

Land Surveyors (Code of Professional Conduct and Ethics) (Amendment) Rules 2000

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No. S 201

LAND SURVEYORS ACT (CHAPTER 156)

LAND SURVEYORS (CODE OF PROFESSIONAL CONDUCT AND ETHICS) (AMENDMENT) RULES 2000

In exercise of the powers conferred by section 40(2)(f) of the Land Surveyors Act, the Land Surveyors Board, with the approval of the Minister for Law, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Land Surveyors (Code of Professional Conduct and Ethics) (Amendment) Rules 2000 and shall come into operation on 15th April 2000.

Amendment of rule 2

2. Rule 2 (2) of the Land Surveyors (Code of Professional Conduct and Ethics) Rules (R 5) is amended by deleting the word “title”.

Amendment of Schedule

3. The Schedule to the Land Surveyors (Code of Professional Conduct and Ethics) Rules is amended —

- (a) by deleting the full-stop at the end of the definition of “practising registered surveyor” in paragraph 1 and substituting a semi-colon, and by inserting immediately thereafter the following definition:

“ “publicity” means any form of advertisement and includes any advertisement —

- (a) printed in any medium for the communication of information;
- (b) appearing in, communicated through or retrievable from, any mass medium, electronic or otherwise including but not limited to the internet,

and its derivatives, and “publicise”, “publicised” and “publicising” shall be construed accordingly.”;

- (b) by deleting paragraph 3 and substituting the following paragraph:

““3.—(1) A practising registered surveyor may, subject to this rule, publicise his practice or allow his employees or agents to do so.

(2) A practising registered surveyor shall not publicise his practice in a manner which —

- (a) is likely to diminish public confidence in the profession of surveying or to otherwise bring the profession into disrepute;
- (b) may reasonably be regarded as being misleading, deceptive, inaccurate, false or unbefitting the dignity of the profession; or
- (c) the Board may determine to be an undesirable manner of publicising his practice.

(3) For the purposes of this rule, publicity shall be considered to be misleading, deceptive, inaccurate or false if it —

- (a) contains a material misrepresentation;
- (b) omits to state a material fact;
- (c) contains any information which cannot be verified; or
- (d) is likely to create an unjustified expectation about the results that can be achieved by the practising registered surveyor.

(4) In publicising his practice, a practising registered surveyor shall ensure that —

- (a) any claim to expertise or specialisation can be justified;

- (b) the publicity does not make any direct or indirect mention of past projects in which, or clients for whom, the practising registered surveyor or any of his firm or company had acted where the provision of such information will involve a breach of confidentiality owed to any client or former client;
- (c) the publicity does not make any comparison or criticism in relation to the quality of the services provided by any other practising registered surveyor, licensed corporation or partnership, or allied professional; and
- (d) the publicity does not make any reference to the charges, fees or remuneration of the practising registered surveyor in relation to his survey services.

(5) For the purpose of sub-paragraph (4) (a), the following factors shall be taken into account in justifying any claim to expertise or specialisation:

- (a) academic qualifications;
- (b) experience;
- (c) facilities;
- (d) personnel; and
- (e) capacity to render service.

(6) Where a practising registered surveyor becomes aware of any impropriety in any publicity relating to his practice, it shall be his responsibility to use his best endeavour to procure the rectification or withdrawal of the publicity, and to prevent its recurrence.

(7) Where it appears to the Board that the publicity relating to the practice of any practising registered surveyor is contrary to this rule, the Board may, after making due inquiry into the matter, order the practising registered surveyor to alter, withdraw, remove or discontinue the publicity or cause the same to be altered, withdrawn, removed or discontinued.

(8) The responsibilities of a practising registered surveyor under this rule shall not be capable of being delegated to any other person.

(9) No publicity relating to the practice of any practising registered surveyor shall make use of the logo of the Board.

(10) A registered surveyor shall not endorse surveying products or processes in any commercial advertisement.”.

(c) by deleting paragraph 17 and substituting the following paragraph:

““17.—(1) A licensed corporation or partnership may, subject to this rule,