

PROFESSIONAL RESPONSIBILITY

1. Professional Marketing Executives have responsibility to their employers or clients, to customers, to colleagues, to the Marketing Profession and to the public in general. It is a condition of membership of the Institute that members acknowledge these responsibilities and abide by the provision of the Code of Practice in their professional business dealings. All members are answerable to the Council of the Institute for any conduct, which in the opinion of the Council, constitutes a breach of the code.

PROFESSIONAL CONDUCT

2. *General*

Members shall, at all times, conduct themselves as persons of integrity and observe the principles of the code, thus the reputation of the members, the Institute and of marketing shall be enhanced.

3. *Instruction of Others*

Members who knowingly cause or permit other persons or organisations to act in a manner inconsistent with the Code, or who are party to such action, shall be deemed to be in breach of the Code themselves.

4. *Injury to Other Members*

Members shall not knowingly, recklessly or maliciously, injure the professional reputation or practice of other members.

5. *Honesty*

Members shall, at all times, act honestly and in such a manner that customers, ultimate and intermediate, are not misled. In the course of their professional activities, members shall not knowingly, or recklessly, disseminate false or misleading information. Members also have a responsibility to ensure that their subordinates conform with these requirements.

6. *Professional Competence*

Members, in the exercise of their profession, are expected to attain and maintain appropriate levels of competence, to enable efficient conduct of the tasks entrusted to them by employers or clients. They shall seek to ensure that all who

work with them, or for them, have the appropriate level of knowledge and information, to effectively discharge the marketing tasks entrusted to them. If shortcomings exist, members shall quickly seek to remedy them.

7. *Conflict of Interest*

- a. Members shall strive to ensure that the provisions of this Code and the interests of their customers are adequately and fairly reported to their employers or clients, in any circumstances where a conflict of interest may arise.
- b. Members holding general personal interests in businesses which are in competition with their employers or clients shall disclose such interests to their employers or clients.
- c. Members having personal interests in the purchase or sale of goods and services as between their employers or clients and other organisations, shall give their employers or clients notice of such interest in advance.

8. *Confidentiality of Information*

- . Members shall not disclose, or permit the disclosure of any confidential information concerning a customer's business without the written consent of their customer, except where disclosure is required by statute.
 - a. Members shall not disclose, permit the disclosure, or use to their own advantage, any confidential information concerning their employer's or client's business, without the written consent of their employer or client, except where disclosure is required by statute.

9. *Securing and Developing Business*

- . Members may not seek to obtain, or retain, business through behaviour which the Council considers unprofessional. In determining whether behaviour is unprofessional, the Council will be guided, inter alia, by this Code and by other relevant Codes of Practice in operation at the time the behaviour occurs.
 - a. In seeking to secure and develop business, members of the Institute are expected to observe the highest standards of integrity in their dealings with employees of potential or existing customers (especially where the employees in question place or can influence the placing of orders). In particular, great care should be taken where sales incentives are offered, and due attention should be paid to relevant legislation.

10. *Other relevant Codes of Practice*

Members should be aware of, and shall comply with, other relevant Codes of Practice. The Council of the Institute will always accept other relevant Codes of Practice as a minimum level to be expected of members of the Institute, unless it has determined to the contrary, and informed members of its decision. The most important of the other relevant Codes are:

- . Advertising

Code of Advertising Standards for Ireland (Advertising Standards Authority of Ireland – A.S.A.I). International Code of Advertising Practice (International Chamber of Commerce).

a. Sales Promotion

Code of Sales Promotion Practice (Advertising Standards Authority of Ireland – A.S.A.I). International Code of Advertising Practice (International Chamber of Commerce).

b. Market Research

Code of Conduct (Market Research Society / Industrial Marketing Research Association). International Code of Marketing and Social Research (International Chamber of Commerce / ESOMAR).

Code of Professional Ethics and Practices (World Association of Public Opinion Research WASPOR)

c. Public Relations

European Code of Professional Conduct – Code of Lisbon (European Federation of Public Relations). International Code of Ethics – Code of Athens (International Public Relations Association).

d. Marketing

Direct Marketing Code of Practice (Irish Direct Marketing Association). International Code of Marketing Practice (International Chamber of Commerce).

ENFORCEMENT OF THE CODE

11. Role of the Individual Member

All members have a duty to assist the Institute in implementing the Code, and the Institute will support any member in so doing.

12. Misuse of the Code

Unfair, reckless or malicious use of the Code by members or others to damage the reputation and/or professional practice of members and/or their organisations shall be deemed breaches of the Code.

13. Procedures for Handling Complaints

The Council of the Institute shall duly and properly investigate where alleged breaches of the Code have occurred. It is empowered to take or recommend appropriate disciplinary action. The Council may propose the expulsion of an offending member to a general meeting of the Institute. The power of expulsion is vested in the General Meeting by Article 7 of the Articles of Association of the Institute:

“The Institute may in general meeting expel a member from the Institute if, in the opinion of the majority of the members present at the meeting, such a member shall be deemed to be an unfit or unsuitable person to be a member of the Institute or shall have failed in his observance of any of the regulations of bye-laws of the Institute. Such a member shall be given 14 days clear notice of such meeting and shall be entitled to be present thereat and be heard by such meeting. A member so expelled shall forfeit all claims to return of any monies paid by him to the Institute whether upon admission of fees or subscriptions or otherwise”.

The Code of Practice is a regulation of the Institute.

The Marketing Institute would like to thank The Chartered Institute of Marketing (UK) for its support and guidance in the preparation of this Code of Practice.