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# Policy Issues

## Practice of Architecture

### *Definition:*

The practice of architecture consists of the provision of professional services in connection with town planning and the design, construction, enlargement, conservation, restoration, or alteration of a building or group of buildings. These professional services include, but are not limited to, planning and land-use planning, urban design, provision of preliminary studies, designs, models, drawings, specifications and technical documentation, coordination of technical documentation prepared by others (consulting engineers, urban planners, landscape architects and other specialist consultants) as appropriate and without limitation, construction economics, contract administration, monitoring of construction (referred to as «supervision» in some countries), and project management.

### *Background:*

Architects have been practicing their art and science since antiquity. The profession as we know it today has undergone extensive growth and change. The profile of architects' work has become more demanding, clients' requirements and technological advances have become more complex, and social and ecological imperatives have grown more pressing. These changes have spawned changes in services and collaboration among the many parties involved in the design and construction process.

### *Policy:*

That the practice of architecture as defined above be adopted for use in the development of UIA International Standards.

## Architect

### *Definition:*

The designation «architect» is generally reserved by law or custom to a person who is professionally and academically qualified and generally registered/licensed/certified to practice architecture in the jurisdiction in which he or she practices and is responsible for advocating the fair and sustainable development, welfare, and the cultural expression of society's habitat in terms of space, forms, and historical context.

### *Background:*

Architects are part of the public and private sectors involved in a larger property development, building, and construction economic sector peopled by those commissioning, conserving, designing, building, furnishing, financing, regulating, and operating our built environment to meet the needs of society. Architects work in a variety of situations and organizational structures. For example, they may work on their own or as members of private or public offices.

### *Policy:*

That the UIA adopt the definition of an «architect» as stated above for use in developing UIA International Standards.

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## Fundamental Requirements of an Architect

### *Definition:*

The fundamental requirements for registration/licensing/certification as an architect as defined above, are the knowledge, skills, and abilities listed below that must be mastered through recognized education and training, and demonstrable knowledge, capability, and experience in order to be considered professionally qualified to practice architecture.

### *Background:*

In August 1985, for the first time, a group of countries came together to set down the fundamental knowledge and abilities of an architect (\*). These include:

- Ability to create architectural designs that satisfy both aesthetic and technical requirements, and which aim to be environmentally sustainable;
- Adequate knowledge of the history and theories of architecture and related arts, technologies, and human sciences;
- Knowledge of the fine arts as an influence on the quality of architectural design;
- Adequate knowledge of urban design, planning, and the skills involved in the planning process;
- Understanding of the relationship between people and buildings and between buildings and their environments, and of the need to relate buildings and the spaces between them to human needs and scale;
- An adequate knowledge of the means of achieving environmentally sustainable design;
- Understanding of the profession of architecture and the role of architects in society, in particular in preparing briefs that account for social factors;
- Understanding of the methods of investigation and preparation of the brief for a design project;
- Understanding of the structural design, construction, and engineering problems associated with building design;
- Adequate knowledge of physical problems and technologies and of the function of buildings so as to provide them with internal conditions of comfort and protection against climate;
- Necessary design skills to meet building users' requirements within the constraints imposed by cost factors and building regulations;
- Adequate knowledge of the industries, organizations, regulations, and procedures involved in translating design concepts into buildings and integrating plans into overall planning;
- Adequate knowledge of project financing, project management, and cost control.

### *Policy:*

That the UIA adopt a statement of fundamental requirements as set out above as the minimum basis for development of UIA International Standards and seek to ensure that these particular requirements are given adequate emphasis in the architectural curriculum. The UIA will also seek to ensure that the fundamental requirements will be constantly kept under review so that they remain relevant as the architectural profession and society evolve.

(\* Cf. Derived from Directive 85/384/EEC of the Commission of the European Communities)

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## Education

### *Definition:*

Architectural education should ensure that all graduates have knowledge and ability in architectural design, including technical systems and requirements as well as consideration of health, safety, and ecological balance; that they understand the cultural, intellectual, historical, social, economic, and environmental context for architecture; and that they comprehend thoroughly the architects' roles and responsibilities in society, which depend on a cultivated, analytical and creative mind.

### *Background:*

In most countries, architectural education is conventionally delivered by 4-6 years full-time academic education at a university (followed, in some countries, by a period of practical experience/training/internship), though historically there have been important variations (part-time routes, work experience etc.).

### *Policy:*

In accordance with the UIA/UNESCO Charter for Architectural Education, the UIA advocate that education for architects (apart from practical experience/training/internship) be of no less than 5 years duration, delivered on a full-time basis in an accredited/validated/recognized architectural program in an accredited/validated/recognized university, while allowing variety in their pedagogic approach and in their responses to local contexts, and flexibility for equivalency.

## Accreditation/Validation/Recognition

### *Definition:*

This is the process that establishes that an educational program meets an established standard of achievement. Its purpose is to assure the maintenance and enhancement of an appropriate educational foundation.

### *Background:*

Validated criteria and procedures for accreditation/validation/recognition by an independent organization help to develop well integrated and coordinated programs of architectural education. Experience shows that standards may be harmonized and promoted by regular, external monitoring, in some countries, in addition to internal quality assurance audits.

### *Policy:*

That courses must be accredited/validated/recognized by an independent relevant authority, external to the university at reasonable time intervals (usually no more than 5-years), and that the UIA, in association with the relevant national organizations of higher education, develop standards for the content of an architect's professional education that are academically structured, intellectually coherent, performance-based and outcome-oriented, with procedures that are guided by good practice.

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## Practical Experience/Training/Internship

### *Definition:*

Practical experience/training/internship is a directed and structured activity in the practice of architecture during architectural education and/or following receipt of a professional degree but prior to registration/licensing/certification.

### *Background:*

To complement academic preparation in order to protect the public, applicants for registration/licensing/certification must integrate their formal education through practical training.

### *Policy:*

That graduates of architecture will be required to have completed at least 2 years of acceptable experience/training/internship prior to registration/licensing/certification to practice as an architect (but with the objective of working towards 3 years) while allowing flexibility for equivalency.

## Demonstration of Professional Knowledge and Ability

### *Definition:*

Every applicant for registration/licensing/certification as an architect is required to demonstrate an acceptable level of professional knowledge and ability to the relevant national authority.

### *Background:*

The public is assured of an architect's knowledge and ability only after he or she has acquired the requisite education and practical experience/training/internship, and demonstrated minimum knowledge and ability in the comprehensive practice of architecture. These qualifications have to be demonstrated by examination and/or other evidence.

### *Policy:*

That the acquired knowledge and ability of an architect have to be proven by providing adequate evidence. This evidence must include the successful completion of at least one examination at the end of the practical experience/training/internship. Necessary components of professional practice knowledge and ability that are not subject to an examination have to be proven by other adequate evidence. These include such subjects as business administration and relevant legal requirements.

## Registration/Licensing/Certification

### *Definition:*

Registration/licensing/certification is the official legal recognition of an individual's qualification allowing her or him to practice as an architect, associated with regulations preventing unqualified persons from performing certain functions.

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*Background:*

Given the public interest in a quality, sustainable built environment and the dangers and consequences associated with the development of that environment, it is important that architectural services are provided by properly qualified professionals for the adequate protection of the public.

*Policy:*

That the UIA promote the registration/licensing/certification of the function of architects in all countries. In the public interest, provision for such registration/licensing/certification should be by statute.

## Procurement

*Definition:*

The process by which architectural services are commissioned.

*Background:*

Architects (through their codes of conduct) uphold the interests of their clients and society at large before their own interests. In order to ensure they have adequate resources to perform their functions to the standards required in the public interest, they are traditionally remunerated in accordance with either mandatory or recommended professional fee-scales.

There are international rules, such as the General Procurement Agreement (WTO) and the EU Services Directive, that aim to guarantee the objective and fair selection of architects. However, there has been an increasing tendency recently to select architects, for both public and private work, on the basis of price alone. Price-based selection forces architects to reduce the services provided to clients, which in turn compromises design quality and therefore the quality, amenity and social/economic value of the built environment.

*Policy:*

To ensure the ecologically sustainable development of the built environment and to protect the social, cultural, and economic value of society, governments should apply procurement procedures for the appointment of architects that are directed to the selection of the most suitable architect for projects. Conditional upon adequate resources being agreed among the parties, this is best achieved by one of the following methods:

- Architectural design competitions conducted in accordance with the principles defined by the UNESCO-UIA international competitions guidelines and approved by national authorities and/or architectural professional associations.
- A qualification based selection (QBS) procedure as set out in the UIA guidelines;
- Direct negotiation based on a complete brief defining the scope and quality of architectural services;

## Ethics and Conduct

*Definition:*

A code of ethics and conduct establishes a professional standard of behavior that guides architects in the conduct of their practices. Architects should observe and follow the code of ethics and conduct for each jurisdiction in which they practice.

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*Background:*

Rules of ethics and conduct have as their primary object the protection of the public, caring for the less powerful and the general social welfare, as well as the advancement of the interests of the profession of architecture.

*Policy:*

The existing UIA International Code of Ethics on Consulting Services remains in force. Member Sections of the UIA are encouraged to introduce into their own codes of ethics and conduct the recommended Accord Guidelines and a requirement that their members abide by the codes of ethics and conduct in force in the countries and jurisdictions in which they provide professional services, so long as they are not prohibited by international law or the laws of the architect's own country.

## Continuing Professional Development

*Definition:*

Continuing Professional Development is a lifelong learning process that maintains, enhances, or increases the knowledge and continuing ability of architects.

*Background:*

More and more professional bodies and regulatory authorities require their members to devote time (typically at least 35 hours per year) to maintaining existing skills, broadening knowledge, and exploring new areas. This is increasingly important to keep abreast with new technologies, methods of practice, and changing social and ecological conditions. Continuing professional development may be required by professional organizations for renewal and continuation of membership.

*Policy:*

That UIA urge its member sections to establish regimes of continuing professional development as a duty of membership, in the public interest. Architects must be sure they are capable of providing the services they offer, and codes of conduct must oblige architects to maintain a known standard in a variety of areas described under the «Fundamental Requirements of an Architect» and in future variations thereof. In the meantime, the UIA must monitor the developments in continuing professional development for registration renewal, recommend guidelines among all nations to facilitate reciprocity and continue to develop policy on this subject.

## Scope of Practice

*Definition:*

This is the provision of design and management services in connection with land-use planning, urban design, and building projects.

*Background:*

As society has evolved, the creation of the urban and built environment has become more complex. Architects have to deal with an increasingly wide range of urban, aesthetic, technical, and legal considerations. A coordinated approach to building design has proved to

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be necessary to ensure that legal, technical, and practical requirements are met and that society's needs and demands are satisfied.

*Policy:*

That the UIA encourage and promote the continuing extension of the boundaries of architectural practice, limited only by the provisions of codes of ethics and conduct, and strive to ensure the corresponding extension of the knowledge and skills necessary to deal with any extension of boundaries.

## Form of Practice

*Definition:*

The legal entity through which the architect provides architectural services.

*Background:*

Traditionally, architects have practiced as individuals, or in partnerships or in employment within public or private institutions. More recently, the demands of practice have led to various forms of association, for example: limited and unlimited liability companies, cooperative practices, university-based project offices, community architecture, although not all are allowed in all countries. These forms of association may also include members of other disciplines.

*Policy:*

That architects should be allowed to practice in any form legally acceptable in the country in which the service is offered, but always subject to prevailing ethical and conduct requirements. The UIA, as it deems necessary, will develop and modify its policies and standards to take account of alternative forms of practice and varied local conditions where these alternatives are thought to extend the positive and creative role of the architectural profession in the interests of society.

## Practice in a Host Nation

*Definition:*

Practice in a host nation occurs when an individual architect or corporate entity of architects either seeks a commission or has been commissioned to design a project or offer a service in a country other than his/her/its own.

*Background:*

There is an interest in increasing the responsible mobility of architects and their ability to provide services in foreign jurisdictions. There is also a need to promote the awareness of local environmental, social, and cultural factors and ethical and legal standards.

*Policy:*

Architects providing architectural services on a project in a country in which they are not registered shall collaborate with a local architect to ensure that proper and effective understanding is given to legal, environmental, social, cultural, and heritage factors. The conditions of the association should be determined by the parties alone in accordance with UIA ethical standards and local statutes and laws.

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## Intellectual Property/Copyright

### *Definition:*

Intellectual property encompasses the three legal areas of patent, copyright, and trademark. It refers to the right (sometimes guaranteed under the law of some nation states) of designers, inventors, authors, and producers, to their ideas, designs, inventions, works of authorship, and the identification of sources of products and services.

### *Background:*

While many countries have some legal protection covering the architect's design, that protection is often inadequate. It is not unusual for the architect to discuss ideas and concepts with a prospective client, subsequently not be hired, and later find that the client has used the architect's ideas with no recompense. The intellectual property of architects is, to some extent, protected by international regulations. In the context of the GATS, this is the agreement on trade-related aspects of intellectual property rights, including trade in counterfeit goods (TRIPS). The World Copyright Convention of September 16, 1955 is also of international significance. In Europe, the Revised Berne Agreement of 1886 is binding in most states.

### *Policy:*

That the national law of a UIA member section should entitle an architect to practice his/her profession without detriment to his/her authority and responsibility, and to retain ownership of the intellectual property and copyright of his/her work.

## Role of Professional Institutes of Architects

### *Definition:*

Professions are generally controlled by a governing body that sets standards (e.g. of education, ethical rules, and professional standards to be observed). The rules and standards are designed for the benefit of the public and not the private advantage of the members. In some countries, certain types of work are reserved to the profession by statute, not in order to favor members but because such work should be carried out only by persons with requisite education, training, standards and discipline, for the protection of the public. Institutes have been established for the advancement of architecture, promotion of knowledge and--by ensuring that their members perform to a known standard--protection of the public interest.

### *Background:*

Depending on whether a country has protection of title or function, (or both, or neither), the role and responsibilities of professional institutes varies considerably. In some countries, the statutory bodies also represent the profession; in others, these functions are separate.

It is customary for members of professional institutes to be expected to maintain a known standard. This is achieved by adhering to codes of conduct promulgated by the professional institutes, and fulfilling other requirements of membership, e.g. continuing professional development.

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*Policy*

In countries where professional institutes do not exist, the UIA should encourage members of the architectural profession to form such institutes in the public interest.

Professional Institutes should seek to ensure that their members adhere to the UIA international standards, the minimum requirements of the UIA-UNESCO Architectural Education Charter, and UIA International Code of Ethics and Conduct; keep up to date their knowledge and skills as required by the list of «Fundamental Requirements» (both current, and as they evolve in the future); and generally contribute to the development of architectural culture and knowledge as well as the society they serve.