

- (c) The Council shall thereafter display the name of such applicant on the Notice Board of the SLIA for one month and if there is no objection to the applicant being admitted to membership, the Council shall restore the Membership of such person.

4.3.4 *Waiving of the Annual Subscription :*

The Council may by resolution, waive the whole or any part of the annual subscription of any member who, in the opinion of the Council is unable to pay the Annual Subscription due to illness, disability or other sufficient cause.

4.3.5 **Restoration of Membership :**

The members whose membership ceased for non-payment of subscription fees prior to coming into force of these regulations and subsequently obtained the membership of the Institute may apply to the Council to restore their membership within six months from the date of Gazette Notification of these regulations. The Council shall restore the membership of such persons within three months from the date of the application.

Such applicants shall not be liable for any extra payments.

4.3.6 **Resignation and Re-admission :**

- (1) A person may resign from membership by letter addressed to the Honorary Secretary, to that effect after the payment of arrears of subscription fees and any other dues if any;
- (2) A person who has ceased to be a member by resignation may, on application made to the Council accompanied by an affidavit stating that such person had not violated the regulations during the period he was not a member of the Institute may be re-admitted to membership;
- (3) Where any person is re-admitted to membership, his name shall be displayed on the notice board of the Institute for one month and if no objection is made therefore, the Council shall re-admit such person as a member on payment of arrears of subscription fees and the re-admission fees as specified in Schedule 10.1.4, in addition to the annual subscription fee applicable at the time of such application.

4.3.7 **Registration and Renewal Fees - Architects Registration Board (ARB) :**

The fees payable for registration with the ARB and the renewal of registration shall be as prescribed in Schedule 10.1.3 of these regulations.

4.4 **Investigation of Complaints Prior to Award of Membership :**

If any complaint is made to the Council against the admission of any person as a member, either by name or otherwise within one month from the date of notice of admission of such person to any category of membership, the Council or the Procedures Committee shall request the Investigation Committee to investigate into such complaint within two weeks from the date of the complaint.

The Investigation Committee shall, following investigations, prepare a report and submit same to the Council within three months.

The decision of the Council shall be conveyed under registered post to the relevant person against whom the complaint was made and the complainant within two weeks from the date of the receipt of the report by the Council.

5. CODE OF PROFESSIONAL CONDUCT

5.1 Objectives and Application

- (1) The objective of this Code of Professional Conduct shall be to maintain and promote the standards of professional conduct or discipline, required of members of the Institute, Chartered Architects, Architects, Architectural Licentiates and Practices in the interest of the Members of the Institute and the Public.
- (2) Members of the Institute, Chartered Architects, Architects, Architectural Licentiates and Practices:-
 - a) Shall at all times be guided by the spirit of this code as well as by its precise terms, Compliance with an undertaking shall not of itself be conclusive evidence that the relevant principle has been honored, nor will the fact that no particular undertaking has been included to prevent a misdemeanor amounting to a contravention of the regulations being judged to have taken place;
 - b) Shall have due regard to the need to conserve and enhance the quality of the environment, its natural resources and cultural heritage;
 - c) Shall have regard to the provisions of this Code irrespective of their field of activity, contract of employment or membership of any other association for the purpose of the Sri Lanka Institute of Architects Law No 01 of 1976 and the regulations made there under. The Institute shall hold a Member, Chartered Architect, Architect, Architectural Licentiate or a Practice acting through a body corporate or non-corporate responsible for the acts of that body.
 - d) Shall be required to order their conduct as required by this Code wherever they are save that in a country where there are accepted standards of professional conduct for the practice of Architecture, they must order their conduct within that country according to such codes and ethical standards.
- (3) This Code does not repeal obligations placed upon members of the Institute, Chartered Architects, Architects, Architectural Licentiates and Practices by the General Law.
- (4) Members, Chartered Architects, Architects, Architectural Licentiates or Practices may be required to answer inquiries concerning their professional conduct in accordance with the regulations. Members, Chartered Architects, Architects, Architectural Licentiates or Practices shall be liable to reprimand, suspension or expulsion if the conduct is found by the Disciplinary Committee to be in contravention of the regulations or otherwise inconsistent with their status as a Member, Chartered Architect, Architect, Architectural Licentiate or Practice, derogatory to the professional standards.

5.2 Application

- (a) Members of the Institute, Chartered Architects, Architects, Architectural Licentiates and Practices shall be governed by these regulations in addition to any other law.
- (b) The Code comprises of three principles, which are of universal in application dealing with competence, integrity and the interests of the public. The principles are amplified by associated undertakings, which illustrate the application of a principle.
- (c) Revisions to the Code shall be published in the Gazette of the *Democratic Socialist Republic of Sri Lanka*. Members of the Institute, Chartered Architects, Architects, Architectural Licentiates and Practices are expected to be familiar with new provisions from the date of their publication, and in determining whether or not a contravention of the Code is committed, the Council, Investigation Committee and the Disciplinary Committee shall have regard to all relevant matters approved by Council.

5.3 Principles

5.3.1 Principle One

- (1) Any member of the Institute, a Chartered Architect, an Architect, an Architectural Licentiate or a Practice shall-
 - (a) carry out his duties applying the knowledge and experience, due care, efficiency and loyalty towards the clients or the employer as the case may be;
 - (b) be mindful of the interests of the person who may be expected to use or enjoy the product of the professional works.
- (2) To uphold the Principle set out in 5.3.1(1),
 - (a) when acting between parties or giving advice to exercise the independent professional judgment impartially to the best of the ability and understanding.
 - (b) not to evade the obligations by abandoning a commission.

5.3.2 Principle Two

- (1) Any member of the Institute, a Chartered Architect, an Architect, an Architectural Licentiate or a Practice shall, at all possible times, avoid any action or situation-
 - (a) which is inconsistent with the professional obligations ;or
 - (b) which is likely to raise doubts about the integrity.
- (2) To uphold the Principle set out in 5.3.2(1),
 - (a) Declare in writing to any prospective client or employer any business interest the existence of which, if not so declared, would or would be likely to raise a conflict of interest and or doubts about the integrity by reason of an actual or apparent connection with or effect upon the engagement. If the prospective client or employer does not in writing accept these circumstances, the Member of the Institute, Chartered Architect, Architect, Architectural Licentiate or the Practice must withdraw from the situation.

- (b) When finding that in circumstances not specifically covered elsewhere in these Regulations, the personal or professional interests conflicts so as to risk a breach of this Principle, either to withdraw from the situation, or remove the source of conflict, or declare it and obtain the agreement of the parties concerned to the continuance of the engagement. In the event of any doubt any Member, a Chartered Architect, an Architect, an Architectural Licentiate or a Practice shall refer the matter to Council for a ruling.
- (c) Not to make, support or acquiesce with any statement, written or otherwise, which is contrary to the own knowledge or *bona fide* professional opinion, or which is known to be misleading, or unfair to others or otherwise may discredit the profession.
- (d) Not to disclose, or use to the benefit of himself or to the Practice or others, confidential information acquired in the course of the professional work without the prior written consent of the parties concerned.
- (e) Not to give or accept any commissions or gratifications or other inducement in order to show favor to any person or body or allow the name to be used in advertising any service or product associated with the construction or any other industry.
- (f) On becoming personally or professionally insolvent or being disqualified under the Company Directors Disqualification Act 1986, to notify the Honorary Secretary, of the Institute of the facts.
- (g) Members, Chartered Architects, Architects, Architectural Licentiates and Practices shall declare annually to the SLIA, subscription in companies, share ownerships and directorships of all the partnerships and companies either incorporated or non-incorporated.

5.3.3 Principle Three

- (1) A Member of the Institute, a Chartered Architect, Architect, an Architectural Licentiate or a Practice shall undertake in every circumstance to conduct in a manner, which respects the legitimate rights and interests of others.
- (2) To uphold the Principle set out in 5.3.3(1) a Member of the Institute, a Chartered Architect, an Architect, an Architectural Licentiate and Practice shall-
 - (a) not offer any discount, commission, gratification or other inducement for the introduction of clients and for procurement of any assignment.
 - (b) when appointed as a competition assessor, not subsequently act in any other capacity for the work.
 - (c) not maliciously or unfairly criticize or attempt to discredit another Member of the Institute, Chartered Architect, Architect, Architectural Licentiate or a Practice or the works carried out by the Practices.
 - (d) respect and maintain confidentiality in any matter involving breaches, either alleged or proven of these Regulations or of the standard of professional performance of a Chartered Architect, Architect, Architectural Licentiate or a Practice.
 - (e) report to the Institute if convicted for any criminal offence, including a suspended sentence or Court Order and personal or professional disqualification from acting as a Director, or partner of a Practice or in any other organization.

6. FORMATION OF PRACTICES, REGISTRATION AND EMPLOYMENT

- (1) Chartered Architects, Architects, Architectural Licentiates or Practices shall practice Architecture under the categories listed under these Regulations. The formation, registration and practice shall be governed by Sri Lanka Institute of Architects Law No.1 of 1976 and the regulations made there under.
- (2) Chartered Architects, Architects or Architectural Licentiates and Practices shall not form among themselves or with other, allied or prescribed professionals, Public Limited Liability Companies (quoted or un-quoted) to carry out the Practice of Architecture.
- (3) The Student Members and Graduate Members are not entitled to Practice the profession of Architecture.
- (4) An Honorary Member who is not a Corporate Member of the Institute shall not be entitled to Practice the profession of Architecture.

6.1 **Practices**

6.1.1 **Individual Practice**

- (1) A Corporate Member of the Institute may practice Architecture on an individual basis and shall be entitled to use the title “Chartered Architect” if he is registered with the ARB.
- (2) Any person registered with the ARB, as an Architect or Architectural Licentiate may practice Architecture on an individual basis, if he is registered with the ARB and shall be entitled to use the title “Architect” or “Architectural Licentiate” as the case may be.

6.1.2 **Sole Proprietorship**

- (1) A Corporate Member, who-
 - (a) is registered with the ARB; and
 - (b) has obtained a business registration shall be entitled to use the title “Chartered Architect” for such business registration ,

and may practice Architecture as a Sole Proprietorship.
- (2) A Person, who-
 - (a) has registered himself with the ARB, as an Architect or Architectural Licentiate; and
 - (b) has obtained a business registration shall be entitled to use the title “Architect” or “Architectural Licentiate”, as the case may be for such business registration,

and may practice Architecture as a Sole Proprietorship.
- (3) Before a Sole Proprietorship is registered, the following criteria shall be followed:-
 - (a) It shall be registered only as a Chartered Architect, Architect or Architectural Licentiate