

# EUROPEAN FEDERATION OF ENGINEERING CONSULTANCY ASSOCIATIONS - EFCA

## CODE OF CONDUCT

### 1.0 INTRODUCTION

This Code of Conduct is intended to ensure the highest standard of professional conduct amongst those consulting engineers and consulting companies (Consultants) that are, through their national associations, affiliated to the European Federation of Engineering Consultancy Associations (EFCA).

This Code is designed to uphold the quality of service, fidelity to Client, impartiality, social and environmental responsibility, fairness of competition, and high reputation of Consultancy in Europe. Members of EFCA must require that their affiliated Consultants together with the whole of their management and staff observe, as a minimum, the obligations set out below.

### 2.0 QUALIFICATION

- 2.1 Consultants may only undertake to provide services for which they possess the necessary competence and organisation provided always that they may enter into associations with others or engage outside assistance to acquire such competence and organisation.

### 3.0 CONDITIONS OF PRACTICE

- 3.1 The principal activity of Consultants must be to offer consulting engineering and related activities to prospective clients. Such activities must not be permanently exclusive to any one client.
- 3.2 Consultants must have a control over their business affairs. They must act with complete fidelity to their Client and with responsibility to society in respect of every task.
- 3.3 Consultants must be remunerated solely by way of fees or other form of compensation paid by the Client. No direct or indirect benefit shall be received from any other party without the Client's written approval.

Consultants may protect by patents, or other legal or contractual arrangements, new techniques or processes that their work enables them to perfect, and to sell these patents or grant licenses and to draw fees upon them.

- 3.4 Consultants must maintain accounts separate from any parent company, shareholder, owner and any affiliated firm so that all costs whether direct or indirect are brought into account.  
Such costs must be fully reflected in the fees or other form of payment charged by the Consultant to the Client.

#### **4.0 RESPONSIBILITY**

- 4.1 Consultants must carry out their tasks with due skill, care and diligence. Consultants must take full account of technical improvements and developments in their fields of expertise and must incorporate these improvements and developments in the services which they provide to their clients.
- 4.2 Information regarding any limitation of a Consultant's liability must not be concealed from a client.

#### **5.0 DUTIES TO CLIENTS**

- 5.1 All services must be undertaken solely in the legitimate interests of the Client.
- 5.2 Consultants must define, or cause to be defined, their services, terms, and remuneration as clearly, accurately and completely as possible.
- 5.3 Consultants must seek remuneration which is appropriate to the extent of the services and the skills required.
- 5.4 Consultant' responsibilities and benefits must not be transferred to another party without the Client's written approval.
- 5.5 Consultants must not disclose, without their Client's authority, business or technical secrets that they have obtained in the execution of their services for that Client, nor use such information against their Client's interests.
- 5.6 Consultants must inform the Client, as soon as it becomes apparent, of any shareholding or direct or indirect connection with any contractor, builder, manufacturer, supplier, other commercial interest or government which might be thought by the Client to influence their professional impartiality.

#### **6.0 GENERAL DUTIES**

- 6.1 Consultants and their staff must respect and properly apply all laws, regulations, technical rules, accepted standards, norms and codes of practice appropriate to their profession or speciality and to the services entrusted to them.
- 6.2 Consultants must respect the dignity, culture, religion, and customs of the people in whose area they work, or whose lives or community may be affected by their work.

- 6.3 Consultants must recognise their duty to society and to the environment. If tasks appear to be contrary to the general interest the Consultant must make the Client aware and must endeavour to persuade him to alter them.
- 6.4 Members shall respect the personal and professional dignity of their professional colleagues and of all other parties with whom they have professional relations.
- 6.5 Where Consultants have a discretion exercisable as between their Client and any contractor, manufacturer or supplier they must exercise this discretion fairly and impartially.

## **7.0 DUTIES TO THE PROFESSION**

- 7.1 Consultants must at all times uphold the dignity, standing and reputation of their profession.
- 7.2 Consultants must not injure, whether directly or indirectly, the professional reputation, prospects or business of another Consultant. They may, however, on instruction from a Client, express objective technical opinions in any report which they have been commissioned to present or before any court or tribunal. Consultants may also lodge a complaint before any competent body which lays down rules of conduct governing the professional conduct of another Consultant.
- 7.3 Consultants must not directly or indirectly attempt to supplant another Consultant and must not knowingly intervene in another Consultants work, or replace him on a project, without the other Consultants written consent or written notification.
- 7.4 Where Consultants are invited to compete with each other they must do so fairly. The existence of any subsidy from a government, shareholder, owner or affiliate which might directly or indirectly enable a Consultant to offer a price which would be lower than a fair commercial price must be notified to the national association to which the Consultant is affiliated so that other Consultants may be informed.
- 7.5 Consultants must not seek work by methods incompatible with the dignity and respect of their profession. They must not publish material which is inaccurate, or misleading or which seeks to damage the professional standing of another Consultant.
- 7.6 Consultants must not allow anybody not contracted to them to receive any rebate, commission or benefit in order to obtain new work or attract new Clients. Payments to any contracted parties must be commensurate with their lawful activities.

## **8.0 APPLICATION OF NATIONAL CODES**

- 8.1 This Code does not in any way affect the application of more restrictive rules in National Codes or in Codes that are applicable to certain associations.