



20 March 2014

Cautionary Note 4: Terms of Appointment

The New Zealand Registered Architects Board (NZRAB) is concerned that some architects are doing work for clients without having agreed terms of appointment.

The Code of Minimum Standards of Ethical Conduct for Registered Architects is explicit. It says: "A Registered Architect must not undertake professional work unless the Registered Architect and the client have agreed the terms of the appointment."

Recently an architect who was the subject of a complaint was found to have breached this section of the code of ethics and, as a result, a penalty has been imposed.

When an architect accepts a commission, there must be a contract between the parties that makes clear the obligations of the parties. The NZRAB strongly recommends that it should be in writing, comprehensive and prepared with care.

The specifics of each arrangement will vary depending on the work being done. If the project involves multiple stages and determining the parameters for the later stages of the project is difficult, then agreeing to terms of appointment for each stage before each stage begins is acceptable. Clear undertakings, made by architect and client, are required. These are an architect's best protection if a project gets into difficulty.

The New Zealand Institute of Architects Inc. provides NZIA practices with templates for what is required. Other templates are also available. Arranging appropriate terms of appointment for commissions is an essential part of an architect's work, particularly if he or she is a sole practitioner or managing a practice.

Warwick Bell
Chair