



**CODE  
OF  
PRACTICE**

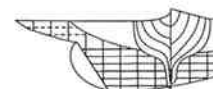


**BIA**

Boating Industry Association

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*Code of Ethics*

**MEMBER COMPANIES ARE PLACED  
IN A POSITION OF TRUST TO:**

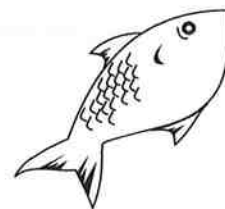
1. **ACT HONESTLY AND FAIRLY IN ALL BUSINESS DEALINGS WITH THE CONSUMER**
2. **MAINTAIN PROFESSIONAL COURTESY AND INTEGRITY AT ALL TIMES**
3. **ENSURE ALL ADVERTISING AND REPRESENTATIONS ARE TRUTHFUL AND ACCURATE**
4. **AT ALL TIMES ACT IN AN ENVIRONMENTALLY RESPONSIBLE MANNER**
5. **DO ALL THAT IS POSSIBLE TO PROMOTE SAFE BOATING AND EDUCATION PRACTICES**
6. **RENDER ACCURATE, TRUTHFUL AND EXPERT ADVICE TO THE COMMUNITY**
7. **STRIVE FOR EXCELLENCE IN QUALITY OF SERVICE TO CUSTOMERS**

BOATING INDUSTRY



ASSOCIATION

# PART ONE



## INTRODUCTION

### 1.1 FOREWORD

This Code of Practice (“the Code”) has been prepared and adopted by the Boating Industry Association (“BIA”).

The Code establishes standards of conduct for all BIA members to whom the code is expressed to apply. Many of the provisions are a restatement of principles and practices already observed in the industry and provides:-

- ◆ guidelines to members and customers;
- ◆ assistance to members and customers to understand their obligations and rights;
- ◆ guidelines for fair trading and environmental outcomes that can be achieved on an industry wide basis;
- ◆ guide to members wanting to reduce avoidable costs and inconvenience by improving client relations and understanding principles likely to be taken into account in the resolution of complaints and enforcement of fair trading laws;
- ◆ consistency in the recreational boating industry which may eliminate complaints;
- ◆ assistance to persons engaged in conciliation, mediation and resolution of complaints;
- ◆ assistance to customers wanting to clarify their rights and reasonable expectations on sales, service and repair transactions;
- ◆ for consumers to be referred to members adhering to the code;
- ◆ guidelines for members and recreational boaters to act in an environmentally responsible manner.

The Code demonstrates the high standards adopted by BIA members and the advantages and protection a consumer has in using the facilities and services offered by BIA members. BIA members aim to achieve “best practice” management goals and strive for quality assurance.

The Code demonstrates members concern for environmental issues. Recreational boating facilities and services are not in themselves a significant source of pollution. Effective and practical management procedures will mitigate any harmful environmental effects.

BIA members will also encourage their customers/boat owners to accept their responsibilities as set out in Part 7 of the Code. Simple reminders, precautions and recommended practices have been combined into the Code which encourages recreational boaters to be environmentally responsible. This information centres on boat operation, maintenance and preventative actions individuals can take to maintain clean-water and minimise the on- and near-shore impact of water based recreation.

Protecting the environment comes naturally to most boaters, because clean water is the foundation of enjoyable boating. A common sense approach while boating is thought to be the most effective way to protect the aquatic environment. A sixteen point checklist in Part 7 serves as a quick reference to important environmental concerns.



The principles set out in the Code are not intended to qualify, supplement or interpret the law but are to be read subject thereto.

The BIA will continually assess the Code's effectiveness. A regular review and monitoring of the Code by the BIA and other interested parties to assess its continuing relevance, effectiveness and to identify need for change as the occasion demands.

## **1.2 AIMS & OBJECTIVES OF THE CODE OF PRACTICE**

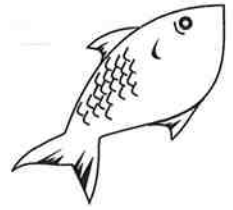
The aims and objectives of the Code of Practice are:-

- 1.2.1 To record the ethics and obligations to be observed by all BIA members in the conduct of their business and in their dealings with others. The Code comprises the ethics, obligations, and other information in this document.
- 1.2.2 To promote industry self regulation.
- 1.2.3 To maintain and enhance the reputation, standing and good name of the BIA and its members.
- 1.2.4 To promote public confidence in dealing with a BIA member.
- 1.2.5 To clarify all reasonable expectations of all parties to the Code.
- 1.2.6 To help prevent consumer/member problems.
- 1.2.7 To set methods to resolve disputes, if and when they arise.
- 1.2.8 To outline the best management practices for design, operation, and maintenance of marinas and shipwright services.
- 1.2.9 To promote effective and practical management procedures which will mitigate any harmful environmental effects.

## **1.3 TO WHOM THE CODE APPLIES**

The Code is applicable to:-

- 1.3.1 All BIA members whose businesses involve the manufacture, sale or purchase of vessels, parts and accessories, operating and running requirements therefor and vessel storage, servicing and repair, ancillary & related marine services of all kinds. All references in the Code to BIA members are to those members only.



1.3.2 Consumers who deal with BIA members.

1.3.3 The general community in which BIA members work and live.

#### **1.4 OBSERVANCE OF THE CODE**

The BIA, in approving the Code, expects that its' members will, in their business transactions carried on with consumers, conduct those transactions in accordance with the Code.

It is not intended that the Code should over-ride any principles of law, but members should realise that failure to observe the Code may, according to the circumstances, be conduct prejudicial to the interests of the BIA and may be the subject of disciplinary proceedings against the member.

Ignorance of the Code will not be accepted as an excuse for its non-observance, by either a member or by one of his staff.

#### **1.5 THE ETHICS**

**The ethics to be observed by members are:-**

**1.5.1 ACT HONESTLY AND FAIRLY IN ALL BUSINESS DEALINGS WITH THE CONSUMER.**

**1.5.2 MAINTAIN PROFESSIONAL COURTESY AND INTEGRITY AT ALL TIMES.**

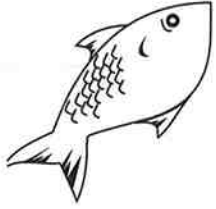
**1.5.3 ENSURE ALL ADVERTISING AND REPRESENTATIONS ARE TRUTHFUL AND ACCURATE.**

**1.5.4 AT ALL TIMES ACT IN AN ENVIRONMENTALLY RESPONSIBLE MANNER.**

**1.5.5 DO ALL THAT IS POSSIBLE TO PROMOTE SAFE BOATING AND EDUCATION PRACTICES.**

**1.5.6 RENDER ACCURATE, TRUTHFUL AND EXPERT ADVICE TO THE COMMUNITY.**

**1.5.7 STRIVE FOR EXCELLENCE IN QUALITY OF SERVICE TO CUSTOMERS.**



## 1.6 INTERPRETATION

In this Code the following words and expressions have the meanings set out below:-

- “BIA”** means Boating Industry Association.
- “client”** means a person, firm or corporation who or which retains a member to represent that client’s interests.
- “Code”** means this Code of Practice comprising the Ethics, Obligations and other information contained in this document.
- “consumer”** includes “client” and “customer”.
- “customer”** means a person, firm or corporation who or which transacts business with a member but does not retain that member’s services.
- “member”** means any member of the BIA.

Words denoting the singular include the plural and vice versa.

Words denoting individuals include corporations and vice versa.

Words denoting any gender include all genders.

## PART TWO



### MEMBERS' OBLIGATIONS

#### 2.1 GENERAL

In accordance with the provisions of this Code, members and their employees shall at all times:-

- 2.1.1 Be well versed in the provisions of the Code, understand them and conscientiously observe them at all times.
- 2.1.2 Be aware that ignorance of the Code is not accepted as an excuse for its non-observance, by either a member or his staff.
- 2.1.3 Not be influenced by inducements from any client or customer which will relieve a member from his responsibility to strictly observe the Code.
- 2.1.4 Operate in a manner that will enhance and hold in good stead the reputation of the boating industry and its' members.
- 2.1.5 Ensure the validity and accuracy of all documentation and that all legal requirements and statutory licences are maintained.
- 2.1.6 Observe proper standards of conduct and conform to recognised industry practices in regard to all sales transactions and maintain consumer confidentiality at all times.
- 2.1.7 Not mislead or deceive a consumer in relation to the condition of products and services being offered.
- 2.1.8 Be well informed regarding laws and public policy affecting the business and area of trading.
- 2.1.9 Provide a safe working environment for their employees and visitors to their premises.
- 2.1.10 Support the BIA in its prime aim and objective of promoting boating as a safe, pleasant, family pastime.
- 2.1.11 Promote their BIA membership by the display of the BIA logo and other identification material and endeavour to use all standard industry documentation as adopted by the BIA.
- 2.1.12 Not injure the professional reputation or practice of another member.
- 2.1.13 Conduct business and perform duties in free competition with fellow members.
- 2.1.14 Do all possible to foster public interest in recreational boating.
- 2.1.15 Make information available to customers on safe handling, usage and enjoyment of boating products sold and draw attention to the legal requirements relative to safe boating.