



4.4 SAIA CODE OF ETHICS

The South African Institute of Architects and the Regional Institutes are committed to maintaining the highest standards of professionalism, integrity and competence.

Any member of the Institute, as defined in the Constitution, is required to uphold and subscribe to these objectives, and within the built environment, strive to improve the standards of health and safety for the protection and welfare of all members of society and to enhance with their professional skills, the natural environment to the benefit of all.

Members of the Institute, registered as professional architects, are educated and trained to provide leadership, critical judgement, specialist knowledge, skills and aptitude, for the design and development of the built environment.

The **Code of Ethics** establish principles for the conduct of members in pursuance of these goals.

The Code is arranged in three sections:

Principles are broad principles of ethical conduct.

Rules are mandatory: violation of a rule is grounds for disciplinary action by the Institute.

Notes serve as commentary to assist members in complying with the Code and those charged with the enforcement of the Rules. (The Notes do not form part of the Rules.)

The Code addresses the responsibilities of all members in following their professional duties to:

- The public which the profession serves and the environment which the profession strives to enrich;
- The clients and users of architecture;
- Other members of the architectural profession; and
- The promotion of the art and science of architecture - that continuum of knowledge and creation which is the heritage and legacy of the profession.
- Contractors, consultants, members of the public and other third parties affected by their work.

4.4.1 Principle one

Members have a responsibility to serve and promote the public interest in a professional and responsible manner.

Rules

Members shall:

- Ensure that their professional actions contribute to the quality and sustainability of the natural and built environment and, within this context, to the health and safety of the public.
- Ensure that qualifications, experience and authorship are stated accurately.
- Ensure that they are identified in a professional manner on stationery, signboards, public notices and in publications.

Notes

Members should:

- Ensure that advice provided by members takes full and proper cognisance of the public interest;
- Seek opportunities to be of service to their community in matters within the scope of their professional training and experience as architects;
- Create within the community an awareness and appreciation of the impact that architects have on society;
- Provide the community with an understanding of the work of an architect and the extent of architectural services available;
- Provide the community with information that will assist it in formulating policies and making decisions on matters affecting the built environment;
- Ensure that the natural environment is respected while striving to improve the built environment and the quality of life within it;
- Conserve natural resources and the nation's heritage;
- Observe the requirements of the Institute's environmental policy;
- Note that matters of public interest referred to are deemed to include: Barrier free environments, Historic and architecturally significant buildings and urban conservation areas; National Parks and nature reserves; Areas of special scientific or archaeological interest; The Coastline; Inland water expanses, rivers, lakes and islands; Urban parks and Areas of Special Scenic Significance.

4.4.2

Principle two

Members have a responsibility to serve their clients and employers in a manner that will engender confidence and respect for the profession.

Rules

Members shall:

- Provide professional services conscientiously and competently.
- Safeguard the trust placed in them by their clients.
- Conduct their professional practice in a manner that shall not knowingly violate the law.
- When offering professional services be expected to carry out to the best of their ability, their obligations in terms of the Institute's standard procedures, protocols and norms as provided for in the SAIA Practice Manual.
- Inform their clients or employers of the existence or likelihood of any conflict between the interest of themselves, and that of their clients or employers.
- Not transfer their responsibilities, nor reduce the scope of their services without the prior consent of their client, nor without defining the changes in the responsibilities of those concerned.
- Not undertake professional work unless the parties have clearly agreed, in writing, to the terms and scope of the appointment.
- Observe the client's confidentiality.

Notes

Members should:

- When providing services as an architect, ensure that they are appropriately registered in accordance with the law.
- Be aware that the violation of any law, local, regional or national, occurring in the conduct of a member's professional practice is made the basis for discipline. This includes the Copyright Act that prohibits copying architectural works without the permission of the copyright owner.
- If, in the course of their work on a project, become aware of a decision taken by their employer or client which violates any law or regulation which will, in the member's judgement of the finished project, materially affect adversely the safety and health of the public,

- Advise their employer or client against the decision and
- Refuse to consent to the decision.
- When appointed to give expert advice or to act as conciliators not to subsequently allow the terms of reference to be extended into those of an arbitrator.
- Not evade their obligations by abandoning a commission without due cause.

4.4.3 Principle three

Members have a responsibility to other members of the Institute.

Rules

Members shall:

- Behave with integrity towards their fellow members.
- Have regard to those Codes by which associated professional consultants are obliged to conduct themselves.

Notes

Members should:

- Not attempt to supplant another architect, employed or consulting, who has been appointed with a firm commitment for a particular project;
- Neither carelessly nor intentionally do anything to injure the reputation or business of other members;
- Not review for a particular client, the work of another member except with the prior knowledge of such member and providing such member with a copy of the findings of the review;
- Not knowingly take over the work of another member without first notifying the member in writing and without being advised in writing by the client of the termination of employment of such member;
- Not have or take as a partner, co-director or co-member in an architectural practice any person who has been disqualified for registration in terms of legislation governing the architectural profession and whose name has been removed from the register;
- Not knowingly compete for professional work with a fellow member with whom negotiations are taking place in respect of such work;
- Have consideration for other members and practise courtesy towards them when seeking a commission from a potential client;
- Give due regard to the Institute's Guidelines for the Employment of Architects;
- Inform employers of any action by them that may place an employed member in a position where contravention of this Code is possible.

4.4.4 Principle four

Members have a responsibility to the Institute and the profession.

Rules

Members shall:

- Promote the advancement of architecture.
- Uphold the dignity and integrity of the profession.
- Promote the concept of architectural excellence and ensure that the quality or adequacy of services offered is not compromised in establishing levels of recompense for these services.
- Not enter any architectural competition that has not received the prior approval of the Institute or the relevant Regional Institute or does not conform to accepted Institute guidelines.

Notes

Members should:

- Not sign drawings, specifications, reports, or other professional work for which they do not have responsible control;
- Seek to raise the standards of architectural proficiency, education, research and practice;
- Ensure that their critical comment on architecture is informed and constructive;
- At all times administer the requirements of the building contract in an impartial and responsible way;
- Not certify monies not spent during a contract nor fail or cause to fail the honouring of a certificate already issued and signed.
- Familiarise themselves with, and become involved in Institute's affairs;
- Notify the Institute without delay of any change of address or employment;
- Conform to the Constitutional requirement governing payment of subscription fees;
- Notify SAIA of architectural competitions that they believe are prejudicial to the profession.

4.4.5 Principle five

Members have a responsibility to third parties affected by their work.

Rules

Members shall:

- Behave with professional integrity towards third parties affected by their work.
- Ensure that their direct professional actions do not unfairly prejudice the legitimate interests of third parties affected by their work.
- Not misrepresent facts or provide incomplete or misleading information to members of the public concerned or affected by their work.

Notes

Members should:

- Note that by "third parties" is meant natural or legal persons with whom a member of the Institute has no direct contractual or legal association but is nonetheless directly affected by the professional work of members. Such persons may include, but not be limited to, the following:
 - Building contractors employed by the member's client;
 - Subcontractors employed by a building contractor;
 - Other consultants employed by the member's client;
 - Persons who purchase properties from a developer who is the member's client; and
 - Occupants and users of buildings designed by members.
- Not issue, irregularly, certificates prejudicial to the legitimate interests of third parties contracted with members' employers or clients;
- Declare the existence of any conflict of interest that may affect the member's impartiality in dealing with the interests of third parties contracted with members' employers or clients;
- Not prejudice the legitimate rights of a third party through improper or irregular professional conduct.