



FIJI ARCHITECTS REGISTRATION BOARD

Code of Practice and Professional Conduct

Revised 12 September 2007

INTRODUCTION

The object of the Code is to enjoin a general standard of professional conduct upon every person whose name is on the Register of Architects.

The Code is revised from time to time to meet the impact of modern custom and prevailing conditions on architectural practice. Its purpose is to sustain the dignity and prestige of the architect, hall-marks which have been associated with the profession over very many years.

Architects when considering the Principles of the Code should bear in mind that their conduct must always be based on their obligations to their clients, their brother architects and the building industry. An Architect must be above suspicion of disloyalty to his clients. One ill-considered or hasty action may well bring discredit not only to the Architect concerned but to the whole profession.

The Principles of the Code are those which should be observed by architects in the exercise of their profession, and examples given in the Appendix by way of guidance and illustration are not intended to be exhaustive.

The attention of architects is drawn more particularly to the provisions of Section 7 of the Architects Ordinance, relating to the possibility of removal of a person's name from the Register for conduct disgraceful to him in his capacity as an architect.

Architects should bring this Code to the notice of their staffs.

ARCHITECTS REGISTRATION BOARD
P.O. BOX 2017 GOVERNMENT BUILDINGS
SUVA FIJI

PRINCIPLES

- I. An architect must faithfully discharge his responsibilities to his client.**
- II. An Architect in private practice is remunerated solely by his professional fees payable by his client on a recognized scale. He is debarred from any other source of remuneration in connection with the works and duties entrusted to him and he must not allow any member of his staff to receive such remuneration. The client should be informed in advance of the scale of charges to be applied, and the conditions of engagement. An architect may be paid by salary agreed with his employer.**
- III. An architect must not advertise for nor solicit business nor allow any members of his staff so to do. Nor May he give or offer remuneration, or other consideration, for the introduction of clients or of work.**
- IV. An architect must at all times apply the conditions of a contract with entire fairness between employer and contractor. In all questions arising between the employer and contractor and in all cases in which an architect is acting between parties, he must act in an impartial manner.**
- V. An architect must at all times, with due regard to the interest of his client, act loyally towards his professional colleagues.**
- VI. An architect must not, while practicing his profession, carry out or engage in any operation or trade or business which is inconsistent or out of keeping with the fitting and proper discharge of his professional duties or which would raise doubts as to his professional integrity as an architect.**
- VII. An architect must not assume or consciously accept a position in which his interest is in conflict with his professional duty.**
- VIII. An architect must not enter into partnership, in the practice of architecture, with any person who is disqualified for registration by reason of the fact that his name has been removed from the Register under section 7 of the Architects Ordinance.**

By Order of the Architects Registration Board.

October 1969

G. G. KING

APPENDIX 1

Information in the form of selected examples of the standard of conduct required by the Code. The following information is given as a guide as to the interpretation of the Principles of the Code and an indication of the standard of conduct therein envisaged. The examples given have been selected, in the light of experience gained in the working of similar Codes, as probably being the most useful to the general body of Architects. In no circumstances should it be thought that the examples given are exhaustive. It would not be desirable or indeed possible to set out a complete catalogue of every conceivable breach of the Principles of the Code. This Appendix is only to be taken as a general guide. In the interests of clarity and to avoid constant reference back to the Code the various Principles are repeated below, most of them followed by the appropriate selected examples. Architects desiring guidance are advised to consult the Registrar.

- I. An Architect must faithfully discharge his responsibilities to his client.**
- II. An architect in private practice is remunerated solely by his professional fees payable by his client on a recognized scale. He is debarred from any other source of remuneration in connect with the works and duties entrusted to him and he must not allow any member of his staff to receive such remuneration. The client should be informed in advance of the scale of charges to be applied, and the conditions of engagement. An architect may be paid by salary agreed with his employer.**

For Example:

1. An Architect must not accept any discount, gift, commission or other payment or consideration from any source other than his client.
2. The employment of consultants shall be at the architect's discretion in agreement with the client and the payment of their fees shall be a matter of arrangement between the architect client.
3. An architect should inform his client as to the fees payable in respect of quantities and for measuring and valuing variations and preparing and agreeing final account, and that the same fees are payable whether the quantities are taken out by the architect himself or by quantity surveyor. In either case fees in respect of quantities should preferably be paid directly by the client and not through the contractor.

4. He must not permit the insertion of any clause in tenders, bills of quantities or other documents which provides for payments to be made to him by the contractor, whatever may be the consideration unless with the full knowledge and approval of the employer.
5. The only scales of fees and conditions of engagement recognized are those of the Fiji Association of Architects or of such other body as may be approved by the Board.

III. An architect must not advertise for nor solicit business nor allow any member of his staff so to do. Nor may he give or offer remuneration or other consideration, for the introduction of clients or of work.

For Example:

1. An architect must not advertise, either directly or by any form of organized publicity paid for by the architect, nor may he offer services by means of letters or circulars.
2. He must not make paid announcements in the Press, but change of address advertisements may be inserted in the Press, whether lay, technical or professional, but there must be only one insertion in any publication and it must not be in the form of a displayed advertisement.
3. An architectural professional press or the technical press or the technical press the name of the architect may be disclosed. Advertisements may be inserted in the Press by architects requiring assistants and the name of the advertiser may be disclosed. The term “lay press” relates to any periodical not published specifically for architects (architectural professional press) nor for other allied professions, Engineers, Surveyors, Auctioneers and Estate Agents (technical press).
4. An Architect must not give discounts or commissions in recognition of or as an inducement to, the introduction of clients.
5. An Architect must not tout for business by submitting plans to possible clients without being requested so to do, or by any other method, such as folders or brochures illustrating his work.
6. The title “architect” must not be displayed on fascia board or on shop windows, nor may it be displayed ostentatiously on the office premises. The architect’s name and affixes and his professional title may be shown at the entrance to his office premises in letters not exceed two inches in height but otherwise is not permissible except on one window only on each face of the building where it must not be ostentatiously displayed. He may allow his name to appear unostentatiously on buildings in the course of construction, alteration or extension; and it is indeed desirable that an architect should sign his buildings; but also unostentatiously. See notes at the end of this Appendix.

7. Although there is no objection to an architect allowing signed illustrations and descriptions of his work to be published in the press, he must not give any monetary consideration for such an insertion, nor concern himself in any way with the distribution of the publication, nor may he solicit publication outside the professional press or take any action which is designed to increase the revenue of the journal concerned either by approaching the sub-contractors or otherwise.
8. An architect may permit the use of his name by a commercial firm in their advertisement of such of their products as have been included in the architect's specifications provided that the architect's name is not ostentatiously displayed, but it would be regarded as advertising if an architect solicited the publication of his design or name in the advertisement of a commercial firm. See, however, Principle VI, example (2).

IV. An Architect must at all times apply the conditions of a contract entire fairness between employer and contractor. In all questions arising between the employer and contractor and in all cases in which an architect is acting between parties, he must act in an impartial manner.

For example:

1. He must take the earliest opportunity to explain to his client the conditions of the contract.
2. The fact that the architect is being paid by his client must not be allowed to influence his responsibility for the proper fulfillment of the contract between the parties.
3. The obligations of the architect to the contractor apply equally to official and salaried architects as well as to architects in private practice.

V. An architect must at all times, with due regard to the interest of his client, act loyally towards his professional colleagues.

For example:

1. Whether in private practice or salaried employment, he must not attempt to supplant another architect.
2. He must not compete with another architect by means of a reduction of fees or by any other inducement.
3. He must, on being approached or instructed to proceed with any work upon which it is obvious another architect has been employed, notify the architect last employed.
4. He must not act as an architect or joint architect for a work which is or has been the subject of a competition in which he is or has been engaged as assessor.
5. He must not act as architect or joint architect for a work which is or has been the subject of an abandoned competition if he is or has been officially nominated as assessor by the promoters.
6. He must not copy the design of another architect without his consent.

7. An architect appointed as superintendent to control and manage the architectural business of a firm or company, is required to notify the Registrar of his appointment. This notification is not required if the architect concerned as a partner in the firm.
8. An architect who is appointed as superintendent to control and manage the architectural business of a firm or company must arrange with his employers that the business of the firm or company, so far as it relates to architecture, is conducted in accordance with the principles of this Code, and if he is unable to ensure this, it is his duty to report the facts to the Architects Registration Board.
9. An architect must not accept an appointment as architectural superintendent so as to enable his employers, being house agents or auctioneers, to start in practice as architects.

VI. An architect must not while practicing his profession, carry on or engage in any operation of trade or business which is inconsistent or out of keeping with the fitting and proper discharge of his professional duties or which would raise doubts as to his professional integrity as an architect.

VII. An architect must not assume or consciously accept a position in which his interest is in conflict with his professional duty.

For Example:

1. He must not act as an architect for or against a company of which he is a director, without previously informing both parties to the contract. The same rule should be followed by architects who are members of Committees of Management Boards of Governors and similar bodies.
2. An architect in the salaried employment of a firm of contractors must not accept a professional commission from persons other than his employers in respect of building or other work to be carried out by his employers.
3. If a salaried architect to a contractor is employed to design or supervise the erection of a building for a customer, the customer must be informed that the architect is responsible only to the contractor who employs him and not professionally responsible to the customers as his client.
4. An architect engaged as an architectural consultant or adviser or as a salaried assistant must not act in a professional capacity for a third party to whom his principles owe a contractual duty save with the mutual consent of all parties and provided that he is appointed as independent architect on the direct instructions of the third party from whom he should receive direct payment of fees. (Note.—An architect must not share with his employers fees obtained from a client introduced by his employers. See Principle III (4) above.)

5. An architect employed as a salaried and official architect by a central or local government department or by a statutory undertaking, who is by reason of his office in a position to grant or influence the granting of any form of statutory or other approval, must not undertake private work notwithstanding any permission from his employing authority unless his position and action in the matter can be shown to be free from any suspicion or suggestion of abuse.

VIII. An architect must not enter into partnership, in the practice of architecture with any person who is disqualified for registration by reason of the fact that his name has been removed from the Registrar under Section 7 of the Architects Ordinance.

NOTES

1. Signboards

Attention of the Board may be drawn to cases in which an architect's name and professional title are displayed in large letters on a signboard or fascia board outside his premises, contrary to example 6 of the Principle III of the Code of Conduct: "6 The Title "architect" must not displayed on fascia boards or on shop windows, nor may it be displayed ostentatiously on the office premises. The architect's name and affixes and his office premises in letters not exceeding two inches in height ..." Any architect, who thus infringes the Code, runs the risk of a formal complaint being made to the board for enquiry.

2. Entries in the Telephone Directory

The Printing of an architect's name in bold type (not capitals) in the general listing of the Telephone Directory is permissible. In the classified Directory listing in bold type or capitals is not permitted.

3. Architects employed by House Agents

An architect who is paid by a house agent cannot give unbiased advice to a prospective purchaser. There is no objection to an architect in his profession capacity advising a house agent on fee or salary but he should not act as architect for an applicant for whom his employer is negotiating the purchase of a property until after the transaction is completed.