



Enclosure 3
To Chartership Rules of the Register
PROFESSIONAL CODE OF CONDUCT
AGREEMENT
FOR THE
THE CHARTERED MASTER MARINER
PROGRAMME

IMPORTANT INFORMATION FOR CHARTERSHIP CANDIDATES

Prior to the Professional Review Interview all interviewees are asked to read through the Chartered Master Mariner Rules of Professional Conduct. The document should be signed and given to the assessors before commencing the interview as an acknowledgment of the applicants understanding of the Code of Professional Conduct required of a Chartered Master Mariner.

The interview assessors will return the signed document to the Registration Authority together with the completed interview outcome report form. These documents will then be recorded on the applicant's file.

Completion of this form is only one part of the Chartership application process and should not be construed as successful conclusion of the process or acceptance as a Chartered Master Mariner.

The Rules of Professional Conduct

Applicable to all those entered onto the Register of Chartered Master Mariners and those who apply to be so entered.

Where doubt exists as to what is or may be construed as acceptable regarding 'the rules of professional conduct' the Court of the Honourable Company of Master Mariners will be the final authority in making that determination.

- 1 A Chartered Master Mariner shall be liable for a breach of the Code of Professional Conduct (hereinafter referred to as the Code) if, in the opinion of a disciplinary committee convened by the Registration Authority, such conduct is found to be below the standards of behavior expected by the Registration Authority in respect of general management of seagoing vessels including matters of personnel management, financial probity, and health and safety. Guidance as to rules of professional behavior may be determined by reference to the Chartered Master Mariner *Code of Ethics*.
- 2 Any Chartered Master Mariner or applicant for Chartership who is, or has been, convicted by a competent tribunal of a professionally-related criminal or civil offence or has had removed the right of seagoing navigation qualifications is placed under an absolute obligation to notify the Registration Authority of such an event. Failure by any Registrant to comply with this obligation shall render them liable to a finding of breach of the Code. In such circumstances, applicants in process shall be refused admission to the register
- 3 A Chartered Master Mariner having been declared bankrupt or having made a composition with creditors may be liable if, in the opinion of a disciplinary committee appointed by the Registration Authority, the Registrant is prevented from undertaking professional duties consistent with the standards of a Chartered Master Mariner.
- 4 No Registrant shall maliciously or recklessly injure or attempt to injure or impugn the reputation of another person.
- 5 No Registrants or aspirants thereto shall do, promote or permit anything under their authority to be done, the consequences of which may result in damage, injury or embarrassment to the maritime industry, the Registration Authority, or any associated organisation within the industry and also they shall not sanction practices that run contrary to the laws of the country in which they normally reside or in which they, for the time being, practice as a Chartered Master

Mariner.

6 Except when authorised to do so in the national or public interest by a legally constituted government, Chartered Master Mariners shall neither do anything nor permit anything under their authority to be done, the probable consequences of which would be to endanger human life or safety or the environment or expose property to the risk of destruction or serious damage or bring any of its members or officers into disrepute or public embarrassment.

7 In respect of their professional relationship with employers or clients, Chartered Master Mariners shall:

7.1 disclose any profits, benefits or interests they may have in any matter in which they are engaged on their behalf.

7.2 neither communicate to any person nor publish any information or matter communicated to them in confidence by a client or employer without the express authority of that client or employer

8 Those Registrants who are resident in a country other than the UK shall order their conduct according to these rules save only if the observance of these rules is, or is likely to be construed as, incompatible with the nationally applicable rules of the country in question. Where nationally applicable rules may be construed as requiring a higher standard of professional conduct than these rules, the national rules shall prevail.

[Note: where any doubt exists as to the standard of conduct and professional efficacy that should be observed in any given situation, Registrants shall conduct themselves in a manner that is consistent with guidelines provided in the *Code of Ethics* and, always, as persons of the highest integrity.

Where any doubt exists as to what is appropriate conduct and whether it has been properly observed, the final arbiter in such matters shall be the Court of the Honourable Company of Master Mariners on the advice of its Registration Authority.]

9 In discharging their professional duties Chartered Master Mariners shall:

9.1 herewith commit, without reservation, to observing the Registrants' *Code of Ethics* in the performance of all professional duties. Where a nationally applicable code of ethics may require a higher standard of professional ethical conduct, the national rules shall prevail;

- 9.2 shall satisfy themselves as to the extent of those duties and, if in doubt, obtain such clarification or confirmation as is necessary to satisfy themselves as to their extent before entering upon them and shall not accept professional obligations which they have not sufficient competence to perform; accept personal responsibility for all work done by them or under their supervision or direction, and shall take all reasonable steps to ensure that persons working under their authority are competent to carry out the tasks assigned to them.
- 9.3 when called upon to give an opinion in their professional capacity, shall give an opinion that is objective and reliable to the best of their ability;
- 9.4 when their professional advice is not accepted, take all reasonable steps to ensure that the party overruling or neglecting such advice is aware of the danger which they believe may result from such over-ruling or neglect;
- 9.5 make every endeavour to uphold the professional standing and integrity that may be construed as consistent with the Register of Chartered Master Mariners and, to that effect, shall engage in no activity that is inconsistent with the upholding the good name and character or maintaining the highest reputation of the Honourable Company of Master Mariners, its Registration Authority, and all professional agents and associated organisations; herewith acknowledge that, for so long as they are entitled to hold and profess their status as a Chartered Master Mariner, accept and confirm that the registration is personal to them and that in respect of any act, error or omission to which liability or penalty may attach, they accept the consequences personally.
- 10 Registrants shall undertake such regular continuing professional development as may be required by the registration Authority of its Registrants.
- 11 Chartered Master Mariners shall be prepared reasonably to further the education and training of potential candidates for registration as Chartered Master Mariners. To this end, the Registration Authority, from time to time, may require Registrants to provide service in undertaking Professional Review Assessments of prospective Registrants. This requirement shall be undertaken in consultation with the parties concerned so that the service provided is mutual.
- 12 Chartered Master Mariners shall not unreasonably attempt to supplant another marine

professional and shall not intervene or attempt to intervene in, or in connection with, work of any kind which, to their knowledge, has already been entrusted to another marine professional without first advising that person of their intentions.

13 Chartered Master Mariners shall not improperly solicit work as independent advisers or consultants, either directly or by an agent, and shall not pay any person, by commission or otherwise, for the introduction of such work.

14 Chartered Master Mariners shall not be the medium of payment made on their employer's behalf unless so requested by their employer, and, in connection with work on which they are employed, they shall not place contracts or orders except with the authority of and on behalf of their employer.

15 Given that the Hon Company of Master Mariners has a duty in the public interest to enquire into all complaints about the perceived competence of those entered on the Register of Chartered Master Mariners, if the Preliminary Investigation decides that there is no case to answer, the parties may then settle outstanding issues between them howsoever they wish but no one, other than the Court of the Company (or its Registration Authority) can admit to or remove from that Register.

I confirm that I have read and fully understand what is expected from me as a Chartered Master Mariner or aspiring Registrant and, in this context, I agree to observe and be bound at all times by the conduct expected by the Honourable Company of Master Mariners.

Signed

Dated