

# CODE OF PROFESSIONAL CONDUCT

The Hong Kong Institute of Facility Management



## Contents

General.....	<i>P1</i>
Professional Behaviour.....	<i>P1-2</i>
Business Relationship and Liability.....	<i>P2</i>
Manners in Securing Instruction.....	<i>P3</i>
Responsibilities to Clients.....	<i>P3-4</i>
Handling of Client's Fund.....	<i>P4</i>
Designatory and Advertising.....	<i>P5-6</i>
Continuing Professional Development.....	<i>P6</i>

## General

1. The rules in this Code are issued by the Council of the Institute to ensure members are upholding the dignity and reputation of the profession to the highest possible standard and may be revised periodically by the Council in office when deemed necessary upon due notice to all members.
2. All members of the Institute shall observe this Code herein insofar as it applies. Members in doubt as to the specific application of rules within this Code should refer their case to the Council for guidance. Ignorance or misinterpretation of the rules in the Code must not be accepted as an excuse in breach of the Code since it is the duty of the members to clarify and make sure that their particular activities complies with the Code.
3. Whenever the behaviour of a member is in question with reference to the Code, the issue shall be referred to the Council for investigation and in all instances, the decision of the Council shall be binding.
4. The Council may in connection with the breach or alleged breach of the Code, make inquiry and take necessary disciplinary action deemed necessary.
5. The Council may in connection with 2 to 4 above appoint a special committee to inquire on and investigate into the issues and recommend for the final decision of the Council.
6. The masculine and singular words in the Code include the feminine and plural respectively and vice versa for the sake of brevity and convenience. No gender preference is intended.
7. Members practising outside the Hong Kong SAR shall observe the law of the country in which they practice insofar as those laws relate to professional conduct, and in such case, such laws shall be deemed to be part of the Code.
8. Members in breach of criminal laws in the country where they are practising shall be deemed to be in breach of the Code and would be subject to disciplinary action as referred to 4 above.

## Professional Behaviour

9. No member shall act in a manner which could bring the Institute into disrepute nor shall they act, publish or cause to be published any matter by any means which thereby could be construed as corporately representing the Institute without the formal written approval of the Council.
10. No member shall use a professional style or title other than that of the grade in the Institute of which he is a member. Any action which might mislead the general public will be a breach of the Code.
11. No member shall solicit instructions for work in a manner that may bring the Institute into disrepute.

### **Professional Behaviour** *(Cont'd)*

12. No member shall carry on practice as a Facility Manager under any such name, style or title as to prejudice his professional status or the reputation of the Institute.
13. No member shall accept any instruction which he is not qualified or competent to discharge.
14. Member shall give opinions in his professional capacity that are, to the best of his ability and due diligence, professional, well supported, honest, reliable and objective.

### **Business Relationship and Liability**

15. Members shall not be in connection with any business or occupation in any way, as may be in the opinion of the Council, that would be prejudice to the reputation of the Institute or his professional status.
16. Members who are Principals or Directors (unless in particular circumstances the Council decided otherwise) will be held responsible to the Council for the acts of their partners, co-Directors and staff in all matters coming within the scope of their practice.
17. Members who allow his name and designatory letters to appear on the letterhead, note paper or in the advertisement of any firm or company in which no other partner or director is a member (unless in particular circumstances the Council decide otherwise) will be held responsible to the Council for the acts of the partners, co-Directors and staff in all matters coming within the scope of their practice.
18. Members who are partners or Directors of a company which is in such a close connection with another firm or company in which no other partner or director is a member (unless in particular circumstances the Council decided otherwise) that people dealing with that other firm or company believe or may be induced to believe that the two firms or companies are connected in any way, will be held responsible to the Council for the acts of their partners, co-Directors and staff in all matters coming within the scope of their practice.
19. Members practising either individually or in Partnership may form their practice into a limited liability company. As such they shall remain bound by this Code.

### **Manners in Securing Instructions**

20. Members seeking commission(s) on whatever basis of proposed remuneration shall state in writing their terms of offer and upon acceptance thereof by the client also confirm their appointment in writing.
21. Members of the Institute shall compete fairly for instruction of work and shall not maliciously or recklessly injure nor attempt to injure, directly or indirectly, the professional reputation of other members provided however that he shall bring to the attention of the Institute any breach of these Code by other members.

### **Manners in Securing Instructions** *(Cont'd)*

22. No member shall approach an existing client of another member known to be acting for such client without first receiving the sanction of such member, nor shall he in any way attempt to deprive such member of any emoluments in respect of work for which he may already be retained employed or engaged by such client.
23. No member shall offer or give a prospective client or anyone any gift or favour, of value or otherwise, designed to secure instruction of work.
24. No member shall exert, directly or indirectly, undue pressure or influence on any person to secure instructions of work.
25. Members shall not accept instructions from any person or party if, he has reason to believe that, a third party in expectation of receiving reward, of value or otherwise, has exerted pressure or influence on that person or party to give the member instructions of work.
26. Members shall not act or offer to act in any capacity in relation to any matter which is the subject of judicial or quasi-judicial proceedings either on the basis that no charge will be made unless the proceedings are successful or on the basis that the amount of the charge will be related to the degree of success in the proceedings.
27. Members shall not revise his quotation for professional services to take into account the fee quoted by another member for the same services if he has already quoted a fee for such services.
28. Members shall not quote a fee for professional services which is based on but less than the fee quoted by another member for the same services.
29. When notified by a duly authorised governmental or other agency that a person resident overseas might be interested in retaining their services they shall be permitted to approach such person directly with a view to securing instructions.

### **Responsibilities to Clients**

30. In performance of their professional duties members shall act with scrupulous integrity in and for the interest of the party for whom they act, maintain confidentiality at all times, demonstrate the highest standard of business ethics and being remunerated solely on the fee basis agreed pursuant to 20 above.
31. Members shall not undertake commissions where there exists a conflict of interests or act in any manner which places their integrity in question.
32. No member shall accept – otherwise than for the benefit of the party for whom he acts and with prior written consent from such party – any trade commission, discount allowance or indirect profit in connection with any professional work undertaken.

### **Responsibilities to Clients** *(Cont'd)*

33. When acting for or when in contemplation of acting for a prospective client whose interests conflict or may conflict with a member's own or those of any of his associates, he shall disclose the relevant facts forthwith to the client or prospective client and to the associate immediately upon his knowledge of the conflict. In cases where such disclosure is oral, he shall confirm in writing such disclosure at the earliest opportunity and inform the client or prospective client that he will be unable to act or continue to act unless the client or prospective client requests him to do so.
34. Members shall ensure that neither they personally nor any firm or company carry on practice as Facility Manager of which he is a partner or director acts for two or more parties with conflicting interests without disclosing the relevant facts to each of those parties forthwith and confirming such disclosure in writing at the earliest opportunity in the same manner as 33 above.
35. No member shall disclose any confidential information in relation to a client to anyone without the written consent of the client concerned. In case there is doubt on the confidentiality of a piece of information, members shall treat it as confidential to protect the client's interest.
36. No member shall accept any payment, entertainment, gift or favour of more than nominal value, from any third party who is connected with his professional services provided to clients.

### **Handling of Client's Fund**

37. Any monies held on behalf of clients shall without delay be deposited in one or more bank accounts identified as CLIENT ACCOUNTS and these accounts shall be made available to the client or his financial advisor for inspection and/or audit upon reasonable demand and given in writing to the relevant office of the member in question.
38. A member must not use clients funds or accounts for his personal or business transactions.
39. Members shall account at the due time for all monies held, paid or received on behalf of or from any person (whether a client or not) entitled to such account and whether or not after taking of such account any payment is due to such person.

### **Designatory and Advertising**

40. Members may use the permitted suffix F.PFM, PFM or Hon.PFM according to their membership grades after their names, while Associate members may use the permitted suffix AHKIFM after their name, and in respect of practice stationery and site sign boards will act in accordance with rules 41 to 47 following.

### Designatory and Advertising (Cont'd)

41. Members in partnership with others who are not Corporate Members of the Institute shall not apply the designatory letters of qualification of the Institute to the title of such firm unless at least half of the partners are Corporate Members of the Institute.
42. Members shall not advertise his service in a manner that is derogatory to the dignity or reputation of the Institute or his professional status.
43. Members shall ensure that advertisements and announcements in their name comply with the requirements of the Institute and the laws in the locality where the member is practising.
44. A member may circulate a notice to his existing clients briefly stating the facts when a new partner joins or when a new office is opened or when a partner retires. In addition, a new member may when a new practice is opened notify other members of the relevant professions practising in the same locality.
45. Corporate Members in private practice are permitted to display name boards incorporating the Institute's logo or badge on appropriate building sites subject to the following regulations:
  - 45.1 The design of the name boards incorporating the Institute's logo or badge shall be one approved by Council;
  - 45.2 The boards may only be exhibited by Corporate Members who are registered with the Institute as principals or partners in private practice. A partnership's name may only appear on a board in conjunction with the Institute's logo if a minimum of half of the partners are members of the Institute.
  - 45.3 No board shall be exhibited unless the member concerned is acting on behalf of the owner of the site/building and written consent has been obtained from the client.
46. Corporate members are permitted to use the Institute's logo and shall do so in compliance with the Institute's approved format, details of which may be obtained from the Institute's Registered office.
47. **Non Corporate Members**, other than those in the Associate members grade, should be aware that the Council **does not permit** them to use the Institute's Logo on either site board or practice stationery.

### Continuing Professional Development

48. There is an obligatory requirement for all members to undertake a minimum of 20 hours relevant activities per annum for Continuing Professional Development purposes. The Institute reserves the right to make random inquiries as it thinks fit to check compliance with the requirement.

