



RESORT DEVELOPMENT ORGANISATION

CODE OF CONDUCT

1ST JANUARY 2010

Resort Development Organisation Ltd
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PART I: GENERAL

1. OBJECTIVE

The objective of this Code of Conduct (“**the Code**”) is to support the RDO Members in both promoting, and in operating in, the Resort Development Industry. The Code is founded on the understanding that business and consumers are commercially interdependent in the Resort Development Industry.

Secondly, this Code aims to ensure that consumers that have purchased products and services of companies operating in the Resort Development Industry can fully enjoy their contracted products and services.

Accordingly, Members will seek in all their business dealings to hold a fair balance between the legitimate interests of both parties, and to ensure a high degree of satisfaction for consumers.

The Code is designed to complement and reinforce all applicable laws as well as to establish RDO and industry “best practice” standards. The Code is made up of three parts of equal authority, namely Part I: General; Part II: Principles; and Part III: Procedure & Administration.

Guidance Notes may be issued and updated periodically under the authority of the Board of Directors of RDO for the purpose of informing and assisting Members in complying with the Code.

2. APPLICABILITY

- 2.2. The Code applies to all activities within the Resort Development industry (“Industry Activities”) which are conducted in the jurisdictions in which RDO operates.
- 2.3. The authoritative version of the Code at any time shall be that then set out on the RDO website and there shown as being in force.

3. MEMBERS' COMMITMENT

All Members undertake:

- 3.1 To comply with the all conditions of membership, the Code and the Administrative Procedures and to uphold RDO standards, taking account of all guidance published in any Guidance Notes;
- 3.2 To fully comply with all administrative procedures of RDO and RDO's Alternative Dispute Resolution Scheme (ADR), including its binding decisions upon Members' activity;
- 3.3 To conduct their Industry Activities with integrity and propriety and in accordance with industry best practice, and generally in a manner that will uphold the credibility, positive reputation and goodwill of RDO and the Resort Development industry in general;
- 3.4 To take all reasonable steps to ensure compliance with the Code by its employees, officers and by all who undertake Industry Activities on its behalf (including all individuals or companies acting as independent contractors), irrespective of the location of such activities, and promptly take remedial action should such non-compliance be discovered, and to terminate their relationship with any individuals or companies in sustained breach of the Code; and
- 3.5 To comply with all laws, which apply to Member's, business in the jurisdiction in which the Member operates.

PART II: PRINCIPLES

1. Trading Principles

1.1 RDO's Members will ensure that consumers can make informed purchase decisions when contracting with a RDO Member.

1.2 RDO Members in particular will ensure:

1.2.1 Appropriate disclosure of all elements of the product and/or service to the consumer and in a manner the consumer fully understands;

1.2.2 Adequate delivery of the contracted products and/or services to the consumer;
and

1.2.3 Adequate treatment of any complaints by the consumer.

2. Sales and Marketing Principles

2.1 RDO Members will in no case mislead a consumer into believing that a product or service has other features and/or benefits than those laid down in the contract.

2.2 RDO Members will in particular ensure:

2.2.1 Appropriate marketing techniques that make it clear what the object of the approach to the consumer is;

2.2.2 Appropriate selling methods that treat the consumer with respect and allow the consumer choice between purchasing and reflection; and

2.2.3 The provision of any necessary assistance to consumers to enable them to make an informed decision.

3. Principles for Ongoing Protection for the Consumer

- 3.1 In order to be able to deliver the contracted products and services RDO Members will ensure that adequate legal structures are in place. For any product or service, where the contract is of a long duration, such structures need to ensure adequate longevity and in the case of service contracts that the specified service can be delivered for the duration of the contract.

- 3.2 Members who undertake the contracts which support or supplement such legal structures will do so in a manner appropriate to enable their contracted products and services can be delivered throughout their contracted period, and in compliance with their contract terms

PART III: PROCEDURE & ADMINISTRATION

A. MEMBERSHIP OF RDO

Applicants for membership of RDO must demonstrate a justified track record in the class of membership which they seek or alternatively in the case of an entrant new to the industry, demonstrate prior history of good business dealings.

B. GUIDANCE NOTES

Guidance Notes may be issued and updated periodically under the authority of the Board of Directors of RDO for the purpose of informing and assisting Members in complying with the Code.

C. APPLICABILITY & AUTHORITATIVE VERSION

1. The Code applies to Industry Activities which are conducted in the jurisdictions in which RDO operates.
2. The authoritative version of the Code at any time shall be that then set out on the RDO website and there shown as being in force.

D. ADMINISTRATION OF THE CODE AND MAIN SANCTIONS

1. Complaints Handling
 - 1.1 If a dispute arises between a Member and a consumer in relation to the Member's Industry Activities, the Secretariat of RDO shall upon being informed act promptly to resolve the dispute in a manner acceptable to both parties. If it is unable to achieve such result within a reasonable time, the consumer may by notice in writing given to the Secretariat elect that the dispute be resolved in accordance with the procedure of the ADR scheme chosen by RDO.
 - 1.2 Any failure by a Member to comply with the above procedures upon request, or with

any final determination made within them, will be considered to be a breach of the Code.

2. Sanctions: Suspension and expulsion from membership

2.1 The Board may at any time and in its sole discretion after consultation with the Membership Council reprimand, suspend or expel from membership any Member which in its judgement has violated the Statutes, codes or rules of the Association or who has engaged in conduct detrimental to the best interests of the Association or who has refused or wilfully neglected to comply with any order or decision of the Board or recommendation of the Membership Council.

2.2 Any Member so disciplined may request a hearing in person before the Chairman and Chief Executive and is entitled to receive written notice of the final decision or may appeal such sanction in writing to the Board within 10 days of notification by the Chairman and Chief Executive and the Board shall decide such appeal at its next regularly scheduled meeting. The membership of such Member may be suspended by the Chairman in agreement with the Chief Executive during the period pending such appeal. The decision of the Board on appeal shall be final. Any termination shall cancel all rights, interests and privileges in the assets, services and resources of the Association. (Source: Statutes, Article 11)

3. Reprimand

In the event that the Board determines that the failure to comply with the Code does not merit expulsion or suspension, it may reprimand the Member concerned and such reprimand shall lay on the record for a period of three years and shall be taken into account in deciding upon the imposition of any further sanction, in the event of any other Failure to Comply by the Member during that period.

4. Publication

Concurrent with the imposition of any sanction, the Board may also publish details of the sanction, including an explanation of the business conduct involved and the name of the Member or individuals concerned.