

CODE OF CONDUCT

(EFFECTIVE 21 JUNE 2023)

INTRODUCTION

1. The Code of Conduct (the **Code**) is a public statement of the principles, values and behaviour expected of members of the New Zealand Institute of Quantity Surveyors Incorporated (**NZIQS**).
2. The provisions of this Code are deemed to be Rules of the Institute in accordance with Rule 35 of the Constitution. Terms defined in the Rules carry the same meaning here.
3. The purpose of the Code is to ensure that high standards of corporate and individual behaviour are observed by all members.
4. The Code provides the minimum standard of conduct to which members of NZIQS must adhere. A breach of this Code is a basis on which a member may be disciplined in accordance with the NZIQS Complaints and Disciplinary Procedure. Unprofessional conduct not specifically covered by this Code may likewise result in discipline of a member, depending on the particular circumstances.

DEFINITIONS

5. The following terms throughout have the following meanings;
 - a) **client:** an individual or organisation that enters into an agreement with a member, partnership or company for the provision of quantity surveying services;
 - b) **member:** a member of the New Zealand Institute of Quantity Surveyors Incorporated;
 - c) **partnership or company:** partnerships or companies offering quantity surveying services either solely or in combination with other professional services, and having one or more partner(s) or director(s) who are NZIQS members.

APPLICATION OF THE CODE

6. The Code applies to all members. Members must comply with it at all times.
7. A member may be held accountable for any breach of this Code by
 - a) others acting on their behalf; or
 - b) a partnership or company of which the member is a partner or director;if the breach was committed with that member's concurrence or prior knowledge.

PROFESSIONAL CONDUCT

8. Members must act in a manner consistent with the good reputation of NZIQS and the profession, and refrain from any conduct which might bring discredit to or undermine public confidence in the profession.
9. No member shall misrepresent, or permit others to misrepresent, his or her membership status, professional qualifications or experience.

COMPETENCE AND CLIENT CARE

10. Members must:
 - a) carry out their work carefully and competently;
 - b) ensure that the member's relevant professional knowledge and skills are kept up to date;
 - c) recognise their own professional or technical limitations and only undertake quantity surveying activities that are within the member's competence.
11. A member should properly supervise all services carried out for and on the member's behalf.
12. Members shall observe the highest standards of accuracy in any reports, statements, expert evidence, and certificates that they present.
13. A member must not provide any advice or make any statement without reasonable foundation unless it is appropriately qualified or limited.
14. A client's instructions and any subsequent variations of instructions, including as to commission, should be recorded in an appropriate form, preferably in writing.
15. Members must act promptly and efficiently in providing services to clients.
16. A member must, in the case of unavoidable delay, communicate to the client the progress being made in respect of the instructions issued to the member.

OBJECTIVITY AND INDEPENDENCE

17. Members must maintain independence and impartiality where the exercise of objective judgment is required. Members must not allow prejudice or bias, bad faith, conflict of interest, or the influence of others to override objectivity.
18. Members must take reasonable steps to identify circumstances that could be construed as a conflict of interest. These include, but are not limited to:
 - a) acting, for remuneration or other reward, for more than one party in respect of any particular work;
 - b) acting in conflicting positions on the same work;
 - c) pricing for another party any part of a Schedule of Quantities prepared in the member's office or place of employment or by the member's firm except on behalf of the client commissioning the original work;
 - d) undertaking the pricing of any Schedule of Quantities prepared by another firm for the same works, for more than one client;
 - e) having any financial interest in any organisation with which they may have occasion to deal on behalf of their client.
19. Where a conflict of interest arises, or a member identifies circumstances that could be construed as a conflict of interest, the member must:
 - a) inform the client, and any other interested party, of the actual or potential conflict of interest;
 - b) encourage the client to obtain independent professional advice; and
 - c) not act or continue to act for the client unless the client provides written instructions and consent that acknowledges the actual or potential conflict.

CONFIDENTIAL INFORMATION

20. A member who obtains confidential information about a client's affairs in the course of the member's quantity surveying activities must not:
 - a) use the information for any purpose other than the purpose for which it was obtained; or
 - b) disclose the information to any person, unless permitted by paragraph 21.
21. A member may disclose confidential information if, and to the extent that:
 - a) the client authorises the disclosure;

- b) the member is permitted or compelled by law to disclose the information;
- c) the member is required to disclose the information for the purpose of making a complaint to NZIQS; or
- d) disclosure is necessary for responding to any complaint brought against the member.

PROFESSIONAL COURTESY

- 22. Members must not maliciously or unfairly criticise or attempt to discredit the professional or personal reputation of another member, NZIQS, or allied professional person.
- 23. No member shall comment on the work done or fees charged by another member unless, in the course of their professional duties, they are required to review the work of that other member. At such times, the member shall, subject to any obligations of privilege or confidentiality, use their best endeavours to inform the other member, investigate thoroughly, and present their findings ethically and impartially.

MEMBERS AND NZIQS

- 24. Members must at all times comply with:
 - a) the Constitution and By-laws of NZIQS; and
 - b) current standards, policies, rules, or orders published by the Institute.
- 25. A member who has reasonable grounds to believe that another member has committed a significant breach of the Code, or other illegal or unethical conduct, must report the matter to NZIQS.
- 26. A member must inform NZIQS if:
 - a) the member is convicted, or discharged without conviction, for any criminal offence of embezzlement, theft, fraud, or dishonesty, or any crime that carries a sentence of six months or more imprisonment;
 - b) the member is the subject of a disciplinary or employment investigation;
 - c) the member is declared bankrupt; or
 - d) a company of which the member is a director is placed into receivership or liquidation.
- 27. A member who is the subject of a complaint or other investigation by NZIQS must be frank and honest and fully cooperate with the investigation, including any requests for information.