



The Australian Warbirds Association Ltd

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Australian Warbirds Association Limited (AWAL)

Code of Conduct and Ethics

(Ver. 1.2 27 January 2017)

1.0 Applicability

1.1 The AWAL Code of Conduct & Ethics (Code) is AWAL's principal governance Policy. The Code governs the conduct of AWAL and its Directors, Employees, Contractors, Members, and all other people whom may be representing AWAL in some capacity or another. This Code of Conduct is applicable to all AWAL Directors, Members, Contractors, and Employees (as defined in Terms).

1.2 To legally fly a LIMITED Category aircraft in Australia that is under the administration of AWAL, pilots must hold current membership as specified in Section 9.1 of the association's Constitution, and must remain in good standing with the association.

General Principles

2.0 Compliance with Laws and Ethical Standards

2.1 AWAL, its Directors, members and all other people when they directly or indirectly represent AWAL must comply with the laws governing both AWAL and LIMITED Category operations. They must also conduct their operations in keeping with the highest legal, moral and ethical standards.

Observing the Letter and Spirit of the Law

2.2 Compliance with the law means observing the letter and spirit of the law so that AWAL Members are recognised as "good citizens".



3.0 Performance of Duties by AWAL Directors and Employees

3.1 All Directors, Contractors, and Employees of AWAL must conduct the business of AWAL with the highest level of ethics and integrity.

3.2 Directors, Contractors, and Employees must at all times:

- a) Act ethically, honestly, responsibly and diligently. Directors', contractors', and employees' actions must at all times be honest, ethical, and in the best interests of AWAL and its members. They must not engage in conduct of the type which may discredit or otherwise harm the organisation.
- b) Ensure they do not make use of their position to gain or advantage themselves or another person or to cause detriment to the organisation. They must declare any conflict of interest and must not allow personal or associated interests to conflict with AWAL's interests.
- c) Maintain confidentiality. Information discussed and/or acquired by directors, contractors, and employees during the course of exercising their duties remains the property of the company. This includes all forms of written, oral, and electronic communication such as but not limited to meetings, phone calls, e-mails, and texts. No disclosure of such information in any form is permissible without authorization of the Board of Directors or unless an individual is required by law to disclose it.

4.0 Actions by AWAL Members with respect to LIMITED Category Aircraft Operations

4.1 All members of AWAL must ensure they do not take any action which may bring into disrepute, or generate any form of bad publicity for, the Australian warbird, historic and replica aircraft communities, the Australian Warbirds Association, or its members.

4.2 All members of AWAL who operate LIMITED Category Aircraft are to do so in accordance with the AWAL Constitution and Exposition and Self Administration Manual.

5.0 Operation of LIMITED Category Aircraft for Commercial Purposes

5.1 AWAL Members conducting Adventure Flight Operations in LIMITED Category aircraft must:



- a) Carry out these operations in accordance with the guidance promulgated by CASR Part 132, and any other legislation that may be relevant from time to time;
- b) Conduct their operations in such a way as to convey the best possible public image for the Australian Warbird Association community; and
- c) When flying the paying public, not participate in any unsafe flight profile, or indeed any flight profile that may be considered unsafe by potential onlookers (this specifically includes flight below 500 feet AGL over non-built up areas) for anything other than takeoff or landing.

5.2 Adventure Flight Operators are to be registered and current with AWAL before they can conduct such operations.

5.3 Adventure Flight Operations are subject to oversight and audit by AWAL to ensure compliance with this code and relevant aviation legislation in a similar fashion to the way CASA regulates AOC holders.

6.0 Resolution of Issues likely to attract adverse regulatory or public attention

6.1 Any member of the AWAL who in the course of their activities is placed in a situation that is likely to attract adverse regulatory or public attention is:

- a) To advise an AWAL Director as soon as possible;
- b) To refrain from stating - or implying - that they are representing AWAL or its public position on any matter, unless otherwise approved to do so by the AWAL Board of Directors
- c) To refrain from expressing views that may impact on warbird operations within Australia.

6.2 AWAL employees must not directly or indirectly engage in any activity which could by association cause AWAL public embarrassment or other damage.

Regulatory or Technical (i.e. Airworthiness) Consultation

6.3 When seeking guidance on regulatory, technical, or other LIMITED category matters, AWAL members **are** to engage AWAL in the first instance.

6.4 Despite the above, if an AWAL member finds themselves in consultation with CASA over a LIMITED category matter, they **are** to advise AWAL as soon as possible.



7.0 Breach of the Code

7.1 Any breach of applicable laws, prevailing business ethics or other aspects of this Code will result in disciplinary action. Such disciplinary action may include (depending on the severity of the breach) formal warning, censure/reprimand, or termination of AWAL membership (with resulting removal of permission to operate LIMITED category aircraft in Australia).

7.2 Similar disciplinary action may be taken against any director (or member for that matter) who directly approves and/or condones such a breach or has knowledge of the breach and does not immediately take appropriate remedial action.

7.3 Breach of applicable laws or regulations may also result in prosecution by appropriate authorities. AWAL will **not** pay, directly or indirectly, any penalties (or legal expenses associated with such penalties) imposed on an AWAL Employee, contractor, or director resulting from a breach of law or regulation.

8.0 Reporting Breaches of the Code

8.1 All AWAL Members must report immediately any circumstances which may involve deviation from this Code to the CEO or a Director.

9.0 Disciplinary Action

9.1 The administration of disciplinary action shall be at the discretion of and after due consideration by, the AWAL Board of Directors. In consideration of disciplinary action resulting from a breach, the Board may administer whatever form is deemed appropriate, to include:

- a) Counseling
- b) Formal Warning
- c) Censure
- d) Suspension
- e) Removal of approval to conduct Adventure Flight Operations; and
- f) Termination of AWAL Membership



9.2 Any AWAL member or director found guilty of a breach of AWAL's Code of Conduct with disciplinary action taken of censure, suspension, or termination of privileges will no longer be eligible to stand for election to AWAL's Board of Directors; or, in the case of a director, will be asked to immediately stand down from their position.

10.0 Compliance with the Code – AWAL Representatives

10.1 Any AWAL Member who deals with agents, contractors or consultants who represent AWAL must make them aware of this Code and that AWAL expects them to conduct their business in accordance with this Code.

11.0 Double Jeopardy

11.1 If the actions of any director, employee, contractor, or member are investigated by the AWAL Board of Directors for specific breaches of the Code of Conduct and they are subsequently cleared of any wrongdoing; the incident(s) and action(s) in question shall be deemed as resolved. Neither the sitting Board at the time nor any future Board may revisit the issue with the intent to prosecute the same individual for the same offenses. If this individual is accused of similar breaches in the future, however, these matters may be re-examined as supporting evidence towards the determination and application of appropriate disciplinary action, if any.

12.0 Statement of Compliance

12.1 All AWAL Directors will be required to sign a Statement of Compliance within 7 days of accepting a position on the AWAL board. The statement is to certify acceptance and compliance with the AWAL Code of Conduct and Ethics.

12.2 All AWAL Members will be subject to this Code of Conduct which will be made readily available for reference.



Definitions

AWAL: Australian Warbirds Association Limited

ESAM: Exposition and Self Administration Manual

Director: AWAL Member elected to serve on the AWAL Board of Directors and subject to regulation in accordance with Australian Legislation.

Employee: Person employed by the AWAL to perform duties on behalf of AWAL.

Contractor: Person paid to perform duties on behalf of the organisation and its members, but not directly employed by AWAL

Member: Any current member of AWAL, as defined by the association's Constitution