

## 1.03 Policy – Code of Conduct

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### 1. Principles and Intent of Code of Conduct

- 1.1 The Zoo and Aquarium Association Inc. (ZAA) exists to encourage and support the development of zoological parks and aquaria as resources for species conservation, community engagement and conservation based research.
- 1.2 This Code of Conduct outlines the standard of conduct required by the ZAA of all Applicable Persons.
- 1.3 The intent of this Code of Conduct is to ensure that all Applicable Persons maintain a high standard of conduct and do not, by their actions or omissions, bring the ZAA into disrepute.
- 1.4 All Applicable Persons agree to comply with this Code of Conduct as part of their ongoing association with the ZAA, and agree not to assist or encourage any other Applicable Person to breach the Code of Conduct.
- 1.5 This Code of Conduct is to be read in conjunction with the ZAA Constitution, the Complaints Management Policy and other associated ZAA policies.
- 1.6 Where a matter arises that is not directly dealt with in this Code of Conduct, the Constitution or other related policy of the ZAA, but is within the spirit and intent of the Code of Conduct, the Constitution or other related policy of the ZAA, the matter will be dealt with in accordance with this Code of Conduct.

## 2. Definitions

2.1 In this Code of Conduct, any reference to a term which has been defined in the Constitution has the same meaning in this Code of Conduct. Otherwise, the following terms have the following meanings:

**Applicable Person** means a Member, Board member, Committee member and Subscriber of ZAA.

**Code of Conduct** means this Code of Conduct setting out the standards of ethical and professional practice and conduct for Applicable Persons.

**Committee** means a committee of the Board established in accordance with clause 33 of the Constitution.

**Complaints Management Policy** means the Complaints Management Policy of the ZAA.

**Confidential Information** means and includes all unpatented inventions, ideas, know-how, concepts, trade secrets, processes, techniques, software, products and all other unregistered or unpatented intellectual property, financial and business information and all other commercially valuable information of the disclosing party which the disclosing party regards as confidential to it or which is evident by its nature or the manner of its disclosure to be confidential and all copies, notes and records and all related information generated by the receiving party based on or arising out of any such disclosure. Confidential information excludes, or as the case requires, ceases to include information, that:

- (a) is in or enters the public domain other than through a breach of any obligation of confidence;
- (b) is or was lawfully received by an Applicable Person or ZAA from another Applicable Person or ZAA having the unrestricted legal right to disclose that information without requiring the maintenance of confidentiality; or
- (c) is or was developed by an Applicable Person or ZAA without relying on, referring to, or incorporating any of the other an Applicable Person or ZAA's Confidential Information.

**Constitution** means the Constitution of the ZAA, as amended from time to time.

**Member** means a member of the ZAA, as defined in the ZAA Membership Policy, and may include an employee, officer or agent of a member of the ZAA.

**Personal Information** has the same meaning as under section 6 of the Privacy Act 1988 (Cth) which currently is information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

**Subscriber** means a subscriber of the ZAA, as defined by the ZAA Subscribers Policy.

**ZAA** means the Zoo and Aquarium Association Inc. (ABN 71 836 556 156).

### 3. Overall Conduct

- 3.1 Applicable Persons shall at all times:
- (a) comply with the Code of Conduct;
  - (b) maintain a professional standard with respect to communications;
  - (c) adhere to all laws, policies and procedures relating to the zoo and aquarium industry and the ZAA;
  - (d) maintain and uphold the integrity and competence of the zoo and aquarium industry;
  - (e) disseminate fair and accurate professional information;
  - (f) in their dealings with other Applicable Persons and members of the global zoo and aquarium industry generally, act in a respectful and professional manner; and
  - (g) ensure the Code of Conduct is upheld in relation to any operations of the Applicable Person undertaken in association with the ZAA.
- 3.2 Some of the requirements listed in clause 3.1 are explained in further detail in clauses 4 to 7 inclusive below.

### 4. Information and Communications

- 4.1 Where any disputes or complaints arise between Applicable Persons, such disputes or complaints will be dealt with in accordance with the Complaints Management Policy, to the extent that this policy applies.
- 4.2 Where an Applicable Person is reasonably required by ZAA to provide documentation or data in connection with their membership or other associated relationship with ZAA, such information is to be provided in a timely manner, in order to support the efficient operation of ZAA.
- 4.3 Applicable Persons acknowledge and agree that they may from time to time receive Confidential Information or Personal Information in relation to ZAA or another Applicable Person, and agree to treat such information in accordance with the applicable privacy legislation and/or maintain its confidentiality, as the case may be, including through not disclosing any such Confidential Information to a third party, without the express written permission of the disclosing party.
- 4.4 Applicable Persons shall ensure that information provided to the ZAA or another Applicable Person, including in relation to any animal, or goods pertaining to the operations of a zoo or aquarium, is correct, complete and current.
- 4.5 Applicable Persons shall ensure that in their engagement with the community (including the print and television media, social media, and other public communications) they:
- (a) present a contemporary and factual view of the zoo and aquarium industry;
  - (b) do not breach this Code of Conduct or any related policy of the ZAA; or

- (c) do not bring the ZAA into disrepute.

## 5. Applicable Laws, Policies and Procedures

5.1 Applicable Persons agree to make themselves aware of and comply with all applicable:

- (a) laws and regulations; and
- (b) guidelines, policies and standards;

whether they be local, state, federal or international, as the case may be, including in relation to the regulation of animal welfare and animal transactions.

5.2 Applicable Persons shall support and comply with all of the policies and procedures of the ZAA, including:

- (a) Membership Policy;
- (b) Subscribers Policy;
- (c) Accreditation Policy;
- (d) Animal Transactions Policy;
- (e) Membership Participation in the ASMP Policy;
- (f) Animal Welfare Position Statement;
- (g) Complaints Management Policy; and

any other policies or procedures as updated and amended from time to time, to the extent that such policies apply to them as an Applicable Person.

## 6. Integrity and Competence

6.1 Applicable Persons shall conduct themselves with integrity and competence, ensuring they demonstrate the highest standard of professional conduct in the zoo and aquarium industry.

6.2 Applicable Persons shall maintain and uphold a contemporary view of the zoo and aquarium industry and seek to ensure their policies, procedures and practices comply with recommended industry standards.

6.3 Applicable Persons shall use their best endeavours to ensure that all business dealings are undertaken with persons and/or entities that comply with applicable laws (whether they be local, state, federal or international) and seek to adhere to the same standards of competence and professionalism as those espoused by the ZAA.

## 7. Additional Duties

7.1 In addition to their obligations under this Code of Conduct and other related policies of the ZAA, the Board (as defined in clause 2.1 of the Constitution) and any Committees (as referred to in clause 33 of the Constitution) or other associated groups of members as determined by the Board from time to time shall:

- 7.2 exercise their powers and discharge their duties:
- (a) with reasonable care and diligence;
  - (b) in good faith in the best interests of the ZAA; and
  - (c) for a proper purpose.
- 7.3 not make improper use of their position or information acquired by virtue of holding their position so as to gain an advantage for themselves or any person or to cause detriment to the ZAA.
- 7.4 in making decisions in relation to the operation of the ZAA:
- (a) make such decisions in the best interests of the ZAA;
  - (b) not have a personal interest in the decision, subject to the other applicable policies of the ZAA regarding conflicts of interest.

## 8. Resolution of disputes

Any complaint of misconduct or other dispute arising out of an alleged breach of this Code of Conduct or other related ZAA policy will be dealt with in accordance with the ZAA's Complaints Management Policy.

## 9. Board Approval

This policy was approved by the Board of the Association on 28/08/2015.

### Revision Record

Approved / Amended/ Rescinded / Reviewed	Date	Description

This document should be reviewed within 5 years of the date of approval or last review.

## 10. Acceptance

I \_\_\_\_\_ on behalf of \_\_\_\_\_

agree to all of the information contained herein.

Signed: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_