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K A M R A T A L - P E R I T I

To support members of the profession in achieving excellence in their practice of architecture and engineering in the interest of the community

DIRECTIVE 01/2019

21st January 2019

RE: Advertising of professional services

Paragraph 3 of the Code of Professional Conduct published in 1968 stipulated that “A member must not advertise or offer his professional services to any person or body by means of circulars or otherwise, or make paid announcements in the Press except that: (a) He may apply to prospective employers for a salaried appointment; (b) He may advertise a professional appointment, open or wanted; (c) He may insert in the Press three notices of one change of address.”

Paragraph 4 also stipulated that “A member may allow signed illustrations and descriptions of his work to be published in the press, but he shall not give monetary consideration for such insertions.”

The *Kamra tal-Periti* consistently interpreted the above to constitute a complete ban on any form of paid advertising, while allowing *periti* to publish their work as long as this is not remunerated.

Through [Legal Notice 116 of 2010](#), Government removed Paragraph 3 from the Code of Professional Conduct. The Council notes that it is a widely accepted practice across Europe for architects and engineers to advertise their services, notwithstanding this is subject to certain conditions.

Article 24(2) of the SIM Directive – 2006/123/EC reads: “Member States shall ensure that commercial communications by the regulated professions comply with professional rules, in conformity with Community law, which relate, in particular, to the independence, dignity and integrity of the profession, as well as to professional secrecy, in a manner consistent with the specific nature of each profession. Professional rules on commercial communications must be non-discriminatory, justified by an overriding reason relating to the public interest and proportionate.”

In light of the above, the Deontological Code published in 2016 by the Architects’ Council of Europe (ACE) stipulates that “No provider of architectural services shall either communicate or promote or represent themselves or their professional services in a false or deceptive manner; nor shall they allow others to do so, whether or not acting on their behalf.”

During the Annual General Meeting of the *Kamra tal-Periti* held on the 10th January 2019, the members present approved the following principles, which are being issued to all Warranted Periti as a Directive:

1. The above-mentioned principles stipulated in the Architects’ Council of Europe Deontological Code are hereby being adopted by the *Kamra tal-Periti*, and therefore no Warranted *Perit* or Warranted Partnership of *Periti* shall either communicate or promote or represent themselves or their professional services in

a false or deceptive manner, nor shall they allow others to do so, whether or not acting on their behalf.

2. The Council of the *Kamra tal-Periti* shall be setting up a Working Group which will present a set of guidelines on advertising and marketing of professional services to the Council for its approval and dissemination to the profession.
3. Until the formal publication of guidelines officially approved by the Council, *periti* are hereby notified that references to fees or fee structures for the provision of services in any form or advertising, publicity material, or marketing of their services or business, is not permitted.

The Council of the *Kamra tal-Periti*, as empowered by the General Meeting of 10 January 2019, will investigate any alleged breaches in line with the afore-mentioned principles, and, eventually, with the published approved guidelines. Any actions by *periti* which are found to be in breach of the above will be considered as conduct which is discreditable to the profession, as provided for in the Periti Act.

Perit Simone Vella Lenicker
President