

## Rules of Conduct and Disciplinary Measures for the Acoustical Society of New Zealand

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- 1 Members shall exercise their professional and technical skill and judgement to the best of their ability and shall discharge their professional and technical responsibilities with integrity.
- 2 Members shall refrain from and discourage criticism in public of work of another member. This does not preclude members in their professional capacity from providing responsible comment on the work of other members when called upon to do so in the course of their employment.
- 3 No member shall review the work of another member without taking reasonable steps to ensure that such member is informed.
- 4 No member shall attempt to supplant another member, nor take over work of another member until clear notification has been received from the employing party that the service of the other member has been discontinued in accordance with the other member's terms of engagement.
- 5 No member shall misrepresent their competence nor, without disclosing its limits, undertake work outside their area(s) of expertise.
- 6 When called upon to give an opinion in a professional capacity members shall give an opinion that is objective and reliable to the best of their ability.
- 7 However engaged, members shall at all times recognise their responsibilities to their employer or client, others associated with their work, the public interest and their profession.
- 8 When a member's professional advice is not accepted the member shall take reasonable steps to ensure that the person overruling or neglecting that advice is made aware of the possible consequences.
- 9 In respect of a professional relationship, whether with employer or client, a member shall disclose any financial or other interest they may have which constitutes a conflict of interest.
- 10 A member shall respect the confidentiality of information relating to the business of their client or employer.
- 11 A member shall avoid being placed under any obligation to a third party in their dealings on behalf of their client or employer.

## 12 *Disciplinary Measures*

(a) In the event of a complaint of alleged improper conduct or breach of the Rules of Conduct; the affected member shall be notified by the Council within 10 working days of the receipt of the complaint. A complaint may be made by another member of any member of the public having dealings with a member.

(b) The affected member shall have 10 working days to respond to the Council regarding the complaint, setting out any matters and attaching any materials the member deems relevant to the complaint.

(c) The Council shall consider the complaint and the response of the member (if received) and may elect to either:

- (i) Write to the complainant advising that the Council has considered the complaint and does not propose to take the matter further.
- (ii) Write to the complainant advising that the complaint will be investigated by the Council and that the Council will advise the complainant of the outcome of the investigation in due course

In either of the two options above the Council may or may not at its discretion set out reasons for its decision; or

(d) In the event the Council elects to carry out an investigation into the complaint pursuant to clause 12 (c) (ii) it shall immediately report its election to the President.

(e) If the Council, in its sole discretion after its investigation considers that complaint lacks substance then the complaint shall be dismissed and the complainant and the affected member shall be advised in writing of this outcome as soon as practicable.

(f) If the complaint is considered by the council to have substance then the Council shall:

- (i) Advise the affected member and invite the member to make further submissions within 5 working days
- (ii) The Council shall then call a meeting of a Disciplinary Panel (a sub-committee of the Council, appointed by the Council comprising at least three Council members). The Panel shall study the evidence and request more facts as required then report to the President.

(g) If the complaint is upheld the Council shall immediately advise the complainant and the affected member, and any or all of the following measures may be imposed by the Council:

- Suspension of membership for a notified period
- Expulsion from the Membership of the Society
- Reprimand
- The Council shall have the discretion to inform interested parties

(h) The affected member may appeal against the decision of the Disciplinary Panel and/or Council. The Council shall appoint an Appeals Panel of at least three long standing members with experience in the relevant field. The Appeals Panel shall reassess the evidence and request more evidence as necessary. The decision of the Appeals Panel shall be final and binding.

