

BOARD OF ARCHITECTS MALAYSIA

(P.O. Box 12695, 50786 Kuala Lumpur)

GENERAL CIRCULAR NO. 1/1997

PROVISION OF FREE OR VIRTUALLY FREE SERVICES

It has come to the Board's attention recently that there have been a number of instances of Architects having been invited to submit conceptual or other proposals for development projects either without any cost or obligation whatsoever on the part of the party wishing to obtain proposal. The Board feels it advisable to issue this Advisory for the information and guidance of Architects.

1. In almost all cases known to the Board, the exercise described in the invitation is in fact an architectural competition. As such, anybody responding to such request would be subject to the provision of the Code of Professional Conduct for Architects under the Architects Rules 1996.

2. The relevant Codes are :-

Code 3(10) An Architect shall only participate in architectural competitions approved by the Board.

Code 3(11) (a) An Architect selectively invited by his prospective client to render professional services may do so provided that such terms of invitation as laid down by the prospective client are approved by the Board.

(b) An Architect who responds to such an invitation shall be paid for his services in accordance with the appropriate scale of professional fees and charges as prescribed by the Board and for the time being in force.

The Board is concerned that if Architects, in their anxiety to secure work, were to respond to such invitations, this will not only be in breach of the Rules but just as importantly will undermine the profession as it will be equivalent to providing free services on speculation. Therefore, if this trend is not curbed, it could lead to the degeneration of the status of the profession.

Architects are urged to advise the issuers of such invitations of the provisions of the law and at the same time to also keep the Board informed so that appropriate action can be taken to help educate the public.

The cooperation of all Architects is therefore sought in this matter.

By order of the Board,



(ZAINAB bt. MOHAMED)

Registrar

31 March 1997.