

## **CODE OF PROFESSIONAL CONDUCT**

### **I Introduction**

The purpose of this Code is to define the standards of professional conduct to be followed by all Members of the Yacht Designers' and Surveyors' Association (YDSA). The YDSA exists to promote the highest standards of professionalism and expert knowledge in the fields of yacht design and marine surveying.

YDSA is a member of The Yacht Brokers, Designers and Surveyors Association (Holdings) Limited (YBDSA). The YBDSA and YDSA shall not be held responsible in any way for any work undertaken by any Member whether in compliance with this Code or not.

### **II Professional Conduct**

- 1 Members of the Association shall observe this Code and the Articles of Association of YDSA.
- 2 Members shall carry appropriate Professional Indemnity insurance.
- 3 Members shall act with independence, integrity and objectivity at all times and report in a fair, unbiased and factual manner.
- 4 If a conflict of interest exists or becomes apparent a Member must either inform the Client in writing (and obtain the Client's consent to continue) or decline or withdraw from the instruction.
- 5 Members should only undertake assignments commensurate with their level of experience, competence, skill and knowledge.
- 6 Members shall only use the logo and prescribed suffix of YDSA to which they are entitled by their membership grade.
- 7 Professional advice and reports are confidential and should not be disclosed to third parties without the express written permission of the instructing Client.
- 8 Members shall not request or receive any payment or other benefit (hidden or otherwise) from any party other than the instructing Client and shall not offer or give any commission or other payment to any third party in respect of any instruction..
- 9 Members should not commission work on a vessel without written instructions from the Owner of the vessel or their authorised representative.
- 10 The Client should be advised of the Member's fee schedule and any estimated expenses to be charged, and whether any relevant taxes (e.g. VAT) may be payable, prior to commencement of the service.
- 11 Surveyor Members are strongly encouraged to use the YDSA Standard Survey Agreement and Terms of Business or a similar contract.

### **III Complaints Procedure**

- 12 Any party who has a concern regarding the professional conduct of a Member shall first give the Member the opportunity to clarify the situation or suggest a remedy.
- 13 If a resolution cannot be reached then a formal complaint should be made in writing to the YDSA Committee. The Committee shall only consider cases of professional misconduct and not technical matters. Complaints that are, or may become, sub-judice will not be entered into until any legal process is concluded.
- 14 The Committee will make its judgement based on the information supplied and therefore all relevant evidence must be submitted at the outset of any complaint.
- 15 Sanctions available to the Committee include suspension, downgrading of membership and expulsion.
- 16 Members have the right to appeal the Committee's decision before an appeal panel consisting of the YDSA Chairman and two independent adjudicators.