

Hong Kong Institute of Urban Design

Preamble

1. The Hong Kong Institute of Urban Design (the Institute) was constituted, among other things, to promote urban design excellence in practice, education and research and to seek professional recognition of urban design. Members of the Institute are governed by its Memorandum and Articles of Association, By-laws, and this Code of Professional Conduct in addition to the general law.
2. The object of this Code of Professional Conduct is to promote the standard of professional conduct and self discipline required of every Member of the Institute in the interest of the public. (All references to "Member" in this Code refer to Fellow and Member.) Other membership classes of the Institute are required to comply with the provision of the Code wherever applicable.
3. This Code comprises four areas namely:
 - Responsibility to Society;
 - Responsibility to the Profession;
 - Responsibility to fellow Members; and
 - Responsibility to the Clients/ Employers.

In each of the areas are principles and rules which indicate good practice or the conditions under which certain activities are permitted or prohibited.

4. Members may be required to answer enquiries concerning their professional conduct in accordance with the Memorandum and Articles of Association of the Institute. In accordance with the Bye-laws, the Council of the Institute shall have the power to suspend, expel or reprimand Members who are proved to have acted against the aims and objects of the Institute and contrary to the intent of the Code of Professional Conduct.
5. Note that unless the context otherwise requires, words importing the singular number only shall include the plural number and vice versa and words importing the masculine gender only shall include the feminine and the neuter gender and vice versa and words importing persons shall include companies or corporations and vice versa.

A. Responsibility to Society

6. Members of the Institute in discharging their responsibilities to their employers and the profession shall at all times be cognisant of the interests of the general public in matters of urban design.
7. Members are encouraged to extend public understanding of urban design, and to offer professional advice and comments to the government and related authorities on urban design provided that any adverse criticism is neither malicious nor with improper motives.
8. When making a public statement professionally and personally, Members shall:
 - (a) ensure that both their qualification to make the statement and their association with any benefiting party are made known to the recipients of the statement; and
 - (b) other than when authorised by the Institute, avoid stating to any person reading or hearing those views that they form part of a statement made on behalf of the Institute.
9. Members advertising or authorising an advertisement of professional urban design services shall ensure that the advertisements are neither misleading to the public nor such as to prejudice their professional status or the reputation of the profession. In particular, no advertisement of urban design services shall contain any of the following:
 - (a) an inaccurate statement;
 - (b) an explicit comparison between the service offered by the Member advertising and the service offered by other Members of the Institute;
 - (c) any endorsement for a commercial product or company; or
 - (d) statements which run counter to the objects of the Institute.
10. Members shall not discriminate on the grounds of race, sex, creed, religion, disability or age and shall seek to eliminate such discrimination by others and to promote equality of opportunity.

B. Responsibility to the Profession

11. Members of the Institute shall order their conduct so as to uphold the dignity, standing and reputation of the profession. Members shall:
- (a) discharge their professional responsibilities with integrity, dignity, fairness and courtesy;
 - (b) give opinions in their professional capacity that are objective, reliable and honest and to the best of their ability and knowledge;
 - (c) take all reasonable steps to maintain and enhance their professional competence and to endeavour to nurture the professional development of graduate and student members of the Institute;
 - (d) be encouraged to participate in local and international affairs concerning urban design.
 - (e) accept responsibility for their actions and ensure that persons to whom they delegate authority are sufficiently competent to carry the associated responsibility;
 - (f) not undertake responsibility which they themselves are not qualified and competent to discharge;
 - (g) when working outside Hong Kong show their professional conduct according to the recognized standards of conduct in that country, provided always that their conduct shall be such as to uphold the status and integrity of the Institute;
 - (h) have proper regard for the professional obligations and qualifications of those with whom they are professionally associated; and
 - (i) when working within the field of another profession pay due regard to the ethics of that profession.
12. Members must not hold, assume, accept or retain a position in which their interests are in conflict with their professional duty.
13. Members must not undertake any duties or carry out any instruction of an employer, client or supervisor which involve making statements purporting to be their own but which are contrary to their bona fide professional opinion.

C. Responsibility to Members of the Institute

14. Members shall, where appropriate seek, accept and offer honest criticism of work and properly credit the contributions of others. They shall not maliciously or recklessly injure the professional reputation of another Member. However, they shall bring to the notice of the Institute any evidence of unethical, illegal or unfair professional practice.
15. A Member may make his availability and experience known to potential clients by providing information which in substance and in presentation is factual, relevant and neither misleading nor unfair to others nor discreditable to the profession.
16. Members shall not attempt to supplant another Member, or collude with any person, to gain a commission or position by unfair means or inducement.
17. Members in private practice, on being approached or instructed to proceed with professional work upon which to their knowledge another Member is currently undertaking, shall notify the fact in writing to such a Member.

D. Responsibility to Clients/Employers

18. Administration/ General

- (a) It is the responsibility of Members to take all reasonable steps to ensure that all urban design matters are conducted in accordance with this Code.
- (b) A Member shall be prompt in all his dealings. A Member who becomes unable or unwilling to continue with a commission shall give reasonable notice of termination.
- (c) Members shall, where necessary, co-operate with or arrange for the services of other experts wherever an employer's or client's interest might best be served this way.
- (d) Members shall not subcommission work for which they have been commissioned without the prior agreement of their client nor without defining the responsibilities of those concerned.

(e) Members shall not accept any financial or contractual obligation on behalf of their employer or client without their authority.

19. Remuneration

Members shall be remunerated for their urban design services solely by professional fee paid by clients and/or a salary and other benefits of the conditions of employment with their employers. In particular, Members must not undertake any urban design services, or participate in any actions, which run counter to the provisions of the Prevention of Bribery Ordinance.

20. Conflict of Interest

A Member shall avoid any action or situation inconsistent with his professional obligations or likely to raise doubts about his integrity.

(a) A Member who finds that his interests whether professional or personal conflict, shall as the circumstances may require, either withdraw from the situation, or remove the source of the conflict, or declare it and obtain the agreement of the parties concerned to the continuance of his engagement.

(b) Members who have undertaken urban design work on behalf of a client must not, until that engagement has been terminated, undertake work for or on behalf of any other client if by so doing the interests of either client would be prejudiced or the Members' ability to act wholly in the interests of either client would be impaired.

(c) Members who advise a government department or agency on urban design matters within a defined area, either as an employee or a consultant, shall not engage in any dealings in land, and in the case of government department or agency employees shall not undertake any private design work, within the area covered or affected by the subject of the urban design matters where, by reason of his office or employment, he is in a position to adjudicate or influence a decision. This restriction applies during any period when a Member is giving advice on the urban design matters.

21. Confidentiality

(a) Members shall safeguard confidential information relating to their employer or client and shall not disclose such information to other parties without the consent of their employer or client. Members shall not receive any advantage, gift or favour for disclosing such information to other parties nor make use of it for personal gain.

(b) Whatever the circumstances, Members must always be prepared to justify their action if they have disclosed confidential information. If Members are in doubt about disclosing information in a particular situation they will be wise to seek independent legal advice.

22. Competence /Negligence

(a) Members must not act or continue to act in circumstances where the client cannot be represented with competence or diligence.

(b) Members who have accepted instructions on behalf of a client are bound to carry out those instructions with diligence and must exercise reasonable care and skill.

(c) Members are under a duty to keep their client properly informed and to comply with reasonable requests from their client for information concerning their business affairs.

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