

**NZRAB Complaint Form (where what is alleged occurred on or after 1 January 2018)**

*(Reference Registered Architects Rule 59)*

A person may complain to the Board about the conduct of a Registered Architect or former Registered Architect.

Complaints must be in writing. To lay a complaint please use this form to make sure that all the necessary information is provided to support the allegations that you make.

The architect will be sent a copy of the complaint, including supporting evidence and will be asked to respond. The complainant will have the opportunity to see the architect’s response and supporting evidence.

Should the Investigating Committee require further information, this will be specifically requested. Please note that further unsolicited submissions might not be accepted, therefore, it is important to provide complete information at the time of making the complaint or in the case of the architect, responding to the complaint.

Complaints cannot be made against a firm or company and no compensation is available through laying a complaint.

(*The boxes below will expand to accommodate whatever you write or you may attach a separate document).*

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| **1 Complainant’s name** | |
| **2 Complainant’s contact details**  Postal address  Courier address, if different from that above  Email address  **(Please note that the NZRAB will contact you mainly by email)**  Landline  Mobile | |
| **3 Name of the Registered Architect or former Registered Architect who you want to lay a complaint against** *You can check whether a person is or was a Registered Architect at* [*https://www.nzrab.org.nz/Search/*](https://www.nzrab.org.nz/Search/) | |
| **4 Why are you laying this complaint?**  **-** | |
| **5 What impact do you consider this matter has had on you?**  - | |
| **6 Outline the chronology of events that led to your complaint**  Please set out what happened over the life of your project.  - | |
| **7 Alleged breach(es)**  Complaints must be based on a breach(s) of the Registered Architects Act 2005, Section 25.  **Please mark with a ✓in the right hand boxes below, the breach(s) that you think apply.** | |
| (i) The Registered Architect has been convicted, whether before or after he or she is registered, by any court in New Zealand or elsewhere of any offence punishable by imprisonment for a term of 6 months or more; and (ii) the commission of the offence reflects adversely on the person’s fitness to carry out the work of a registered architect  *Ref Registered Architects Act 2005 section 25(1)(a)*  **Describe why you think this**  -  Attach documents to support your view e.g. email of xx |  |
| The Registered Architect has breached the code of ethics contained in the rules.  *If so,* ***please also complete boxes 8 and 9 below****.*  *Ref Registered Architects Act 2005 section 25(1)(b)* |  |
| The Registered Architect has practised as a registered architect in a negligent or incompetent manner  *Ref Registered Architects Act 2005 section 25(1)(c)*  **Describe why you think this**  -  **Attach your cross referenced evidence** |  |
| The Registered Architect has, for the purpose of obtaining registration (either for himself or herself or for any other person),—  (i) either orally or in writing, made any declaration or representation knowing it to be false or misleading in a material particular; or  (ii) produced to the Board or made use of any document knowing it to contain a declaration or representation referred to in subparagraph (i); or  (iii) produced to the Board or made use of any document knowing that it was not genuine.  *Ref Registered Architects Act 2005 section 25(1)(d)*  **Describe why you think this.**  -  Attach documents to support your view e.g. email of xx |  |

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| **8 Which of the minimum standards of ethical conduct for registered architects below do you believe the architect has breached? Place a tick next to the ones you want to identify. You make your best judgement.**  *(See attached pages for the full text of each of the standards)* | **Tick**  **✓** |
| **Rule 46: Uphold the law** |  |
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| **Rule 47: Honesty and fairness** |  |
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| **Rule 48: Professional judgement** |  |
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| **Rule 49: Skill, care and diligence** |  |
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| **Rule 50: Obligations to report on risk** |  |
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| **Rule 51: Misrepresentation** |  |
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| **Rule 52: Conflicts of interest** |  |
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| **Rule 53: Abuse of authority** |  |
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| **Rule 54: Malicious criticism** |  |
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| **Rule 55: Conflicts of professional appointment** |  |
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| **Rule 56: Remuneration and inducements** |  |
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| **Rule 57: Professional reputation** |  |
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| **Rule 58: Competence** |  |
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| **Rule 58A: Terms of appointment** |  |
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| **Rule 58B: Client communication** |  |
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| **Rule 58C: Confidentiality** |  |
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| **Rule 58D: Registration status of others** |  |
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| **9 Describe why you think the architect has breached the rules you have marked above and provide any documents you have to support your complaint.**  - | |

Signed:

Date:

Please keep a copy of all complaint documents.

***Delivery options for complaint form and any supporting documents***

***1 Email as a pdf to*** [***info@nzrab.org.nz***](mailto:info@nzrab.org.nz) ***or***

***2 Courier to NZRAB, Level 8, I Centre, 50 Manners Street, Wellington***

***For more information call 04 471 1336.***

*NZRAB use*

Date received:

NZRAB Complaint No:

**Code of Minimum Standards of Ethical Conduct for Registered Architects**(Source: Registered Architects Rules 2006, part 3, applicable from 1 January 2018)

**46. Uphold the law**A registered architect must abide by the laws and professional codes of ethics and conduct in force in the countries and jurisdictions in which the architect performs professional activities.

**47. Honesty and fairness**  
A registered architect must perform the architect’s professional activities with both—

1. honesty; and
2. fairness.

**48. Professional judgement**  
A registered architect must exercise unprejudiced and unbiased professional judgement.

**49. Skill, care, and diligence**(1) A registered architect must perform the architect’s professional activities with reasonable skill, care, and diligence.

(2) A registered architect who becomes aware that the architect’s professional advice has not been followed, and considers that a failure to follow that advice may lead to significant harm, damage, or financial loss, must advise the recipient of the advice of the potential consequences.

**50. Obligations to report on risk**If a registered architect has reasonable grounds to believe that an architectural matter with which the architect is professionally involved could put the safety of any person at risk, the architect must bring the matter to the attention of the appropriate person or authority.

**51. Misrepresentation**A registered architect must not represent or promote the architect’s capability, business, or professional services and activities in a false, fraudulent, misleading, or deceptive manner.

**52. Conflicts of interest**A registered architect must—

1. avoid any significant conflict of interest; or
2. manage any significant actual or potential conflict of interest and disclose it to all relevant parties.

**53. Abuse of authority**A registered architect must not abuse the architect’s professional authority.

**54. Malicious criticism**  
A registered architect must not maliciously or in bad faith criticise or attempt to discredit another registered architect or another registered architect’s practice.

**55. Conflicts of professional appointment**  
If a registered architect, acting in the architect’s own capacity or representing a practice, is approached to provide professional services in relation to a project, and the architect knows that another registered architect has a current agreement for services for that project, the architect must notify the other registered architect.

**56. Remuneration and inducements**A registered architect, in respect of the architect’s professional activities,—

1. must be remunerated solely by the fees and benefits specified in the architect’s written terms of appointment or employment agreement; and
2. must not offer or accept any significant inducement that creates, or may create, a conflict of interest; and
3. must not offer any significant inducement to procure an agreement for services or gain an unfair advantage.

**57. Professional reputation**A registered architect must—

1. build the architect’s professional reputation on the merits of the architect’s own performance; and
2. acknowledge the contributions of others to projects where those contributions are significant.

**58. Competence**  
A registered architect must—

1. actively maintain the currency of the architectural knowledge and skills that are relevant to the architect’s work; and
2. perform only architectural work for which the architect is competent, or obtain appropriate support to ensure that the work is completed to a competent standard; and
3. if the architect tasks others to do architectural work, ensure that their work is appropriately supervised so that the work is completed to a competent standard.

**58A. Terms of appointment**(1) A registered architect must provide professional services only if—

1. written terms of appointment appropriate to the commission or services to be undertaken have been provided; and
2. the client, having agreed to the written terms of appointment, has provided an instruction to proceed.

(2) The written terms of appointment must cover—

1. the scope of the work; and
2. the allocation of responsibilities; and
3. any limitation of responsibilities; and
4. fees, or any methods for calculating fees; and
5. how billing will occur.

**58B. Client communication**A registered architect must—

1. ensure that, where applicable, effective systems are in place during a commission to establish and monitor its quality, budget, cost estimates, and time line; and
2. advise the client in a timely manner of any significant issues that arise, or are identified, at any time during the commission.

**58C. Confidentiality**A registered architect must observe the confidentiality of their clients’ affairs and must not disclose confidential information without the prior consent of the client unless required by law to do so.

**58D. Registration status of others**A registered architect who owns, manages, or controls a practice must ensure that nothing is done by the practice that creates, or may create, the impression that an unregistered person working for the practice is a registered architect.