

FIFTH SCHEDULE

CODE OF ETHICS

(Sections 3 and 50)

Part I

General Obligations

1. An Urban and Regional Planner, who is employed in the public service or private practice and performs work involved in urban and regional planning, whether academic, research or otherwise, shall have a duty to the public, his employer and clients, as well as to other members of the profession, at all times to –

- (a) Serve the public interest in a manner which upholds the integrity of the profession within the laws of Trinidad and Tobago;
- (b) Uphold the reputation of the urban and regional planning profession;
- (c) Conduct himself in accordance with the highest standards of professional practice and integrity; and
- (d) Assist with advancing the competency of persons who are qualified or training to become urban and regional planners.

2. An Urban and Regional Planner shall –

- (a) undertake only such work as he is competent to perform by virtue of his training and experience; and
- (b) Obtain Professional Indemnity Insurance when so required by law.

3. An Urban and Regional Planner shall consider in his practice of urban and regional planning the following concepts:

- (c) land is a finite resource, particularly in small island States, and should be utilised in a judicious manner;
- (d) the need to protect the integrity of the natural environment;
- (e) problem solving involves an analysis of choices which requires the balancing of competing interests;
- (f) long range future consequences of present actions;
- (g) the need for meaningful and informed public participation in the urban and regional planning process and due consideration of available choices;
- (h) the social, economic, physical and environment issues underlying land use and spatial development;
- (i) the rights and privileges of individuals under the Constitution and other written laws;
- (j) the pursuit of excellence in design, whether in the natural or built environment;
- (k) the need for public advocacy; and
- (l) the desirability of monitoring and evaluating the implementation of a plan.

4. (1) An Urban and Regional Planner, in his practice, shall –
- (a) have regard to the totality of land use and adjacent seabed;
 - (b) ensure the rational and sustainable utilization of land and
 - (c) related natural resources; and
 - (d) consider the integrated development of settlements and
 - (e) supporting networks which promote human well-being,
 - (f) environmental harmony and aesthetics.

(2) An Urban and Regional Planner, who holds a Professional Licence or Temporary Licence, shall affix his seal and signature to those plans, specifications and reports actually prepared and approved by him or done under his direct supervision.

5. An Urban and Regional Planner shall –
- (a) endeavour to extend public understanding of urban and regional planning and its place in society;
 - (b) endeavour at all times to enhance the public regard for, and its understanding of, his profession, by extending the public knowledge thereof and discouraging untrue and exaggerated statements with respect to professional services in urban and regional planning;
 - (c) have proper regard for the safety, health and welfare of the public in the performance of his professional duties; and
 - (d) conduct himself in such a manner as not to prejudice his professional reputation.

Part II

Responsibility to the Public

6. An Urban and Regional Planner shall not –
- (a) misrepresent his qualifications and experience;
 - (b) endeavour by direct or indirect means to attract the clients of another Urban and Regional Planner and where a client is referred to him by another Urban and Regional Planner, the client remains for all other purposes the client of the referring Urban and Regional Planner and the Urban and Regional Planner to whom the client is referred shall act with due deference to the relationship between the client and the referring Urban and Regional Planner-;
 - (c) make any public statement on urban and regional planning projects connected with public policy where the statement is made on behalf of or paid for by private interest, unless he clearly discloses the private interest; and
 - (d) allow the publication or use of any of his work in any manner that is likely to mislead, and when it comes to his knowledge that it is so published, he shall take immediate steps to correct the false impressions given-

Part III

Responsibility to the Employer and Client

7. (1) An Urban and Regional Planner shall not –
 - (a) solicit prospective clients or employment through the use of harassment or duress and false or misleading claims;
 - (b) sell or offer for sale professional services by stating or implying an ability to influence decisions by improper means;
 - (c) offer to pay or accept, either directly or indirectly, any commission, political contribution, gift or other consideration in order to secure or execute urban and regional planning work; or
 - (d) accept or continue to perform work which cannot be performed with the promptness required by the prospective client or employer and the circumstances of the assignment.

- (2) Where an Urban and Regional Planner is unable to do any portion of work, he shall either recommend to his client, or engage the services of, another Urban and Regional Planner or related professional, who is suitably qualified to perform the type of work required.

8. An Urban and Regional Planner shall –
 - (a) accept the decisions of a client or employer regarding the objectives and nature of the professional services to be performed, notwithstanding observations made to the client or employer during briefing except where the course of action to be pursued involves conduct which is illegal or contrary to this Code;
 - (b) provide diligent, creative, independent and competent performance of work in pursuit of the interests of a client or employer and consistent with dedicated service to the public interest; and
 - (c) exercise independent professional judgment on behalf of clients and employers.

9. When pursuing urban and regional planning work on behalf of a client, an Urban and Regional Planner shall avoid undertaking work for and on behalf of any other client, if by so doing, the interests of either client may be in any way prejudiced or his ability to act wholly in the interests of either client may be in any way impaired.

10. Where the interests of an Urban and Regional Planner is likely to be affected by the decision of his client or employer on any matter whatsoever, he shall in writing, disclose to his client or employer the nature of his interests immediately after the relevant facts have come to his knowledge.

11. (1) An Urban and Regional Planner shall have a duty to fully disclose any actual, apparent or reasonably foreseeable conflict of interests by the Urban Regional Planner to his client or employer.

(2) An Urban and Regional Planner, who fails to comply with sub clause (1) shall not be entitled to any remuneration in relations to the performance of the work.

12. (1) An Urban and Regional Planner shall refrain from disclosing confidential information pertaining to the interests of his clients or employers without their consent, except when required –

- (a) by process of law;
- (b) to prevent a clear violation of law; or
- (c) to prevent a substantial injury to the public.

(2) An Urban and Regional Planner shall avoid the use of information obtained confidentially in the course of his assignment as a means of making personal gain, except with the knowledge and written consent of his client or employer, as the case may be.

Part IV

Employment in the Public Sector

13. When advising or acting for a public authority in the discharge of any statutory planning function, an Urban and Regional Planner shall employ his professional skills with the sole concern for the proper discharge of that function, in the best interest of the authority that may be involved.

14. When employed by or acting as a consultant to a government department, planning authority or other public service agency, an Urban and Regional Planner shall not –

- (a) undertake any private urban and regional planning work; or
- (b) engage in any private dealings in land or building,

which falls within the jurisdiction of the department, authority or agency except with the written permission of the department, authority or agency concerned.

15. An Urban and Regional Planner shall not use the power of his office to seek or obtain a special advantage that is not in the public interest or to gain a special advantage that is not a matter of public knowledge.

16. An Urban and Regional Planner shall refrain from divulging any confidential findings resulting from studies or actions by any commission, board or other body of which he is a member or for which he is acting without the consent of that body.

17. While serving as a witness before a court, commission or other tribunal, an Urban and Regional Planner shall refrain from expressing opinions on the practice of urban and regional planning which are not founded on adequate knowledge and honest conviction.

Part V

Self-responsibility

18. An Urban and Regional Planner shall –

- (a) be faithful to public needs;
- (b) be fair and loyal to his associates, employers, clients, subordinates and employees;
- (c) strive for high standards of professional competence;
- (d) not deliberately commit an act which reflects adversely on the urban and regional planning profession;
- (e) respect the rights of others and, in particular, shall not improperly discriminate against any person in the practice of his profession;
- (f) strive to contribute time and effort to groups lacking in adequate resources and to volunteer in activities related to the profession of urban and regional planning;
- (g) seek to maintain his professional competence throughout his professional life;
- (h) contribute to the development of the profession by sharing his experience and research;
- (i) accurately represent the professional qualifications, education and affiliations of himself and other members of the profession; and
- (j) report to the Council any unprofessional or dishonest conduct of any Urban and Regional Planner.

Part VI

Advertising

19. (1) An Urban and Regional Planner shall employ circumspect advertising to announce his practice and availability and shall ensure that any such advertising is not excessive, misleading to the public or prejudicial to his professional reputation or that of the profession.

(2) An Urban and Regional Planner shall not advertise his professional services by using any –

- (a) inaccurate statement of fact;

- (b) explicit comparison between the professional services he offers and the service offered by another Urban and Regional Planner; or
- (c) endorsement of a commercial product.

(3) For the purposes of this Part, “excessive advertising” **includes a statement to the effect** that an Urban and Regional Planner can offer superior services or solve all problems in his profession.