

## **BL009.00 By-Law: THE CONFIDENTIAL LIST**

**BL009.01. INTRODUCTION.** *At the Annual General Meeting of the Association held on 24 June, 2008, the Motion to establish a “Confidential List” was adopted. The Board of Directors was authorized to approve and implement procedures to manage and administer the List.*

**BL009.02.THE OBJECTIVE** *is to provide members with a degree of protection from the use of fraudulent trading and illegal actions that are used by buyers and sellers of philatelic material . This will be achieved by issuing notices alerting members of such behavior, and where possible and legal, taking steps to stop or avoid these actions and/or offering advice.*

**BL009.03. REQUIREMENTS:** *The Board of Directors will nominate a member of the Association to be THE CONFIDENTIAL LIST OFFICER (CLO)*

*The Association will maintain a Confidential List of Names of offenders and hold essential information supporting each entry in the List. The Association will display the Confidential List Reporting Procedures, the List of Codes allocated to types of fraudulent trading and illegal actions and the List of Names in the Members Area of the IPDA Web Site. Notices about the Confidential List will be placed in the Monthly Newsletter from time to time. It is recommended that Members should download and retain the Reporting Procedure and the List of Codes for their use and reference.*

***Members are reminded that the information in the List of Names of offenders is highly confidential and should not be released to any non-member under any circumstance.***

### **BL009.04. MEMBER’S REPORTING & PROCESSING PROCEDURES:**

1. Members who experience a case of fraudulent trading and/or illegal practice and who wish to alert other members to take care when dealing with the persons or companies involved should submit a Report/Complaint without delay to the Confidential List Officer (CLO). The quicker that reports are received by the CLO the sooner effective action can be taken and members alerted.
2. Members are required to provide as much information and documentation as possible in support of their Report/Complaint. For example, copies of orders, invoices and e-mails with dates, facts and figures, etc. are important. **NB. If a Report is not adequately supported with information about the alleged conduct, it will be difficult for the CLO and/or the Board of Directors to justify adding the offender’s name to the List. Reports/Complaints which are based only on rumour or hearsay cannot be processed.**
3. On receipt of a Report the CLO will allocate a case number and acknowledge its receipt. The Report is then assessed as to whether additional evidence to support the Report/Complaint (based on the nature of the offence – see List of Codes) is needed and if necessary request the member to supply more evidence.
4. The CLO will then submit Reports to the Board of Directors for a resolution. Subject to Clause 2 being satisfied, Reports involving Codes C; D; G; G1; G2; G3;

G4; H; K; K1; P; R;R3; R4 & S; may be dealt with by the CLO without reference to the Board of Directors.

5. The Directors may suggest additional action is needed, for example, other persons/businesses should be alerted in addition to members, but this will only be done where those other persons/businesses are directly involved in the reported incident.

#### **BL009.05. LISTING & SEARCH PROCEDURES**

1. When the decision to add an offenders name to the List has been agreed and/or other

action is recommended, a confidential e-mail will be sent to the reporting member advising him of the decision reached.

2. An Alert will be sent to members each time a new Name is added to the Confidential List of Names.

The Confidential Alert and List of Names will provide the following particulars, if available -

*“CONFIDENTIAL LIST CASE No xxx of 20xx...*

*Mr. A.B.C, 100001 name of road/ street/avenue; or P O Box number;*

*City/ Town, State; Country; Postcode; e-mail address; web site URL; telephone number;*

*and Code number(s), for example - I, K, K2.”*

**NB. Members should refer to the Lost of Codes to learn the nature of the Alert sent to them. A combined List of all Names will be maintained by the CLO and will be**

**accessible in the Members Area of the Web Site or from the Membership Secretary.**

#### **BL009.06. LEGAL ACTION/ASSISTANCE.**

1. The Association will not undertake any legal or police action or approach a Postal Authority on behalf of a member. The Association believes this kind of action can only

legally be undertaken by the reporting member or a lawyer acting on his/her behalf.

2. The Association will offer recommendation or advice concerning any action it

believes is warranted in connection with a reported case. Where this action involves action outside the scope of these procedures the Association does not accept responsibility for that action. In these circumstances, Members are advised to obtain legal assistance when they believe such recommendations or advice is best dealt with by a lawyer or they are unable to undertake them.

### **BL009.07: THE LIST of CODES**

#### **List of Codes used to identify different forms of unethical or illegal trading activities.**

A1 Customer kept entire sending without advice or payment.

A2 Customer returned approvals short

A3 Customer returned approvals late.

A4 Customer changed stamps for inferior ones and/or altered prices in approvals.

A5 Customer says 'approvals not received'.

A6 Customer says 'approvals returned' – but member says returns have not been received.

B At Chat Meetings person makes remarks about others which could be construed as defamatory/slanderous/insulting and/or is a disruptive influence.

C A persistent time waster

D Causes problems at fairs and exhibitions when visiting our stands.

E Returns material without postage on letter or package.

F Lots sent prior to payment - buyer alleges 'not received'.

F1 Purchases remains unpaid.

F2 Auction invoice sent, without goods, declines to pay or reply.

F4 Returns auction lots having removed or changed items and/or without payment.

F5 Removes items from auction lots while viewing in auction room.

F6 Buyer refuses to make payment in manner requested &/or gives bad feedback to eBay/PayPal.

G Uses more than one name/ID.

G1 Uses more than one email address.

G2 Uses more than one postal address.

G3 Accommodation address – not known.

G4 Ambiguous, fictitious address.

H Slow payer

I Payment promised but not forthcoming.

J Reminder letters ignored.

K Registered/RD not claimed.

K1 Registered/RD refused at door and returned by Postal Authority.

L Noted customer has a Police prosecution.

L1 Noted customer has a Court conviction.

L2 Received evidence of P from other sources (unconfirmed)

L3 Received confirmed evidence of P and PS from other sources.

M Advises letter/packet refused or says not known at that address and original letter/packet is returned.

M1 Reminder letter only returned.

M2 Letters returned by Postal Authority marked 'addressee gone away'

N Bankruptcy.

N1 Issued a 'dud' check.

O Seller sends material inferior or different from that ordered or advertised.

O1 Seller sends or offers forgeries, which are not as described as such.

O2 Member claims he has not received payment from buyer – Buyer says he has sent it – matter unresolved

O3 Member claims he has sent material but seller says it is not received.

O4 Dealer or Auctioneer does not send material after receipt of member's payment.

P Buyer absconded without making payment/no new address.

Q Very difficult to collect material or payment.

Q1 Threatening attitude when approached.

R Buyer fails to honour bids at e-auction.

R1 Seller fails to send material.

R2 Buyer says material not received/no trace .

R3 Buyer has high bad feed back at eBay and/or other e-auction sites.

R4 Buyer gives malicious feedback at eBay and/or other e-auction sites.

R5 Buyer fails to return original merchandise which he claimed was not what he had ordered or was faulty

and had been replaced by a second sending.

S Treat with extreme caution/unreliable/