Union Internationale des Architectes • International Union of Architects

Guidelines for the UIA Accord on Recommended International Standards of Professionalism in Architectural Practice Policy on Ethics and Conduct

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UIA Professional Practice Program Joint Secretariat

The American Institute of Architects
Co-Director, Douglas L Steidl, FAIA
1735 New York Avenue, NW
Washington, DC 20006
Telephone: 202 626 7315
Facsimile: 202 626 7421

The Architectural Society of China
Co-Director Zhang Qinnan, Vice President
Bai Wan Zhuang, West District
Beijing, China 100835
Telephone: 86 10 6839 3428
Facsimile: 86 10 6831 1585

Accord Policy on Ethics and Conduct

The existing UIA Code of Ethics on Consulting Services remains in force. Member Sections of the UIA are encouraged to introduce into their own codes of ethics and conduct the Accord Guidelines on Ethics and Conduct herein and a requirement additionally that their members abide by the codes of ethics and conduct in force in the countries and jurisdictions in which they provide architectural services, so long as they are not prohibited by international law or the laws of the architect's own country.

Guidelines for the UIA Accord Policy on Ethics and Conduct

General Introduction

General Principles

The Principles, and the Applications of this Code which explain and illustrate the Principles, shall be read and interpreted in accordance with the following General Principles:

- Architects must be obligated to the highest standards of independence, impartiality, professional cnfidentiality, integrity, competence and professionalism, and to the highest possible quality of their design, technical and service output

- Architects must bring to society special and unique knowledge, professional skills, and aptitudes essential to the development of the built environment and to those societies and cultures in which such development takes place.

Principles and Application Introduction

The following are the Principles and Applications for the ethics and conduct of ~~Architects~~ in fulfilling their obligations when undertaking architectural services in a country other than their country of establishment.

They apply to all professional activities, whatever may be the place of the activities. They address responsibilities to the public, to clients and users of architecture, to the building industries and to the art and science of architecture - that continuum of knowledge and creation which is the heritage of tomorrow and the legacy of the architectural profession to society.

Not every shortcoming on the part of an Architect , or failure to comply with the Principles and Applications of this Code will necessarily justify a complaint or disciplinary proceedings. However, a failure to follow the guidance indicated in this Code will be a factor that will be taken into account should it be necessary to examine the conduct or competence of an Architect

Principle 1
General Obligations

All Architects, shall have integrity in everything that the say or do in their capacity as members of a liberal profession.

> All Architects shall possess a systematic body of knowledge and theory of the arts, science, and business of architecture developed through education, examination, training, continuing professional development and experience. This process must assure the public that, when an Architect is appointed to perform professional services, that has met the required standards. The Policy of the UIA is that these standards must be founded on a minimum period of five years' full-time architectural education at university level (or equivalent), followed by a minimum of two years' full time (or equivalent) professional practice experience so as to enable the provider properly to perform all architectural services expected of a provider on entry to the architectural profession.

All Architects shall also maintain and advance their knowledge of the art and science of architecture, respect the body of architectural accomplishment, contribute to its growth, and give precedence to learned and independent professional judgement over any other motive in the pursuit of the art, science, and business of architecture.

Applications

1.1 All Architects shall ensure that they continually maintain and develop their professional knowledge and skill in all areas relevant to their practices through structured Continuing Professional Development.

1.2 All Architects shall continually seek to raise the standards of excellence in all relevant areas including architectural education, research, training, design, technology, construction methods and practice.

1.3 All Architects shall ensure that they have appropriate and effective internal procedures, including monitoring and review procedures, and sufficient qualified and supervisory staff such as to enable them to discharge their obligations fully, efficiently and on time.

1.4 Where work is carried out on behalf of an Architect by an employee or by anyone else acting under the direct responsible control of an Architect such a provider shall be responsible for ensuring that such a person or company is competent to perform the task and is adequately managed and supervised throughout the task. Reviewing and/or correcting design and/or technical submissions after they have been prepared by others shall not constitute the exercise of responsible control because the reviewer has neither control over nor detailed knowledge of the content of such submissions throughout their preparation.

1.5 All Architects shall have a right to resign from a contract for architectural services or of employment rather than being required to make an unreasonable and/or unrealistic compromise.

1.6 Architects shall not propose a fee unless they have sufficient information on the nature and the scope of the project to enable a fee proposal to be prepared that will fully cover the work or services with regard to all their obligations towards client, profession and the public. A fee proposal that deliberately does not at least cover the architect's net expenses shall be considered unfair competition.

1.7 During the negotiation of a contract no Architect shall revise a proposal for fees to take into account knowledge of a fee that has been proposed by another provider for the same work or services.

1.8 These applications are required in order to protect the client and society from unscrupulous under-resourcing by any Architect

Principle 2
Obligations in the Public Interest

In the interests of the public Architects must observe both the letter and the spirit of the laws governing their professional activities and the work and services for which they are responsible. They must protect the health, safety and welfare of the public, and take account of the social and environmental impact of their professional activities in the implementation of such work and services. Above all, it is the duty of all Architects to respect the needs of society and to embrace the quality and sustainability of the built and natural environments.

Applications

2.1 All Architects must respect and help to conserve and develop the system of values and the natural and cultural heritage of the community in which they are creating architecture. They shall strive not only to improve the environment through the highest quality of design but also to improve the quality of the life and the habitat within such a community in a sustainable manner particularly considering energy and water conservation and reducing carbon emissions in the context of world climate change, being fully mindful of the effect of their work on the widest interests of all those who may reasonably be expected to use or enjoy the product of their work.

2.2 No Arcchitect shall either communicate or promote or represent themselves or their professional services in a false or deceptive manner; nor shall they allow others to do so, whether or not acting on their behalf.

2.3 All Architects shall at all times avoid acting in a matter or finding themselves in a situation which is incompatible with their professional obligations or which is likely to raise doubt about their independence, impartiality or integrity.

2.4 No Architect shall make, support or acquiesce in any statement, written or otherwise, which is contrary to their own knowledge or professional opinion or which they know to be misleading or unfair to others or otherwise discreditable to the profession or their client or user.

2.5 No shall promote, encourage, support or acquiesce in any act which is likely to assist in the commission of a crime or unethical conduct; or with respect to any act which may tend to conceal or disguise any financial or fiscal illegality or irregularity.

2.6 All Architects shall observe and comply with this Guideline and also the codes and laws applicable to the architectural services being provided or to be provided in a host State.

Principle 3
Obligations to the Client

All Architects owe their clients a duty to carry out their work or services faithfully, conscientiously, competently, in a professional manner, and with independence, impartiality and integrity using care, skill and due diligence. All Architects shall at all times exercise independent unprejudiced and unbiased judgement. They shall have regard to all relevant technical and professional standards when performing all professional services. Independent, impartial, learned and professional judgement should take precedence over any other motive in the pursuit of the art, science, and the business of architecture.

3.1 All providers of architectural services shall respect the needs and requirements expressed by a client or any potential user as long as such needs and requirements do not conflict with compliance with the Principles and Applications of this Code. In the event of actual or anticipated conflict the Architect shall immediately notify the client and, if appropriate, the user, of the conflict. Unless expressly agreed otherwise the provider shall thereafter either comply with or meet the need or requirement or shall forthwith resign from the relevant contract for architectural services or of employment.

3.2 All Architects shall only undertake professional work where they can demonstrate that they possess adequate knowledge and abilities (as required by the text of the EU Qualifications Directive 2005/36/EC) and also, if so required, that the fee agreed for a specific service provides or will provide adequate financial and technical resources in order to fulfil their commitments to their clients in every respect. This obligation shall not be affected by the engagement of consultants whether by or on behalf of the provider, a client or any actual or prospective user. Any consultant engaged by the provider shall be qualified by education, training, or experience in the specific areas involved.

3.3 All Architects shall be remunerated solely by the fees and the benefits specified in the relevant contract for services or of employment.

3.4 No Architect shall either offer any inducements or payments to procure employment or accept from, or offer to, project or construction managers or supervisors or other agents of any client or actual or prospective user, contractors, specialist contractors, product suppliers or others, any inducements or payments whatsoever to obtain an undisclosed benefit.

3.5 All Architects shall, at any stage whatsoever, immediately disclose to clients, actual or prospective users, contractors or any other relevant person or organisation any significant circumstances that comes to be known to them which gives rise to a conflict of interest, or which in the eyes of any such person, might be seen as giving rise to a conflict of interest. If permitted to continue, they shall thereafter ensure that such circumstances do not affect the interests of any such persons or organisations or interfere with the duties of the provider of architectural services especially if required to exercise any judgement about the performance of any contract. .

3.6 All Architects shall provide independent impartial advice to their clients and to any actual or prospective user.

3.7 The terms of engagement of an Architect shall be the subject of a written agreement with the client. It shall cover, notably:

- The scope of the work or services;

- The allocation of and limits on liabilities;
- The budget or other cost limit for the project or the work or services;
- The fee payable for the work or services, the method of calculating it (if appropriate) and the stage(s) at which it will be payable;
- The circumstances justifying termination. .

3.8 All Architects shall observe the confidentiality of the affairs of their clients or other actual or prospective users and must not disclose confidential information without the prior written consent of the client and any relevant party unless disclosure is required by law.

3.9 All Architects shall perform their professional work with skill, care and due diligence.

3.10 All Architects shall carry out their professional work without undue delay and, so far as it is within their power, within an agreed reasonable time limit.

3.11 All Architects shall keep their client promptly informed of the progress of work or services undertaken on their client's behalf and of any matters that may affect its quality or cost of the project work especially where limits have been set by the client on quality or cost.

3.12 All Architects shall, if available, carry at all times professional indemnity insurance sufficient in amount and duration for the provider's potential liabilities in law to any person having regard to the scale of the projects and to the work and services undertaken by them.

3.13 All shall deal with complaints in a prompt and courteous manner and in writing.

3.14 All Architects ~~providers of architectural services~~ shall make clients aware of the dispute resolution procedures available (whether or not provided in the provider's contract of employment): conciliation, mediation, arbitration or any other alternative to resolution by a competent court.

Principle 4
Obligations in the Interests of the Profession

All Architects shall have an obligation to uphold the independence, impartiality, professional secrecy, integrity and dignity of the profession, and shall conduct themselves in a manner that respects the legitimate rights and interests of others and in addition have an obligation to acknowledge the professional aspirations and contributions of their colleagues and to respect their rights.

All Architects shall also acknowledge the contribution made to their work or services by others such as, for example, staff, the client, urban planners, landscape architects, other architects, multi-disciplinary professional firms or companies, artists, interior designers, structural and technical services engineers, construction economists, specialist suppliers, specialist contractors, contractors and others in the project team.

Applications

4.1 All Architects shall pursue their professional activities with complete independence, impartiality, confidentiality, integrity, honesty and fairness.

4.2 Architects shall neither take as a partner nor shall act as a co-director with an unsuitable person, such as a person who has a criminal conviction which affects the reputation of that provider or of providers of architectural services in general or is an undischarged bankrupt or whose name has been removed from any professional register otherwise than at his own request or a person disqualified from membership of a recognised organisation representing architects and/or other providers of architectural services

4.3 All shall strive, through their actions, to promote the independence, impartiality, dignity and integrity of their profession, and shall ensure that their representatives and employees conform their ethics and conduct to this Guideline, so that anybody dealing with any Architect whosoever may have confidence in being protected against incompetence or false or misleading statements.

4.4 No Architect shall discriminate on grounds of race, gender, religion, disability, marital status or sexual orientation.

4.5 No Architect shall either appropriate the intellectual property, or unduly take advantage of, the ideas of another Architect without the express authority from the provider that has the right to that property or idea.

4.6 No Architect shall when appointed as an assessor of a competition subsequently act in any other capacity whatsoever in respect of or arising out of the subject matter of such a competition.

4.7 No Architect shall maliciously or unfairly criticise or attempt to discredit another's architectural work.

4.8 All Architects if approached to undertake a project or other professional work upon which the Architect knows or can ascertain by reasonable inquiry that another Architect has an existing contract with the same client or actual or prospective user for the same project or for work or services in connection with that project, shall notify the other provider.

4.9 All Architects if appointed to give an opinion on the work of another such provider, shall notify that provider, unless it is prejudicial to prospective or actual litigation to do so.

4.10 All shall ensure that their professional finances are managed lawfully.

4.11 A representative of an Architect may not sign an application for a building permit, an application for planning consent, an application for building regulation approval or any other relevant statutory application unless the signatory is the designer or where the design has been prepared under the signatory's direct supervision, management and authority.

4.12 If a professional regulatory authority or a professional institution makes a complaint or commences proceedings against a registered or licensed Architect or against a firm, company or other legal entity that is registered or licensed,,that Architect or, the senior partner, chairman or the chief executive officer of the firm, company or other legal entity must appear in person (and not by any legal or other representative) to answer the complaint or the proceedings.

4.13 Architects providing architectural services on a project in a country in which they are not registered shall collaborate with a local Architect to ensure that proper and effective understanding is given to legal, environmental, social, cultural and heritage factors.

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