

05 AUG 2016

Registrar
PQSC
Attn: Mr Padarath

Government Notices 2016

1371

Government Notice No. 157 of 2016

**THE PROFESSIONAL QUANTITY
SURVEYORS' COUNCIL ACT**

**Regulations made by the Minister, after consultation with the
Council, under section 44(3) of the Professional
Quantity Surveyors' Council Act**

1. These regulations may be cited as the Professional Quantity Surveyors' (Code of Practice) Regulations 2016.
2. In these regulations –
“Act” means the Professional Quantity Surveyors' Council Act.
3. For the purpose of section 2 of the Act, the Code of Practice shall be the Code set out in the Schedule.

Made by the Minister, after consultation with the Professional Quantity Surveyors' Council, on 16 July 2016.

SCHEDULE

[Regulation 3]

**CODE OF PRACTICE FOR PROFESSIONAL
QUANTITY SURVEYORS****PART I – DEFINITIONS**

1. In this Code of Practice –

“client” means an individual who, or an organisation which, enters into an agreement with a professional quantity surveyor for the provision of professional services on a specific project or projects;

“employer” means an individual who, or a partnership or corporation which, engages a professional quantity surveyor as a salaried employee;

“gift, reward or benefit” includes, but is not restricted to, free or less than market value accommodation, entertainment, hospitality or travel.

PART II – GENERAL OBLIGATIONS

2. Every professional quantity surveyor shall –

- (a) maintain a high standard of integrity;
- (b) act in good faith and be truthful;
- (c) adhere to the principles of natural justice;
- (d) avoid situations in which his private interests conflict, or might reasonably be perceived to conflict, with the impartial fulfilment of his official duties and the public interest;
- (e) avoid having any financial or other interests, or embark on any undertaking, that could directly or indirectly compromise the performance of his duties;

- (f) not abuse his official position for personal gain;
- (g) not solicit or accept any gift, reward or benefit for himself or for his family, relatives, friends, or persons or organisations with whom he has, or has had, any business relations which –
 - (i) may influence or appear to influence the impartiality with which he carries out his duties; or
 - (ii) may be or may appear to be a gift, reward or benefit relating to his duties;
- (h) provide professional services of a high standard and always act with skill, care and diligence;
- (i) not give undue publicity to his qualifications, experience or business;
- (j) act within his scope of competence;
- (k) be transparent about fees and any other costs or payments such as referral fees or commissions;
- (l) address any complaint about him in an appropriate and professional manner and, as far as is reasonably practicable, aim to resolve the matter to the satisfaction of the complainant;
- (m) be prepared to question and raise any matter which he considers not to be appropriate with colleagues, his employer, the Professional Quantity Surveyors' Council or any other appropriate person or organisation;
- (n) comply with the laws of the country in which he operates;
- (o) endeavour to stay abreast of technical and professional developments by means of continuing professional development;

- (p) ensure that he takes all facts relevant to a matter into consideration when exercising discretionary powers;
- (q) be accountable in his decisions or actions by providing justifications, whenever required;
- (r) not misrepresent his qualifications, experience and previous responsibilities;
- (s) not obstruct or unduly delay any decision;
- (t) not discriminate against any person on the ground of sex, marital status, colour, race, ethnic or national origin, age, disability, political opinion, occupation, status, sexual orientation, religious or ethical beliefs;
- (u) respect the reputation, profession, skills and practices of others;
- (v) not act arbitrarily or to the detriment of any person, group or body, and have due regard for the rights, duties and relevant interests of others;
- (w) at all times, whilst engaged in a professional capacity, adhere to and observe a standard of behaviour befitting a professional quantity surveyor.

PART III – OBLIGATIONS TO CLIENT

3. A professional quantity surveyor shall –
- (a) not take advantage of a client to whom he owes a duty of care;
 - (b) be fair and impartial in the provision of advice and judgment to a client;
 - (c) where a conflict of interest arises or is likely to arise, disclose promptly, fully and appropriately to his client any

- actual or potential conflict of interest which he may have in a matter that is the subject of a consideration;
- (d) be clear about what service his client wants and the service he is providing;
 - (e) where it appears that services required are outside his scope of competence, inform his client and –
 - (i) where requested to do so by the client, seek input or advice from an appropriate expert; or
 - (ii) in case he is unable to meet the service requirements, explain to the client that he is not best placed to act for the client;
 - (f) communicate with his client in a way that will allow the client to make informed decisions;
 - (g) discharge his duties towards any client with efficiency, competence, confidentiality and without undue delay and ensure that any employee or colleague assisting with the provision of services has the necessary competence and also takes a pledge of confidentiality;
 - (h) be open and transparent in the way he works and share appropriate and necessary information with his clients in the conduct of business in such a manner that they can understand that information;
 - (i) provide a client with honest and comprehensive advice;
 - (j) not wilfully supply incorrect or misleading information to any client;
 - (k) not withhold relevant information from any client;
 - (l) respect the confidential nature of information disclosed to him by any client and shall not disclose such information

without a client's prior permission unless such disclosure is required by law;

- (m) always be courteous, polite and considerate to clients and potential clients with whom he comes into contact;
- (n) as far as possible, encourage his firm or organisation to put the fair and respectful treatment of clients at the centre of its business culture.

PART IV – OBLIGATIONS TO QUANTITY SURVEYING PROFESSION

4. A professional quantity surveyor shall –
- (a) not conduct himself in a manner which is derogatory to his professional integrity, likely to lessen the confidence of the public in the Council or the profession or to bring him into disrepute;
 - (b) not take advantage of a third party or anyone to whom he owes a duty of care;
 - (c) not offer any gifts, hospitality, services, payment, commission or other consideration to procure an appointment;
 - (d) act consistently in the public interest when it comes to making decisions or providing advice;
 - (e) not solicit or accept any gift, reward or benefit which might compromise his integrity and that of his organisation and the Council;
 - (f) promote the advancement of the quantity surveying profession;

- (g) not make any announcement regarding his qualifications, experience or business which is not factual or becoming of a professional quantity surveyor;
- (h) uphold the dignity, standing and reputation of the profession.

PART V – OBLIGATIONS TO COLLEAGUES

5. Every professional quantity surveyor shall –
- (a) on being approached or instructed to proceed with quantity surveying work in respect of which he has reason to believe that the services of another professional quantity surveyor have already been retained by the same person, notify such other professional quantity surveyor;
 - (b) not supplant or attempt to supplant another professional quantity surveyor who has been commissioned for a project;
 - (c) not take advantage of a colleague in the performance of his duties;
 - (d) neither intentionally nor carelessly do anything to bring into disrepute, directly or indirectly, other professional quantity surveyors;
 - (e) compete fairly with other professional quantity surveyors, by promoting the principle of selection by clients on the basis of merit.