

The Institute's Bye-laws, which have been drawn up by members for members, cover the recognised standards of practice applicable to member companies and their staff, all of whom are associate members.

membership bye-laws



Upholding standards

It is essential that there is complete observance of the Bye-laws since the agency will be held responsible for any breach by members of its staff. This applies to any advertising, media or marketing communications agency or subsidiary company in the UK with which the member agency is associated.

It is therefore necessary for agencies to ensure that all their staff, in the parent and associated companies, co-operate in observing the Bye-laws. All personal members have a duty both to their agency and to the Institute to see that there is no possibility of a Bye-law breach. Possible contravention should be immediately reported in writing to the Institute. The complaint will then be investigated and appropriate action taken.

Bye-law 1

Members shall conduct their business in accordance with the requirements of the Institute's Memorandum and Articles of Association, which are provided to all member agencies, are available on the website and can be obtained on request from the IPA. In particular members' attention are drawn to the following requirements of the Articles:

- All new members from June 2002 must commit to achieving the IPA Continuous Professional Development (CPD) accreditation within two years of joining;

- Agencies must give notice of termination of membership in writing to the IPA prior to 1st November in any year, failing which membership subscriptions will fall due for the following year in full.

Bye-law 2

All members must also comply with all relevant legislation and the self-regulatory regime sponsored and supported by the IPA, in particular the British Code of Advertising Practice, Sales Promotion and Direct Marketing (CAP Code) and the BCAP Codes of television and radio advertising standards, as well as all other codes or standards of practice from time to time in force and enforcement bodies such as, but not limited to, the ASA and ASA (B).

Bye-law 3

Members shall conduct themselves in their business at all times in a manner that will uphold the reputation and standing of the Institute and its members and the industry.

Bye-law 4

Members shall not disparage the Institute, fellow members or their work.

Bye-law 5

Members shall also undertake to adopt and comply with the EACA (European Association of Communication Agencies) Code of Ethics, copies of which are available on the IPA website and can also be obtained on request from the IPA.

Notes on Bye-laws

It is in the public interest that there should be a high professional standard of behaviour. It is, therefore, the duty of all members to employ their skills and to conduct their business in a socially responsible manner, and to avoid any action that might discredit the Institute or the agency business in general. Members must not, expressly or by implication, disparage other IPA members or suggest a lack of professionalism in their work.

Member companies when pitching for an account or otherwise introducing themselves to a prospective client must take particular care. Creative work is often subject to critical press review by creatives or executives from other agencies. Critical review can sometimes be unfavourable but may stand as a matter of fair comment or opinion. Review comments may also be unfair or disparaging. Such comments, if IPA members are involved, could be the subject of a complaint under the Bye-laws.

In press statements about client appointments, agencies sometimes name other agencies that competed for the account. This naming can sometimes be incorrect as a result of misunderstandings. Member companies should not, in announcing new accounts, issue press releases or make statements naming other competing agencies. The Bye-law does not, of course, stop members from announcing their own success in obtaining new business.

Member companies sometimes complain that other IPA members, suggesting that the account is being moved, when this is not the case, have approached their clients. Member companies are strongly advised to avoid reference to another agency's relationship with a prospective client.

If the Bye-laws are breached

If a complaint is received in writing suggesting there has been a breach of the Bye-laws, the Director General, or other senior member of the IPA Secretariat, will write to the agency complained of, notifying it of the complaint and asking for an explanation. When this is received the complaining agency is invited to comment on it. The case is then considered by the Membership Committee, which decides whether or not there has been a breach of the Bye-laws and, if so, what action (if any) is required.

The parties to the dispute are then informed of the Committee's decision.

If there has been a breach of the Bye-laws the offending agency will be asked to apologise and to take any necessary corrective action. A brief summary of the case is then entered in the Institute's record of breaches.

Most alleged breaches of the Bye-laws are dealt with in this way, but if necessary, the Council of the Institute is empowered by the Articles of

Association to take any necessary action which in serious cases may culminate in a termination of membership.

The Membership Services Manager should be contacted in the first instance if a breach of the Bye-laws is suspected. Any queries on interpretation of the Bye-laws should be addressed to the Membership Director of the Institute.