

**NATIONAL BUILDING DESIGNERS REGISTRATION (NBDR)
REGULATIONS 2009**



Construction Industry Development Section

Ministry of Housing, Transport and Environment

Izzudheen Magu, Male' 20324

Republic of Maldives

cids@housing.gov.mv

www.construction.gov.mv

July 2009

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ACRONYMS

NBDR – National Building Designers Registration

CIDB – Construction Industry Development Board

BOARD – Construction Industry Development Board

CIDS – Construction Industry Development Section

MCPI – Ministry of Construction and Public Infrastructure

CODE – Code of Professional Conduct for NBDR

CPD – Continuing Professional Development

FORM – Registration application forms set out by the Board

MINISTER – Minister Construction and Public Infrastructure

MINISTRY – Ministry Construction and Public Infrastructure

REGISTER – National Building Designers Register

REGISTRATION – National Building Designers Registration

MEMBER – A registered member of the NBDR

ACBDR – Advisory Committee on Building Designers Registration

PURPOSE OF REGISTRATION

Registration recognises that a member is a qualified professional bound by the professional code of conduct requirements of National Building Designers Registration (NBDR). It identifies to consumers of building design services that those persons who have met the qualification requirements are able to provide their service in the building industry within the registered category.

Consumers are able to check the Register of member, maintained by the Ministry to ascertain whether the consultant they are engaging to provide building design services is a registered professional from the website of the Ministry.

With the forcing of this registration process, it is the expectation of the Ministry to safeguard the consumers against malpractices and facilitate their access to the required level of service that adheres to the standards defined for this industry.

The list of the registered members is available for the general public from the MHTE's website. *www.construction.gov.mv* (*www.mhte.gov.mv*).

CITATION

This regulation is the National Building Designers Registration regulations of the Republic of Maldives and NBDR Code of Professional Conduct shall form part of these regulations.

1. RESPONSIBILITIES OF CIDS

The Construction Industry Development Section (hereafter called the CIDS) is the statutory body responsible for the administration of the National Building Designers Registration (NBDR).

In summary the CIDS:

- Maintains an accurate Register of building professionals which include all architects, civil/structural engineers, building services engineers, quantity surveyors and other building designers registered in Republic of Maldives.
- Operates a fair, effective and open procedure for investigating and hearing complaints.
- In the event of proof accepted by the ACBDR, sanctions members, individuals for
 - practicing without a valid license.
 - misrepresenting, dishonest, fraud, gross negligence and incompetence in the building design field.
- Promotes a better understanding of the building design related issues in the community.

Contact:

Construction Industry Development Section
Ministry of Housing, Transport and Environment
Izzuddin Magu
Male'. Republic of Maldives
Phone: (960) 3323234
Fax: (960) 3328300.
Email: *construction.dev@housing.gov.mv*

2. NBDR'S ADMINISTRATION

The NBDR will be administered by the registrar of the NBDR under the Construction Industry Development Section of the Ministry of Housing, Transport and Environment.

3. BOARD'S RESPONSIBILITIES

1. Registration of local applicants
2. Investigating and hearing complaints.

4. REGISTRATION OF APPLICANTS

4.1 Registration Requirements

In order to be registered as a member in NBDR, a person must:

- Hold a prescribed academic qualification in the discipline of architecture, civil/structural engineering, building services engineering, or other qualification that the Registrar deems equivalent (*refer to Appendix-1 – Categories and Classes for Registration*).
- Complete an application for registration to be approved by the Board (*Form 1 – Local building designers registration form*). Registration is renewable annually, subject to payment of a registration fee and completion of required CPD programmes.
- Maintains a professional indemnity insurance cover for the projects undertaken, of not less than MRF 500,000.00 (Five Hundred Thousand Maldivian Rufiyaa).

Individuals without an approved academic qualification must pass a rigorous assessment of relevant experience in order to be considered eligible for registration (*refer to clause 6 - Assessment Procedure*).

Upon successful registration, each member is issued with a certificate of registration that includes his/her registration number and verifies the registration status as a member of NBDR.

4.2 Registration Fees

Registration fee is a non-refundable amount of MRF 500.00 (Five Hundred Maldivian Rufiyaa), per year.

5. INVESTIGATING AND HEARING COMPLAINS

The Registrar has the right to investigate complains made against a registered member, relating to a perceived unsatisfactory conduct or misconduct of building professional practice.

The Registrar also has the power to investigate on his behalf. The NBDR code of conduct is a relevant consideration in determining what constitutes proper and ethical conduct by a member.

For further information about investigation and hearing of complain refer to NBDR Inquiry and Investigation Committee rules.

Complain forms are available from the Ministry's website. All complain forms are to be submitted in sealed envelopes with supporting documents addressed to:

Registrar
Construction Industry Development Section
Ministry of Housing, Transport and Environment
Izzudin Magu, Male', Republic of Maldives.

5.1 Notifications and Sanctions

The Registrar upon investigation of a complaint made against a member, *if found to have acted* in disregard of NBDR regulations, can choose to put the member on notice to comply or impose sanctions. In issuing notifications or sanctions the Registrar can:

- Notify the member to comply with the NBDR regulations.

- Notify the member to undertake further training as deemed required by the Registrar. The Registrar can choose to suspend the license until such time as compliance is met.
- Suspend or cancel the member's license to practice, for a term determined. Where a member's license is suspended or cancelled, the Registrar shall put on public record all active suspensions or cancellations.

Where the complaint is made against a non registered individual providing building design services defined in these regulations, the Registrar shall have the right to take the individual to a court of law to prevent the individual from practicing.

6. ASSESSMENT PROCEDURE

Where an applicant does not hold the required academic qualifications for registration under a specific category specified in *Appendix-I*, the applicant may apply to register under the category after going through an assessment by the Registrar.

6.1 Categories for Registration and Eligibility

Architect Grade II

- For the applicant to be registered under the category - **Architect Grade II**, the applicant shall:
 - Hold a professional degree in architecture (bachelor of architecture or equivalent) **OR** having met the requirements under.
 - a. hold at least a first degree in architecture
 - b. have been in architectural practice for the last five years, from the date of application.
 - c. Be assessed through portfolio/interview/written assessment by the Board to check whether the knowledge and conduct of and product delivered by the applicant meets the standards acceptable of Architect Grade II category.

This category of registration shall commence from the 1st of July 2009.

Architect Grade I

- *Refer to Appendix-1*

Architectural Designer

- *Refer to Appendix-1*

Civil/Structural Engineer

- *Refer to Appendix-1*

Building Services Engineer Grade II

- *Refer to Appendix-1*

Building Services Engineer Grade I

- *Refer to Appendix-1*

Building Services Technician Grade II

- *Refer to Appendix-1*

Building Services Technician Grade I

- *Refer to Appendix-1*

6.2 Assessment

The Registrar shall consider the following when assessing applicants for the categories of Architect – Grade II, where academic requirements of *Appendix-1* are not met.

1. Supervised experience in undertaking design of building projects to include quality, quantity and value of projects.
2. Non-supervised experience in undertaking design of building projects to include quality, quantity and value of projects.
3. Continuing professional development (CPD) programs followed.
4. Other relevant training undertaken.
5. Ethics and conduct of applicant.
6. Knowledge of current building design regulations in the Maldives.

The assessment shall be based on submitted documents and where deemed required by the Registrar, a verbal interview and/or written exam.

7. ROLE OF ACBDR AND ITS APPOINTMENT

The role of the ACBDR is to provide assistance and give advice on issues related to building designers registration under NBDR as in ACBDR Rules 2009.

The ACBDR is comprised of 5 building professionals including the Registrar of the regulation, who are appointed by the Minister. The Minister may remove any member from the ACBDR at any time.



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Ministry of Housing, Transport and environment
Male', Republic of Maldives

APPENDIX-1

CATEGORIES AND CLASSES FOR REGISTRATION

Category	Qualification	Authorised classes for Architectural Design				Authorised classes for Structural Design				Authorised classes for Building Services Engineering			
Architect Grade II	Professional Degree in Architecture *	D1	T1	A4	H4	S3	N/A	N/A	N/A	B2	T1	A4	H4
			T2	A5	H5						T2	A5	
			T3								T3		
			T4								T4		
			T5								T5		
Architect Grade I	First Degree in Architecture	D1	T1	A4	H4	S3	N/A	N/A	N/A	B2	T1	A4	H4
			T2	A5							T2	A5	
			T3								T3		
			T4								T4		
			T5								T5		
Architectural Designer	Under Graduate Diploma in Architecture	D2	T1	A2	H3					B3	T1	A3	H4
			T1	A4	H2						T2	A3	H3
			T2	A3	H3						T3	A3	H4
			T3	A3	H2						T4		
Civil/Structural Engineer	Degree in Civil/Structural Engineering	D3	T2	A4	H3	S1	T1	A4	H4	B2	T1	A4	H4
							T2	A5	H5		T2	A5	
							T3				T3		
							T4				T4		
							T5				T5		
Building Services Engineer Grade II	Degree in Building Services Engineering			NA						B1	T1	A4	H4
							T2	A5	H5		T2	A5	
							T3				T3		
							T4				T4		
							T5				T5		
Building Services Engineer Grade I (Restricted to provide service in specialist field of work)	Degree in Specialist Building Services Engineering eg: Electrical Engineering, Mechanical Engineering, etc.			NA						** B1	T1	A4	H4
							T2	A5	H5		T2	A5	
							T3				T3		
							T4				T4		
							T5				T5		
Building Services Technician Grade II	Diploma in Building Services Engineering			NA						B4	T1	A4	H4
							T2				T2		
							T3				T3		
							T4				T4		
							T5				T5		
Building Services Technician Grade I (Restricted to provide service in specialist field of work)	Diploma in Specialist Building Services Engineering(Electrical, Mechanical etc)			NA						** B4	T1	A4	H4
							T2				T2		
							T3				T3		
							T4				T4		
							T5				T5		

Those who are not a member of NBDR can provide the building design service in the category T1, A4, H1 only.

* Refer to clause 6- Assessment Procedure of the NBDR Regulation. If the applicants do not meet the requirements stated herein.

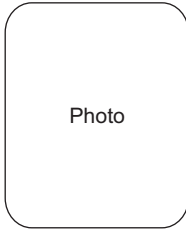
**Restricted to provide services in field of profession only

BUILDING CLASSIFICATIONS

Height	Class	Area	Class	Type	Class
Not more than 1 floor or 6 meters	H1	Less than 600 ft ²	A1	Mainly Residential Buildings used for living purposes	T1
Not more than 2 floors or 9 meters	H2	Less than 1200 ft ²	A2	Godowns, workshops, Garages.	T2
Not more than 5 floors or 18 meters	H3	Less than 2000 ft ²	A3	Office, Shops, Café and Restaurants.	T3
Not more than 10 floors or 30.48 meters	H4	Less than 3000 ft ²	A4	Health Post and Class Rooms	T4
More than 10 floors or above 30.48 meters	H5	More than 3000 ft ²	A5	Hospitals, Schools (which does not come under T1, T2, T3, T4)	T5

REQUIREMENTS FOR REGISTRATION
National Building Designers Registration (NBDR)

REGISTRATION CATERGORY	From 1st July 2008	Qualification
Architect Grade II		Professional degree in architecture or bachelor of architecture or equivalent.
Architect Grade I		First degree in architecture or bachelor of architectural science or equivalent.
Architectural Designer		Under graduate diploma in architecture
Civil/Structural engineer		First degree in Civil/structural engineering
Building services engineer grade II		First degree in building services engineering
Building services engineer grade I (restricted to provide service in specialist field of work)		Degree in specialist building services engineering. eg: electrical engineering or mechanical engineering etc:
Building services technician grade II		Diploma in building services engineering
Building services technician grade I (restricted to provide service in specialist field of work)		Diploma in specialist building services engineering eg: electrical engineering or mechanical engineering etc:
<u>RECOGNITIONS</u>		
<p><u>Professional Degree in Architecture</u> - Where the course of study is recognised by the relevant architects body or the Architect's Institute to be able to register as an architect in the country of study.</p> <p><u>First Degree in Architecture</u> - where the course of study is recognised by the relevant architects body or the Architects Institute of the country of study as the first degree in architecture.</p> <p><u>First Degree in Civil/Structural engineering</u> - where the course of study is recognized by the relevant engineering body or the institute of the country of study.</p> <p><u>First Degree in Building Services engineering</u> - Where the course of study is recognised by the relevant building services body or the institute of the country of study.</p> <p>All other qualifications - The course of study is recognized by the Maldives Accreditation Board.</p>		



National Building Designers Registration Application Form

1. About the Applicant:

1.1 Name: 1.5 Contact No:
1.2 Permanent Address: 1.6 E-mail Address:
1.3 Current Address: 1.7 Web Site:
1.4 National ID Card No:

2. Academic Qualifications:

Level of Study (Qualification)	Duration		Country	Place of Study
	From	To		
.....
.....
.....
.....
.....
.....
.....
.....
.....

3. Professional Registration:

3.1 Name of Professional Association:
3.2 Address and Country of Professional Association:
3.3 Registration No: 3.4 Year of registration:
3.5 Category / Class:

4. Declaration:

I affirm that the information given in this application are true and correct.
4.1 Name:
4.2 Signature:
4.3 Date:

5. Document submission checklist:

To be checked by the Ministry .

- 5.1 Completed Application Form
- 5.2 Two stamp sized photos.
- 5.3 Copies of the National ID Card.
- 5.4 Copies of the academic certificates certified by the department of Public Examination.
- 5.5 A fee of MRf 500 is payable upon successful registration.
- 5.6 Proof of Insurance (to be submitted only after notification by the Registrar)

6. For Ministry's Use:

Received by:

Processed by:

6.1 Name:

6.5 Name:

6.2 Date:

6.6 Signature:

6.3 Time:

6.7 Date:

6.4 Signature:

6.8 NBDR No:.....

Categories of Registration:

Architect Grade II Architect Grade I Architectural Designer Civil/Structural Engineer

Building Services Engineer Grade II Building Services Engineer Grade I Building Services Technician Grade II

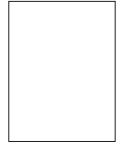
Building Services Technician Grade I

Approved by Registrar:

Name:

Signature:.....

Date:.....


MINISTRY OF HOUSING, TRANSPORT AND ENVIRONMENT.
**COMPLAINT FORM FOR
NATIONAL BUILDING DESIGNERS REGISTRATION (NBDR) AND
NATIONAL BUILDING PROFESSIONALS ACCREDITATION REGULATION (NBPAR)**


MRF 50.00 REVENUE STAMP

TO	REGISTRAR MINISTRY OF HOUSING, TRANSPORT AND ENVIRONMENT, MALE', MALDIVES.		
FROM	DATE	NAME	
	ADDRESS		TELEPHONE
1. THIS COMPLAINT IS AGAINST THE FOLLOWING PERSON:			
NAME		TELEPHONE	
ADDRESS			
2. THE COMPLAINT DEALS WITH THE PRACTICE OF:			
<input type="checkbox"/> ARCHITECTURE		<input type="checkbox"/> BUILDING SPECIALIST SERVICES	
<input type="checkbox"/> CIVIL/STRUCTURAL ENGINEERING		<input type="checkbox"/> ACCREDITED PROFESSIONAL (SPECIFY CATEGORY _____)	
<input type="checkbox"/> BUILDING SERVICES ENGINEERING		<input type="checkbox"/> OTHER	
<input type="checkbox"/> BUILDING DESIGN			
3. TO MY KNOWLEDGE THE PERSON COMPLAINED AGAINST <input type="checkbox"/> IS <input type="checkbox"/> IS NOT REGISTERED TO PRACTICE IN THE PROFESSION OR PROFESSIONS SHOWN IN NO. 2 ABOVE.			
4. THE NATURE OF THE COMPLAINT IS:			
<input type="checkbox"/> PRACTICE OF UNLICENSED PERSON			
<input type="checkbox"/> INCOMPETENCY			
<input type="checkbox"/> MISCONDUCT			
<input type="checkbox"/> GROSS NEGLIGENCE			
<input type="checkbox"/> FRAUD			
<input type="checkbox"/> DISHONESTY			
<input type="checkbox"/> OTHER (MUST INCLUDE FULL DESCRIPTION)			

5. THE PERSON OR PERSONS INJURED OR VICTIMIZED BY THE ACTIONS OF THE PERSON COMPLAINED AGAINST ARE:			
NAME		TELEPHONE	
ADDRESS			

DETAILED, SPECIFIC STATEMENT OF FACTS UPON WHICH COMPLAINT IS BASED INCLUDING DATES (ATTACH ADDITIONAL SHEETS IF NECESSARY.)

I, _____, AFFIRM THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL STATEMENTS HEREIN
(NAME)
ARE TRUE AND CORRECT.

SIGNATURE OF COMPLAINT ► _____

NOTE:

A COPY OF THIS COMPLAINT AND ANY ATTACHMENTS MAY BE PROVIDED TO THE PERSON WHO IS THE SUBJECT OF THE COMPLAINT HIS/HER LEGAL COUNSEL



CONSTRUCTION INDUSTRY DEVELOPMENT SECTION
 MINISTRY OF HOUSING, TRANSPORT AND ENVIRONMENT
 NATIONAL BUILDING DESIGNERS REGISTRATION

**PROFESSIONAL LETTER OF REFERENCE -
 ARCHITECT/ CIVIL, STRUCTURAL ENGINEER/ BUILDING SERVICES ENGINEER**

CONFIDENTIAL INFORMATION CONCERNING THE APPLICANT - PLEASE TYPE OR PRINT		
APPLICANT FULL NAME		
1. APPLICANT ADDRESS	2. D.O.B	3. YOUR OCCUPATION/JOB TITLE
4.YOUR REGISTRATION NUMBER		5. YOUR COMPANY/OFFICE NAME
6. HOW LONG ACQUAINTED WITH APPLICANT AND IN WHAT CAPACITY (I.E CO-WORKER, EMPLOYER, ETC.)		
7. WHAT HAS THE APPLICANT DONE IN THAT TIME		
8. OPINION OF THE APPLICANT'S CHARACTER AND REPUTATION	9. OPINION OF THE APPLICANT'S PROFESSIONAL ABILITY	
10. OPINION OF THE APPLICANT'S EDUCATION PROFICIENCY	11. KNOWLEDGE OF THE APPLICANT'S DESIGN CAPABILITY	
12. FROM YOUR KNOWLEDGE, WHAT IMPORTANT OR RESPONSIBLE ARCHITECTURAL/ CIVIL/ STRUCTURAL/ BUILDING DESIGN WORK HAS BEEN PERFORMED BY THE APPLICANT		
13. HAVE YOU HAD ANY PROFESSIONAL DEALINGS WITH THE APPLICANT IN OTHER THAN AN EMPLOYER/EMPLOYEE RELATIONSHIP? IF SO WHAT WERE THE RESULTS ▶	<input type="checkbox"/> YES <input type="checkbox"/> NO	14. WOULD YOU EMPLOY THE APPLICANT IN A POSITION OF TRUST AND RESPONSIBILITY? <input type="checkbox"/> YES <input type="checkbox"/> NO
15. IT IS MY OPINION AS AN <input type="checkbox"/> ARCHITECT, <input type="checkbox"/> CIVIL/STRUCTURAL ENGINEER, <input type="checkbox"/> BUILDING SERVICES ENGINEER THAT THE APPLICANT <input type="checkbox"/> IS <input type="checkbox"/> IS NOT QUALIFIED FOR LICENSURE AS A BUILDING DESIGNER. IF YOUR ANSWER TO QUESTIONS 12 AND/ OR 13 IS NEGATIVE, PLEASE EXPLAIN IN "REMARKS" BELOW.		
16. REMARKS OR ADDITIONAL DATA		
17. REFERENCE NAME	REFERENCE SIGNATURE ▶	DATE
		ADDRESS



CONSTRUCTION INDUSTRY DEVELOPMENT SECTION
 MINISTRY OF HOUSING TRANSPORT AND ENVIRONMENT
 NATIONAL BUILDING DESIGNERS REGISTRATION
EMPLOYMENT HISTORY LOG BOOK

NAME:

PRACTICAL EXPERIENCE

FULL NAME, SUPERVISOR'S NAME AND COMPLETE, CURRENT ADDRESS AND TELEPHONE NUMBER OF EMPLOYER	DATES OF EMPLOYMENT GIVE MONTH AND YEAR	TOTAL TIME EMPLOYED		CHECK APPROPRIATE EXPERIENCES								
		PART* TIME	FULL TIME	General practice of architecture	General practice of Civil/Structural Engineering	Government Service in construction related field	General practice of quantity surveying	Teaching and research	Project Management	Construction Administration	Others - explain**	
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									
	FROM	Yrs.	Yrs.									
	TO	Mos.	Mos.									

* If part-time work is noted, state average number of hours per week. ** If "other" kinds of work are noted, describe.

CODE OF PROFESSIONAL CONDUCT
National Building Designers Registration 2009



Construction Industry Development Section

Ministry of Housing, Transport and Environment

Izzudheen Magu, Male' 20324

Republic of Maldives

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July 2009

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CODE OF PROFESSIONAL CONDUCT

Introductory note

The following Code of Professional Conduct provides members of NBDR with a statement of the standards required of members when engaged to provide building design services.

It reflects the principle that the public interest is advanced if all the members recognise that the fundamental and overriding obligation of the profession is to serve and promote the public interest. While a member has a duty to the client, the Code also recognises that there is a parallel duty to the public.

The Code is intended to inform and guide members as to what is expected of them in their professional conduct in the provision of building design services to clients. It will also enable clients:

- (a) To understand the standards expected of a member of NBDR and the level of accountability expected of them in the provision of building design services, and
- (b) To understand the obligations imposed on them as clients and
- (c) To develop reasonable expectations of the services to be provided.

The Code is divided into 2 Parts.

Part 1 - Defines the meanings of terms commonly used in the Code and sets out the objectives of the Code.

Parts 2 -

Details the standards of behavior expected of members in their professional practice. Members should use their best endeavours to meet those standards by applying their professional judgment.

The standards relate to

- Responsibilities towards client

- Prohibited engagements

- Practice ethics

- Validation of drawings and signing

Failure to comply with the Code will constitute unsatisfactory professional conduct which may lead to disciplinary action under the NBDR rules.

Part 1 Preliminary

1. Name of Code

This Code is the *NBDR Code of Professional Conduct*.

2. Interpretation

(1) In this Code:

NBDR - is National Building Designers Registration

Registrar - is Registrar of National Building Designers Registration

Members - members registered in National Building Designers Registration.

Board - means the Construction Industry Development Board formed by the President and administered by Ministry of Housing, Transport and Environment.

Architect - a person who is registered as an architect under the NBDR.

Civil/Structural Engineer - a person who is registered as a civil/structural engineer under the NBDR.

Building Services Engineer - a person who is registered as a building services engineer under the NBDR.

Architectural service - a service provided in connection with the design, planning or construction of buildings that is ordinarily provided by architects.

Civil/ Structural Engineering Service - a service provided in connection with structural design of buildings or structures that is ordinarily provided by a civil/structural engineer.

Building Services - a service provided in connection with the mechanical, electrical and plumbing design of buildings or structures that is ordinarily provided by a building services engineer.

Client - means a person who engages an architect/ Engineer/ or building designer (whether or not for payment) to provide building design service.

Document - means any record of information, and includes:

- a) anything on which there is writing, or
- b) anything on which there are marks, figures, symbols or perforations having a meaning for a person qualified to interpret them, or
- c) anything from which sounds, images or writings can be reproduced with or without the aid of anything else, or
- d) a map, plan, drawing or photograph.

Client / design consultant agreement – means any model agreement between client and the provider of the building design service.

The Regulation means the NBDR regulations.

3 Objectives of the Code

The objectives of the Code are as follows:

- (a) To define for the community, members and clients the reasonable standards of conduct expected from members in their professional practice,
- (b) To facilitate the establishment of professional relationships between members based on reasonable expectations concerning professional standards and the cost of building design services,
- (c) To promote community confidence in the building design profession.

Part 2 - Code of Professional Conduct and Ethics

Rule 1

Responsibilities towards client

1.1 A member shall discharge faithfully his responsibilities to his client.

1.2 In providing the building design service a member should

(a) act with integrity and reasonable care and

(1) Provide the service that is widely accepted in the Maldives by peer professional opinion and competent professional building design practice.

(2) in conformity with any laws applicable to the provision of such services.

1.3 A member should provide services to a client

(a) with reasonable promptness and

(b) In accordance with any agreed time program or in a reasonable time agreed by the member and the client.

Rule 2

Client agreements

2.1 A member should enter into a written agreement with the client concerning the provision of a building design service.

2.2 The member should ensure that the written agreement –

(a) specify the scope and nature of, and requirements for, the service to be provided, and

(b) specify the cost of the service to be provided and the agreement of payment.

(c) specify the timeframe for the services to be rendered.

Rule 3

Conditions of a contract

3.1 A member shall at all times apply the conditions of a contract with entire fairness between his client and any contractor concerned, and in any questions arising between his client and the contractor in which the member is acting between the parties by reason of his professional expertise.

3.2 A member –

- (a) shall not unreasonably withhold from his client copies of all relevant information and prints of all drawings obtained or prepared by him on behalf of the client; and
- (b) shall release to his client copies of all relevant information and prints of all drawings already obtained and prepared by him on behalf of the client when so directed by the Board or upon payment by the client.

Rule 4

Remuneration for design consultancy service

4.1 Subject to this paragraph, a member, in respect of the professional services he renders, shall be remunerated solely by fees in respect of those services payable by his client or by a salary payable by his employer, and the member shall be debarred from any other source of remuneration in connection with such services rendered.

4.2 A member that is a licensed corporation or licensed partnership shall not allow any of his employees, directors of the corporation or members of the partnership to receive remuneration other than by fees in respect of those services payable by his client or by salary payable by the licensed corporation or licensed partnership.

4.3 Without prejudice to the generality of sub-paragraph (4.1) a member shall not:

(a) accept any gift, commission or other payment or consideration, in respect of the services he renders, from any source other than his client or

(b) Insert or permit the insertion of any clause in any tender, bill of quantities or other document which provides for payments to be made to him by a contractor in respect of the services he renders, except with the full knowledge and approval of his client.

4.4 Nothing in this paragraph shall prohibit a member who is a director of a licensed corporation from receiving remuneration for his services as a director, or a member who is a shareholder in a licensed corporation from receiving any dividend on his shares.

Rule 5

Advertising

5.1 A member may, subject to this paragraph, publicise his practice or allow his employees or agents to do so in respect to the category of services he could provide under the NBDR.

5.2 In publicising his practice, a member shall uphold the dignity, standing and reputation of the profession.

5.3 No member shall publicise his practice in a manner which -

(a) is likely to diminish public confidence in the profession or otherwise bring the profession into disrepute.

(b) may reasonably be regarded as misleading, deceptive, inaccurate, false, or in any way unbecoming the dignity of the profession or

(c) is determined and pronounced by the Board to be an undesirable manner of publicising the practice of building design profession.

5.4 For the purpose of this paragraph, publicity shall be regarded to be misleading, deceptive, inaccurate or false if it -

- (a) contains a material of misrepresentation
- (b) omits to state a material fact
- (c) contains any information which cannot be verified or
- (d) is likely to create an unjustified expectation about the results that can be achieved by a member.

5.5 In publicising his practice, a member shall ensure that –

- (a) any claim to his expertise or specialisation can be justified
- (b) the publicity does not make any comparison or criticism in relation to the fees charged, or the quality of the building design services rendered, by any other member.
- (d) the publicity does not make any reference to any building project in which he had not rendered any design services.
- (e) the publicity does not make any direct or indirect mention of any building project in which he had rendered building design services if the provision of such information will involve a breach of confidentiality he owes to any client or former client and
- (f) Where the publicity makes any direct or indirect mention of any building project, he shall state his specific involvement in that project and give due credit to any other member involved in that project.

5.6 For the purposes of sub-paragraph (5.5), the following factors shall be taken into account in justifying any claim to expertise or specialization:

- (a) The academic qualifications of the member.
- (b) A member's experience in rendering building design services of a similar nature having regard to the complexity of the design and construction.

(c) The member's resources and capacity to render such design services which he claims to have expertise or specialization in and

(d) such other factors as the Board may determine to be relevant.

5.7 It shall be the responsibility of every member to ensure that any publicity relating to his practice complies with this paragraph, whether such publicity is conducted by him or any other person on his behalf.

5.8 Where a member becomes aware of any impropriety in any publicity relating to his practice, it shall be his responsibility to use his best endeavors to procure the rectification or withdrawal of the publicity, and to prevent its recurrence.

5.9 The responsibility of a member under this paragraph shall not be capable of being delegated to any other person, whether or not that person is also a member of NBDR.

Rule 6

Prohibited engagements

6.1 A member shall not accept any work which involves the giving or receiving of commissions or gifts in consideration for, or as an inducement to the introduction of clients without the consent of the client.

6.2 A member shall not tout for business or do anything which is likely to lead to the reasonable inference that it is done for the purpose of touting.

6.3 A member shall not, while engaging in the practice of building design, carry on or engage in any trade or business which -

- (a) is inconsistent or out of keeping with the fitting and proper discharge of his professional duties.
- (b) Would raise doubts as to his professional integrity as a building designer or
- (c) Would raise doubts as to whether a member will render his building design services in accordance with any written law and with honesty and integrity.

6.4 Whenever a member offers or takes part in offering of a service which combines consulting services with contracting services, the member must make it clear to all the parties in writing that their design consultancy service will not be independent of the contracting services they provide.

Rule 7

Publication Guidelines

A member may allow any illustration or description of his work signed by him to be published in the press, except that he shall not solicit directly or indirectly any advertisement from any person for such publication.

Rule 8

Media Participation and their Conduct

8.1 A member may publish or consent to the publication of a series of illustrations, either in the form of a circular, brochure or book with or without descriptive letterpress, of his work, except that he shall not solicit directly or indirectly any advertisement from any person for such publication.

8.2 Any information released or statement made by a member in relation to the supply of building design services by him shall be accurate, truthful and dignified, and shall not be misleading or exaggerated.

Rule 9

Signboard

An member may exhibit his name outside his office or on a building which is being constructed, altered or extended, in relation to which he is rendering design services, if the exhibit displayed is accurate.

Rule 10

Design Competition

A member shall not take part in a building design competition -

- (a) If the Board has previously issued a warning against taking part in that competition.

- (b) that is held otherwise than in accordance with any rules approved by the Board for such purpose.
- (c) to be associated in any way with the carrying out of any work involving a design which was selected as a result of taking part in a competition held in any of the circumstances specified in sub-paragraph (a) or (b) or
- (d) Attempt in any way to secure work for which a competition has been held, except as a competitor and in accordance with the conditions of that competition, unless those conditions have ceased to be operative.
- (e) As an assessor in the design competition while acting as the design consultant in any matter connected with a work or project which has been the subject of the design competition.

Rule 11

Practice ethics

11.1 A member shall at all times, with due regard to the interest of his client, act honorably towards other members.

11.2 A member shall not compete with another member by means of a reduction of fees or by any other inducement to any person.

11.3 If a member, on being approached or instructed by or on behalf of any person to render building design services, knows, or can ascertain by reasonable inquiry, that another member is or has been engaged by the same person in the same project, he shall notify the other member before rendering any services to such person.

Rule 12

Conflict of interest

12.1 A member shall not hold, assume or consciously accept a position in which his interest is in conflict with his professional duty to his client without previously informing his client, and he shall advise his client of the possibility of any conflict between his interest and the interest of his client.

12.2 Without prejudice to the generality of sub-paragraph (12.1), a member shall not act as a architect/ engineer / designer in respect of a contract to which he is a party

without previously informing the other party to such contract of that fact and that he intends to so act.

Rule 13

Compliance with written law

13. A member shall -

(a) exercise diligence to ensure that there is no contravention of or failure to comply with any written law by any person in the carrying out of any building project or works in relation to which he is rendering building design services and

(b) forth with report to the competent authority, the local authority or any other relevant authority of any contravention of or failure to comply with any written law by any person in the carrying out of any building project or works in relation to which he is rendering design services when he knows of such contravention or failure.

Rule 14

Validation of drawings and signing

14.1 A member may sign on buildings which have been designed by him provided that the sign is done unostentatiously.

14.2 A member shall not, for the purpose of obtaining any permit, approval of the building authority, sign any drawings, plans or specifications which are not prepared by him or any member of the staff under his supervision, unless he has personally scrutinized and checked those drawings, plans or specifications.

THE ACBDR RULES 2009
FOR NATIONAL BUILDING DESIGNERS REGISTRATION



Construction Industry Development Section

Ministry of Housing, Transport and Environment

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THE ACBDR RULES FOR NATIONAL BUILDING DESIGNERS REGISTRATION

The ACBDR with the approval of the Minister hereby makes the following Rules, to assist the Registrar of the regulation.

Rule 1

Citation and commencement

1. These Rules may be cited as the ACBDR Rules for NBDR 2009 and shall come into effective on 1st July 2009.

Rule 2

Definitions

2. In these Rules, ‘advocate and solicitor’ has the same meaning as in the Legal Profession.

Rule 3

Authority

3. The CIDS is the body responsible for Nation Building Designers Registration.

Rule 4

Answerable

4. The Minister to whom the ACBDR is responsible is The Minister of Housing, Transport and Environment.

Rule 5

Appointment of ACBDR

5.1- The Minister will appoint an ACBDR committee to assist/advice on issues related to this registration.

5.2- The chairperson of the ACBDR will be the Registrar or any other person assigned by the Minister to exercise the powers of the Registrar.

5.2- The ACBDR shall cause proper records of its proceedings to be kept through CIDS.

Rule 6

Proceedings of ACBDR

6.1- The Chairman of the ACBDR may at any time summon a meeting of the ACBDR.

6.2- Three members of the ACBDR, including the Chairperson of the Committee, shall be present to constitute a quorum for a meeting of the Committee.

6.3- Any question arising at any meeting of the ACBDR shall be determined by a majority of votes of the members thereof and, in the case of an equality of votes, the Chairperson of the Committee shall have a casting vote.

6.4- In the absence of the Chairperson of ACBDR, the Minister shall appoint an acting Chairperson who shall have and exercise all the powers of the Chairperson.

6.5- For the purposes of conducting its proceedings, the ACBDR may request of the Registrar to appoint any person to assist in the proceedings.

Rule 7

Functions of the ACBDR

7. The functions of the ACBDR shall be –

(a) to assist in licensing individuals who intend to supply building design services in the Maldives.

(b) to assist in keeping and maintaining an accurate register of building professionals which includes architects, civil/structural engineers, building services engineers and other building designers registered in Republic of Maldives.

(c) to assist in keeping and maintaining an accurate detail list of building design consultancy firms registered under the Ministry of Economic Development and Trade, Republic of Maldives.

(d) to advise on establishing, maintaining and developing standards of professional conduct and ethics of the building design profession.

(e) to advise on promoting a better understanding of the building design related issues in the community.

(f) to assist and advise on hearing and determining disputes relating to professional conduct or ethics of registered members and sanction members for:

- practicing without a valid license.
- misrepresentation, dishonesty, fraud, gross negligence and incompetence in the building design field.

(g) to advise the Minister on building design related issues.

Rule 8

Appointment and duty of the Registrar

8.1 The Minister may appoint a registrar to the NBDR who will administer the Registration.

8.2 The registrar shall

- a- work under the general direction of the Minister.
- b- sign all certificates of registrations.
- c- record all entries of registration, cancellation and reinstatement in the register of members.
- d- publish up-to-date lists containing all the names, qualifications and business address of all registered members in the building design profession.
- e- organise ACBDR meetings relating to NBDR and maintain all records.
- f- bring to the attention of the ACBDR of all the complains, inquiries and other issues related to the NBDR.
- g- facilitate the workings/proceedings of the Inquiry and Investigation Committee.

THE INQUIRY AND INVESTIGATION COMMITTEE RULES 2009



Construction Industry Development Section

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Definitions -

Minister - Minister of Housing, Transport and Environment

MHTE – Ministry of Housing, Transport and Environment

CIDS – Construction Industry Development Section

IIC – Inquiry and Investigating Committee

CIDB - Construction Industry Development Board

Registrar – Head of Construction Industry Development Section

THE INQUIRY AND INVESTIGATION COMMITTEE RULES 2009

Rule 1 -

Complaint against a registered member

1. Any complaint made to the Registrar against a registered member of any registrations maintain by the Registrar, shall be in writing by lodging the complaint form set out by the CIDS for that registration regulation.

Rule 2 -

Appointment of Inquiry and Investigation Committee

2.1- The Minister will appoint an Inquiry and Investigation Committee (IIC), for the purposes of assisting the Registrar to determine the nature of the complaint made against a registered member.

2.2- Every valid complaint received by the Registrar against a registered member may be laid before the Inquiry and Investigation Committee.

2.3- The Minister shall appoint in consultation with the CIDB -

- (a) 2 (two) registered professional members of NBDR to be members of the Inquiry and Investigation Committee,
- (b) 1 (one) member from Ministry of Housing, Transport and Environment (MHTE) to be members of the Inquiry and Investigation Committee,
- (c) 1 (one) registered member of National Building Professionals Accreditation Regulation (NBPAP) to be members of the Inquiry and Investigation Committee and
- (d) 1 (one) member from Maldives Association of Construction Industry (MACI) to be members of the Inquiry and Investigation Committee.

2.4 The Minister shall appoint in consultation with the CIDB, a member from the Inquiry and Investigation Committee as the Chairman of the Inquiry and Investigation Committee.

2.5- A member of the Inquiry and Investigation Committee shall be appointed for a period of one year and shall be eligible for re-appointment.

2.6- The Minister may remove any member of the Inquiry and Investigation Committee if the member fails to carry out his/her responsibilities stated in Rule – 3 or fill any vacancy in its membership.

Rule 3 -

Proceedings of Inquiry and Investigation Committee

3.1- The Chairman of the Inquiry and Investigation Committee may at any time summon a meeting of the Inquiry and Investigation Committee.

3.2- Three members of the Inquiry and Investigation Committee, including the Chairman of the Committee, shall be present to constitute a quorum for a meeting of the Committee.

3.3- Any question arising at any meeting of the Inquiry and Investigation Committee shall be determined by a majority of votes of the members thereof and, in the case of an equality of votes, the Chairman of the Committee shall have a casting vote.

3.4- In the absence of the Chairman of Inquiry and Investigation Committee, the Minister shall appoint an acting Chairman who shall have and exercise all the powers of the Chairman.

3.5- The Inquiry and Investigation Committee shall recommend to the Registrar if a complaint is to be dismissed or investigated.

3.6- The Inquiry and Investigation Committee shall carry out investigations and inquires of any complains made to any member of any registration and will submit the findings in a written report to the Registrar for action to be taken.

3.7- The Inquiry and Investigation Committee may request of the Registrar to appoint an advocate or solicitor to be present at any of its proceedings to advise the Committee on any matter of law.

3.8- For the purposes of conducting its proceedings, the Inquiry and Investigation Committee may request of the Registrar to appoint any person to make or assist in the making of any preliminary inquiries that is necessary for IIC.

3.9- Where the Inquiry and Investigation Committee is of the opinion that a registered member of any registration should be called upon to answer any allegation made against the member, the Committee shall post or deliver to the registered member concerned -

(a) Copies of the complaint made against the member and any statutory declaration or affidavit that has been made in support of the complaint, and

(b) a notice, inviting the registered member to give to the Inquiry and Investigation Committee, within such period (not being less than 7 (seven) working days) as may be specified in the notice, any written explanation the member may wish to offer and advise the Inquiry and Investigation Committee or if the member wishes to be heard by the Inquiry and Investigation Committee.

3.10- Before the expiration of the time specified in the notice referred to in paragraph (3.9), the registered member or his/her representative should attend before the IIC.

3.11- On the expiration of the time specified in the notice referred to in paragraph (3.9) (b), the Inquiry and Investigation Committee shall have power to suspend the registered members license if he/she fails to attend before the IIC.

3.12- The Inquiry and Investigation Committee shall give the registered member concerned reasonable opportunity, not exceeding 20 (twenty) working days, to be heard and shall consider any written explanation so given.

3.13- The registered member concerned may present his case before the Inquiry and Investigation Committee in person or be represented by an advocate or solicitor at any proceedings of the Inquiry and Investigation Committee.

3.14- Any person, who is authorised to be appeared on behalf of a registered member concerned, may appear before the Inquiry and Investigation Committee on behalf of the member at any proceedings of the Committee. The representative of the registered member must provide a written consent from the registered member.

Rule 4 -

Findings of inquiry and Investigation Committee, etc.

4.1- The Inquiry and Investigation Committee shall, within 60 (sixty) working days from the date of its commencement of inquiry and investigation of a complaint, submit a written report of its findings to the Registrar. The commencement date shall be the date that the registered member or his/her representative attended to the IIC for the first hearing. This date shall be revised as per the time extension given under paragraph 3.12.

4.2- The Registrar may grant an extension of time to the Inquiry and Investigation Committee to submit the written report of its findings to the Registrar if the CIDB is satisfied that the circumstances of the case justify the grant of an extension of time.

4.3- The Inquiry and Investigation Committee shall -

(a) state the reasons for the recommendations contained in its written report and

(b) attach to the written report copies of all relevant documents and statements collected by the Committee during its proceedings.

4.4- The Registrar may, where it thinks fit, require the Inquiry and Investigation Committee-

(a) to conduct further investigations after the written report prepared by the Inquiry and Investigation Committee has been submitted to the Registrar and

(b) to submit a further written report of its findings to the Registrar within such period as the Registrar thinks fit but not exceeding 10 (ten) working days from the date of report submitted as said in paragraph 4.4.

Rule 5 -

Allowances.

5.1- The Inquiry and Investigation Committee members shall be paid MRF 150.00 per hour.