

**THE ARCHITECTS BOARD OF SOUTH AUSTRALIA**

**THE ARCHITECTS ACT 1939, AS AMENDED**

**BY-LAW 38**

**CODE OF PROFESSIONAL CONDUCT**

The code of professional conduct for purposes of section 35(e) of the Act shall be as follows:-

1. Professional responsibility –

- a] An architect shall faithfully discharge his professional responsibilities.
- b] An architect shall not seek to supplant another architect.  
'Seek to supplant' means to knowingly seek a specific architectural commission which has been awarded to another architect. It does not relate to an architect attempting to obtain a commission from a client who is in the habit of regularly giving his work to another architect.
- c] In order to demonstrate to prospective clients his skills and design capabilities an architect may without remuneration:
  - i] Provide examples of his work including brochures, curriculum vitae and a description of completed commissions and experience.
  - ii] Demonstrate his methodology and approach but not include specific design solutions for the proposed project.

2. Remuneration –

- a] An architect shall be remunerated for his architectural services solely by the professional fees payable by his client or the salary payable by his employer.
  - b] An architect shall not undertake any architectural commission for a fee lower than that which would allow him to provide adequate and proper professional services.
3. Conflict of Interests – An architect shall not, while carrying out work under architectural commission engage in any operation or trade or business inconsistent or in conflict with the fitting and proper discharge of his professional duties in respect of such work.
4. Impartiality – An architect commissioned to administer conditions of contract agreed between two parties shall do so impartially.
5. Use of name – An architect shall not permit his name to be used in any way which may cause the public to be misled.
6. Promotion of Services – An architect shall not give or offer to any person any consideration for securing or attempting to secure for him any architectural work.

Nothing in this by-law prevents publication, by or on behalf of a registered architect, of an advertisement or other communication, in compliance with by-law 38 (7).

7. Public communication – Public communication shall be carried out in a professional and responsible manner. In particular architects should:
- a) Ensure when promoting professional services that information is accurate, that professional colleagues individually or as a group are not denigrated and that the professional standard of services expected of an architect is maintained.
  - b) State qualifications, experience and authorship accurately.
  - c) Identify themselves in a professional manner on stationery, sign boards, public notices, and in publications.
  - d) Ensure that if they allow their name and/or photograph to appear in promotional material produced by suppliers or manufacturers of materials used in a building they have designed, their name and/or photograph is included in a professional manner and that they do not accept any consideration for the use thereof.
  - e) Ensure that if they allow their name and/or photograph to appear in promotional material produced by clients for the purpose of advertising or promoting projects for which they have been commissioned all reference to the architect makes clear the true nature and extent of the service provided.
  - f) ensure that critical comment on architecture is informed and constructive.

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