

BUSINESS EVENTS INDUSTRY AOTEAROA (BEIA)
BY-LAWS GOVERNING ENTRY
TO
BEAI PROFESSIONAL CONFERENCE ORGANISERS GROUP
AND
CODE OF ETHICS, RULES AND RESPONSIBILITIES

1. The basis and level of charging by a PCO (“Professional Conference Organiser”) must be disclosed to the client at the time a quote is given or a relationship is entered into.

To ensure that professional standards are maintained it is important that the client is not misled as to the basis of charging. The provisions of Sections 3, 4, 5 & 8 of the Secret Commissions Act 1910 are set out in the Schedule.

2. A PCO must:

(a) Either keep a separate bank account for each client or a separate, clearly defined trust ledger for each client. The PCO must at all times keep client funds safe from all the PCO’s creditors, as well as from creditors of any other clients of the PCO, and available for a client in accordance with the client’s written instructions.

If the funds are not in the client’s name then the PCO must have a letter from their Bank acknowledging that funds held in their bank account are held for the client under a Constructive Trust and will not be utilised by the Bank for any of the PCO’s liabilities or liabilities of another client of the PCO.

If a PCO changes banks or account types at any time, they must notify BEIA as soon as possible and provide a letter from the Bank confirming that client funds are held separately to other clients’ funds and separately to the PCO’s own funds, i.e. there must be separation and protection in place.

- (b) Ensure all sources of revenue from each client’s account is only used for the meeting activities authorised by that client.
- (c) Provide transparency when handling client funds and demonstrate this by giving clients access to all financial documents relating to the meeting.

- (d) Provide accurate and timely financial reporting to a client by the dates agreed with a client.
- (e) Be fiscally responsible by having the appropriate Public Liability and Professional Indemnity insurance cover in place appropriate to the size of transactions and funds held on behalf of each client (***please attach copies of Insurance Certificates***).
- (f) Ensure that a client obtains proper tax and GST advice appropriate to the project.
- (g) If collecting meeting income which is subject to GST the PCO must comply with all applicable statutes and regulations and ensure returns are made on time so that no penalties are incurred.
- (h) Comply with the PCI Data Security Standard as it is vital for all PCOs and merchants who accept credit cards, online or offline. It is a requirement to keep clients' payment card data secure and the volume of the PCO's business will determine whether to use a secure facility or have the PCO's in place. In any event, the standards will be the same.
- (i) Ensure the financial integrity is maintained by keeping proper and accurate records of all client transactions in accordance with the laws and regulations applicable both to the principal place of business and any jurisdiction under which the PCO operates. Such records to be kept to audit standards.

3. A PCO member is required to enter into a written contract (***please attach a copy***) with its clients covering:

- 3.1 Services to be provided including any accounting service
- 3.2 Fees and disbursements to be charged
- 3.3 A dispute resolution procedure
- 3.4 A clear outline of PCO's and client's responsibilities.

4. If a PCO has a conflict of interest on any issue involving the client it should be disclosed to the client and the member should not continue to work for the client where impartiality or loyalty to the client will be adversely affected by the conflict of interest.

If you have an interest in any business such as a lodge or a transport company with which your client is going to make a contract this should be disclosed to your client. If you have two clients with conflicting interests then

it should be disclosed to both clients so that they are aware of the conflict and you do not compromise their position or yours. The Secret Commissions Act is also relevant to this rule.

5. Any business information given by the client should be held in confidence and should not be disclosed to any other party without the consent of the client unless it is necessary to further the client's purpose or there is a legal obligation to disclose it.

There must be full communication between the parties but information should not be disclosed to another client or supplier unless necessary.

6. No PCO shall knowingly make false or misleading statements in the course of business and particularly:

- (a) About competitors;
- (b) To obtain confidential information;
- (c) About the member's own ability or expertise to meet a potential client's needs; or
- (d) About any supplier or the cost of supplies.

PCOs must adhere to the highest standards of honesty and integrity if we are to be recognised as a profession.

7. If a client terminates instructions or a PCO has to terminate the relationship then it shall be terminated with dignity and with a minimum of disruption to the client's affairs.

A member is, of course, entitled to exercise all their legal rights.

8. No PCO shall knowingly approach a client of another PCO specifically in order to obtain business already contracted by such other PCO.

This shall not prohibit a member from quoting for the business if the client has made the first approach.

9. A PCO shall always deal fairly with suppliers and not solicit a proposal from the supplier when the supplier has no chance of obtaining the business. Similarly a member shall always be frank and honest with the supplier when seeking complimentary services and shall not under any circumstances mislead the supplier about present or future business in order to obtain such complimentary services. (This shall not prohibit the obtaining of quotes from suppliers where the client requires them to be obtained.)

10. A PCO shall always act in a professional manner and exhibit the knowledge, skills and capabilities to properly service a client's needs and should not take on a project without realistically holding the view that they are either competent to handle it or able to become competent without delay, risk or expense to the client.

11. A PCO shall at all times behave in a professional manner and do nothing to bring the profession or the New Zealand Convention Association or any affiliated organisation into disrepute.

12. All PCO members must commit to attending at least **two** BEIA PCO Group Meetings each calendar year. The company representative attending must be duly authorised (if necessary) to cast a vote on the company's behalf. Should a member company not attend the minimum requirement they may be suspended/removed from the Group.

13. To apply for membership of the PCO Group you must provide proof that a significant part of your organisation's (Association/Entity) business and revenue source is Conference Management and that you can offer the service levels detailed in the PCO Group's 'Minimum Service Levels' document.

'To be considered a conference' for the purposes of this Rule it must involve at least 50 persons attending the conference for two or more days.

14. All PCOs must have appropriate Public Liability, Professional Indemnity and Cyber Insurance Cover appropriate to venues and clients with whom they work and to protect clients' interests.

15. All PCOs must have an Event Risk Management Plan compliant under the NZ Health & Safety at Work Act 2016. ***(please attach a copy.)***

16. All PCOs belonging to the Group agree that from time to time they may be subject to an audit to ensure compliance with these terms. Any such auditing shall always be reasonable and shall be done by an authorised representative of BEIA.

Any complaint received by BEIA, from a client, which prima facie discloses a breach of these Code or Rules will be investigated.

17. All PCO members agree to be bound by this Code of Ethics, Rules and Responsibilities and agree that if upon investigation they are found to be in serious breach of these Rules they may have their membership of the PCO Group terminated by either the PCO Group or the Board of New Zealand Convention Association Incorporated.

18. Breach of Ethics

Any BEIA Approved PCO (PCO), BEIA Member, client, supplier or third party (called the complainant) can bring to the attention of BEIA a potential breach of the Code of Ethics, Rules and Responsibilities (Code of Ethics). The following process applies for dealing with the allegation:

- (a) In the first instance, the complainant shall raise the allegation of a breach of the Code of Ethics in writing to the BEIA Chief Executive. The complainant needs to:
 - i. Outline the circumstances of the breach(s), providing as much information and evidence as possible to substantiate the complaint.
 - ii. State whether they wish their identity to remain confidential. In opting for confidentiality, it should be understood by the complainant that in some circumstances, such confidentiality might form a barrier to proper investigation.
- (b) The BEIA CEO shall respond to the complainant explaining the process and seeking any further information, including whether other complainants may be involved.
- (c) The BEIA CEO shall write in confidence to the PCO being the subject of the complaint, notifying them of the complaint and seeking an explanation for the alleged breach.
- (d) On recommendation of the CEO that the matter requires further investigation, the Chair of the BEIA Board, the BEIA CEO and one other BEIA Board Member shall act as the Disciplinary Group to deal with any breach of ethics cases. The Disciplinary Group shall have no conflict of interest as a result of a business or other relationship with either the complainant or the PCO, nor shall they be in direct competition with either party.
- (e) Should the CEO recommend against further action, the complainant may write to the BEIA Board to seek that the Board take the complaint further. If the BEIA Board decides to not take the complaint further, such decision is final.
- (f) The Disciplinary Group shall deal with the issue on a confidential basis. In their investigations, if appropriate to the circumstances, they can:
 - i. Seek further evidence from the complainant, the PCO or other relevant parties.

- ii. Decide that no further action is necessary.
 - iii. Call a meeting between the complainant and the PCO to seek to resolve the matter.
 - iv. Call a formal meeting with the PCO where the PCO has the opportunity to put their case.
 - v. Take advice on customary industry practice.
 - vi. Make recommendations to BEIA Management on appropriate changes to the Code of Ethics, or if certain information and education strategies to the BEIA Approved PCO Group are appropriate.
 - vii. Rule that there has been a breach(s) of the Code of Ethics and instigate an appropriate disciplinary response.
- (g) Options for the Disciplinary Group if a breach is found are:
- i. That the PCO be notified in writing that there has been a breach, and either given a warning that should such a breach occur again, further action would be taken and/or stipulating that the PCO has been formally censured.
 - ii. That all members of the BEIA Approved PCO Group be notified of the breach.
 - iii. That all BEIA Members be notified of the breach.
 - iv. That Tourism New Zealand be notified of the breach.
 - v. Suspension for 12 months or termination from the BEIA Approved PCO Group.
 - vi. Termination of BEIA membership.
 - vii. Prohibited from attending BEIA MEETINGS or any other BEIA managed event in any capacity for 12 months or indefinitely.
- (h) Should the PCO disagree with the finding of the Disciplinary Group, they may appeal to the BEIA Board for further consideration and in so doing,

state the grounds upon which the decision of the Disciplinary Group shall be reconsidered.

- (i) The BEIA Board shall act in accordance with Clauses (f) and (g) above. Any decision of the BEIA Board shall be final.

Please send **this completed document**, along with the **Application for BEIA Approved PCO Group Membership** and the **Minimum Service Levels**, together with **supporting documents** to:

BEIA, PO Box 331202, Takapuna, Auckland 0740
or alternatively:
Email: admin@beia.co.nz

Note: Refer to Checklist on Application for BEIA Approved PCO Group Membership document

I AGREE TO BE BOUND BY THE ABOVE CODE:

Name:

Position:

Company:

Signature:

Date:

(BEIA wish to acknowledge IAPCO (International Association of Professional Congress Organisers) Guidelines from which some of this text has been extracted.)