

Code of Ethics and Professional Responsibility

of

ACA International

The Association of Credit and Collection Professionals

as amended October 8, 2004



ACA

INTERNATIONAL

The Association of Credit
and Collection Professionals

RULE 1. CONDITIONS OF MEMBERSHIP

Upon becoming a Member of ACA International (“Association”) and as a condition of membership renewal, each Member of this Association agrees to the following rules composed of the Association Code of Operations, the Association Code of Ethics and Professional Responsibility and the Association Procedural Rules for the Ethics and Professional Responsibility Committee.

RULE 2. PROFESSIONAL MISCONDUCT

- 2.01 It shall be deemed professional misconduct for a member;
to knowingly violate the United States Fair Debt Collection Practices Act with reckless disregard for its provisions;
- 2.02 to knowingly violate any federal or state law pertaining to collection and credit industry practices and procedures, with reckless disregard for its provisions;
- 2.03 to have been convicted of any crime that directly relates to credit or collection industry practices or procedures;
- 2.04 to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation including misrepresentation for the purpose of obtaining a license, certificate, or business-related insurance;
- 2.05 to harass a person on the basis of race, sex, age, creed, religion, color, national origin, disability, sexual preference or marital status in connection with a Member’s professional business, Association activities or while acting in a representative capacity of Association;
- 2.06 to engage in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
- 2.07 to knowingly misrepresent an institution or organization with which the Member is affiliated or conversely, to knowingly represent that it is affiliated with an institution or organization when such an affiliation does in fact not exist. However, this provision does not preclude a Member from:
- 2.07(a) using their Association titles at any time, in any activity, directly related to Association, Association Enterprises, Inc., and/or Collectors Insurance Agency, Inc.
- 2.07(b) using their titles in connection with activities not related to Association, the Association’s for-profit arm or Collectors Insurance Agency, Inc., when such activities constitute a community service effort or a public relations effort likely to benefit the credit/collection industry.
- 2.07(c) using their Association titles or designations in any situation or manner that does not otherwise create the impression or otherwise tend to lead someone to believe that a product is endorsed by Association or was created by Association, its affiliates or subsidiaries;

- 2.07(d) developing, selling, or promoting competitive products, so long as the Member's Association title or designation is not used in connection with the development, sale, or promotion of such products.

RULE 3. ETHICAL CONDUCT AND PROFESSIONAL RESPONSIBILITY EXPECTATIONS OF MEMBERS

It shall be deemed to be the ethical and professional responsibility of each member:

- 3.01 to make reasonable efforts to ensure that the Member personally, as well as all of the Member's personnel, are familiar with the laws under which the collection business is conducted, the Association Code of Ethics and Professional Responsibility, the Procedural Rules for the Association Ethics Committee and the Association Code of Operations, and that they comply with these laws, rules and regulations to the best of their abilities;
- 3.02 to take adequate precautions to distinguish between his or her professional views and the views of Association, its subsidiaries and affiliates when communicating to third parties, including, but not limited to, the Member's employees, personnel, students, creditor-clients, nonmember collection agencies and political representatives;
- 3.03 not to communicate, share or distribute any information which the Member acquires in the course of performing his or her duties as an Association Member, officer, director, committee member or instructor which could have a detrimental impact upon the business or reputation of any other Member of Association, its affiliates or subsidiaries, nor shall any Member use any information described herein to promote his or her self-interest or business interest.

RULE 4. AMENDMENTS

The foregoing may be amended or altered in whole or in part by a majority vote of the Association Ethics and Professional Responsibility Committee. Any such amendments are then subject to final approval of the Association Executive Committee. Notification of approved changes shall be sent promptly to the Association Membership using the most appropriate communications medium(s).

This information is not intended as legal advice and may not be used as legal advice. It should not be used to replace the advice of your own legal counsel. Any information contained in this material is based on current research into the issues and on the specific facts involved herein.