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CE 1-14

Introduction

The Architects' Act allows for the creation of a code of ethics respecting the practice of architecture or interior design to maintain the “*dignity and honour of the profession*” and protect the public interest. In addition to preserving the integrity of the profession and protecting clients, the code is important for another reason. As discussed in the next chapter on Practice Review and Discipline, a violation of the Code of Ethics may be found to constitute either unskilled practice of architecture or interior design or unprofessional conduct. Either of these findings exposes the wrongdoer to a wide range of penalties, including fines, suspensions, or cancellation of registration.

The Code of Ethics applies to:

- registered architects
- visiting project architects
- architects corporations
- architects and engineers firms
- restricted practitioners and their engineering firms
- licensed interior designers
- visiting project interior designers
- interior design corporations



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CE 1

Obligations

Integrity

“An authorized entity must discharge, with honesty, courtesy and good faith, the duty that it owes to its client, to the public and to the profession.”

CE 2

Responsibility to the Profession Generally

“An authorized entity must assist in maintaining the integrity of the profession.”

CE 3

Competence and Quality of Service

“An authorized entity must

- act in the best interests of its client,*
- provide professional services with integrity, objectivity and independence,*
- serve its clients in a conscientious and efficient manner, and*
- provide a quality of service at least equal to that which would generally be expected from a competent authorized entity in a similar situation.”*

CE 4

Advising Clients

“An authorized entity must be both candid and honest when advising its clients.”

CE 5

Avoiding Questionable Conduct

“An authorized entity must observe the spirit as well as the letter of the rules set out in this Code.”

When considering the obligations in this rule, it is important to do so with this provision in mind. It means that even if behaviour does not violate the strict wording of a rule in the code, it may still be considered a breach of the code if it violates the spirit of the rule. The purpose of this provision is clearly reflected in its title *“Avoiding Questionable Conduct.”* By expanding the reach of the rules in the code of ethics beyond their strict literal interpretation, an incentive is provided to avoid “questionable” or borderline conduct.



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	CE 6	<p>Confidentiality</p> <ol style="list-style-type: none">1. <i>“An authorized entity must hold in strict confidence all information respecting the business and affairs of a client</i>2. <i>An authorized entity shall not disclose any information respecting the business and affairs of a client unless the authorized entity is</i><ul style="list-style-type: none">• <i>expressly or impliedly authorized to do so by the client, or</i>• <i>required to disclose the information by an enactment or an order of a court..”</i>
	CE 7	<p>Fees</p> <ol style="list-style-type: none">1. <i>“The fee charged by an authorized entity should be disclosed to the authorized entity’s client and must be fair and reasonable taking into consideration such of the following factors as are relevant:</i><ul style="list-style-type: none">• <i>the time and effort required to be spent on the project;</i>• <i>the complexity of the project;</i>• <i>whether special skill or service is required and provided;</i>• <i>the customary charges of other authorized entities of equal standing in the locality in like matters and circumstances;</i>• <i>the cost of the work involved in the construction of the project;</i>• <i>such other special circumstances, including loss of other employment, uncertainty of reward and urgency, as may apply with respect to a particular project.</i>2. <i>A fee will be fair and reasonable if it is one which can be justified in light of all pertinent circumstances, including the factors mentioned in subsection (1).”</i>
	CE 8	<p>Withdrawal of Services</p> <p><i>“An authorized entity shall not withdraw professional services except for good cause and with notice that is appropriate in the circumstances.”</i></p>



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	CE 9	<p>Impartiality and Conflict of Interest</p> <ol style="list-style-type: none">1. <i>“An authorized entity must act impartially and should not favour the authorized entity’s own interests over the legitimate interests of the client or the public.</i>2. <i>An authorized entity shall not act or continue to act for a client if a conflict of interest arises or is likely to arise unless the authorized entity explicitly explains the conflict to the client and the client, with full knowledge of the conflict, requests that the authorized entity continue to act.</i>3. <i>An authorized entity must, if a conflict of interest arises, immediately disclose it personally to the client.</i>4. <i>For the purposes of this rule, “conflict of interest” means a situation</i><ul style="list-style-type: none">• <i>That would be likely to adversely affect the judgment of the authorized entity on behalf of, or its loyalty to, a client or prospective client, or</i>• <i>That might prompt an authorized entity to prefer the authorized entity’s own interests over the interests of a client or prospective client.”</i>
	CE 10	<p>Guarantee of Estimates</p> <p><i>“An authorized entity shall not guarantee an estimate of the cost of construction, furnishings, fixtures and equipment, whether prepared by the authorized entity or not.”</i></p>
	CE 11	<p>Knowledge and Skills</p> <p><i>“An authorized entity must maintain currency in the knowledge and skills necessary to provide professional services.”</i></p>



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	CE 12	<p>Prohibition on Practice</p> <p>1. <i>“An authorized entity shall not make any arrangement or agreement whereby a person who is not entitled to engage in the practice of architecture or the practice of interior design may</i></p> <ul style="list-style-type: none"><i>• directly or indirectly engage in the practice of architecture or the practice of interior design,</i> <p><i>or</i></p> <ul style="list-style-type: none"><i>• represent or hold out, expressly or by implication, that the person is entitled to engage in the practice of architecture or the practice of interior design.”</i> <p>2. <i>An authorized entity must bring to the attention of the Council any individual or corporation involved in the unlawful practice of architecture or the unlawful practice of interior design.”</i></p>
	CE 13	<p>Outside Interests</p> <p><i>“An authorized entity that engages in another profession, business or occupation concurrently with the practice of architecture or the practice of interior design shall not allow that other profession, business or occupation to jeopardize that authorized entity’s professional integrity, independence or competence in the practice of architecture or the practice of interior design.”</i></p>
	CE 14	<p>Advertising</p> <p>1. <i>“An authorized entity may promote or advertise the authorized entity’s abilities if the advertising does not impair the dignity of the profession and fees are neither quoted nor implied.</i></p> <p>2. <i>An authorized entity must ensure that the advertising serves the public interest by reporting accurate and factual information which neither exaggerates nor misleads. ”</i></p>



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Flexibility of the Code

The broad wording found in the rules meets the objectives of a self-governing profession, providing a guide by which members may judge their conduct while leaving the profession as a whole significant freedom to craft these obligations according to changing conditions of practice and policy objectives.

By setting out broad principles such as the obligation to maintain the integrity of the profession, those designated to judge behaviour are given freedom to interpret the rules in a way that best serves the profession and the public. However, the broad wording of these rules will always leave a grey area. This is where the section on *“Avoiding Questionable Conduct”* becomes especially valuable. It provides a strong incentive for members to avoid borderline behaviour.

Please click [here](#) to complete the Question and Answer for this chapter.

