

# ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL

## Ethics Policy

### I. Definitions

1. In this policy:

"AMVIC" means the Alberta Motor Vehicle Industry Council;

"Ethics Policy" means this Ethics Policy;

"Board" means the Board of Directors of AMVIC;

"Committee" means the Ethics Committee established by this policy;

"Committee Member" means a member of the Committee;

"Director" means a member of the Board of AMVIC;

"Executive Director" means the Executive Director of AMVIC.

### II. Background to Policy

1. AMVIC, a body corporate under the *Societies Act*, was established as a regulatory board to exercise the powers, duties and functions delegated to it pursuant to the provisions of the *Fair Trading Act*, which came into force on September 1, 1999. The *Fair Trading Act* provides that the Minister may make regulations prescribing or adopting, with or without modification codes, standards or rules governing the manner of carrying on a designated business or class of designated business, the type and conditions of premises and equipment used in a designated business, and the conduct of persons engaged in carrying on a designated business. The *Fair Trading Act* provides further that the Minister may establish or adopt codes that establish standards of ethics, methods, practices and systems applicable to any designated business or class of designated businesses to effect an end to or to prevent competitive practices that are, by their nature, detrimental either to the business, to persons employed in the business or to the public.
2. The *Designation of Trades and Businesses Regulation* provides that Part 10 of the *Fair Trading Act* applies to the automotive business.
3. The *Automotive Business Regulation* prescribes standards of conduct relative to advertising by licensees and consignment sales. The *Automotive Business Regulation* permits AMVIC to establish standards of conduct for the automotive business or one or more classes of the automotive business that are in addition to those standards established by the *Automotive Business Regulation*.

# **ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL**

## **Ethics Policy**

### **III. AMVIC Ethics Policy**

#### **ESTABLISHMENT OF ETHICS COMMITTEE**

1. The Ethics Committee (the "Committee") is hereby established.

#### **MANDATE**

2. The mandate of the Ethics Committee shall be to make recommendations to the Board respecting the development and adoption of Codes of Ethics, Codes of Conduct, and Best Practices for AMVIC.

#### **TERMS OF REFERENCE**

3. The Ethics Committee shall, in making recommendations to the Board respecting the development and adoption of Codes of Ethics, Codes of Conduct, and Best Practices for AMVIC, having regard to the following factors:
  - (a) the expectations of competence, professionalism and integrity reasonably held by consumers when dealing with an individual who has been licensed or registered by AMVIC;
  - (b) the potential for clearly defined Codes of Ethics, Codes of Conduct, and Best Practices to increase the level of consumer protection in the automotive business in Alberta;
  - (c) the potential for clearly defined Codes of Ethics, Codes of Conduct, and Best Practices to reduce disputes between consumers and industry members;
  - (d) concerns expressed by consumers regarding existing or past practices in the automotive business in Alberta;
  - (e) the benefit to the automotive business generally of permitting industry members to propose solutions to identified problems in the automotive business; and
  - (f) the benefit to the automotive business generally of promoting a high degree of integrity among its members.

# ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL

## Ethics Policy

4. The Ethics Committee shall make specific recommendations to the Board concerning:
  - (a) the adoption of Codes of Ethics by AMVIC;
  - (b) the adoption of Codes of Conduct by AMVIC; and
  - (c) the adoption of Best Practices by AMVIC.

### COMMITTEE MEMBERSHIP

5. The Committee shall consist of six (6) individuals each of whom shall be appointed by the Board.
6. The Board shall appoint individuals to the Committee so as to achieve the following representation:
  - (a) one member shall be a Director;
  - (b) three members shall represent owners of automotive businesses in Alberta;
  - (c) two members shall represent salespersons; and
  - (d) one member shall represent the public-at-large.
7. The Committee Member who is a Director may designate an individual who is a Director to serve as an alternate Committee Member when the original Committee Member is unable to perform his or her duties to the Committee.
8. The normal term for a Committee Member to serve is up to two (2) years. A Committee Member may be re-appointed after his or her term expires. A vacancy on the Committee shall be filled by an individual appointed by the Board. The individual appointed by the Board to fill the vacancy shall complete the term of the Committee Member that vacated the position.
9. A Committee Member may resign from the Committee by giving notice in writing to the Executive Director.
10. The Committee may remove a Committee Member other than a Committee member who is a Director for cause deemed appropriate by the Committee. The Committee may request the Board to remove or to replace a Committee Member who is a Director.

# **ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL**

## **Ethics Policy**

### **RESPONSIBILITIES OF COMMITTEE CHAIR**

11. The Committee Member who is the Director appointed by the Board shall serve as the Chair of the Committee, and
  - (a) shall preside at all meetings of the Committee;
  - (b) is a non-voting member of all subcommittees of the Committee but may be a voting member of any subcommittee as determined by the Committee;
  - (c) shall present a report of the activities of the Committee to the Board at meetings of the Board;
  - (d) may, with approval of the Committee, delegate powers and duties as necessary; and
  - (e) is responsible for such other matters as the Committee determines.

### **COMMITTEE MEETINGS**

12. Meetings of the Committee are to be called by the Chair of the Committee and shall be held as often as the affairs of the Committee require.
13. Meetings of the Committee shall be called by giving to each Committee Member at least seven (7) days' notice unless the Committee unanimously agrees to waive notice of the meeting.
14. Meetings of the Committee may be held anywhere authorized by the Committee.
15. Meetings of the Committee may be conducted in person or, if agreed to by the Committee, by means of electronic or other communication facilities as permits all persons participating in the meeting to hear each other, and a person participating in such a meeting by such means is deemed to be present at the meeting.
16. Notwithstanding anything to the contrary in this policy, a resolution in writing signed by all of the Committee Members shall be valid and effectual as if it had been passed at a meeting duly called and constituted.

# **ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL**

## **Ethics Policy**

17. A meeting of the Committee may be called at the written request of any three (3) Committee Members sent to the Chair of the Committee stating the business to be discussed at the meeting.
18. On receipt of the request, the Chair of the Committee shall call a meeting of the Committee.

### **QUORUM**

19. A majority of Committee Members holding office at the time is a quorum at a meeting of the Committee.

### **DECISION-MAKING**

20. Each Committee Member, including the Chair of the Committee, has one (1) vote on matters considered by the Committee.
21. If there is a tied vote, the motion is lost.
22. Votes may not be made by proxy.

### **OTHER PROCEDURES ESTABLISHED BY BOARD**

23. The Committee shall observe such other procedures relative to the Committee as may be established by the Board from time to time.



# *Code of Ethics*

The Alberta Motor Vehicle Industry Council (AMVIC) is a non-profit organization representing various automotive sectors and the public. AMVIC is responsible for administering and enforcing automotive industry regulations under the Alberta Fair Trading Act. AMVIC licensees and their employees recognize that they are responsible to consumers, other business and the government.

Accordingly, we will abide by this *Code of Ethics*.

1. **INTEGRITY** Act honestly, fairly and with the utmost good faith.
2. **DISCLOSURE** Communicate all material facts, and ensure our products and services are fully and fairly represented.
3. **COMPETENCE** Only provide or offer those services that we are competent to perform by virtue of training and experience.
4. **PROFESSIONALISM** Promote public confidence through knowledge and skill and treat all people with equality, dignity and respect.
5. **COMPLIANCE** Abide by all applicable laws and regulations and never knowingly do business with those operating outside these laws.
6. **MARKETING** Promote and advertise our products and services in a clear and honest manner without misleading, confusing or deceiving the customer.
7. **ACCOUNTABILITY** Fulfill all contractual obligations promptly and completely, and resolve legitimate claims without delay.
8. **COMPETITION** Engage in fair and open competition by positively promoting our products, services and business methods without attacking those of our competitors.
9. **CONFIDENTIALITY** Treat all personal and financial information we receive in the strictest of confidence and use for the intended original purpose only.
10. **ENVIRONMENT** Remain committed to a healthy co-existence with our environment.