



Board of Surveying and Spatial Information

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Any enquiries relating to the policy may be address to the Board of Surveying and Spatial Information at BOSSI@finance.nsw.gov.au

Author: Board of Surveying and Spatial Information

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Land and Property Information

346 Panorama Avenue

Bathurst NSW 2795

or

PO Box 143

Bathurst NSW 2795

T: 02 6332 8238 F: 02 6332 8240

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Guide for professional conduct

1. A surveyor has a duty of care to the public and shall carry out their professional duties in a manner that considers the public interest and environmental sustainability.
2. A surveyor shall act with honesty, integrity, equity, and without discrimination, towards any person in the community.
3. A surveyor shall exercise independent judgment and skill, act competently, and not accept assignments that are outside the scope of their professional competence and beyond their capacity.
4. A surveyor shall disclose any real or perceived conflict of interest to the relevant party.
5. A surveyor shall preserve the confidentiality of any information or documents in their possession and not use such information inappropriately.
6. A surveyor shall exercise the required level of professional supervision in accordance with the BOSSI Determination on Supervision.
7. A surveyor shall ensure that they have the necessary information, documentation, skills and resources to undertake and competently complete surveys.
8. A surveyor shall advance their knowledge and skills by undertaking Continuing Professional Development throughout their career in accordance with the BOSSI Determination on Continuing Professional Development.

Introduction

This guide has been prepared to assist surveyors in fulfilling their professional and legal obligations to the public, the government and their clients.

To assist BOSSI in administering the Act and to assist surveyors in performing their duties, The Guide for Professional Conduct provides a framework for the legal, professional and public obligations of surveyors.

This guide has been modeled on the International Federation of Surveyors (FIG) Code of Ethics.

Registration as a surveyor

Surveyors in New South Wales are registered under the *Surveying and Spatial Information Act 2002* (the Act).

The objectives of the Act are:

- (a) to provide for the registration of land surveyors and mining surveyors to ensure that only appropriately qualified persons carry out land surveys and mining surveys and
- (b) to ensure that registered surveyors provide services to the public in a professional and competent manner and
- (c) to provide for the maintenance of a State cadastre and ensure its integrity and
- (d) to provide for the co-ordination of surveys carried out by public authorities and for the establishment of a State control survey and
- (e) to provide for the investigation of, and the giving of advice to the government relating to, the collection, collation and dissemination of spatial information other than surveys.

The Act provides for a Board of Surveying and Spatial Information (BOSSI) which has responsibilities to administer the Act, including, amongst other things, investigating complaints against registered Surveyors and the taking of disciplinary action.

The Act also allows BOSSI to take action against a registered surveyor who is guilty of professional misconduct. The Act defines professional misconduct as, among other things, 'any act or omission that demonstrates that the surveyor is not a fit and proper person to be registered as A surveyor'.

To determine if A surveyor is a fit and proper person to provide surveying services to the public, in a professional and competent manner, BOSSI is required to consider:

- a) the reputation, honesty and integrity of the surveyor, and any past conviction
- b) whether the person possesses the qualifications, competence, character, diligence, honesty, integrity and judgement to properly perform the duties of a registered surveyor and
- c) the circumstances of the case.

The public interest

1. The first duty of surveyors is normally to their clients or employers but as professionals they also have a duty to the public. Surveyors are fact finders and providers of opinions and advice. It is important that they are diligent, competent, impartial and of unquestionable integrity in ensuring that the information they provide is true and complete and that the opinions and advice that they give are of the highest quality.
2. The work of surveyors has cumulative and long term effects on future generations. Many of the functions of surveyors, even those performed for private clients, are by their nature functions that have a lasting impact on society. Most information becomes public information at some point in time and may be used for purposes other than those for which it was initially intended.

The information recorded by early surveyors and explorers has, for example, subsequently been used for the expansion of geographical knowledge and for land development. Similarly, land management systems designed for today create an environment in which future generations will live, work and play. The principles of sustainable development require surveyors to work as much for the future as for the present.

3. Clients, employers and the public must be confident that surveyors have exercised objectivity in arriving at their professional opinions. These obligations may sometimes appear to be in conflict with the obligations that surveyors owe to their clients, their employers and their peers. Surveyors have a duty to the truth, even when it may not be in the best interest of their clients or employers.

Guiding principles

Surveyors should be guided by the following principles:

1) Integrity

- a) maintain the highest standards of honesty and integrity towards those with whom they come into contact, either directly or indirectly and
- b) accurately and conscientiously measure, record and interpret all data and offer impartial advice based thereon.

2) Independence

- a) diligently and faithfully execute their role according to the law and
- b) maintain their objectivity and provide their clients and employers unbiased advice, without prejudice or favour either towards or against other organisations or persons.

3) Care and competence

- a) maintain their knowledge and skills, keep abreast of developments in their fields of practice and apply their expertise for the benefit of society
- b) only accept work that they reasonably believe they will be able to carry out in a professional manner and
- c) exercise care in the performance of their duties, including adherence to occupational health and safety obligations and responsibilities.

4) Duty

- a) maintain confidentiality about the affairs of their current and former clients and employers unless required by law to make disclosures
- b) avoid conflicts of interest
- c) take environmental, cultural and heritage concerns into account in their operations and activities
- d) recognise the interests of the public when providing services to their clients or employers and
- e) conduct their work to the best of their ability, giving due consideration to the rights of all parties.