

The Designers Institute of New Zealand (Incorporated)

CODE OF ETHICS

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1. INTRODUCTION:

- 1.1. This Code of Ethics ("the Code") is issued by The Designer's Institute of New Zealand Incorporated for the compliance of all its members in whatever capacity they work, study or practise as designers.
- 1.2. All members acknowledge that it is a condition of their membership of the Institute that each of them abide by the Code and to further be bound by the Constitution of the Institute and shall act in such manner as is necessary to promote compliance with the Code by all persons, organisations or bodies employed or otherwise engaged on their behalf.
- 1.3. It shall be the duty of all members of the Institute to make themselves familiar with the Code and to observe the rules not only in the letter but also in the spirit.
- 1.4. The objective of this Code is for the benefit of the public and the profession in general and the client in particular and for the maintenance of fair and honourable conduct between members.

2. COMPLIANCE WITH THE CODE:

- 2.1. On receiving any complaint from a member, an officer, or a member of the public that a member has contravened the Code:
 - (a) The Secretary shall write to the member giving particulars of the complaint to the member and the member shall reply to such communication within fourteen (14) days providing the Secretary with such information as the member may wish to have considered with the complaint.
 - (b) The Secretary shall then refer the complaint to the sub committee of the Council charged with exercising Council's disciplinary powers ("The Disciplinary Committee") or if such powers have not been delegated then to the President.
 - (c) The Disciplinary Committee or the President shall then consider the complaint at first instance and dispose of it without hearing the parties by passing a Complaint Resolution.

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- (d) If the complainant or the member is not satisfied with the Complaint Resolution then the matter shall be referred to a meeting of the Disciplinary Committee (or in its absence, a full Council meeting) for hearing the parties.
 - (e) The decision of the Disciplinary Committee may be appealed to a Full Council meeting. Any such decision made by Council shall be final and shall be binding on members.
- 2.2. Any member who Council or the Disciplinary Committee decides has contravened the Code may be reprimanded, suspended or expelled from membership by Council or the Disciplinary Committee provided however that a decision of the Disciplinary Committee may be appealed to a Full Council meeting and such action may be accompanied by a public announcement to that effect.
- 2.3. No member shall work with, as a partner or fellow director, or employ or otherwise engage an expelled or suspended member of the Institute without the prior consent of the Council and then only on such terms as Council may direct.
- 2.4. Any member wishing to complain with respect to any matter relating to the conduct of the Institute's affairs other than a complaint relating to a member shall do so in writing to the Secretary and if not satisfied by the response, shall write directly to the Council which shall adjudicate on the complaint. Members shall be bound by such decision of the Council which shall be final.

3. RESPONSIBILITY TO THE PUBLIC

- 3.1. Members shall endeavour at all times to further the social and aesthetic standards of the community.
- 3.2. Members shall endeavour to act in the best interests of the ecology and of the natural environment.
- 3.3. Members shall act in a way that is in keeping with the honour and dignity of the profession.
- 3.4. Members shall not knowingly assume or accept a position in which personal interests conflict with professional duty.
- 3.5. Members shall conduct their business competently and act at all times with integrity and honesty and in a manner which encourages the highest standards of design, marine safety and professionalism.

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4. RESPONSIBILITY TO CLIENTS

- 4.1. Members shall act in the client's best interest within the limits of his professional duties.
- 4.2. Members shall not work simultaneously on assignments which are in direct competition with each other without the consent of the clients concerned.
- 4.3. Members and their staff shall treat all knowledge of their client's intentions, production methods, business organisation and other relevant information as confidential and shall not at any time divulge such information without the prior consent of the client.
- 4.4. Members shall not release for publication any information relating to work in progress, or completed for a client without the client's prior consent.
- 4.5. Members shall not utilise services offered by manufacturers, suppliers of building materials, appliances and equipment or contractors, which may be accompanied by an obligation detrimental to the best interests of the their client.
- 4.6. Members shall not in any way take the benefit of any discount, commission or allowances from any contractor, supplier, manufacturer or other similar party of any kind without the written acknowledgment or consent of the client. Members shall further familiarise themselves with the provisions of the Secret Commissions Act 1908.
- 4.7. Members shall not sub-contract the principal design work commissioned by a client without the client's full knowledge and consent.
- 4.8. Members who directly or indirectly have a financial interest in any company firm or business which may benefit by recommendations made by the member in the course of his work shall notify and obtain consent from the client as to those circumstances.
- 4.9. Prior to undertaking any assignment members shall, where ever practical determine with the client the scope of the project, the nature and extent of the services to be performed and remuneration for such services or if remuneration is not fixed, the basis on which it will be calculated.

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- 4.10. To assist a prospective client to choose a designer members may present to such prospect verbally or in writing information relating to the proposed project including the members understanding of the brief, examples of the members previous work, details of how the member would undertake the project, an estimate of cost and time scale and qualifications and experience of persons employed or engaged to work on the project.

5. RESPONSIBILITY TO OTHER DESIGNERS

- 5.1. Members shall not attempt directly or indirectly to supplant another designer by way of unfair or unethical inducements which may degrade the dignity or standing of the profession.
- 5.2. Members shall not knowingly accept any professional assignment upon which another designer has been acting without first establishing with the client that the former appointment has been properly terminated and that all materials relevant to the continuation of the project are the clear property of the client.
- 5.3. Members shall be fair in criticising the work of other designers and shall not denigrate the work which is the subject of the criticism or the reputation of the designer involved.
- 5.4. Members shall not accept instructions from clients which knowingly involve plagiarism nor shall they knowingly plagiarise the work or ideas of another designer.
- 5.5. Members shall assist and encourage to the best of their abilities new designers entering the profession including students in design schools and colleges and shall encourage a continuing education in the design profession.
- 5.6. Members working outside New Zealand shall observe the relevant Code of Conduct applicable to that particular country, state or locality.

6. RESPONSIBILITY TO THE PROFESSION:

- 6.1. Members when requested to advise on the selection of other designers for any work shall not accept payment of any kind in money or money's worth directly or indirectly from the designer recommended.

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- 6.2. Members shall at all times endeavour in their work to further the standards of the profession in New Zealand in line with the objectives of the Institute to develop New Zealand as a centre of excellence in design.
- 6.3. Members shall keep accurate detailed and up to date records of their professional experience and accomplishments.
- 6.4. Members shall as far as possible contribute to the interchange of technical information and experience between designers and other allied professions and at all times respect and maintain the interests and contributions of such other professionals.

7. REMUNERATION:

- 7.1. Fees and remuneration which members charge to clients shall reflect the time effort and urgency of the assignment to which they relate.
- 7.2. Members may work for a fee, royalty or salary.
- 7.3. Members shall not accept any payments or benefits which may impair or be seen to impair their ability to remain fair and impartial in all their dealings and shall take particular care in the case of contingency fees to adequately define the arrangement and ensure that they recover sufficient extra remuneration over carrying out the work at an hourly rate to reflect the risk assumed by the designer in taking on the work on a contingency basis.
- 7.4. Members shall not undertake work for a client without payment of the appropriate fees excepting cases of work for charitable or non profit making organisations when payment may be waived or at a reduced rate.

8. PROMOTION AND PUBLICITY:

- 8.1. Any advertising undertaken or publicity material provided by members shall contain only truthful and factual statements which are fair to clients and other designers and are in keeping with the dignity and standing of the profession.

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- 8.2. Members may permit their names to be used by clients or others including manufacturers, distributors and merchandising agents in advertisements which are factual statements of goods or services offered provided however that such statements are not harmful or detrimental in any way to the dignity and standing of the profession.
- 8.3. Members shall not permit their names to be associated with designs which have been so substantially changed by the client as to no longer principally be the original work of the member.
- 8.4. Officers of the Institute shall not permit or sanction the use of their titles in any advertising, publicity or promotion of the merchandise or services of any manufacturer or distributor.
- 8.5. Members may issue to the Press, Radio and Television media factual descriptions of their work and biographical material provided however that payment should not be made for such publicity where the material is broadcast in a manner which makes it clear that the material is not an advertisement.
- 8.6. Where material publicised by a member includes the work of a joint author whether that joint author is a member or not, the member shall use all best endeavours to ensure that credit shall also be given to the joint author.
- 8.7. Members shall not issue public statements on behalf of clients or the Institute without the prior express authority of such parties.
- 8.8. Members may seek joint credit for work produced in their capacity of employees, or as joint authors of the work when they are part of a team, but they shall not take any credit without the prior express consent of the employer or team concerned.
- 8.9. Advertising statements by members containing statements laudatory of the member or claiming or implying superiority for the member over all or any other designers should be submitted for approval by the Institute which shall having considered the interests of consumers not unreasonably withhold approval if such advertisements do not in any way mislead consumers.
- 8.10. Members may not include in advertisements fields of design where the member is not competent. Any member wishing to include fields of design should first submit the advertisement to the Institute if the field is outside the sector group or groups where the member is registered.