

# THE BARBADOS INSTITUTE OF ARCHITECTS CODE OF PROFESSIONAL CONDUCT

## TABLE OF CONTENTS

- A -- Professional Standards
- B -- Commissions & Remuneration
- C -- Publicity
- D -- General Behaviour

## PREAMBLE

This Code indicates the minimum standard of conduct which the Institute expects of Members, Associate Members (Architects), and Students (Architectural). Any Member whose conduct is found to be contrary to this Code or whose conduct is likely to bring the BIA or the profession into disrepute shall be liable to disciplinary action.

For the purpose of the application of this Code, the BIA may hold a Member, acting through any organization, government body, corporate or unincorporated body or association, whether Member or Non-member owned or controlled, responsible for misconduct on the part of such groups if it is deemed that the action was within the control of the Member.

Cases of unprofessional conduct not specifically covered by these clauses shall be dealt with by the Council having regard to the particular circumstances of the case.

## A. PROFESSIONAL STANDARDS:

### A.1 Integrity and Competence

- (a) A Member must show a proper sense of responsibility and integrity to his client, to his profession and to the public at large. He should seek continually to raise the standards of aesthetic excellence, architectural education, research, training and practice.
- (b) A Member must describe honestly his qualifications and competence to provide services to a client or an employer. He should not undertake or continue with work for which his training and experience have not adequately prepared him, without obtaining proper assistance and resources.

## A.2 Conflict of Interest

- (a) A Member shall not assume or consciously accept or continue in a position in which his interest is in conflict with his professional duty.
- (b) A Member shall declare to any client any business interest the existence of which, if not so declared, would or might be likely to raise doubts about his integrity by reason of an actual or apparent connection with or effect upon his engagement.
- (c) A Member may be architectural consultant, advisor, or assistant to building contractors, decorators, manufacturers, house and estate agents, estate development concerns or concerns trading in materials used in or whose activities are otherwise connected with the building industry, provided that he is paid by fee, salary or royalty and not by commission on sales or profits, and provided that he does not either directly or indirectly solicit custom for the concern involved.
- (d) A Member shall not permit the insertion of any clause in tenders, bills of quantities, specifications, or other contract documents which provides for payment to be made to him by the contractor whatever may be the consideration unless with the full knowledge and approval of his clients (evidenced in writing).
- (e) A Member shall not, when giving professional advice, put his own interest before that of his Client or Employer.

## A.3 Impartiality:

- (a) A Member shall act impartially in all cases in which he is acting between parties. Where he has responsibilities as Architect, under a building contract, he shall interpret the conditions of such contract with fairness.

## A.4 Confidentiality:

- (a) A Member shall not disclose information concerning the business affairs or technical processes or correspondence of Clients or Employers without their consent except when compelled to do so by a Court of Law or an appointed arbitrator.

## A.5 Employee/Associate Relations:

- (a) A Member employed as a salaried Architect/Officer by any Government/Government Agency, who is by reason of his office in a position to grant or influence the granting of any form of statutory or other approval, shall 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.

(b) A Member shall have a proper regard for the professional obligations and qualifications of those from whom he receives or to whom he gives authority, responsibility or employment or with whom he is professionally associated. A Member who employs architects shall define their conditions of employment, authority, responsibility and liability.

#### A.6 Improper Signing/Sealing of Drawings

(a) A Member shall not fix nor permit the fixing of his name, seal or stamp to any document or drawing that was not prepared by himself or under his direction.

### **B. COMMISSIONS & REMUNERATION**

#### B.1 Obtaining Commission & Method of Remuneration

(a) A Member shall be remunerated solely by the professional fees charged for the work entrusted to him.

(b) A Member shall render professional services to a client in accordance with the recognized method of remuneration and Conditions of Engagement of the Institute, except in cases of an approved competition or works for charitable bodies, in which case prior approval of Council shall be sought.

(c) A Member shall not attempt to supplant another Architect by means of reduction of fees or other inducements. A Member who is offering services as an independent consulting architect shall not revise a fee quotation to take account of the fee quoted by another Architect for the same service.

(d) In order to influence or produce employment, a Member shall not give or offer to any person any donation, rebate, discount, bonus, fee or commission which would, in effect, reduce the Member's fee.

(e) A Member shall not attempt to obtain a commission by the submission of designs or provide any form of design service until he has been formally retained.

(f) A Member shall not provide professional services without a written agreement clearly defining the scope of his services and fees.

(g) A Member on being approached or instructed to proceed with work upon which he knows, or can ascertain by reasonable inquiry, that another Member is or has been engaged by the same client shall notify the fact to such Member by registered mail within seven (7) days, the receipt of which shall be acknowledged within seven (7) days. In the event of a response not being received within seven (7) days or if evidence is presented of a genuine dispute with the client then the facts may be presented to the Council for direction.

(h) A Member should not compromise the quality or adequacy of the services to be provided in establishing remuneration.

B.2 Competitions: (Barbados only)

(a) A Member shall not take part in an architectural competition which is not carried out in accordance with the BIA published guidelines for competitions, or such special conditions as may be subsequently approved by Council.

(b) A Member shall refrain from participation in, or immediately cease work on, a competition for which preliminary warning or instruction has been issued by the Council.

(c) Members asked to take part in a competition shall at once notify Council, submitting particulars thereof.

(d) No Member may, except as a duly authorized competitor, attempt to obtain work for which an approved competition is in progress.

(e) No Member may attempt to influence, directly or indirectly, the awards in any approved competition, except where he is a member of the jury appointed for such competition.

B.3 Acceptance Of Gifts Or Commissions:

(a) A Member shall not accept any commissions, gifts, contribution or allowance, directly or indirectly, from contractors or other parties if these would reasonably appear to compromise the Member's professional judgement or prevent Members from serving the best interests of their clients.

**C. PUBLICITY**

C.1 Business Name:

(a) Members' letterheads and other printed identification shall not mislead the public and may be subject to review by the Council.

C.2 Office and Site Signs:

(a) A Member may display his name or that of his firm at his place of business, provided that such name is not displayed ostentatiously. Lettering shall not exceed a height of 50mm.

(b) A Member may display a site sign not exceeding 305 x 1219mm. which shall state only the name and address and telephone number of the Member/Member firm

and may be displayed only during the actual construction of the project up to practical completion.

(c) A Member may affix his name permanently in a discreet location to work for which he has been responsible, the lettering of which shall not exceed 25mm. in height.

### C.3 Brochures:

(a) A Member may prepare a written or audio-visual presentation or brochure for distribution to prospective clients, or a web page consisting of up to four pages, provided that the material consists solely of a description of the firm and personnel, factual outline of the activities of the firm, and illustrations and descriptions of selected work of the firm.

### C.4 Advertisements in Press:

(a) A Member may be permitted to advertise his name or services on a paid basis in the public press only in accordance with the following recommendations:

a1. A single advertisement where this is connected with the publicising of the completion of a particular building project with which the Member has been involved. Such advertisement shall not exceed approximately four column inches in size, and shall contain only the name of the Member or firm, an indication of professional degrees, business address and telephone number.

a2. A modest notice dealing with the opening of a new practice, or any change of name, address, telephone or legitimate change of the make-up of a firm. Such notice shall be consistent in size and tone with the purpose of the notice.

a3. A suitably sized and phrased notice when seeking to hire persons for employment, or in connection with a legitimate public notice such as calling for tenders.

a4. As part of a general listing authorised or sponsored by the Institute.

(b) A Member may allow his name, or that of his firm, to be used in connection with the publication or broadcast of legitimate news or professional reports.

(c) A Member shall not publish drawings of an indefinite or imaginary project unless it is clear that these are in no way intended as a means of obtaining a commission.

(d) A Member may allow his name or that of his firm to be listed as "patrons" in conjunction with affording financial support to educational, artistic or charitable organizations.

### C.5 Product Endorsement:

(a) A Member shall not give or permit any public endorsement of any building

material or service by means of a statement to which his name is attached or with which his portrait is displayed.

(b) The name of a Member should only appear in a discreet manner in a product advertisement under a photograph of a building designed by that Member and a Member knowing of the intent of publication shall advise the advertiser accordingly of his approval, or otherwise.

(c) A Member shall not solicit or allow someone to solicit on his behalf, advertising for a publication promoting his work.

## **D. GENERAL BEHAVIOUR:**

### D.1. Personal Behaviour:

(a) A Member shall at all times conduct himself in a manner befitting a Member of a learned and dignified profession.

### D.2 Public Comment:

(a) A Member shall not injure falsely or maliciously, directly, or indirectly, the professional reputation of a fellow Member or other person.

### D.3 Relationship With Other Architects:

(a) A Member must not attempt to supplant another Member by any means.

(b) A Member shall not copy or pass off the work of another Member as his own and shall not claim authorship of the design of a project executed under a firm name other than his own, but he may identify his contribution to the project provided he acknowledges the author-firm by name.

(c) A Member shall not, without justification, refuse to provide to another information of documents in his possession concerning a project in order to enable that other to continue or execute work relating thereto.

(d) A Member is required to notify the Institute of any alleged breach of this Code of which he has knowledge.

### D.4 Public Relations & Institute Involvement:

(a) A Member should be willing to serve his Institute in whatever way he may be best fitted so that its affairs are kept in good order and should assist and encourage other Members so to do.

- (b) A Member should endeavour to provide opportunities for continuing professional development of those entering the profession by assisting them to acquire a full understanding of the functions, duties and responsibilities of members of the profession.
- (c) A Member should be willing to explain to the public at every opportunity the value and service of the Architect.

#### D.5 Compliance With Regulations:

- (a) A Member must not be a party to any attempt to evade or circumvent or commit a breach of the provisions of the constitution or regulations of the Institute.
- (b) A Member shall respond within 30 days (or within such period as may be directed by Council), to any letter received from the Council of the Institute relating to his professional conduct.
- (c) A Member shall not refuse a request to appear before or to submit written documentation to Professional Conduct Committee of the Institute without proper justification.

#### D.6 Disciplinary Proceedings

- (a) The duty of investigating any alleged breach of this Code or other alleged unprofessional conduct shall be vested in the Council and Professional Conduct Committee of the Institute hereinafter referred to as "the Committee".
- (b) If the Committee considers that a matter requires investigating in pursuance of their duty aforesaid, particulars of the alleged breach of this Code or other alleged unprofessional conduct shall be sent in writing to the Member concerned with a request for his observations.
- (c) The Committee shall not proceed with its investigation until the Member's observations have been received and considered or a period of six weeks has elapsed without reply from the Member.
- (d) Without prejudice to a Member's rights or the Committee's duty, the Committee may invite the Member concerned, or accept an offer from him, to discuss the matter with the Committee or with members or officers thereof. It may also invite the complainant or such other persons as it so wishes to discuss the matter with the Committee, or with members or officers thereof, and the complainant or any representative that he may choose.
- (e) The Committee shall not recommend any disciplinary action to the Council without first notifying the Member concerned of the recommendations proposed, with the reason or reasons therefore, and giving him the opportunity within a period of six weeks of such notification, to make written representations to the Committee or a sub-committee thereof in person or through any representative that he may choose.

(f) When its investigation is complete and subject to the last preceding paragraph, the Committee shall report to the Council on whether or not a breach of this Code or other unprofessional conduct had been proved.

(g) In the event of the Committee reporting that no breach of this Code or other unprofessional conduct has been proved, such report shall be received by the Council for information only and shall conclude the matter, subject only to the Member and complainant concerned being notified in writing of the findings.

(h) In the event of the Committee reporting that a breach of this Code or other unprofessional conduct has been proved, the Committee may recommend disciplinary action within the powers of the Council as hereinafter set out.

(i) If the Council is satisfied on a report from the Committee that a breach of this Code or other unprofessional conduct has been proved the Council may:

- 1) Warn the member as to his future conduct;
- 2) Reprimand the Member;
- 3) Suspend the Member from membership of the Institute for such period as the council shall determine; or

4) Terminate the Member's membership of the Institute forthwith or from such date as the Council shall specify; provided that the Council shall not decide to take more severe disciplinary action against the Member than any recommended by the Committee without first notifying the Member concerned of the proposed action and giving him a further opportunity to make representations or to appear before the Council or the Committee in person or through any representative that he may choose.

(j) The Council's decision shall be conveyed to the Member and complainant concerned in writing and shall be final.

(k) The Council reserves the right, in the event of a finding that there has been a breach of this Code or other unprofessional conduct, to give such publicity thereto and to any disciplinary action taken thereon as it may see fit in the interest of both the Institute and the Public.

**END OF CODE**

**BARBADOS INSTITUTE OF ARCHITECTS.**