



TRUSTEE CORPORATIONS ASSOCIATION of NEW ZEALAND INC

CODE OF PRACTICE FOR PERSONAL CLIENT SERVICE ACTIVITIES

TCA 2008

1 PURPOSE

This code sets out the professional standards and responsibilities of Members of the Trustee Corporations Association (TCA) in respect of their Personal Client Service (PCS) activities.

The code is designed to provide members with guidance on minimum acceptance standards of professional conduct and outlines fundamental principles which members must adhere to. Members should comply with both the terms and the spirit of the Code of Practice.

2 FUNDAMENTAL PRINCIPLES

Members acknowledge that they occupy a privileged position as trustees / fiduciaries and that they must always act with integrity, due care, impartiality and in the best interests of clients.

In order to build and maintain effective relationships with clients the following fundamental principles are to be observed by all Members:

2.1 Client Service & Communication

Members will maintain a culture of quality client service by:

- maintaining their own client service standards which will be made available on client request.
- agreeing desired communication frequency with client.
- meeting agreed service delivery standards and timeframes.
- communicating with clients in a manner which is easily understood and relevant.
- personalising communication to reflect due respect, care and consideration for client circumstances.

2.2 Professional and Integrity

Members will:

- discharge their duties and responsibilities promptly, professionally and with integrity, having a proper regard for the interests of their clients;
- exercise their fiduciary duties prudently and competently;
- be competent, so that all professional work is completed carefully and on time;
- be straightforward, honest and sincere in their approach to their clients;
- act in a way that upholds the good reputation of the Trustee Profession.

2.3 Independence of Judgement

Members will:

- act objectively;
- be impartial and fair by eliminating prejudice, conflict of interest or undue influence of others;
- ensure independence by maintaining professionalism and integrity.
- have knowledge of all relevant information;
- base all decisions in the best interest of the client entity for whom they act;
- disclose any conflict of interest to all relevant parties.

2.4 Prudent Management

In conducting financial management and investment activities, Members will (subject to any provisions of the governing document):

- exercise the care, diligence and skill that a prudent person engaged in the business of managing assets on behalf of other people would exercise in managing the affairs of other persons;
- establish, agree and document an investment strategy and asset allocation for each client entity and review on a regular basis;
- determine the appropriate level and frequency of reporting to beneficiaries and make available relevant reports on request from a client;
- have regard to the purpose of the client entity, circumstances of the beneficiaries, term of the government document, desirability of asset diversification, investment risk and taxation implications.

2.5 Confidentiality

Members will:

- respect the confidentiality of information acquired in the course of their professional work and must not disclose such information without proper and specific authority or unless there is a legal or professional right or duty to disclose the information;
- be obliged in dealings with clients to observe and comply with the relevant statutes, case law and government documents;
- ensure the information held will only be used for the specific purpose for which it was sourced and authorised.

2.6 Record Keeping

Members will ensure that:

- recording of client information is accurate;
- client's records are updated promptly, following advice of change of circumstances and that a system of periodic review is maintained;
- keep and preserve appropriate records which will at least include such records as are appropriate for their functions, as required by any applicable law and as will enable the provision of information on a timely basis.

2.7 Technical Competence

Members will:

- have available suitable numbers of staff who are appropriately trained and competent to discharge their fiduciary duties effectively;
- ensure that the responsibilities and authority of each member of staff are clear and appropriate to his or her qualifications and experience and that staff receive the necessary training appropriate for their roles;
- commit to updating professional knowledge to keep abreast of industry developments and trends.

2.8 Fee Structure

Members will:

- maintain a clear fee structure;
- provide details of the Company's fee structure upon request;
- ensure that fees are fair and reasonable and reflect the value of the work undertaken;
- provide an explanation of specific client entity fee charges on client request.

3 CLIENT COMPLAINTS

Client satisfaction is a key focus of the Code of Practice as is maintaining the highest standard of professional service delivery.

In order to demonstrate commitment to this, all members will maintain their own procedures for handling client complaints. As part of this members will:

- ensure that complaints are properly handled and dealt with on a timely basis;
- maintain full records of the complaint, the members response and any actions taken;
- proactively try to resolve the complaint.

Complaints that remain unresolved after consideration by the member Company may be referred to the TCA Complaints Commission.

The Commission will consider complaints within its Terms of Reference and the Rules for Dealing with Complaints and will focus on breaches of this Code of Practice.