



**The Information and Communications  
Association of Zambia**

# **CODE OF ETHICS**

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## **The Information and Communications Association of Zambia**

*Established by the Information and Communications Association  
of Zambia Act No. 7 of 2018*

### **CODE OF ETHICS**

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## INTERPRETATION

In this Code of Ethics, unless the context otherwise requires: -

**“Client”** means a person or organization using the services of a member in his or her own capacity or in a representative capacity as an employee

**“Employer”** means a person or organization by whom a member is engaged to provide ICT professional services in exchange for a wage.

**“ICT”** means information and communications technology

**“ICT Professional”** has the meaning assigned to it in the Constitution of ICTAZ

**“ICTAZ”** means the Information and Communications Technology Association of Zambia

**“Member”** has the meaning assigned to it in the Constitution of ICTAZ

**“The Act”** means the Information and Communications Technology Association of Zambia Act, No. 7 of 2018

**“The Code”** means the Code of Ethics of the Information and Communications Technology Association of Zambia.

**“The Committee”** means Professional Ethics and Compliance Committee

## PREAMBLE

We, ICT professionals and members of ICTAZ, do hereby acknowledge the fact that ICT greatly impacts the world and has the potential to improve the quality of human life owing to the fact that it cuts across every sector and area of life. It is incontrovertible, therefore, that we ought to maintain the highest standards of conduct, competence and performance. To act responsibly, it is imperative that we should reflect upon the wider bearings of our work and supporting the public good through the delivery of quality services.

This Code outlines broad principles of core values and behavioral standards that call for high ethical conduct by ICT professionals designed to enhance public confidence in the profession. Also, the Code is designed to inspire and guide the ethical conduct of all ICT professionals, including current and aspiring members, instructors, students, influencers, and anyone that uses ICT in an impactful way.

The Code is intended to benefit all ICTAZ members by ensuring that the ethical decision-making process is accountable and transparent to all stakeholders. This will foster trust of the members *inter se* and the general public at large.

In ensuring that it remains relevant and reflects the dynamics and pressures of the profession and ICTAZ as a whole, the Code will be subject to review from time to time.

The success of ICTAZ in achieving its mandate rests with its members. It is for that reason that the Code has been formulated having regard to the objectives of ICTAZ. Every person that is bound by this Code should have a greater understanding of what is expected of them; the importance of their role, the privileges and responsibilities that come with being an ICT professional or a person practicing ICT.

We, the members of ICTAZ and ICT professionals throughout Zambia, have a duty to observe the highest standards of conduct and integrity, and to uphold the good standing and reputation of the profession. We declare that this Code shall bind all members both present and future.

This Code shall be read with the Act, the Constitution of ICTAZ, the applicable Statutory Instruments and any other regulations as may be enacted from time to time.

## 1. OBJECTS OF THE CODE

The purpose of the Code is to: -

- 1.1 create an ICT professional body that has enduring and unvarying core values which ought to be upheld by all ICT professionals;
- 1.2 provide guidance on the standards of behavior required of ICT professionals in the execution of their duties, so as to instill confidence in the general public;
- 1.3 protect the public and the reputation of the members and ICT professionals as a whole;
- 1.4 create a performance framework that sets out acceptable and unacceptable actions in a variety of situations with the intention of upholding the profession's integrity and ensuring legal compliance;
- 1.5 ensure that the profession maintains its trustworthiness and reputation without any compromise;
- 1.6 generally, keep the profession organized, respectable and well managed by providing checks and balances;
- 1.7 align the purpose of each individual ICT professional with that of ICTAZ by prescribing the general principles and guidelines to be strictly adhered to;
- 1.8 inform new or aspiring professionals of the profession's acceptable canons such as client protection, no conflict of interest and other duties;
- 1.9 clarify the mission, values and principles of ICTAZ by linking them with acceptable standards of professional conduct as provided;
- 1.10 provide benchmarks against which individual and organizational performance can be measured;
- 1.11 generally, provide guidance to the members of the profession with the intention of adhering to set standards and principles;
- 1.12 establish clear expectations as regards the conduct of ICT professionals and members in interactions with one another, employees, employers, clients and the general public.

## 2. FUNDAMENTAL ETHICAL DUTIES AND PRINCIPLES

An ICT professional or member shall exercise the following duties:

### 2.1 Duty of integrity

- 2.1.1 An ICT professional or member shall be transparent and honest in all professional and business relationships. Integrity shall also imply fair dealing and truthfulness.
- 2.1.2 Any person who is associated with reports, communication or other information, knowing that the said information:
- a. discloses a materially false or misleading statement;
  - b. discloses statements which have been furnished recklessly;
  - c. omits or obscures information required to be included where such omission or obscurity would be misleading;
- shall face disciplinary action or possible prosecution.
- 2.1.3 A person will be deemed not to be in breach of paragraph 2.1.2 if he or she provides a modified report with the correct information, before a complaint is lodged in respect of a matter contained in 2.1.2 above.
- 2.1.4 A person shall put the obligations of the profession above his or her personal interests, and must conduct oneself in a manner that is beyond reproach.
- 2.1.5 An ICT professional's advice and work must be uncorrupted by self-interest and not be influenced by the interests of other parties.

### 2.2 Duty of impartiality

- 2.2.1 A person, in the execution of his or her professional duties, shall at all times refrain from undertaking a professional activity in an event where the circumstance or association, unduly influence his or her professional decision regarding that activity.
- 2.2.2 A person shall carry out his or her tasks in a manner that is impartial, unprejudiced and equitable reflecting the profession's commitment to consistently support the public good through the conveyance of quality services.



- 2.2.3 A person is proscribed from acting in a way that unreasonably favors or is prejudicial to particular individuals or interests, in the execution of his or her duties.
- 2.2.4 A person shall execute his or her duties in an upright, selfless and thoughtful manner at all times.
- 2.2.5 A person shall apply himself or herself to the best of their abilities in carrying out their professional duties and responsibilities for the public good.

### **2.3 Duty of professional competence and due care**

- 2.3.1 Persons under this Code are charged with the responsibility of acquiring and applying professional knowledge and skill for purposes of ensuring that clients or employers receive appropriate professional services.
- 2.3.2 A person shall exercise due diligence and care in accordance with professional and applicable standards and as promulgated by law and other relevant regulations governing the profession.
- 2.3.3 It is incumbent upon an ICT professional or member to ensure that all reasonable steps are undertaken so that those working in a professional capacity under his/her authority have the necessary training and supervision.
- 2.3.4 A person shall at all times, when dealing with clients or employers, disclose where appropriate, such limitations as may be inherent in the provision of their services or other professional activities in general.

### **2.4 Duty of confidentiality**

- 2.4.1 Except in circumstances where there is a legal or professional duty or right to disclose, a person shall not disclose confidential information acquired by virtue of his or her professional or business relations with others without prior authorization or consent.
- 2.4.2 A person shall not use confidential information obtained by virtue of his or her professional and business relations so as to advantage himself or herself or to advantage a third party.

- 2.4.3 A person shall maintain confidentiality of information that may be obtained from a client or employer even upon or after the dissolution of the professional or business relations.
- 2.4.4 A person shall be responsible for ensuring that the duty of confidentiality is exercised and respected by personnel under his or her control and other individuals in general, from whom advice and assistance are obtained.
- 2.4.5 Persons who have set up practice firms shall ensure that there is a properly defined and clear prescription in place for recognizing possible conflict of interest and confidentiality issues in general.
- 2.4.6 A person shall uphold his or her duty of confidentiality even in a social setting and shall be careful at all times to ensure that there is no inadvertent disclosure to third parties.
- 2.4.7 The duty of confidentiality shall not only extend to clients and employers but also to third parties from or about whom information has been received in confidence during the execution of his or her duties.
- 2.4.8 A person shall, however, not be proscribed from using the skills acquired while working with a former employer in the execution of his or her duties in their new place of work.
- 2.5 **Duty to exhibit professional behavior**
- 2.5.1 A person shall exercise courtesy towards clients, workmates, employers, employees and other persons with whom they may come into contact during the execution of their duties.
- 2.5.2 It is mandatory for every person to comply with relevant laws and regulations and to avoid at all costs any action that may bring the profession into disrepute
- 2.5.3 Persons shall be at liberty to promote and market themselves and their work but shall not bring the profession into disrepute while doing so.
- 2.5.4 A person shall, in the execution of his or her duties, exercise honesty and truthfulness at all times so as not to deceive persons that he or she may come into contact with for professional reasons.

2.5.5 A person shall not make exaggerated claims for the services they are able to offer, the qualifications they possess, or experience they have gained.

2.5.6 A person shall not make reproachful references or uncorroborated assessments or comparisons to the work of others with intent to ridicule or harm the reputation of the other person.

## 2.6 **Duty of accountability**

2.6.1 A person shall safeguard and ensure proper, effective and efficient use of funds and other resources that he or she may have in their possession or come across in their professional line of duty.

2.6.2 A person shall discharge their duties in a transparent and competent manner; and shall be accountable to ICTAZ and to his or her employer (if any) in the discharge of the said duties.

2.6.3 A person is proscribed from misappropriating funds or acting in a way which lacks transparency and is likely to cause distrust in his or her professional dealings.

## 2.7 **Duty to report**

Every person that is bound by this Code is obliged to report any infringements of this Code that he becomes aware of, by writing to the Secretariat of ICTAZ or to the Chairperson of the Committee directly.

## 2.8 **Duty to cooperate**

2.8.1 Persons bound by this Code shall assist and cooperate truthfully, fully and in good faith with the Committee at all times, regardless of whether they are involved in a particular matter as a party, as a witness or in any other role.

2.8.2 A person shall comply by *inter alia* clarifying facts; providing both oral or written testimony; submitting of documents, information or other relevant material; and disclosing details regarding income and finances, if the Committee deems it to be necessary.

2.8.3 Persons who are accordingly obligated to cooperate under this clause, shall treat the information provided and their involvement strictly confidentially, unless otherwise instructed by the Committee.

- 2.8.4 Persons bound by this Code shall not take any action actually or apparently intended to obstruct, evade, prevent or otherwise interfere with any actual or potential proceedings of the Committee.
- 2.8.5 Persons bound by this Code shall not conceal any material facts or provide misleading information; make false representation; or submit incomplete information in a bid to deceive the Committee.
- 2.8.6 A person shall not threaten, intimidate or harass any person that is willing or has indicated willingness to provide assistance to the Committee during the investigations or proceedings.

### **3. PROFESSIONAL RESPONSIBILITIES**

#### **3.1 Receiving and offering gifts and other benefits**

- 3.1.1 A person bound by this Code shall not receive gifts from persons within or outside ICTAZ, or from intermediaries where such gifts or benefits;
- i. are offered as a way of influencing a decision of a person bound by this Code to execute or omit an act that is related to their official duties or falls within their discretion; or
  - ii. are offered or received in violation of the duties of a person bound by this Code; or
  - iii. create an undue pecuniary advantage or any other advantage; or
  - iv. create a conflict of interest; and
  - v. are generally corruptible in nature.
- 3.1.2 If a person is in doubt about the motive, it shall be safer to refuse the gift or benefit in whatever form or state it may be presented.
- 3.1.3 A person shall not receive, promise, solicit or request gifts or benefits from persons within or outside ICTAZ for reasons set out in clause 3.1.1 above.
- 3.1.4 Where the refusal of the gift or benefit amounts to an offence on the grounds of cultural norms, a person may accept the gift or benefit but thereafter proceed to declare it either to the employer or ICTAZ, as the case may require.

#### **3.2 Discrimination and defamation**

- 3.2.1 A person bound by this Code shall not offend other persons through the use of contemptuous, discriminatory or derogatory words or actions on account of

race, skin color, ethnicity, nationality, social origin, gender, disability, language, religion, political opinion or any other opinion or status.

- 3.2.2 Persons bound by this Code are proscribed from issuing any public statements of a defamatory nature towards ICTAZ and/or towards any other persons bound by this Code or in the ICT profession.

### **3.3 Protection of physical and mental integrity**

- 3.3.1 ICT professionals and members shall safeguard, respect and defend the integrity and personal dignity of others.
- 3.3.2 A person shall not use offensive motions and language in order to insult someone or behave in a manner that incites others to hatred or violence.
- 3.3.3 Persons bound by this Code shall desist from all forms of physical or mental abuse, all forms of harassment, and all other hostile acts intended to isolate, marginalize or harm the dignity of others.
- 3.3.4 Coercion, intimidation, threats, the promise of advantages and all forms of sexual abuse, provocation, harassment and exploitation are strictly prohibited.

### **3.4 Forgery and falsification**

- 3.4.1 A person is prohibited from forging a document, falsifying a validated document or using a forged or falsified document.
- 3.4.2 Institution of disciplinary action by the Committee will not stop criminal proceedings from being commenced against the erring person.

### **3.5 Abuse of office**

Persons bound by this Code, shall not abuse their offices whether in places of work, in the management of ICTAZ or any other professional role by taking advantage of their positions for aim or gain.

### **3.6 Bribery and corruption**

- 3.6.1 Persons bound by this Code shall not receive, offer, accept, promise, request or solicit for any personal or undue pecuniary advantage in order to retain business or any other improper advantage to or from anyone within or outside ICTAZ.

- 3.6.2 A person shall not engage in activities of this sort irrespective of whether they are carried out directly or indirectly through or in conjunction with, third parties.
- 3.6.3 A person shall not use his or her office for the execution or omission of an act for purposes of retaining business or any other improper advantage by receiving, offering, accepting, promising, requesting or soliciting for any personal or undue pecuniary advantage.
- 3.6.4 A person shall refrain from any activity or behavior that might give rise to the breach of this clause.

#### **4. FINANCIAL MISCONDUCT BY OFFICE HOLDERS OF ICTAZ, COMMITTEES, BODIES AND BRANCHES**

- 4.1 An officer, committee or body to whom power or duty is given, commits an act of financial misconduct if that person willfully or negligently makes or permits an unauthorized, irregular or wasteful expenditure or misappropriation of funds or by an act or omission, causes the theft of ICTAZ funds or property.
- 4.2 A member of a body or the body itself shall be individually and severally liable for any financial misconduct of the controlling body.
- 4.3 Where an officer or body has been accused of committing an act of financial misconduct but, the evidence is insufficient, the Chairperson of the Committee may;
- a) require that the said officer, committee or body make additional reporting to the Committee on management and control of monies under that controlling officer's committee or controlling body's charge;
  - b) require a controlling officer or controlling body to avail a financial management improvement plan to ICTAZ for approval; and
  - c) impose restrictions over certain categories of expenditure.
- 4.4 Where a controlling officer or a member of a committee or body is found guilty of financial misconduct, the Committee may remove the person from office of the body or committee and recommend to ICTAZ any of the following;
- a) suspension;
  - b) dismissal; and
  - c) prosecution.

- 4.5 ICTAZ shall where an officer, committee or body fails to perform any financial duties assigned under the Act, the Constitution or other relevant provisions of the law and such failure results in loss of ICTAZ assets or monies-
- a) impose on that officer or any other office holder a surcharge equivalent to the loss, wasteful expenditure incurred by ICTAZ; and
  - b) recommend to the Committee the disciplinary action to be taken against the defaulting officer which include-
    - i. an appropriate surcharge;
    - ii. revocation of the appointment of the officer; or
    - iii. such other disciplinary action as may be decided by ICTAZ.
- 4.6 An office holder is financially liable to ICTAZ who, through any act of willful default or gross neglect of duty-
- a) whenever it is that office holder's duty to collect any monies due and owing to ICTAZ, fails to collect the same and by reason of such failure the monies cannot be collected;
  - b) makes, causes or permits any improper payment of monies, or any payment of monies which is not duly authorized or for which no funds have been provided;
  - c) causes or permits a loss or deficiency in respect of any monies under that office holder's control and for which that office holder is bound to account;
  - d) causes or permits any damage to, or destruction or loss to property in circumstances which give rise to liability of ICTAZ to third persons in respect of that injury or damage;
  - e) causes or permits damage to or loss of any ICTAZ building, or any fixtures, fitting or furniture therein; or
  - f) makes negligent decisions which result in loss of monies or property belonging to ICTAZ.
- 4.7 An office holder referred to in clause 3.7.6 is liable to ICTAZ in an amount that may be determined by the Committee and if the office holder fails to make the payment, the liability so determined may be recovered against him or her in a legal suit.
- 4.8 Where it is established that a loss has been suffered by ICTAZ because of any act or willful default or gross neglect of duty of any office holder, under clause 3.7.6,

the Committee may assess as attributable to that act, an amount, being not greater than the actual loss suffered, and shall forward to the office holder, a notice in writing, of the assessment of claim of the amount thereof.

4.9 An office holder may within twenty-one days after receipt by the office holder from the Committee of a notice of assessment of claim under clause 3.7.8, make representations to the Committee, in writing, with respect to-

- a) the office holder's liability under clause 3.7.6; or
- b) the amount assessed under 3.7.7 attributable to the office holder's act of willful default or gross neglect of duty.

4.10 The Committee shall give due consideration to any representation so made by the office holder.

4.11 The Committee may determine the amount of the liability of the officer and the amount assessed under clause 3.7.7, or, if the Committee considers just, at a lesser amount, and shall make demand in writing upon the office holder for payment of the amount so determined where-

- a) after the expiration of twenty-one days from the date upon which notice of assessment of claim was forwarded to the office holder, in accordance with clause 3.7.8, the Committee receives no representation from the office holder in accordance with clause 3.7.9; or
- b) after giving due consideration to any representation made by the office holder, the Committee is of the opinion that the office holder should be held liable to ICTAZ as stated in the notice of assessment of claim.

4.12 Where, after giving due consideration to the representations made by the office holder, the Committee establishes that the office holder did not commit any act of willful default or gross neglect of duty in respect of the matters grounding the assessment of claim made, the Committee shall cancel the assessment of claim and notify the office holder, in writing, of the cancellation.

4.13 Subject to clause 3.7.6, upon receipt of the demand for payment referred to in clause 3.7.11, the office holder may, in writing-

- a) admit liability in the sum stated in the demand for payment for the recovery of the admitted or agreed sum to be paid in accordance with a payment plan that may be agreed upon; or



- b) deny liability in the sum stated in the demand for payment.
- 4.14 Where, after the expiration of ten days after receipt of demand for payment from the Committee, the office holder has failed to admit liability or failed to pay the sum on the agreed terms and conditions, ICTAZ may institute proceedings for the recovery of the amount so demanded.

## **5. PROFESSIONAL LEADERSHIP PRINCIPLES**

Every member or ICT professional shall: -

- 5.1 hold paramount the safety, health and welfare of the general public in the performance of his/her professional duties.
- 5.2 perform services only in the areas of his/her professional competence.
- 5.3 issue public statements only when authorized by ICTAZ in an objective and truthful manner.
- 5.4 act in professional matters for each employer or client as a faithful agent or trustee, and shall avoid conflict of interest.
- 5.5 build his/her professional reputation on the merits of his/her services and shall not compete unfairly with other ICT professionals.
- 5.6 associate professionally only with reputable persons or organizations.
- 5.7 continue his/her professional development throughout his/her career and shall provide opportunities for the professional development of those ICT professional placed under his supervision.

## **6. INVESTIGATION PROCEEDINGS**

### **6.1 Preliminary proceedings**

- 6.1.1 Any person may file a complaint regarding actual or potential breaches of this Code with the secretariat of ICTAZ. Complaints must be submitted in writing together with all the available evidence.
- 6.1.2 The secretariat thereafter shall inform the chairperson of the Committee of the complaints and act upon his or her instructions.

6.1.3 It is not mandatory that proceedings shall always be conducted after every complaint lodged but it shall be at the discretion of the Secretariat depending on the material facts of each case.

6.1.4 The disciplinary proceedings undertaken by the Committee shall not affect the right to institute criminal procedure.

## **7. ENFORCEMENT OF THE CODE**

### **7.1 Persons bound by this Code**

This Code binds all members of ICTAZ executing their professional duties, all ICT professionals, all persons practicing ICT, whether they are registered as members or not.

### **7.2 Breach of the Code**

A breach of the Code may lead to the application of appropriate disciplinary action in accordance with the provisions of this Code, the Act, relevant statutory instruments, the Constitution and other regulations.

### **7.3 Penalties for breach of the Code and all applicable instruments.**

A person who is found wanting by the Committee after a disciplinary hearing shall have one or more of, but not limited to, the following penalties imposed depending on the gravity of each case: -

- b. order the cancellation of the ICT professional or member's practicing certificate, and certificate of registration respectively;
- c. censure the ICT professional or member;
- d. caution the ICT professional member;
- e. impose a fine to ICTAZ
- f. order the ICT professional or member to pay to ICTAZ or any other party to the hearing any costs of or incidental to the proceedings;
- g. order the ICT professional or member to pay any party to the hearing or other person, as restitution, the amount of loss caused by that person's negligence; or

- h. impose any reasonable conditions for the suspension of the ICT professional's membership, certificate of registration or practicing certificate.

#### **7.4 Implementation of the Code**

7.4.1 The Executive Council shall be responsible for overall implementation and ensuring compliance with the provisions of the Code.

7.4.2 The Code will be enforced by the Committee in collaboration with all the committees and bodies of ICTAZ.

#### **7.5 Custody of the Code**

The Secretariat of ICTAZ shall be the custodian of the Code and responsible for its interpretation and coordination of its implementation.

### **8. OPERATIONALISATION OF THE CODE**

#### **8.1 Notification**

Every member shall receive a copy of the Code issued by the Council. Receipt of the Code must be documented by having the member or ICT professional sign the Code of Ethics Acknowledgment Form in the first schedule in duplicate.

#### **8.2 Sensitization**

The Executive Council in collaboration with other committee and bodies of ICTAZ shall conduct sensitization programs with regard to the Code.

### **9. ADOPTION OF THE CODE**

The Code shall be adopted at a general meeting of ICTAZ by a vote of at least two thirds of the members voting.

### **10. AMENDMENT OF THE CODE**

10.1 The Code shall be amended at a general meeting of ICTAZ by a special resolution passed by the members present and eligible to vote.

10.2 Proposed amendments may be sent to the National Secretary at least seven (7) days before the date scheduled for the said meeting.

**1<sup>st</sup> Schedule**  
**ACKNOWLEDGMENT FORM**

I, (insert names) \_\_\_\_\_ have acknowledged receipt, read, understood and do hereby undertake to adhere to the provisions of the Code of Ethics of the Information and Communications Association of Zambia (ICTAZ).

In the event of any breach of the of the provisions of the Code on my part, I undertake to avail myself to the due process of the applicable disciplinary proceedings.

Further, should I become aware of any violations of the Code, I undertake to report the same to the relevant authorities.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

I certify that the above named person has been provided with a copy of the Code of Ethics for the Association and a copy of this form on the date indicated above.

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Date: \_\_\_\_\_

**2<sup>nd</sup> Schedule**  
**ADOPTION OF THE CODE OF ETHICS**

This Code of Ethics was approved and adopted by ICTAZ at the general meeting held at ..... on the ..... day of ..... 2020 in accordance with the provisions of the Act.

\_\_\_\_\_  
President

\_\_\_\_\_  
National Secretary

DRAFT