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**CONSIGLIO NAZIONALE
DEGLI ARCHITETTI
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E CONSERVATORI**

DEONTOLOGICAL CODE

OF ITALIAN ARCHITECTS, TERRITORIAL PLANNERS, LANDSCAPE ARCHITECTS, CONSERVERS, IUNIOR ARCHITECTS AND IUNIOR PLANNERS

Text in effect since 1 January 2014
with the amendments to Art. 11 of 30/09/2015 and the amendments to Art. 9 of
29/09/2016



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Whereas article 4, clause 2 of the Italian Constitution states: "Every citizen has the right, according to his/her possibilities and choice, to engage in a business or service that is of aid to the material or spiritual progress of society";

Whereas article 9 of the Italian Constitution states: "The Republic promotes the development of culture and scientific and technical research. It protects the Nation's landscape and historical and artistic heritage";

Whereas article 41 of the Italian Constitution states: "Private enterprise is free to exist. It cannot be carried out in contrast to social utility or so as to bring harm to human safety, liberty and dignity. The law establishes opportune programs and controls so that public and private enterprise can be directed and coordinated towards social aims";

Whereas European Community Directive 2005/36/EC, in particular in the 27th Considering that, states: "Architectural creation, the quality of constructions, their harmonious inclusion in the surrounding environment, respect for natural and urban landscapes and of collective and private heritage are in the public interest";

PREAMBLE

THE PROFESSION OF ARCHITECT, TERRITORIAL PLANNER, LANDSCAPE ARCHITECT, CONSERVER, JUNIOR ARCHITECT AND JUNIOR PLANNER

The profession of Architect, Territorial Planner, Landscape Architect, Conserver Junior Architect and Junior Planner is an expression of knowledge and know-how entailing duties towards society, which historically has recognized the architect's role in physical transformations of the territory, in the valorization and conservation of landscapes, natural and urban, as well as of historical and artistic heritage, and in urban and territorial planning, in the context of his/her respective expertise.

In the professional's work, comprehending and translating the needs of individuals, of social groups and of the authorities in terms of organizing space helps to create and protect the values of general interests; as expressed in sector legislation in implementation of the Italian Constitution and in respect for the constraints

deriving from European Community regulations and international obligations.

The professional performs his or her work to meet the demands of his/her client, furnishing the knowledge and technical assistance required. The architect promotes a transformation of spaces that takes into account cultural and architectural heritage, safeguarding natural equilibriums and guaranteeing the safety of persons and the quality of life of the final user, in the context of his/her respective expertise.

To perform his or her work best, the professional's duty is to maintain independence of judgment and defend it from external influences of whatever nature. His or her signature declares and claims intellectual and technical responsibility for the service rendered.

The role that society acknowledges the professional requires that the architect keep his or her education up to date, conserving and increasing expertise with particular reference to the sectors in which he or she works so as to understand their environments, sites and economic, social and cultural relationships.

The purpose of the Deontological Code is to ensure the correct practice of the profession and, through it, the full realization of the task that society entrusts to the Architect, Territorial Planner, Landscape Architect, Conserver, Junior Architect and Junior Planner.

The relationship with the client is based on trust, personal and social, whose expectation is correct and cooperative conduct based on shared standards and rules. This expectation is based on the direct knowledge of the professional person but also and above all on the reliability of the profession to which he/she belongs.

The deontological code makes the behavior of the individual professional predictable and coercible, thereby constructing the reliability of a profession and hence its credibility.

Credibility is based on correct professional conduct and is increased by the professional's ability to be worthy of the role that society has entrusted to him or her. The deontological code safeguards the profession as an asset that the Architect, Territorial Planner, Landscape Architect, Conserver, Junior Architect and Junior Planner must preserve for correct relations with the client and in order to maintain the trust that society puts in his or her professional role.



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**Title I
GENERAL PRINCIPLES**

Art. 1

(Purpose and field of application)

1. This code applies to Architects, Territorial Planners, Landscape Architects, Conservers, Junior Architects and Junior Planners, for brevity's sake referred to in this code as "professionals" but each endowed with the expertise foreseen by the laws in force and any other regulations identifying a specific professional figure.

2. This code is the emanation of professional ethical standards that all persons registered with the order must know, subscribe to and follow and applies to professionals registered to practice this profession (individually, as an associate or as a partner), defending the values and general interests connected with the profession and respecting Art. 2233 of the Italian Civil Code as well as the decorum, dignity and credibility of the profession and of the Order. Every professional is obligated to observe both the text and the spirit of the deontological code as well as every other law regulating practice of the profession in the greater interest of society.

For this purpose the professional must conform his/her conduct to the principles and duties described in Title II.

3. Whenever the work is performed abroad, the professional undertakes to respect these deontological standards as well as those applicable in the country where he/she is working, should they exist.

4. Wherever foreign deontological standards are incompatible with the Italian, the Italian norms prevail.

**Title II
GENERAL DUTIES**

Art. 2

(Specific professionalism)

1. Using an unearned title constitutes important misconduct.

2. The professional must conform his/her work to the principle of specific professionalism, whatever form regulates his/her professional position.

3. Wherever he/she is not personally performing the service, the use of collaborators and, more generally, the use of a stable organization, must be under his/her direct supervision and responsibility.

Art. 3

(Obligations in the public interest)

1. The professional is obligated to safeguard and develop the value system and cultural and environmental heritage of the community in which he/she works.

2. In practicing the profession the professional must pay diligent attention to the impact his or her work could or will have on society and the environment.

3. For the urban planning-building work involved in his/her practice, the professional must comply with legal and regulatory standards, the prescriptions of zoning instruments and the methods of execution established in assignment specifications.

Art. 4

(Obligations to the profession)

1. Registration with the Order is a presupposition for practicing the profession and utilizing its title.

2. It is a violation of rules, also as per following art. 5, to practice without a professional title or during a suspension period, to use a professional title not awarded and to improperly use titles.

3. An equally grave violation of rules is the behavior of a professional who aids or otherwise, directly or indirectly, enables persons unentitled to or suspended from practice to unlawfully engage in it or permits said persons to economically benefit by so doing.

4. It is a grave violation of professional probity to add one's signature to those of other professionals or persons lacking legal authorization to undertake identical positions or responsibilities without indicating the work performed under one's own personal supervision and responsibility.

5. It is a violation of rules to omit communicating one's certified e-mail address to the Order with which one is registered.

6. It is a violation of rules to omit even just one year's payment of annual dues owed for membership in the Order.

Art. 5

(Loyalty and correct conduct)

1. The professional must base his/her relations and practice on loyalty and correct conduct towards his/her professional Order, client, colleagues and third parties in any way involved.



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2. The professional must in no case claim the work of others as his or her own. Likewise, the professional must not cite or supply documentation intended to pass off as exclusively his/her own a work designed in collaboration with other professional colleagues, without indicating their names and specific work performed.

3. The professional may use the academic title of professor only if he/she is a full or associate professor within the Italian university system, as per current law.

Art. 6

(Independence)

1. When practicing the profession, the professional has the duty to maintain his/her independence of judgment, technical and intellectual, and to defend it from influences of whatever nature.

Art. 7

(Confidentiality)

1. The professional must maintain the confidentiality of the service performed and of all that he/she has learned during its performance.

2. The professional must not divulge confidential information received, even by chance.

3. The professional is held to this duty even towards persons with whom the professional relationship has ceased, and towards those seeking his assistance without hiring him or her.

4. The professional is held to require observance of the duty of confidentiality from whoever has collaborated on the professional service with him or her, as well as to create the conditions for preserving confidentiality among employees and anyone else who, not registered with the Order, in any way works in or for his or her office.

5. Except as legally required, members of the Council or of the Order's commissions, as well as members appointed to represent the Council itself, are held to confidentiality regarding any subject or circumstance inherent to the position or mandate assumed.

Art. 8

(Expertise and diligence)

1. The professional must not accept work that he/she cannot perform with the skills required and with a suitable organization.

2. The architect must notify the client of circumstances preventing performance of the requested work at the

time they arise, proposing the aid of another professional.

3. The professional must practice his/her work following science and conscience and using qualified expertise. The professional is obligated to refuse the assignment when aware of being unable to carry it out with sufficient care and specific knowledge and skills.

Art. 9

(Professional updating)

1. In order to guarantee the quality and efficiency of professional services, in the best interest of the user and of society, and to achieve the aims of professional development, every professional has the duty to continually and constantly update his/her professional knowledge and skills.

2. Notwithstanding Art. 41 paragraphs 2, 3 and 4 of this Code:

– the failure to earn the minimum three-year professional training credits, up to a maximum of twenty percent (12 of 60), leads to the imposition of censorship;

– the failure to earn a number of credits greater than twenty percent leads to the imposition of the penalty of suspension, to be calculated at the rate of one day of suspension for each missing training credit. **(1)**

(1) cf. Circular no. 104, prot. 2997 of 29/09/2016. The text came into effect on 29/09/2016

Art. 10

(Truthfulness)

1. It is a violation of the rules to make false statements in documents and/or declarations.

Art. 11

(Lawfulness)

1. In practicing the profession and organizing his/her work, the professional must abide by the laws of the State, the professional Order and the rulings of said Order.

2. Competition must be entered into according to the principles set by European Community and Italian regulations and the deontological standards that uphold them. Any conduct directed towards acquiring clients in improper ways is prohibited. **(2)**

3. The professional must fulfill his/her social security and tax commitments pursuant to Law. 14.9.2011 n. 148. **(2)**



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4. The professional is subject to disciplinary procedures even for facts not regarding his or her practice only when they reflect on his/her professional reputation or compromise the image of the profession itself. **(2)**

5. Grave violations of the deontological code, damaging to the profession, are all penally punishable crimes relating to organized crime of the mafia type as well as to complicity with mafia-type organizations. **(2)**

(2) cf. Circular no. 126, prot. 3488 of 30/09/2015. The text came into effect on 30/09/2015.

Title III

RELATIONS WITH THE ORDER AND DISCIPLINARY BOARD

Art. 12

(Duties towards the professional Order)

1. The professional is duty-bound to cooperate with the Disciplinary Board of the Order he/she belongs to for official purposes, scrupulously respecting the duty to tell the truth; every member is therefore obligated to notify the Order and Disciplinary Board of any personally known facts relating to the profession requiring disciplinary measures.

2. All members must scrupulously observe every general or particular regulation issued by the Board of the Order and to suitably cooperate with it so that it can most efficiently perform its mandated official functions.

3. Under the current laws in force professionals elected to the board of the Order have no mandate constraints because they represent all the categories belonging to the Order; they must fill their positions willingly, objectively and impartially.

4. Professionals appointed members of the Disciplinary Board work in full independence of judgment and organizational and operational autonomy, in compliance with the laws and regulations in force, with the rules of disciplinary procedures, and with National Council regulations for appointing members of the territorial Disciplinary Boards of the Orders of Architects, Territorial Planners, Landscape Architects and Conservators, as well as in compliance with the Deontological Code.

5 A member under any title belonging to any public board commission must strictly adhere to the following duties:

- promptly informing the Board of the Order of his/her appointment or election;

- abiding by the regulations and directions that the Board of the Order may impart in the interests of or to safeguard the profession.

6. The member hired under conditions incompatible with the free practice of the profession he/she is entitled to engage in should notify his/her Order in advance of this specific professional activity by registered letter or certified e-mail.

Title IV

EXTERNAL RELATIONS

Art. 13

(Professional firms)

1. Professional partners must comply with the deontological code, as must professional firms set up as per Art. 10 of Law n. 183 of November 12, 2011, and Ministerial Decree n. 34 issued on February 8, 2013, and are subject to the disciplinary regime of the Order to which they belong.

2. Equally obligated to observe the deontological code are professionals belonging to professional firms or other forms of concerns already existent when Art. 10 of Law n. 183 approved on November 12, 2011, went into force.

3. If the deontological violation committed by the professional (even one belonging to an order different from the firm's) can be traced to instructions given by the firm, the professional's disciplinary liability coincides with the firm's.

Art. 14

(Relations with clients)

1. The relationship with the client is fiduciary in nature and must be imprinted with the utmost loyalty and probity. The professional must diligently perform the tasks assigned as long as they do not conflict with the public interest or his/her own intellectual and technical independence.

2. The professional must compare his/her effective ability to perform the tasks and the means at his/her disposal with the quantity and quality of the commissions and refuse those that he/she is unable to carry out with sufficient care and specific expertise.

3. Without the explicit consent of the client the professional cannot be a shareholder in companies acting as suppliers for the work or managed on behalf of the client. Should the professional have ideated or patented building methods, materials, components or furnish-



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ings proposed for the work that he/she has designed or supervised, he/she must inform the client of this.

4. In performing his/her work the professional must neither accept nor solicit rewards or fees from any third parties involved.

Art. 15

(Relations with institutions and third parties)

1. In professional relations with institutions, the professional must be especially diligent in fulfilling the duties stated in Title II.

2. In practicing the profession the professional must abstain from availing him- or herself of collaboration with employees of the institutions unless expressly so authorized by the institutions and the client themselves.

3. The professional must not claim credit with anyone holding positions with or working for institutions for the purpose of gaining advantages of whatever nature in his/her professional work for him/herself or others.

Art. 16

(Participation in commissions and competition juries)

1. The professional, whether appointed by the Board of the Order as its representative or personally appointed as an expert, or appointed for any other reason to a commission or panel, public or private, must promptly communicate this to the Board of the Order.

2. The manner in which he/she performs this office must be such as to reap no benefit of any nature for him/herself or others connected to it, and to safeguard the interests and prestige of the profession.

3. When participating in commissions or juries, public or private, in respect of his/her pertinent expertise the professional must observe the principles of autonomy and independence towards competition entrants, as per Art. 51 of the Italian Civil Code.

4. The professional who for any reason has participated in planning and defining contracts and/or stages of tenders or offers of technical services must abstain from competing for them, in respect of his/her respective professional expertise.

5. The professional having relations of whatever type with members of adjudicating commissions must not leverage such relations to gain advantages of whatever nature for him-/herself or others.

Art. 17

(Institutional positions)

1. The professional must make sure that the ways in which he/she performs his/her official work as member of the Board of the Order, of the Disciplinary Board or at institutions are not to his/her personal utility, of whatever nature, or to that of others.

Art. 18

(Participation in political and administrative electoral campaigns)

1. The professional holding representative positions in organizations foreseen by the Order's categories must abstain from performance of these offices for the period in which he/she publicly participates in political electoral campaigns.

Title V

INTERNAL RELATIONS

Art. 19

(Relations with colleagues)

1. Relations with colleagues must always be imprinted with fair play and loyalty.

2. The professional asked to fill a position already entrusted to another colleague must first ascertain from the client that the substitution was promptly communicated in writing to the colleague, inform said colleague in writing him/herself and ascertain the content of the previous position.

Before filling the position the professional must, in discussion with the exonerated colleague, verify the services already performed in order to define reciprocal responsibilities and safeguard the fees paid until then. Except in the case of documented impediment the professional in this case substituted must do everything possible so that the takeover is not detrimental to continuance of the work. All rights reserved.

3. The professional must abstain from making denigratory comments about a colleague.

4. When called upon to replace a deceased colleague, to liquidate the firm and/or have it temporarily managed by the Board of the Order to which it belongs, the professional must accept the task except in the case of conflict of interest or other justified impediment. The substituting professional must act with particular diligence in the interests of the heirs, clients and employees of the deceased colleague. For the commitments conferred on the deceased but fulfilled by the substituting professional the deceased colleague's heirs may



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ask the Order's opinion about the ways of and criteria for sharing the fees.

5. The professional asked to substitute for a colleague in the case of suspension from practice or temporary impediment must act with particular diligence and manage the practice with respect for its structural and organizational features.

6. The professional intending to take legal action against a colleague for professional reasons must previously inform the Board of the Order to which the colleague belongs.

Art. 20

(Unfair competition)

1. In practicing the profession the following misconduct assumes importance as per art. 11, clause 2:

- a) attributing to oneself the outcome of a service performed by another professional;
- b) the performance, with whatever means, of acts raising doubts about who actually has performed the professional service;,
- c) spreading news and comments about a professional's work that could be discrediting;
- d) engaging in premeditated acts detrimental to the work of another professional;
- e) qualification by means or the use of the professional firm's trademarks that do not make ownership of the firm perfectly identifiable.

2. Total or partial waiver of payment is admissible only in exceptional cases and for proven reasons justifying it. Total or partial waiver of a fee with costs considerably and objectively lower than production costs and in an amount to induce the client to make a decision of a commercial nature, is to be considered unfairly competitive behavior and a grave violation of the deontological code.

Art. 21

(Relations with co-workers and employees)

1. In relations with co-workers, intended as all persons primarily performing their own work and not subordinate to others, and with employees, intended as all persons performing work with whatever qualification, in subordinate positions, the professional must remunerate work in proportion to the contribution made.

2. The professional must regulate relations with co-workers in the framework of a unitary relationship, with absolute autonomy or independence and without them being subjected to technical and/or organizational directives or constraints of hierarchal employment,

and with broad autonomy as to work times, hours and methods.

3. In regard to co-workers the professional must:

- refrain from any behavior violating the norms set down in art. 20;
- ensure them suitable work conditions;
- grant them the ability to attend professional updating activities;
- maintain the pacts and agreements defined at the start of collaboration.

4. The professional is disciplinarily responsible for tasking co-workers and/or employees with services for which they are unqualified.

Art. 22

(Relations with internists)

1. In relations with internists, the professional is held to impartially perform his educational duties and do everything necessary to ensure that internists learn the practice, with particular attention to deontological rules.

2. The professional must imprint his relations with internists with the maximum clarity and transparency, with particular attention to their tasks and how they perform them.

Title VI

PROFESSIONAL PRACTICE

Art. 23

(Professional assignments)

1. The professional assignment is configured as a contract involving the performance of an intellectual service as per Art. 2222 and subsequent articles of the Italian Civil Code; whatever type of contract regulates it, it is based on trust and must conform to the principle of specific professionalism. It must be in written form and contain what is set down in Art. 24.

2. The professional must not knowingly suggest solutions that are uselessly onerous, or illicit, fraudulent or nullified.

3. The professional must refuse to accept the assignment or perform the work when he/she can soundly deduce from known elements that the work could involve illicit or illegal operations.

4. The professional must never accept assignments incompatible with the laws in force or with this deontological code.



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Art. 24

(Contracts and Remuneration)

1. The professional is obligated to define the contract, complete with an estimate of the cost of the work and professional fees, and this contract must be signed by both parties.

2. The professional determines in writing in the contract his/her professional fee according to criteria to be specified in the contract, in respect of Art. 2233 of the Italian Civil Code and every other standard required for performance of said professional services.

3. For the contract the professional must define with the client, explicitly and in advance, the criteria for calculating the fee for his/her service, informing the client of the complexity of the job and providing all useful information about possible expenditures from assignment conferral to conclusion of the work; he/she must also provide the data regarding insurance coverage for any damage incurred in performing the work. In any case, the remuneration, previously made known in writing to the client, must be suited to the importance of the work and agreed upon, for individual services indicating all the cost headings, including expenses, taxes and contributions. The professional must also inform the client of the existence of this deontological code.

4. The professional must inform the client in writing of any variation to remuneration owing to unexpected and unpredictable causes requiring changes to the original work agreements.

5. In the contract the professional may claim advance payment of the expenses incurred and expected, as well as advances on fees commensurate with the number and complexity of the professional services to be rendered with respect to the agreed-upon sum.

6. When not foreseen as forfeits or percentages, the professional handles accounting of the expenses incurred and advances received and is held to deliver the detailed accounting of the expenses incurred and advances received.

7. The request for fees, as described in causes 1 and 3 of this article, that are clearly underestimated with respect to the service performed, or the absence of fees, is considered unfair practice distorting normal market equilibriums and is a grave violation of regulations.

8. In the case of non-payment, the professional cannot request payment above what was previously agreed upon unless he/she made this an express reserve.

Art. 25

(Assignment acceptance)

1. The professional must promptly advise the client of his decision to accept the assignment or not.

Art. 26

(Joint assignment)

1. The professional receiving a joint assignment must establish effective collaboration relations respecting their relative tasks and professional expertise. In particular, he/she is held to adhere to what is established by this deontological code. He/she:

a) must agree on work conduction as well as the work to be done:

b) must avoid establishing direct contacts with the client without prior agreement from the colleague:

c) must abstain from actions and conduct tending to attract the client into his/her own professional sphere.

Art. 27

(Performing the assignment)

1. The professional must perform the assignment with diligence and the expertise required by the standards regulating the profession.

2. The professional must promptly inform the client, with simplicity and clarity, of the basic elements of the assignment, its execution and every evolution. In detail he/she is held to:

a) inform the client of possible consequences of the requested assignment from all the standpoints connected with it, and, if necessary, propose alternative solutions;

b) rectify any errors, inexactitudes or omissions committed in performing the service.

3. Should the professional exceed the agreed limits of the assignment conferred, he/she is held to inform the client in advance and obtain explicit authorization in agreement as to ways and fees.

Art. 28

(Assignment termination)

1. The professional must not continue with the assignment whenever circumstances or constraints arise that could influence his or her freedom of judgment or influence conduct.

2. The professional must not continue with the assignment if the client's conduct or demands impede its correction execution.

3. The professional unable to continue the assignment with specific expertise due to later modifications to the nature and difficulty of the work has the duty to so in-



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form the client and ask to be replaced or joined by another professional.

4. The professional must promptly inform the client of assignment termination and prevent the client from being jeopardized by it.

Art. 29

(Rejection of the assignment)

1. Except when foreseen by law or the stipulated agreement, when the professional rejects the assignment he/she must give the client prior notice and prevent the client from being jeopardized by it. He/she must also ensure that no damage is done to colleagues in the case of group assignments, or to replacement colleagues.

2. In the case that the client cannot be found, the professional must send this notice to the last known address of the client by registered mail with delivery receipt and, having fulfilled this duty, save for obligations dictated by law and/or the agreements, is exonerated from any further work.

Art. 30

(Non-fulfillment)

1. Constituting a disciplinary infraction is the non- or incorrect fulfillment of the assignment deriving from inexcusable and extensive negligence of professional and contractual obligations.

Art. 31

(Conflict of interests)

1. The professional is held to abstain from performing professional services when he/she, third parties or persons in the same offices have interests in conflict with those of a client or that can influence the correct performance of the assignment.

Art. 32

(Interference between economic and professional interests)

1. Constituting undue interference between economic and professional interests, as per articles 5 and 6, is the conduct of the professional who makes agreements with companies concerning the services they have rendered the architect's client.

Art. 33

(Document restitution)

1. When the client requests it, the professional must return the documents received from the client but may keep a copy of them.

Art. 34

(Assets)

1. The professional must be in a position to be able to pay any damages caused by practicing the profession; for this purpose he/she must stipulate insurance coverage for damages incurred by the client as a result of the professional's practice. When hired, the professional must inform the client of the data contained in the insurance policy, its ceiling, and any subsequent variation to it.

Art. 35

(Information)

1. The client is briefed about professional work at his/her request, providing the credentials of the professional and the firm.

Art. 36

(Informative advertising)

1. Admissible with all means is informative advertising concerning regulated professional practices, specializations, the professional titles possessed, the structure of the professional firm and the fees set for services.

2. The informative advertising described in clause 1 must be purposeful, truthful and correct, must not violate professional secrecy and must not be equivocal, misleading or denigratory.

3. The Board of the Order can examine or monitor the advertising campaigns run by members in order to verify respect for the aforesaid criteria.

Title VII

DISCIPLINARY POWERS

Art. 37

(Disciplinary powers)

1. The Boards of the Orders of Architects, Territorial Planners, Landscape Architects and Conservers have Disciplinary Boards tasked with preliminary evaluations, investigations and final rulings on disciplinary issues concerning order members.

2. Except when foreseen by law, the Disciplinary Boards instituted by the Orders have the power to decide on suitable sanctions proportionate to the violation of deontological standards in regard to what is stated in the following article.

3. Within the limits defined by Title VIII, the sanctions must suit the gravity of the facts and take into account misconduct repetition as well as the specific circum-



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stances, subjective and objective, involved in creating the infraction.

4. Where the alleged conduct is an independent violation of the precepts of this code, disciplinary action must be taken in full autonomy and freedom of judgment, must be carried out and eventually brought to conclusion independently of any other judiciary action.

5. Judiciary action does not suspend the disciplinary procedure when misconduct constitutes an independent violation of the regulations of this Deontological Code.

Art. 38

(Parity of treatment, safeguarding the entrustment and unity of regulations)

1. In order to implement article 3 of the Italian Constitution and guarantee parity of treatment, as per the following clauses the National Council ensures the unity of category regulations.

2. The National Council may revise the decisions of the Boards of provincial Orders that, without adequate motivations, interpret the Deontological Code in ways not conforming to previous rulings handed down by the National Council.

Art. 39

(Certainty of law)

1. The National Council can make precepts of its rulings and publish them on the website www.awn.it; the precept expresses the deciding reason (*ratio decidendi*) for the ruling, giving both the specific case and the deontological rule applied.

Art. 40

(Conduct)

1. Disciplinary measures derive from breach of duty.

2. The subject of appraisal is the overall conduct of the alleged culprit.

3. When various infractions have been cited within a single disciplinary procedure the sanction must be unique.

Title VIII SANCTIONS

Art. 41

(Sanctions)

1. The sanctions foreseen for violations of these regulations are:

- a) warning
- b) censure
- c) suspension
- d) annulment.

Except, in any case, for the sanctions established by Italian law.

2. Any violation of this deontological code:

- is unpremeditated, or unintended, when the event, even if foreseen, was not desired by the professional and occurred due to negligence, imprudence or inexperience, or in other words for non-observance of laws, regulations, orders or disciplines;
- is premeditated, or intended, when the damaging or dangerous event is the result of action or omission for which sanctions exist and which was foreseen and desired by the professional as the result of his/her action or omission.

3. If any violation of this deontological code, unpremeditated or premeditated, results in damage as the consequence of an action or event causing the quantitative or functional reduction of an asset, a value, a vehicle, a property or anything else having economic, affective and moral value, this is a circumstance aggravating the deontological violation and liable to sanctions corresponding to the immediately superior category of violations.

4. Any unpremeditated deontological violation is punishable by the minimum sanction of a warning up to and including the maximum of a ten-day suspension from practice.

Any premeditated deontological violation is punishable by the minimum sanction of a ten-day suspension from practice up to and including the maximum of membership revocation.

5. Any infraction regarding incompatibility and unfair competition, and any other breach able to cause material or moral harm to third parties, is sanctioned by suspension.

6. Applicable in cases of repetitions of infractions foreseen in the previous clause are sanctions corresponding to the immediately superior category of infractions.

7. Suspension for a period superior to six months and annulment of membership will be applied in cases foreseen by law and in cases of repetition or of loss of the rights required for inscription in the registry.



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**CONSIGLIO NAZIONALE
DEGLI ARCHITETTI
PIANIFICATORI
PAESAGGISTI
E CONSERVATORI**

**Title IX
TRANSITORY AND FINAL PROVISIONS**

Art. 42

(Final provision)

1. The provisions contained in Titles III, IV and V are the expressions of general principles contained in this Code and do not limit its field of application.

Art. 43

(Updating the Deontological Code)

1. The National Council ruled to update this Code due to the passage of subsequent laws and directives.

Art. 44

(Date taking effect)

1. These standards will take effect on January 01, 2014.
2. These regulations are published on the website www.awn.it and circulated by each Order through publication on their own official websites.