

AusSpill Association

Code of Ethics

January 2016

AusSpill Association (AA) is a product-agnostic trade association that has been structured to enable it to represent the spill control industry and services groups (including but not limited to: Absorbents, Spill Kits, Spill Containment Hardware and Spill Response Training.)

Membership acceptance is conditional on strict adherence to the AA Code of Ethics.

AusSpill Association represents Australian spill control manufacturers, retailers, resellers/wholesalers & importers, as a single voice to government, the public and the environment protection industry. It has a broad whole-of-industry approach to best practice and developing a viable long term industry for all members who share the common goals.

Formed in May 2012, AA's primary objectives are to:

- Promote AusSpill to regulators, government and industry as a product agnostic, nationwide spill control industry representative body i.e. the voice of the industry.
- Support a nationwide product accreditation and compliance scheme, recognized by all environmental regulators and government bodies.
- Implement industry standard test methods in order to provide an impartial performance appraisal of absorbent materials and a method for identifying absorbent types (Hazchem/chemical. Oil & Fuel/hydrocarbons, General Purpose)
- Create an Australian Standard for Spill Response Kits and have that standard referenced in other Australian Standards for the storage and handling of all classes of chemicals.
- Create and develop standards & test methods for other spill control products (such as bunding) as the industry requires.
- Collect spill control industry data to assist governments and industry in the maintenance of international best practice spill control policy.

The AA Code of Ethics

AusSpill Association members have a professional and moral obligation to conduct their business and the business of the association honestly, ethically and lawfully. Under the Consumer and Competition Act 2010 AusSpill members are obliged not to interact with one another in a way that may restrain trade or reduce competition in the marketplace.

To whom does this Code apply?

This Code of Ethics applies to all AusSpill Association members. It is the duty of every member to comply with this Code and to take all reasonable steps to ensure that their associates and employees do not commit any act or make any omission which would be a breach of this Code if committed by the member.

The Aims and Objectives of this Code

This Code applies to dealings by members with fellow members, suppliers, customers and with the public generally. This Code aims to:

- a) Promote the highest standards of workmanship and conduct by members of the spill control industry;
- b) Establish a simple and effective complaints handling and disputes resolution procedure, with appropriate sanctions for breaches of this Code;
- c) Through responsible self-regulation, complement and enhance existing laws and codes governing members; and
- d) Strengthen the industry standing of AA members by assuring customers and Suppliers that they have the right to expect the highest standards at all times.

Fairness

All members of AA have agreed to be bound by this AA Code of Ethics, under which they shall at all times conduct their business so as to –

- a) Provide products and services with honesty and integrity;
- b) Ensure that all products and services they provide are delivered as advertised, and that all claims made are genuine;
- c) Ensure that standards of workmanship are provided as promised to the customer, in accordance with appropriate industry practice for the class of work concerned, and in a manner which shall enhance the reputation of the industry;
- d) Use their best endeavours to ensure compliance with the Code by all partners, associates, employees and contractors, to the extent that the Code applies to them; and
- e) Avoid any action which might bring AA and its members into disrepute.

Relations between members

AA members believe that the individual success of fellow members benefits AA as an industry body and, in turn, aid each member through their association with AA. Therefore, members shall –

- a) Seek to promote the goals of AA by adhering to the principles in this Code and providing mutual support and assistance to other members bound by this Code; and
- b) At all times conduct their business in free and fair competition and refrain from making any misleading or untrue statements about other members or their products.

Best Practice

AA may publish for the guidance of its member's, details of what it considers to be appropriate standards of conduct, service, workmanship, best practice and ethical dealing in particular areas.

Complaints

- a) Any consumer, member or other person who believes they have a complaint against an AA Member in connection with their conduct may ask AA to deal with the complaint under this Code of Ethics.
- b) Unless satisfied that the complaint is not a genuine one, or is trivial or vexatious, AA shall attempt to resolve the complaint informally, including by reference to independent mediation if appropriate.
- c) If AA is unable to resolve such a complaint, it shall refer the complaint to the AA Complaints Committee for adjudication.
- d) The AA Complaints Committee shall consider the complaint in a fair and proper manner in accordance with detailed complaints procedures adopted by AA under this Code.
- e) The AA Complaints Committee, if it finds that a Member is in breach of this Code, may recommend to the AA Board that they take disciplinary action against the Member, including cautioning, reprimanding, suspending or expulsion of the Member.

Code Administration

AA's Ethics Code is administered by the Board of AA and is subject to the Constitution of AA. The AA Board shall –

- a) Keep this Code under review to ensure that it is achieving its stated objectives;
- b) If necessary, and after due consultation with interested bodies, implement any changes to this Code which are desirable;
- c) Report on the performance of this Code, as measured by appropriate indicators as measured by appropriate indicators developed by the Board;
- d) Provide guidance and assistance to members in developing appropriate internal mechanisms to facilitate the member's continuous compliance with this Code;
- e) Convene a Codes Administration Subcommittee for this purpose.

Consultation

AA shall make every effort to ensure that the benefits and obligations of this Code are known as widely as possible, both among its members and their staff, and with the public generally.

AA shall co-operate with other bodies, including the ACCC and State/Territory Departments of Fair Trading, in dealing with matters arising under this Code.

AA welcomes comment on this Code and its operation & is committed to ongoing improvement of and consultation about this Code with interested public and private bodies. Any correspondence should be sent by either email (secretary@ausspill.com.au) or by post to:

The Secretary

AusSpill Association

PO Box 287

Broadway NSW 2007

Authorised by AusSpill Association Board August 2015

ends