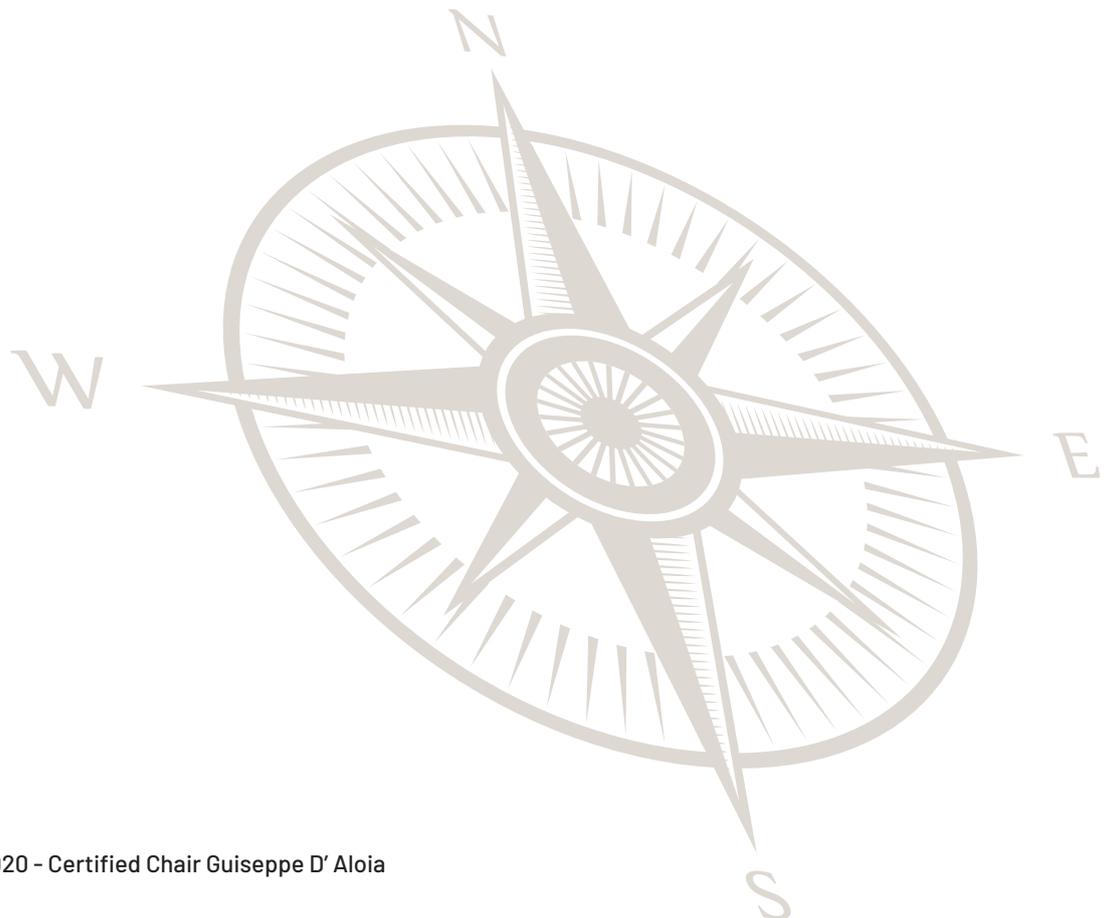


2023

CODE OF ETHICS

These rules are issued by the authority of The Surveyors Board of South Australia and are adopted forthwith.

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Professional Practice Rules of The Surveyors Board

CODE OF ETHICS

Annexure to the Standard Operating Procedures

(Adopted as a By-Law pursuant to Rule 29.1 of the Institution of Surveyors Australia, South Australia Division Incorporated Rules)

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A Preamble

Ethics are the rules of conduct based on honesty, integrity and courtesy. To merit the trust of the community, the respect of colleagues and the support of the Institution of Surveyors Australia, South Australia Division (“ISASA”), Members are required to comply with the Professional Practice Rules of the Surveyors Board – Code of Ethics (“the Code”) regardless of the manner in which they provide Surveying Services, including but not limited to the provision of Surveying Services as an individual as an occupier of a position of authority in a trust or corporate entity (as that term is defined in section 4(6) of the *Survey Act 1992*) or as the occupier of a position of authority in a public sector organisation.

In order to maintain public confidence in the professional standards of Members of the ISASA, it is essential that Members exhibit professional standards and conduct in carrying out their duties at all times.

Every Member of the ISASA must comply with the Code. A Breach of the Code may constitute unprofessional conduct, which may be investigated by the ISASA in accordance with the complaints process outlined in sections 35 and 36 of the *Survey Act 1992*, and the Standing Operating Procedures of the Surveyors Board of South Australia.

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B Interpretation

Act means the *Survey Act 1992*;

Board means the Surveyors Board of South Australia, the body established pursuant to the Rules to manage the affairs of the ISASA;

Cadastral Survey means any process of determining the boundaries of land by the measurement of angles and distances or point positioning;

Code means the Professional Practice Rules of the Surveyors Board – Code of Ethics;

Graduate Surveyor has the same meaning as a Registered Surveying Graduate and means a person who holds the prescribed academic qualifications and is registered as a surveying graduate with the Institution of Surveyors Australia, South Australia Division Inc. (ISASA);

Interested Parties means any one (1), or a combination of, a client, member of the public, employer, colleague or another Member;

ISASA means the Institution of Surveyors Australia, South Australian Division;

Licensed Surveyor means a person who holds a licence as a surveyor under Part 3 Division 2 of the Act;

Member means a Member of the ISASA pursuant to Rule 6 of the ISASA Rules;

Registered Surveyor means a person who holds a registration as a surveyor under Part 3 Division 2 of the Act;

Regulations means the *Survey Regulations 2020*, as amended from time to time;

Rules means the ISASA Rules;

Standing Operating Procedures means the Procedures adopted by the Board, as amended from time to time;

Supervised Person means a Licensed Surveyor, a Registered Surveyor, a Graduate Surveyor, a Technical Surveyor or other such person that the Board may approve who carries out work under the direction and supervision of a Licensed Surveyor;

Supervision means the act, process or function of overseeing, directing or managing work;

Supervisor means a person who is a Licensed Surveyor and supervises the activities of others in the conduct of a cadastral survey, noting that sections 14 and 15 of the Act place obligations for a person carrying out certain work to be a Licensed Surveyor, or a person under the supervision of a Licensed Surveyor;

Surveyor means a person who is licensed or registered as a surveyor in accordance with Part 3 Division 2 of the Act;

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Surveying Services means

- a. a cadastral survey; or
- b. any process of determining:
 - i. the form of the land; or
 - ii. the position (including height) of a point, object, structure or feature on or in land, by the measurement of distances, angles, heights or point positioning.

C Ethics

Members must:

1. put the welfare and rights of the community before their responsibility to the profession of surveying, to other surveyors, and/or to sectional or private interests;
2. uphold the standards, honour and dignity of the profession;
3. not participate in any criminal or otherwise illegal activity during the course of their employment as a Surveyor such that the profession is brought into disrepute;
4. exercise their responsibilities and duties with the highest standards of honesty, integrity and courtesy towards all with whom they deal in their professional capacity, including but not limited to, their clients, employer (where relevant) and colleagues;
5. conform to the decisions of the Board on questions of ethics and conduct;
6. be scrupulous in the use of their employer’s property and services (where relevant);
7. not undertake professional responsibilities and duties, and not accept a fee or reward for services, beyond their competence, or authority;
8. endeavour to advance the science and practice of surveying and the objects of the ISASA;
9. continue their professional development throughout their career in accordance with any continuing education requirements determined by the Board pursuant to section 26 of the Act;
10. when acting as a consultant, or when holding public office, perform their responsibilities and duties impartially, without fear or favour;
11. undertake to inform clients and/or employers, as the case may be, of any interests they have, which may adversely affect their judgement and/or the quality of the Surveying Services;
12. not accept any form of compensation for a particular Surveying Service from more than one (1) source without first disclosing the circumstances to, and receiving written approval from, all Interested Parties;

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13. consider environmental concerns in accordance with the applicable relevant laws when carrying out professional operations and activities, including but not limited to Surveying Services;
14. build their reputation on merit and refrain from any form of unfair competition including but not limited to:
 - (i) using, or permitting another to use, a professional designation to which they have no entitlement;
 - (ii) offering inducements to secure work or advancement;
 - (iii) knowingly seeking to supplant another Surveyor who has been appointed by the client;
 - (iv) failing to comply, or being recklessly indifferent to ensuring compliance, with statutory provisions, Rules or Regulations governing the practice of surveying;
 - (v) accepting a fee which would preclude the Member from providing professional services at a level expected of a competent and trained professional;
 - (vi) advertising in a false or misleading manner, or in any way not in the interests of, the public or the profession;
15. ensure their professional practice complies with relevant legislation, notices and guidelines including but not limited to the:
 - (i) *Act*;
 - (ii) *Regulations*;
 - (iii) Rules;
 - (iv) Code, as amended from time to time;
 - (v) Notices of the Surveyor-General made under regulations contained in Part 3 of the Survey Regulations 2020;
 - (vi) Standing Operating Procedures of the Board;
 - (vii) Cadastral Survey Guidelines;
 - (viii) Plan Presentation Guidelines;

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- (ix) outcome of any action taken against the Member in another State or a Territory, of the Commonwealth, or in New Zealand; and
- (x) any other relevant, applicable, Commonwealth and South Australian legislation.

D Conduct

1. General Conduct

In practising the profession of a Surveyor, Members must:

- 1.1. exercise unbiased and independent professional judgement;
- 1.2. not accept a fee or reward for work assignments that are outside of the scope of their professional competence or authority;
- 1.3. keep their knowledge and skills current by participating in relevant programs of continuing professional development (“CPD”) as set out in the Board’s CPD Policy, and as may be amended from time to time;
- 1.4. accurately convey, as far as reasonably practicable, their expertise, extent and limit of Surveying Services that they can provide;
- 1.5. comply with the Advertising Policy, Annexure to the Standing Operating Procedures of the Board, as may be amended from time to time;
- 1.6. not reveal or use any confidential facts, data or information obtained in the course of professional practice to derive a personal pecuniary or non-pecuniary benefit without the written permission of all Interested Parties, or as otherwise required by law; and
- 1.7. not reveal or use any confidential facts, data or information obtained in the course of professional practice to provide a pecuniary or non-pecuniary benefit to another person, partnership, trust or corporate entity, without the written permission of all Interested Parties, or as otherwise required by law.

2. Conduct for Supervisors

In directing or supervising a Supervised Person, a Supervisor must follow the procedures outlined in the Supervision Policy, Annexure to the Standing Operating Procedures of the Board, as may be amended from time to time. In particular, the Supervisor:

- 2.1. must ensure that the assigned duties, services or tasks are competently completed in a timely manner and in accordance with professional standards;
- 2.2. will be held responsible for the quality and accuracy of all Surveying Services carried out by a Supervised Person under their Supervision;

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- 2.3. must exercise a standard of Supervision that will ensure the Surveying Services have been carried out in accordance with accepted standards of surveying practice, exercising reasonable care and skill, and complying with all relevant legislation, notices and guidelines;
- 2.4. must take all reasonable steps to ensure that any Supervised Person who carries out delegated or subcontracted Surveying Services preserves the confidentiality of the information obtained through undertaking those Surveying Services;
- 2.5. pursuant to the regulation 19 of the Survey Regulations 2020 ('Regulations') and the Surveyor-General's approved form of certificate to be completed to certify a plan of cadastral survey under regulation 19(1) of the Regulations, as may be amended from time to time, not sign certifications of plans and reports unless they were prepared and completed under their Supervision. For the avoidance of doubt, a Supervisor endorsing the certification of a plan of cadastral survey is responsible for the survey, irrespective of whether it was carried out by them or under their Supervision. A Supervisor certifying a survey carried out under their supervision must ensure the survey reflects their professional responsibilities and complies with relevant legislation, notices made under regulations contained in Part 3 of the Survey Regulations 2020 and guidelines.
- 2.6. must not allow a Supervised Person to undertake professional responsibilities and duties beyond their competence and/or authority; and
- 2.7. must encourage the professional development of all Surveyors, but particularly the development of Supervised Persons.

3. Conduct towards Clients

In dealing with clients, Members must:

- 3.1. be polite, courteous and professional at all times;
- 3.2. so far as reasonably practicable, and before undertaking Surveying Services, ensure the client has been fully informed of the implication of the professional services required, and in particular; the duration, volume of work and approximate cost of the Surveying Services;
- 3.3. immediately advise the client and their employer (where relevant) upon becoming aware of any actual or perceived conflict of interest that may impact the Member's ability to undertake the Surveying Services;
- 3.4. endeavour to return phone calls and other correspondence in a timely manner;
- 3.5. only access properties at reasonable times, and as agreed with the client or other persons for the purposes of carrying out work in connection with Surveying Services;
- 3.6. not reveal or use confidential facts, data or information obtained in the course of professional practice, for their benefit, or the benefit of another, other than the client, without the client's permission, or as required by law;
- 3.7. not make false charges for professional services rendered;

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- 3.8. provide a detailed invoice in a timely manner, if requested by the client;
- 3.9. complete Surveying Services within a reasonable timeframe and as agreed with the client;
- 3.10. advise the client of any errors or omissions made while carrying out Surveying Services as soon as reasonably practicable, and, wherever practicable, take appropriate steps to rectify those errors or omissions within a reasonable timeframe;
- 3.11. respond to complaints in a timely, polite and respectful manner and advise their employer (where relevant) of the fact that a complaint has been received as soon as reasonably practicable; and
- 3.12. if the circumstance requires, inform the client of their right to lodge a complaint with the Board pursuant to section 35 of the Act and section 9 of the Standing Operating Procedures.

4. Conduct towards the Profession

Members must:

- 4.1. not directly or indirectly act to undermine the reputation or business prospects of another Surveyor;
- 4.2. not knowingly supplant other Surveyors either with, or without, agreement with their client.