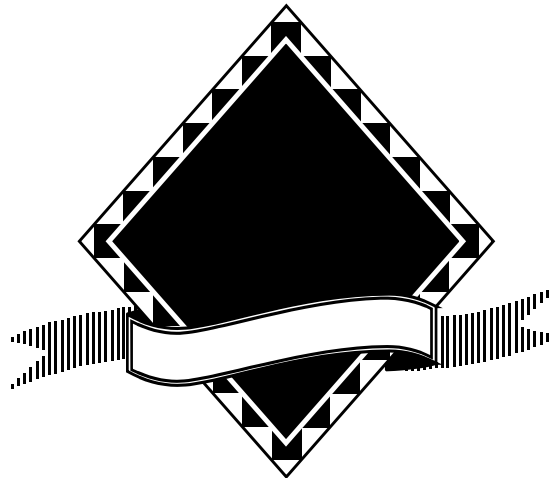


The Code of Practice Administration Committee
Administering the Code of Practice for Export Grants Consultants



CODE OF PRACTICE

Issue F – Revised 1 October, 2015

The Code of Practice Administration Committee
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CODE OF PRACTICE (2015)
Revised October 2015

INTRODUCTION

The Code of Practice for EMDG Consultants is designed to provide guidance on acceptable standards of professional conduct for persons supplying services as a consultant to applicants under the Export Market Development Act 1997 (as amended).

The Code of Practice Administration Committee (COPAC) has the responsibility for ongoing administration of this Code of Practice including its protocols.

COPAC shall be comprised of three representatives being members of the Export Consultants Association Inc, The representatives shall be appointed by the Board of Export Consultants Association Inc (ECAI) one of which being nominated as Chair.

OBJECTIVES

1. To facilitate the efficient, timely and effective delivery of export market development grants, services and advice to the export community.
2. That consultants prepare accurate verifiable applications and submissions for export grants in accordance with the legislative entitlement and based on advice provided by the applicants.
3. To promote professional and ethical relations between consultants, Austrade staff and the export community.

FUNDAMENTAL ETHICAL PRINCIPLES

1. *The Public Interest*

Consultants must, at all times, safeguard the interests of their clients provided that they do not conflict with the duties and loyalties owed to the community, its laws and social and political institutions.

2. *Integrity*

Consultants must observe accepted norms of honesty in all their actions.

3. *Independence*

Consultants must be objective, impartial and provide full and true disclosure of actual and potential conflicts of interest. They must be independent and be seen to be independent when providing advice. For every task, members must inform the client of any direct or indirect connection with any commercial interests which could at any time compromise their impartiality.

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4. *Competence*

Consultants must only accept tasks for which they possess the necessary competence and resources.

5. *Due Care*

Consultants must exercise due care and diligence in discharging their duties to clients.

6. *Professional Development*

Consultants must maintain technical competence through active professional development.

7. *Confidentiality*

Consultants must respect the confidentiality of information acquired in the course of their work and not disclose any such information to a third party without specific authority unless there is a legal duty to disclose.

8. *Professional Behaviour*

Consultants must refrain from any conduct or action in their professional role, which may tarnish the image of export market development grants consultants.

9. *Advertising*

Consultants are permitted to promote their services provided that the content or nature of such promotion is not false, misleading or deceptive.

10. *Remuneration*

Consultants should charge a fee which is in accordance with the basis agreed with the client prior to commencement of service.

Consultants should clearly outline all terms and conditions for charging fees for the supply of EMDG consulting service, and such terms should be confirmed and agreed in writing based on the principles of common law.

11. *Minimum Performance Standards*

Consultants are required to use their best efforts to comply with Key Performance Indicators that the Code of Practice Administration Committee (COPAC) may issue from time to time.

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PROTOCOLS

1. Definitions of services referred to in this Code

- 1.1 The technical standards referred to in this code apply to the services provided by consultants in the course of assisting their clients to determine their entitlements to a grant in accordance with the Export Market Development Grants Act 1997 (as amended).
- 1.2 These services must be provided in accordance with the requirements of the EMDG Act and Regulations, the EMDG Guidelines, Public Policy Rulings, Application Form and this Code of Practice.

2. Minimum Continuing Professional Development (CPD) requirements

- 2.1 Consultants are required to keep up to date with technical developments relating to EMDG, including at least 20 hours of CPD per year.
- 2.2 The Code of Practice Administration Committee will publish a list, updated from time to time, containing topics and activities relevant to this Code's CPD requirements.
- 2.3 CPD activities must be structured; that is, each activity must have a clear set of objectives and a logical framework. Examples of structured activities include lectures, workshops, seminars, distance learning courses and educational videos and audiotapes. Properly organised discussion groups will meet the requirement of structured CPD, and it is possible that individual members might plan and execute a study program based upon researching literature in a particular field.

3. Client Contact Practice Standards

- 3.1 Consultants will be expected to -
 - Research and investigate the nature of all clients' business activities and verify eligibility for EMDG entitlements as per the EMDG legislation, regulations and Austrade guidelines
 - Inform, brief and train clients on the EMDG substantiation requirements for eligible expenditure and earnings
 - Provide ongoing advice
 - Provide assistance with Grants Entry requirements
 - Test the accuracy and eligibility of expenditure and earnings to be claimed
 - Ensure all relevant documentation is compiled and available for review

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- Compile applications in accordance with Austrade application preparation guidelines and instructions
- Facilitate the application assessment process.

4. Application Integrity - Incorrect or misleading information

- 4.1 A consultant shall in no circumstances become associated with any application or submission on behalf of a client if the consultant finds that material on which the application or submission is to be based contains incorrect or misleading information or omits material information.
- 4.2 A consultant who becomes aware of an application or submission being based on incorrect or misleading information or on the omission of material information must immediately discuss the matter with the applicant and endeavour to persuade the applicant to correct any misstatement or omission involved and to have the application or submission prepared on a proper basis. If the applicant fails to do so, the consultant must not be further associated with that application or submission, and must refuse to act in any capacity with respect to such an application or submission until the misstatement or omission has been rectified.

5. Code of Practice Review

- 5.1 The Code of Practice and Protocols may be amended as recommended by the Code of Practice Administration Committee (COPAC).
- 5.2 Any signatory to the Code of Practice may seek to amend the Code of Practice by written submission to the Chairperson of the Code of Practice Administration Committee.

6. Technical Standards

- 6.1 These protocols will be supported by more detailed technical standards and best practice statements to be issued by the Code of Practice Administration Committee.
- 6.2 Technical Standards issued by COPAC to date are,
- TS1 Continuing Professional Development CPD Requirements.
 - TS2 COPAC Consultants Listing

Please refer all correspondence regarding the Code of Practice and Protocols to:

The Chairperson, COPAC, 4/42-46 Waters Road, Cremorne NSW 2090

TECHNICAL STANDARDS

TS1: Continuing Professional Development
TS2: COPAC Consultants Listing

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Technical Standard TS1: Continuing Professional Development

The minimum requirement for CPD hours is 20 hours of core and non-core activities per annum. These hours must be made up as follows:

1. A minimum of 10 core hours on COPAC sanctioned CPD activities.

COPAC will sanction three CPD events per annum. ECAI stages a National EMDG Conference on a biennial basis.

2. The balance of 10 non-core hours is to be made up from any of the following activities:

- Attendance at seminars / courses / conferences etc which are relevant to EMDG and organised by Austrade
- Attendance at discussion groups / study group sessions which are organised by EMDG consultants for the purpose of discussing EMDG policy, legislation or application preparation
- Appropriate in-house courses, which have been approved by the Export Consultation Association on presented by EMDG consulting companies.
- Researching and writing technical publications on the subject of EMDG; preparation and delivery of technical papers on the subject of EMDG.

Technical Standard TS2: Consultants Listing on Austrade website

The traditional EMDG application period opens on 1 July and ends at midnight Australian Eastern Daylight Time on 30 November. This closing date applies to all self-lodging applicants and to all EMDG Consultants who have not been approved to participate in the EMDG Consultants Quality Incentive Program.

Only EMDG Consultants approved under the EMDG Consultant Quality Incentive Program (QIP) can benefit from an Extended Lodgement Period, and are authorised to lodge EMDG applications on behalf of grant applicants until 28 February.

Attendance and participation at EICA Continual Professional Development activities will greatly assist consultants to meet Austrade's QIP criteria and performance targets.