



## **Code of Ethics and Rules of Conduct**

### **1. Background**

- 1.1 This Code of Ethics and Rules of Conduct sets out the standards required from all Advisers when they are engaging, in their professional capacity, with Clients and third parties. This document stipulates the minimum ethical conduct expected and is not exhaustive.
- 1.2 All Advisers agree to be bound by the Code of Ethics and Rules of Conduct in accordance with the NMACP terms and conditions.

### **2. Definitions**

- 2.1 In the interpretation of this document unless context otherwise requires:

*Adviser* means a Nutrient Management Adviser either certified or not certified but registered and working toward certification with NMACP.

*Client* means a person or entity who engages an Adviser to provide professional services.

*NMACP* means the Nutrient Management Adviser Certification Programme.

### **3. Standard required of Advisers**

- 3.1 Advisers will, at all times act with integrity, professionalism and objectivity.

#### **Competence**

- 3.2 An Adviser must exercise an appropriate level of skill, care, competence, and diligence at all times.
- 3.3 An Adviser will not accept instructions or provide advice unless they have the required competence, skills and experience.
- 3.4 Advisers will act promptly and efficiently when rendering services to Clients.

#### **Good faith**

- 3.5 Advisers must act in good faith and deal fairly and respectfully with Clients and all third parties engaged in a matter.
- 3.6 Advisers must not do anything to injure or bring into disrepute, directly or indirectly, the reputation, prospects or business of any other Adviser or the NMACP.

#### **Integrity**

- 3.7 An Adviser must not mislead or provide false information or advice to any Client or third party.
- 3.8 Advisers will not accept payment or favours from any party where that payment or favour may affect any professional relationship or the integrity of any work the Adviser is carrying out.

### **Conflict of Interest**

- 3.9 Advisers will identify any actual or potential conflicts of interest when undertaking their professional duties. Where a conflict arises, or could arise, the Adviser will immediately disclose the relevant facts to the Client and, where appropriate, advise the Client to take independent advice or to engage another Adviser. An Adviser will only accept instructions where such conflict or potential conflict has been identified, after all interested parties are made aware of the conflict and if all interested parties consent to the Adviser continuing.
- 3.10 An Adviser must not engage in any professional activity where that activity would or could reasonably be expected to compromise the discharge of the Adviser's obligations.
- 3.11 An Adviser will not allow the performance of their professional duties to be improperly influenced by the needs or preferences of any party.

### **Confidentiality**

- 3.12 Advisers must maintain an appropriate level of confidentiality at all times.
- 3.13 Advisers will not disclose any confidential information that belongs to the NMACP or any Client without the prior written consent of the relevant party.
- 3.14 An Adviser must not use information that is confidential to any Client or the NMACP for the benefit of the Adviser or any other person.

### **Reporting Misconduct**

- 3.15 An Adviser who suspects or knows another Adviser is breaching the terms of this document must report the breach to the administrator of NMACP. NMACP's website sets out the procedure for reporting a breach and provides a complaint form for completion.

### **Information**

- 3.16 This Code of Ethics and Rules of Conduct will at all times be available on NMACP's website. An Adviser must notify all Clients of the existence and location of this document prior to entering into any contractual arrangement with them.

### **Fees**

- 3.17 Advisers will charge fees which are reasonable in the circumstances. When calculating a fee the Adviser may consider, but is not limited to, consideration of the:
- (a) Skills and experience of the Adviser;
  - (b) Time spent on the matter; and
  - (c) Complexity of the issues involved.

### **Advertising**

- 3.18 All advertising must be truthful and must accurately represent the skills and competencies of the Adviser.
- 3.19 Any advertising by an Adviser must not reflect adversely on other Advisers or the NMACP.