppliers or customers or any group of suppliers or customers.

All Members must:

- Act at all times with honesty, integrity and responsibility and in the spirit of good faith and fair dealing;
- Not engage in any conduct which is unfair, harsh or unconscionable;
- Not engage in any wilful practice which may lower the standards applicable in the industry;
- Observe both the spirit and the letter of the relevant laws of the Commonwealth States and Territories in which the Member operates including the Trade Practices Act 1974 and the relevant Fair Trading Act(s); and
- Promote the objectives of this Code, and the Consult Australia Code of Ethics.

A Member must not knowingly:

- Attempt to make, arrive at, give effect to, be concerned with or be a party to any Collusive Arrangement or Understanding that may reduce or prevent competition;
- Engage in any conduct which is misleading or deceptive or which is likely to mislead or deceive;
- Supply, or attempt to supply, any good or material upon condition that the purchaser agrees to take other goods or services from a nominated third party;
- Engage or attempt to engage in the practice of price fixing or resale price maintenance;
- Discuss prices, discounts, rebates or credits with competitors including other Members at any Consult Australia meetings (whether formal or informal);
- Discuss excluding or limiting dealings with a supplier or customer with other Members at any Consult Australia meetings (whether formal or informal); or
- Discuss Tenders, specifically or generally, except in the case of standard form contracts.

We actively encourage compliance with this Code at all times. We also accept and encourage the rapid initiation of action to address poor, unacceptable or inappropriate behaviours and breaches of this Code.