



The Royal Institute of the Architects of Ireland

Code of Professional Conduct

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Approved by Council December 2005

Preamble

The Memorandum of Association of the Royal Institute of the Architects of Ireland includes the following amongst its objects:

To foster and promote union, professional integrity and honourable practice and relations in the profession.

That object is reflected in the principles contained in the Code of Professional Conduct which has been adopted by the Institute in General Meeting. In extension of the Principles the Council of the Institute has adopted a number of "Interpretations of the principles of the code", and, as extensions of the Interpretations, a number of "Guidance notes". The Code, the Interpretations and the Guidance notes, taken together, embody settled, proper and reasonable practice among architects of repute and apply to the professional activity within this State of all classes of the Institute membership.

In any situation of possible conflict of interest with their professional obligations members' behaviour should reflect the integrity and dignity of the profession. Any member who is in doubt as to the meaning or application of the Code, the Interpretations of the Rules of Council should seek guidance from the President.

In the context of the Code of Conduct the title "member" refers to

Fellow and Retired Fellow	FRIAI
Member and Retired Member	MRIAI
Associate	ARIAI
Architectural Technician	RIAI(Tech)

It is clear from the text of the Code that certain interpretations and guidance notes may not apply to certain categories of membership.

Where " he" or "his" is used it is deemed to refer to both the male and female genders.

Principles

- 1. A member shall uphold the integrity and dignity of his profession.**
- 2. A member shall honourably discharge his responsibilities to his client or employer.**
- 3. A member shall act honourably towards his colleagues.**

Principle 1

1. A member shall uphold the integrity and dignity of his profession.

INTERPRETATIONS OF THE PRINCIPLE 1

- 1.1 A member, in the practice of his profession, shall act with integrity at all times.
- 1.2 A member, in providing a professional service and in safeguarding a client's legitimate interests, shall comply with all relevant statutory procedures and regulations.
- 1.3 A member shall act fairly and impartially when administering a contract or otherwise acting between parties.
- 1.4 A member shall have regard to the Institute's published Client/Architect Agreement when proposing to a client the services to be provided.
- 1.5 A member shall not be a party to any arrangement which provides for the payment of professional fees by or through a contractor except when the contractor is the client.
- 1.6 A member shall not be a party to any arrangement which involves the giving or receipt of an inducement in any form.
- 1.7 A member shall not offer or give consideration for the introduction of clients.
- 1.8 A member shall not use an office or position of trust to attract potential clients.
- 1.9 A member shall not accept a commission if, by reason of office or position, the member could grant or influence the granting of any form of statutory or other approval or assistance for the commission.
- 1.10 A member shall not imply skills not attested to by his qualifications or experience or use such qualifications in a misleading way.
- 1.11 A member may practice under the title of "architect" or "architects" only if he is a registered Fellow or Member of the Institute.

Refer to *Appendix A.1: Guidance note in respect of Affixes, Titles and descriptions.*

Refer to *Appendix A.2: Guidance note with Respect to Practice Outside the State.*

Refer to *Appendix A.3: Guidance note in Respect of Opinions on Compliance*

- 1.12. A member shall not engage in any business which could lead to a conflict of interest or be inconsistent with the proper discharge of his professional responsibilities and the maintenance of his professional independence.
- 1.13. A member practicing in any form of association with a person who is not a member shall ensure that the agreement controlling such association incorporates a requirement that the Code of Conduct is observed in all matters pertaining to the practice.
- 1.14. A member employing a Public Relations Officer or firm shall ensure that the work of such person or firm on the member's behalf does not breach the Code of Conduct.
Refer to Appendix A.4: Guidance note in Respect of Publicity Material, The promotion of Practices and Advertising.
- 1.15. A member at all times shall maintain a reasonable level of professional skill and competence.

Principle 2

- 2. A member shall honourably discharge his responsibilities to his client or employer.**

INTERPRETATIONS OF THE PRINCIPLE 2

- 2.1 A member will conduct his architectural practice and deal with clients in a professional and efficient manner. In particular a member will keep clients regularly informed of the progress of work undertaken on their behalf.
- 2.2 A member shall treat the affairs of his client or employer in strict confidence.
- 2.3 A member shall not, without the agreement of the client or employer, use to his own advantage confidential information gained in the course of their association.
- 2.4 A member shall not be a party to any situation where there is conflict between personal interest and responsibility to client or employer.
Refer to Appendix A.5: Guidance note in respect of Engagement in Business.
- 2.5 A member who has a personal, business or financial interest in a matter referred for his advice shall disclose such interest to the relevant client or employer.
- 2.6 A member shall not evade his responsibilities to his client or employer.
- 2.7 A member may limit his liability provided always that it is done within the spirit and intention of the Code of Conduct.
- 2.8 A member shall be mindful at all times that the honourable discharge of responsibility to a client demands reasonable standards of professional practice.
- 2.9 A member, before accepting an architectural commission, shall satisfy himself that he can provide the technical, financial and administrative resources required to complete it to a reasonable professional standard.
- 2.10 A member, when undertaking an architectural commission, shall confirm in writing the scope of the professional services to be provided, the fee arrangements and, as appropriate, the essential requirements of the project and any special circumstances and conditions relevant to the commission.
- 2.11 A member will respond promptly and courteously to a client's complaint in relation to the member's professional service.

Principle 3

3 A member shall act honourably towards his colleagues.

INTERPRETATIONS OF THE PRINCIPLE 3

- 3.1. A member shall not attempt to supplant or displace another architect.
- 3.2. If on being required by a client to proceed with work on which the member has reason to believe another architect is engaged, the member shall immediately so inform such other architect.
- 3.3 A member practicing in any form of professional association shall ensure that a formal partnership or corporate agreement is in place and is kept up to date.
- 3.4 A member, before undertaking an architectural collaboration with other architects, shall ensure that a written agreement is in place defining the nature of the collaboration, the manner in which the work will be allocated and fees shared between the parties, and the attribution of design responsibility and credits.
- 3.5 A member who collaborates with others in the design of a building project shall ensure that any publicity relating to it accurately and fairly reflects the contribution of his colleagues.
- 3.6 A member shall not criticise unfairly or attempt to discredit the work of another architect in public. Criticism of a colleague's work should only be made in the context of a reasoned debate or review.
- 3.7 A member will regard the design of a building or complex as the intellectual property of the architect responsible for it. Before undertaking a commission to carry out the design of another architect or to make material changes to an existing building designed by another architect, a member shall notify that architect.

Appendix A: Guidance Notes

A.1 IN RESPECT OF AFFIXES, TITLES AND DESCRIPTIONS

1. AFFIXES

1.1 Affixes indicating membership of the Institute shall be used only as follows:

- a) by those in the classes of Fellow, Member, Retired Fellow and Retired Member:

Fellow and Retired Fellow	FRIAI
Member and Retired Member	MRIAI

- b) by those in the classes of Honorary Fellow, Honorary Member and Associate:

Honorary Fellow	Hon.FRIAI
Honorary Member	Hon.MRIAI
Associate	ARIAI

- c) by those in the class of Architectural Technician:

Architectural Technician	RIAI(Tech)
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1.2 Defaulters and members who are suspended within the meaning of the By-laws of the Institute shall not use any affix indicating membership of the institute.

2. TITLES AND DESCRIPTIONS OF PRACTICES

2.1 Titles and descriptions of practices shall not mislead as to the competence of the principals, as indicated by their qualifications, to provide the services they offer.

2.2 When the title of a practice includes the names of principals together with and related to the description "Architect(s)" such names shall only be those of Registered Members of the Institute or architects eligible to be such as defined by the RIAI Entry Regulations for the time being.

2.3 Notwithstanding 2.2 the names of any deceased or retired principals may be used in a title provided that the current principals are properly listed in accordance with 2.4 hereunder.

2.4 A practice shall list the names and professional qualifications of its principals on its letter-headings and information brochures.
A practice, when listing its principals and associates, shall clearly distinguish between them.

2.5 The names of those with administrative functions only (such as Administrator, Manager, Secretary) may also be listed, provided that their functions and any qualifications are clearly indicated.

- 2.6 When requested to do so a member shall furnish the Institute with copies of practice letter-headings and information brochures.

3. RIAI PRACTICE REGISTER

- 3.1 For a Practice to be eligible for inclusion in the RIAI Practice Register, the practice must demonstrate that the majority interest (at least 51%) is held by a Member or Members of the RIAI. The title of any such practice must conform with Rule 2.2.

A.2 IN RESPECT OF PRACTICE OUTSIDE THE STATE

1. A member practicing outside the State shall be bound by the Code of Professional Conduct of the recognized professional body in the State where the member is practicing.
 - 1.1. In a Member State of the European Union the recognised professional body shall be the Member Organisation, for that State, of the Architects Council of Europe (ACE).
 - 1.2. In a State outside the European Union the recognised professional body shall be the Member Section, for that State, of the International Union of Architects (UIA).

A.3 IN RESPECT OF OPINIONS OF COMPLIANCE

The provision of Opinions on Compliance constitutes the practice as an architect within the provisions of the Code of Professional Conduct and this function is reserved to Fellows and Members of the Institute.

A.4 IN RESPECT OF PUBLICITY MATERIAL & THE PROMOTION OF PRACTICES

1. A member should not publish or cause to be published any promotional material or advertisements which:
 - (a) are false or misleading in any respect.
 - (b) are likely to bring the architectural profession into disrepute.
 - (c) reflect unfavourably on other architects.
2. A member may bring his practice to the notice of potential clients provided that the application is not in respect of a project for which an architect has already been commissioned.
3. A member may allow his name or practice-name to be inserted in any classified list of architects or consultants.
4. A member may exhibit the practice name on the office premises, may sign buildings designed by the practice and a member may display the practice name on a signboard on a building under construction in an appropriate manner.

A.5 IN RESPECT OF ENGAGEMENT IN BUSINESS

1. A member may engage in any legitimate business provided that he or she avoids the possibility of any conflict of interest arising while acting as an architect in a professional capacity.
2. A member who is in practice as an Independent Consultant Architect shall maintain a level of professional indemnity insurance appropriate to the nature and scale of the practice.

A.6 IN RESPECT OF ARCHITECTURAL COMPETITIONS

1. An architectural competition is any process whereby two or more architects or architectural firms are invited to submit designs for a project to a potential client, or promoter, with or without payment of a fee.
 - 1.1 Any process in which architects are engaged to prepare designs which are to form part of competitive submissions by others is deemed to be an architectural competition.
2. Members may participate only in architectural competitions approved by the RIAI. where such approval of a competition is neither advised by the RIAI to members nor as set out below, a member shall seek and obtain the RIAI's approval before participating therein.

- 2.1 If a member of the Architects' Council of Europe has published its approval for an international architectural competition being promoted in that member organization's State, the RIAI approves of that competition.
- 2.2 If the International Union of Architects (UIA) has published its approval for an international architectural competition, the RIAI approves of that competition.
3. A member shall not lend his name to any entry in a competition except when participating in or supervising the preparation of the entry.
4. A member participating in an architectural competition shall comply with the regulations for that competition. The issue of compliance with competition regulations shall be at the discretion of the registrar and/or the Jury or Board of Assessors.
5. A member shall not canvass, directly or indirectly, in respect of any submission nor submit any alternative proposal before, during or after completion of the judging process.

A.7 IN RESPECT OF INTERVIEWS FOR THE SELECTION OF AN ARCHITECT

1. Members who are invited to attend at Interview for the selection of an architect for a project may not submit designs for the project, in graphic or other form, prior to, during or subsequent to the Interview for the Appointment of an Architect, before the appointment has been made.
2. A Member acting on an Interview Board for the selection of an architect for a project shall in so acting observe the Code of Conduct and shall endeavour to ensure that the proceedings of the Interview Board are conducted in accordance with the Institute's policy at the time.

Appendix B: Documents related to the Code of Conduct

1. **Memorandum of Association** of the Royal Institute of the Architects of Ireland dated 1st day of December, 1909.
2. **Articles of Association** of The Royal Institute of the Architects of Ireland dated 17th December 1985, in particular Article 23.

Article 23;

Any Student, Architectural Technician, Associate, Member, Fellow, Honorary Member, Honorary Fellow, Retired Member or Retired Fellow contravening the provisions of these Articles, or the By-Laws of the Institute or Council or the Code of Professional Conduct as approved by the Institute, or conducting himself in a manner which, in the opinion of the Council, is derogatory to the profession or to his professional character, or who shall engage in any occupation which, in the opinion of the Council, is inconsistent with the profession of an Architect shall be liable to reprimand, suspension or expulsion in any such manner as may be provided by the By-Laws. Any Student, Architectural Technician, Associate, Member, Fellow, Honorary Member, Honorary Fellow, Retired Member or Retired Fellow who may be convicted of felony shall ipso facto cease to be a member of the Institute.

3. **By-Law 13**

All matters of discipline and Professional Conduct, including proceedings for the reprimand, suspension or expulsion of a member under Article 23 of the Articles of Associate, shall be entertained, investigated, considered and determined by the Council and, for that purpose, the Council shall establish and maintain a Professional Conduct Committee which shall take such proceedings as may be laid down by Standing Orders established and published to the members by the Council from time to time for considering and investigating matters of discipline and professional conduct and for reporting thereon to the Council. In a case where the Council decided that a complaint against a member has been sustained, it shall at its discretion reprimand the member or decree his suspension or expulsion but no member shall be so reprimanded, suspended or expelled, or reinstated after such expulsion, unless the Council so decided by an affirmative vote of at least two thirds of those present and in any case by at least twelve votes.

4. **Standing Orders relating to Disciplinary Procedures**

Copies of these documents may be requested of The Royal Institute of the Architects of Ireland, 8, Merrion Square, Dublin 2 Tel: +353 1 6761703 or are available on the RIAI's website – www.riai.ie