

BOARD OF PROFESSIONAL LICENSING
Rules of Professional Conduct
for
Engineers, Architects, Land Surveyors and Landscape Architects

PREAMBLE

To comply with the purpose of 4 CMC, § 3108 which is to safeguard life, health, and property, to promote the public welfare, and to maintain a high standard of integrity and practice, the Board of Professional Licensing has adopted the following "Rules of Professional Conduct." These rules shall be binding on every person or firm holding a license or a certificate of authorization to offer or perform engineering, architecture, land surveying, or landscape architecture services in the Commonwealth of the Northern Mariana Islands. All persons or firm licensed pursuant to 4 CMC, §§ 3101 are required to be familiar with the statute, the regulations and these rules. The "Rules of Professional conduct" delineates specific obligations the licensee or firm must reach. In addition, each licensee or firm is charged with the responsibility of adhering to standards of highest ethical and moral conduct in all aspects of the practice of professional engineering, architecture, land surveying, or landscape architecture.

The practice of professional engineering, architecture, land surveying, and landscape architecture is a privilege, as opposed to a right. All licensees or firm shall exercise their privilege of practicing by performing services only in the areas of their competence according to current standards of technical competence.

Licensees or firm shall recognize their responsibility to the public and shall represent themselves before the public only in an objective and truthful manner.

They shall avoid conflicts of interest and faithfully serve the legitimate interests of their employers, clients, and customers within the limits defined by these rules. Their professional reputation shall be built on the merit of their services and they shall not compete unfairly with others.

The "Rules of Professional Conduct" as promulgated herein are enforced under the power vested by the Board of Professional Licensing.

I. Licensees/Firms Obligation to the Public

- a. Licensees or firms, in the performance of their services for clients, employers, and customers, shall be cognizant that their first and foremost responsibility is to the public welfare.
- b. Licensees or firms shall approve and seal only those documents and surveys that conform to accepted engineering, architecture, land surveying, or landscape architecture standards and safeguard the life, property, and welfare of the public is endangered.
- c. Licensees or firms shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled under circumstances where life, health, property, or welfare of the public is endangered.
- d. Licensees or firms shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.
- e. Licensees or firms shall express a professional opinion publicly only when it is founded upon on adequate knowledge of the facts and a competent evaluation of the subject matter.

f. Licensees or firms shall issue no statements, criticisms, or arguments on technical matters which are inspired or paid for by interested parties, unless they explicitly identify the interested parties on whose behalf they are speaking, and reveal any interest they have in the matters.

g. Licensees or firm shall not permit the use of their name or firm name by, nor associate in the business ventures with, any person or firm who is engaging in fraudulent or dishonest business or professional practices.

h. Licensees or firm having knowledge of possible violations of any of these "Rules of Professional Conduct" shall provide the Board information and assistance necessary to the final determination of such violation.

II. Licensees/Firms Obligation to Employer and Clients

a. Licensees or firm shall undertake assignments only when qualified by education or experience in the specific technical fields of architecture, engineering, land surveying or landscape architecture involved.

b. Licensees or firm shall not affix their signatures or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any such plan or document not prepared under their direct control and personal supervision.

c. Licensees or firm may accept assignments for coordination of an entire project, provided that each design segment is signed and sealed by the licensee responsible for preparation of that design segment.

d. Licensees or firm shall not reveal facts, data, or information obtained in a professional capacity without the prior consent of the client or employer as authorized or required by law.

e. Licensees or firm shall not solicit or accept financial or other valuable consideration, directly or indirectly from contractor, their agents, or other parties in connection with work for employers and clients.

f. Licensees or firm shall make full prior disclosures to their employers or clients of potential conflicts of interest or other circumstances which could influence or appear to influence their judgment or the quality of their services.

g. Licensees or firm shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.

h. Licensees or firm shall not solicit or accept a professional contract from a government body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the government body which they serve.

III. Licensees/Firm Obligation to Other Licensees/Firm

a. Licensees shall not falsify or permit misrepresentation of their or their associates' academic or professional qualification. They shall not misrepresent or exaggerate neither their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incident to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments.

b. Licensees or firm shall not offer, give, solicit, or receive, either directly or indirectly, any commission or gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.

c. Licensees or firm shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of other licensees or firm, nor indiscriminately criticize other licensees or firm's work.