

**NZRAB Complaint Form (where what is alleged occurred before 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: Not misrepresent himself or herself** |  |
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| **Rule 47: Uphold the law** |  |
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| **Rule 48: Exercise unprejudiced and unbiased judgement** |  |
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| **Rule 49: Care and diligence** |  |
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| **Rule 50: Terms of appointment** |  |
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| **Rule 51: Remuneration and inducements** |  |
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| **Rule 52: Confidentiality of client’s affairs** |  |
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| **Rule 53: Conflict of interest** |  |
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| **Rule 54: Act with honesty and fairness** |  |
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| **Rule 55: Acknowledge colleagues’ contributions** |  |
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| **Rule 56: Not maliciously or unfairly criticise** |  |
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| **Rule 57: Conflicts of professional appointment** |  |
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| **Rule 58: Giving an opinion on the work of another Registered Architect** |  |
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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**

**Standards related to the public**

***46. Not misrepresent himself or herself***

A Registered Architect must not represent or promote himself or herself, his or her business, or his or her professional services in a false, fraudulent, misleading, or deceptive manner.

***47. Uphold the law***

A Registered Architect must abide by the professional codes of ethics and conduct and laws in force in the countries or jurisdictions in which he or she provides professional services.

**Standards related to the client**

***48. Exercise unprejudiced and unbiased judgment***

A Registered Architect must exercise unprejudiced and unbiased judgment.

***49. Care and diligence***

A Registered Architect must perform his or her professional work with due care and diligence.

***50. Terms of appointment***

A Registered Architect must not undertake professional work unless the Registered Architect and the client have agreed the terms of the appointment, which may include but need not be limited to:

(a) scope of work

(b) allocation of responsibilities

(c) any limitation of responsibilities

(d) fee, or method of calculating it, and terms of trade

(e) any provision for termination

(f) provision for professional indemnity insurance.

***51. Remuneration and inducements***

A Registered Architect must:

(a) be remunerated solely by the fees and benefits specified in the appointment or employment agreement; and

(b) not offer any inducements to procure an appointment.

***52. Confidentiality of client’s affairs***

(1) A Registered Architect must observe the confidentiality of the client’s affairs and must not disclose confidential information without the prior consent of the client.

(2) Subclause (1) does not apply if the Registered Architect is required by law to disclose that information.

***53. Conflict of interest***

A Registered Architect must disclose to clients, owners, or contractors significant circumstances known to the Registered Architect that could be construed as creating a conflict of interest. The Registered Architect must ensure that the conflict does not interfere with the Registered Architect’s duty to render unprejudiced and unbiased judgment.

**Standards related to profession**

***54. Act with honesty and fairness***

A Registered Architect must pursue his or her professional activities with honesty and fairness.

**Standards related to other Registered Architects**

***55. Acknowledge colleagues’ contributions***

A Registered Architect must:

(a) build his or her professional reputation on the merits of his or her own performance; and

(b) not claim as his or her own intellectual property and ideas of other Registered Architects.

***56. Not maliciously or unfairly criticise***

A Registered Architect must not maliciously or unfairly criticise or attempt to discredit another Registered Architect’s work.

***57. Conflicts of professional appointment***

A Registered Architect must, on being approached to undertake professional work for which he or she knows, or by reasonable inquiry ascertains, that another Registered Architect has a current appointment with the same client, notify the other registered Architect.

***58. Giving an opinion on the work of another Registered Architect***

A Registered Architect must, when appointed to give an opinion on the work of another Registered Architect, notify the other Registered Architect unless the appointed Registered Architect is aware of any current or pending litigation concerning the work that is the subject of the opinion.