

# GSNZ Code of Ethics

## **1. General Principles**

1.1: The practice of the geosciences requires professional morality, responsibility, and knowledge on the part of the practitioner.

1.2: Every member of the Society shall be guided by the highest standards of ethics, personal honour, and professional conduct; and shall not claim to be competent in fields in which his or her experience or training is inadequate.

## **2. Relation of Members to the Public**

2.1: A member's responsibility to the public shall be paramount, and he or she shall avoid and discourage sensational, exaggerated and unwarranted statements.

2.2: A member shall not knowingly permit the publication of his or her reports, maps, or other documents, for any unsound or illegitimate undertaking.

2.3: A member having or expecting to have beneficial interest in a property, company, licence or patent on which he or she reports must state in his or her report the existence of such.

2.4: A member shall not give a professional opinion, write papers or reports, or give legal testimony, without being as thoroughly informed as might reasonably be expected, considering the purpose for which the opinion, paper, report or testimony is desired; and the degree of completeness of information upon which it is based should be made clear.

2.5: A member shall, in the course of his or her field or laboratory work, take reasonable steps to safeguard the health and safety of people.

2.6: A member shall not issue a false statement or false information even though directed to do so by employer or client.

2.7: A member shall have regard to the effect of his or her activities on the natural environment, communities and cultures.

## **3. Relation of Members to Employer or Client**

3.1: A member shall protect, to the fullest extent possible, the interest of his or her employer or client so far as is consistent with the public welfare and his or her professional obligations and ethics.

3.2: A member who finds that his or her obligations to his or her employer or client conflict with his or her professional obligations or ethics shall endeavour to have such objectionable conditions corrected.

3.3: A member shall offer to disclose to his or her prospective employer or client the existence of any mineral or other interest which he or she holds, either directly or indirectly, having a pertinent bearing on such employment.

## GSNZ Code of Ethics

3.4: A member shall not use, directly or indirectly, any employer's or client's confidential information in any way that is competitive, adverse or detrimental to the interest of employer or client.

3.5: A member retained by one client shall not accept, without that client's written consent, an engagement by another if the interests of the two are in any manner conflicting.

3.6: A member who has made an investigation for any employer or client shall not seek to profit economically from the information gained, unless written permission to do so is granted, or until it is clear that there can no longer be conflict of interest with the original employer or client.

3.7: A member shall not divulge information given him or her in confidence.

3.8: A member shall engage, or advise his or her employer or client to engage, and co-operate with, other experts and specialists whenever the employer's or client's interests would be best served by such service.

3.9: A member shall not accept a concealed fee for referring a client or employer to a specialist or for recommending geological services other than his or her own.

### **4. Relation of Members to Other Scientists**

4.1: A member shall not falsely or maliciously attempt to injure the reputation or activities of another scientist.

4.2: A member shall freely give credit for work done by others to whom the credit is due and shall refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due to another scientist.

4.3: A member shall endeavour to co-operate with others in the profession and encourage the ethical dissemination of scientific knowledge.

4.4: A member having knowledge of unethical practices of another scientist shall avoid association with that scientist in professional work.

### **5. Collection, Storage and Use of Fossils in Aotearoa**

5.1 Permission to collect. A member shall conduct field collection with all necessary permissions and permits, and abide by all relevant local, national and international laws and ordinances, rules, and regulations. In particular, this means that a member shall not collect fossils from Scientific or Nature Reserves, National Parks or other protected, or privately-owned, areas without first obtaining the necessary permits or access permission.

5.2 Ownership and custodianship. Legal ownership and community custodianship are two separate but important considerations.

## GSNZ Code of Ethics

5.2a. Legal ownership. A member shall always endeavour to understand the legal ownership of fossils at a particular location before planning to collect fossils from that location. In New Zealand, fossils belong to the owner of the land they occur on. If this is private land, then legal ownership is with the private landowner, and permission for collecting should be sought from that owner. If this is regional council land, district council land, or Crown land, then the fossils belong to the relevant council or to the Crown. Collecting fossils from certain places, such as, but not limited to, Nature Reserves, National Parks or other protected areas should follow the relevant regulations and legislation pertaining to those areas, as governed by the appropriate authority. Note that permission to collect and hold fossils may not be required for some regions of Crown land.

5.2b. Community custodianship. A member shall always endeavour to understand the intrinsic value that a community places on fossils at a particular location before planning to collect fossils from that location. Community custodianship includes, but is not limited to, custodianship by members of local hapū, iwi or other tangata whenua who are recognised as mana whenua (having territorial authority) or kaitiaki (guardians) for a particular location. Fossil collection can potentially have a substantial impact on the local environment, i.e., result in the removal of a locally treasured specimen and/or leave evidence of extraction. Fossil collection must ideally be done only after consultation with community groups that claim custodianship of fossils at a particular location. Note that permission granted by a community group to collect fossils from a particular location does not negate the need to gain permissions from the legal landowners, if they are different.

### 5.3. Significant fossils

Members seeking to collect and store fossils with elevated significance will need to take additional considerations as described in §5.4, §5.5 and §5.7. Significance is a subjective measure of cultural, historical and scientific importance. The significance of a fossil:

- Can vary depending on its age, rarity, state of preservation, public perception and current or potential informative value;
- Might only be revealed after the fossil has been collected, prepared and studied;
- Can change over time with new discoveries and other insights.

Members should consider the significance of a fossil to be a summation of intrinsic qualities that each contribute to the importance of that fossil. §5.3a is a non-exhaustive set of qualities that can each elevate the significance of a fossil. Members should be aware of these qualities and are encouraged to engage in discussions about significance as it relates to collecting and storing fossils (members may wish to contact a museum, university or government agency to seek advice). The significance of a fossil is ultimately determined by the broader community.

#### 5.3a Selected significance qualities

*Preservation:* Fossils with better than average preservation for the taxon have greater potential to provide new information.

## GSNZ Code of Ethics

*Rarity and scarcity:* Fossils that are locally-rare may provide new regional records for a taxon or may indicate a scarce resource with greatly restricted opportunities for repeated sampling.

*Source horizon:* Fossils from particular geological ages or inferred paleoenvironments may provide greater insights into the evolutionary history, paleobiology or paleobiogeography of a taxon.

*Symbolism:* Fossils known to the community can have cultural or historical importance.

Members should note that qualities beyond those listed here may also contribute to elevating the significance of a fossil.

Some fossils have far more significance if left in-situ in the rock rather than being collected (e.g., trace fossil assemblages, fossil trees in growth position), especially if they are not threatened by rapid erosion.

5.4. Consultation with iwi. In accordance with the principles of the Treaty of Waitangi | Te Tiriti o Waitangi, there is an expectation that local iwi/hapū are appropriately engaged in the protection and decision-making regarding taonga located in their rohe (territory). Such taonga may include fossils, and the relationships different iwi/hapū have to these taonga will be variable. Relevant iwi/hapū (e.g., mana whenua) must be consulted prior to collection of fossils that are reasonably judged to be of local interest. The wishes of iwi/hapū regarding collection, storage and use of these fossils should, as far as possible, be adhered to. Documentation of the consultation is useful metadata to accompany specimens collected.

5.5. Repository and care of fossils. A member shall lodge all scientifically significant fossils, along with ancillary data, in a recognised and publicly accessible repository charged with conserving fossils in perpetuity for scientific study and education, or with an iwi authority where relevant. All fossils mentioned in a publication will be deposited in such a repository and registered with unique identifier catalogue numbers, as per the standard curatorial practices of said repository (named in the text). Members retaining common fossils in private collections are encouraged to research the appropriate storage requirements for fossil material, as many fossils require specific conditions for safe long-term storage. Advice may be sought from local museums and other collection repository entities.

5.6. Documentation. A member shall record all fossil collections in the New Zealand Fossil Record File<sup>a</sup> administered by GNS Science/Te Pū Ao and the Geoscience Society of New Zealand. Fossil record numbers shall be cited in all research publications and theses.

5.7. Sale. A member shall not barter, sell, or purchase significant fossils collected in New Zealand, except where it brings these fossils into, or keeps them within, a public institution charged with keeping fossils in perpetuity. Purchasing significant fossils for private collections deprives both the public and professionals of important specimens, which are part of our natural heritage.

## GSNZ Code of Ethics

5.8. Export. Members are reminded that under the Protected Objects Act 1975 (amended 2006), "... A person may not export, or attempt to export, a protected New Zealand object from New Zealand..." except under very limited circumstances<sup>b</sup>. This includes lending fossils to colleagues and institutions outside of New Zealand. Schedule 4, Clause 5 of this Act includes natural science objects<sup>c</sup> and categorises these objects as:

"...(a) a category of type specimen as defined by the current edition of the International Code of Botanical Nomenclature, the International Code of Zoological Nomenclature, or the International Code of Nomenclature of Bacteria: Bacteriological Code.

(b) a specimen considered to be scientifically important for defining a taxon through having been illustrated in the original description, or new material subsequently illustrated (that is, hypotypes) and used to expand or refine this description in the scientific literature.

(c) a specimen of an extant or extinct plant or rock or mineral, animal, or other organism or fossil or part thereof including any developmental stage, shell, or skeletal or supporting element, of which there is not a sufficient selection in New Zealand public collections to define the variation, range, and environmental context of the taxon or object..."

Fossils that fall into any category of Protected Object under this Act, including any of the three categories stated above, cannot be taken or sent out of New Zealand without an export permit, issued by the Ministry for Culture and Heritage. Applications for export can be made online on the Manatū Taonga Ministry for Culture and Heritage website.<sup>d</sup>

<sup>a</sup> New Zealand Fossil Record File. <https://fred.org.nz/>

<sup>b</sup> Protected Objects Act 1975.

<https://www.legislation.govt.nz/act/public/1975/0041/latest/DLM432249.html>

<sup>c</sup> Protected Objects Act 1975. Schedule 4 Categories of protected New Zealand objects.

<https://www.legislation.govt.nz/act/public/1975/0041/latest/DLM432617.html>

<sup>d</sup> Manatū Taonga Ministry for Culture and Heritage. <https://mch.govt.nz/nz-identity-heritage/protected-objects/exporting>